



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, June 19, 2018

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Mayor
Thomas K. Butt

Vice Mayor
Melvin Willis

Councilmembers

Jovanka Beckles
Ben Choi
Eduardo Martinez
Jael Myrick
Ada Recinos

Housing Authority Tenant Commissioners

Jaycine Scott
Tanise Smith

The Richmond City Council also serves as Board Members and Commission Members for the following:

Housing Authority
Joint Powers Financing Authority
Surplus Property Authority
Local Reuse Authority

COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair accessible location. To request disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact Bruce Soublet, ADA Coordinator, at (510) 620-6509 at least three business days before the meeting date.

MEETING PROCEDURES

The City of Richmond encourages community participation at its City Council meetings and has established procedures that are intended to accommodate public input in a timely and time-sensitive way. As a courtesy to all members of the public who wish to participate in City Council meetings, please observe the following procedures:

PUBLIC COMMENT ON AGENDA ITEMS: Anyone who desires to address the City Council on items appearing on the agenda must complete and file a pink speaker's card with the City Clerk **prior** to the City Council's consideration of the item. Once the City Clerk has announced the item, no person shall be permitted to speak on the item other than those persons who have submitted their names to the City Clerk. Your name will be called when the item is announced for discussion. **Each speaker will be allowed up to TWO (2) MINUTES to address the City Council on NON-PUBLIC HEARING items listed on the agenda. Speakers are allowed up to THREE (3) minutes on PUBLIC HEARING items.**

OPEN FORUM FOR PUBLIC COMMENT: Individuals who would like to address the City Council on matters not listed on the agenda or on items remaining on the consent calendar may do so under Open Forum. All speakers must complete and file a pink speaker's card with the City Clerk **prior** to the commencement of Open Forum. The amount of time allotted to individual speakers shall be determined based on the number of persons requesting to speak during this item. **The time allocation for each speaker will be as follows:** 15 or fewer speakers, a maximum of 2 minutes; 16 to 24 speakers, a maximum of 1 and one-half minutes; and 25 or more speakers, a maximum of 1 minute.

SPEAKERS ARE REQUESTED TO OCCUPY THE RESERVED SEATS IN THE FRONT ROW BEHIND THE SPEAKER'S PODIUM AS THEIR NAME IS ANNOUNCED BY THE CITY CLERK.

CONSENT CALENDAR: Consent Calendar items are considered routine and will be enacted, approved or adopted by one motion unless a request for removal for discussion or explanation is received from the audience or the City Council. A member of the audience requesting to remove an item from the consent calendar must first complete a speaker's card and file the card with the City Clerk **prior** to the City Council's consideration of Agenda Review. Councilmembers who request to remove an item from the consent calendar must do so during Agenda Review. An item removed from the Consent Calendar may be placed anywhere on the agenda following the City Council's agenda review.

CONDUCT AT MEETINGS: Richmond City Council meetings are limited public forums during which the City strives to provide an open, safe atmosphere and promote robust public debate. Members of the public, however, must comply with state law, as well as the City's laws and procedures and may not actually disrupt the orderly conduct of these meetings. The public, for example, may not shout or use amplifying devices, must submit comment cards and speak during their allotted time, may not create a physical disturbance, may not speak on matters unrelated to issues within the jurisdiction of the City Council or the agenda item at hand, and may not cause immediate threats to public safety.

CITY HARASSMENT POLICY: The City invites public comment and critique about its operations, including comment about the performance of its public officials and employees, at the public meetings of the City Council and boards and commissions. However, discriminatory or harassing comments about or in the presence of City employees, even comments by third parties, may create a hostile work environment, if severe or pervasive. The City prohibits harassment against an applicant, employee, or contractor on the basis of race, religious creed, color, national origin, ancestry, physical disability, medical condition, mental disability, marital status, sex (including pregnancy, childbirth, and related medical conditions), sexual orientation, gender identity, age or veteran status, or any other characteristic protected by federal, state or local law. In order to acknowledge the public's right to comment on City operations at public meetings, which could include comments that violate the City's harassment policy if such comments do not cause an actual disruption under the Council Rules and Procedures, while taking reasonable steps to protect City employees from discrimination and harassment, City Boards and Commissions shall adhere to the following procedures. If any person makes a harassing remark at a public meeting that violates the above City policy prohibiting harassment, the presiding officer of the meeting may, at the conclusion of the speaker's remarks and allotted time: (a) remind the public that the City's Policy Regarding Harassment of its Employees is contained in the written posted agenda; and (b) state that comments in violation of City policy are not condoned by the City and will play no role in City decisions. If any person makes a harassing remark at a public meeting that violates the above City policy, any City employee in the room who is offended by remarks violating the City's policy is excused from attendance at the meeting. No City employee is compelled to remain in attendance where it appears likely that speakers will make further harassing comments. If an employee leaves a City meeting for this reason, the presiding officer may send a designee to notify any offended employee who has left the meeting when those comments are likely concluded so that the employee may return to the meeting. The presiding officer may remind an employee or any council or board or commission member that he or she may leave the meeting if a remark violating the City's harassment policy is made. These procedures supplement the Council Rules and Procedures relating to disruption of orderly conduct at Council meetings.

Any law enforcement officer on duty or whose service is commanded by the presiding officer shall be Sergeant-at-Arms of the Council meetings. He/she, or they, shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Council meetings (City Council Rules of Procedure and Order Section III F, RMC Section 2.12.030).

**OPEN SESSION TO HEAR PUBLIC COMMENT BEFORE
CLOSED SESSION**

5:00 p.m.

- A. **ROLL CALL**
- B. **PUBLIC COMMENT BEFORE CLOSED SESSION**
- C. **ADJOURN TO CLOSED SESSION**

CLOSED SESSION

Shimada Room of the Community Services Building

A. **CITY COUNCIL**

A-1. PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6):

Title: City Manager

**A-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision [a] of Government Code Section 54956.9):**

Denham vs. City of Richmond

Honrick vs. City of Richmond

Manning vs. City of Richmond

**A-3. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section
54957.6):**

Agency designated representatives: Bill Lindsay, Lisa Stephenson, Jack Hughes, and
Maria Blue

Employee organizations: Service Employees International Union (SEIU, Local 1021)

**A-4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code
Section 54956.8):**

Property: Point Potrero Marine Terminal

Agency negotiators: Bill Lindsay and Jim Matzorkis

Negotiating party: Auto Warehousing Company and Subaru of America

Under negotiation: Price and terms of payment

**SPECIAL MEETING OF
THE RICHMOND HOUSING AUTHORITY**

6:25 p.m.

A. PLEDGE TO THE FLAG

B. ROLL CALL

C. STATEMENT OF CONFLICT OF INTEREST

D. AGENDA REVIEW

E. HOUSING AUTHORITY CONSENT CALENDAR

E-1. ADOPT a resolution approving a Smoke-Free Public Housing Policy; revising Chapter 13 of the admissions and continued occupancy policy; and adopting the 2018-19 Annual Plan to incorporate the Smoke-Free Public Housing Policy - City Manager's Office (Bill Lindsay 620-6512).

E-2. ADOPT a resolution approving an amendment to the contract with Plant Hazardous Services, Inc. to complete lead testing at 45 units at Nystrom Village and produce a written report for each unit, increasing the contract amount by \$41,800, for a total contract amount of \$51,750 - City Manager's Office (Bill Lindsay 620-6512).

E-3. ADOPT a resolution approving a contract with CMH Inspection Services for inspection services performed in the Section 8 Voucher and Low Income Public Housing Programs from January 1, 2018 to July 31, 2018, for an amount not to exceed \$18,000 - City Manager's Office (Bill Lindsay 620-6512).

E-4. ADOPT a resolution approving a contract amendment with Staffmark Holdings, Inc. for temporary staffing services, increasing the contract amount by \$100,000, for a total amount not to exceed \$200,000 - City Manager's Office (Bill Lindsay 620-6512).

E-5. APPROVE the minutes of the June 5, 2018, regular Richmond Housing Authority meeting - City Clerk's Office (Pamela Christian 620-6513).

F. ADJOURNMENT

**MEETING OF THE SUCCESSOR AGENCY TO THE RICHMOND
COMMUNITY REDEVELOPMENT AGENCY AND
RICHMOND CITY COUNCIL**

6:30 p.m.

- A. ROLL CALL**
- B. STATEMENT OF CONFLICT OF INTEREST**
- C. AGENDA REVIEW**
- D. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE DURING CLOSED SESSION**
- E. REPORT FROM THE CITY MANAGER**
- F. OPEN FORUM FOR PUBLIC COMMENT**
- G. SUCCESSOR AGENCY TO THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY CONSENT CALENDAR**

G-1. APPROVE a contract amendment with Fraser & Associates for financial services associated with the Successor Agency's continuing bond disclosure requirements, increasing the contract amount by \$40,000 for a total amount of \$48,000, and extending the contract term three fiscal years to June 30, 2021, with two, successive, one-year renewal options extending the term to June 30, 2023 - Successor Agency to the Richmond Community Redevelopment (Bill Lindsay/Stacie Plummer 620-6930).

H. CITY COUNCIL CONSENT CALENDAR

H-1. ADOPT a resolution authorizing service contracts with seven landscape architectural firms (Questa - Richmond); (WRT - San Francisco); (Vallier Design - Richmond); (PlaceWorks - Berkeley); (Harris Design - Berkeley); (RHAA - Mill Valley); and (Firma Design Group - Santa Rosa), for as-needed landscape architectural services in an amount not to exceed \$600,000 per firm over a three-year period plus a two-year extension - Engineering and Capital Improvement Projects Department (Yader A. Bermudez 774-6300).

H-2. APPROVE a contract with McNabb Construction, Inc. for construction of a trash enclosure at Melville Square in the Richmond Marina Bay area, utilizing Marina funds in an amount not to exceed \$325,000 - Engineering and Capital Improvement Projects Department (Yader A. Bermudez 774-6300).

- H-3.** APPROVE a contract, with Municipal Resources Group, LLC, for the consultation services of Alan Wolken in support of the City and Successor Agency's real property transactions, with a payment limit of \$270,000 and a three-year term extending to June 30, 2021, with two additional, successive one-year renewal options not to exceed a combined total of \$180,000 and extending the contract term to June 30, 2023 - City Manager 's Office and Finance Department (Bill Lindsay 620-6512/Belinda Warner/Stacie Plummer 620-6740).
- H-4.** APPROVE a contract with Susan Mayer to provide finance staff training, consultation, and analysis in preparation for the audit of fiscal year 2017-2018 financial activities, with a limit not to exceed \$40,000 and a term beginning June 25, 2018 and extending to December 31, 2018 - Finance Department (Belinda Warner/Stacie Plummer 620-6930).
- H-5.** INTRODUCE an ordinance (first reading) setting the tax rate for the Tax Override Pension Fund for Fiscal Year 2018-19 at 0.14% - Finance Department (Belinda Warner/Antonio Banuelos 620-6741).
- H-6.** ADOPT a resolution to amend the Port of Richmond Federal Maritime Commission (FMC) Tariff No. 3 reflecting a 2.8% increase in tariff rates as approved by the Executive Committee of the California Association of Port Authorities (CAPA) - Port Department (Jim Matzorkis 215-4600).
- H-7.** ADOPT a resolution accepting as complete the Oil Spill Cleanup project at the Point Potrero Marine Terminal contracted to Performance Abatement Services - Port Department (Jim Matzorkis 215-4600).
- H-8.** AUTHORIZE the Port to enter into a one-year lease, with four options to extend for one year, with Pio Trucking Company for its use of property at Terminal 4, with annual revenue to the Port of Richmond in the amount of \$72,718 - Port Department (Jim Matzorkis 215-4600). **This item was continued from the May 1, 2018, meeting.**
- H-9.** APPROVE a one-year extension to the current contract with Bosco Valley Oil, dba Valley Oil Company, to deliver bulk fuel, extending the term by one year to June 30, 2019, and increasing the amount of the contract by \$800,000 for a total amount of \$3,800,000 - Department of Infrastructure and Maintenance Operations (Tim Higareas 620-6508).
- H-10.** APPROVE a two-year contract with Rahul Maharaj to maintain the required quality assurance of medical calls in the Communications Center, and to provide mandatory training, in an amount not to exceed 36,000.00, for a term from July 1, 2018, to June 30, 2020 - Police Department (Chief Allwyn Brown 621-1802).
- H-11.** APPROVE the purchase of 37 sets of Velocity Systems ballistic plate inserts from Victory Tactical Gear in an amount not to exceed \$14,000 - Police Department (Chief Allwyn Brown 621-1802).

- H-12.** ADOPT an ordinance (second reading) establishing the wages, salary, and compensation for the new classification of Director of Infrastructure Maintenance and Operations (Executive Salary range 5.1 \$10,728 - \$17,078) - Human Resources Management Department (Lisa Stephenson/Maria Blue 620-6600).
- H-13.** DESIGNATE Mayor Tom Butt as voting delegate and Eduardo Martinez as an alternate to represent the City of Richmond at the Annual Business Meeting of the League of California Cities' 2018 Annual Conference, to be held at the Convention Center in Long Beach, Wednesday, September 12 through Friday, September 14, 2018 - City Clerk's Office (Pamela Christian 620-6513).
- H-14.** APPROVE the minutes of the May 15, May 22, and June 5, 2018, regular Richmond City Council meetings and the May 29, 2018, special Richmond City Council meeting - City Clerk's Office (Pamela Christian 620-6513).
- H-15.** APPROVE a contract amendment with SCI Consulting Group to increase its contract by \$50,500, for a total amount not to exceed \$60,400, to continue assisting the City in preparing amendments to the City's cannabis ordinance and associated fee study, for a term ending December 31, 2019 - Planning and Building Services Department (Richard Mitchell 620-6706).
- H-16.** APPROVE actions to update the Shimada Friendship Commission; APPOINT Valeria Snider, new appointment, seat #9, term expiration date December 31, 2021 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-17.** APPROVE actions to update the Commission on Aging; APPOINT Beverly Wallace, re-appointment, seat #2, term expiration date May 19, 2022, Patricia Jackson, new appointment, seat #5, term expiration date May 19, 2022, Celina Hall, new appointment, seat #7, term expiration date May 19, 2022, Naomi Williams, re-appointment, seat #9, term expiration date May 19, 2022, and Christine Caldwell, re-appointment, seat #10, term expiration date May 19, 2022 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-18.** ADOPT an ordinance (second reading) amending Chapter 9.52 Community Noise Ordinance adjusting the Maximum Noise Level for Single-Family Residential and Multifamily Residential Zoning Districts - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-19.** RECEIVE the monthly report on Point Molate activities for the month of May 2018 - City Manager's Office (Bill Lindsay/Craig Murray 620-6512)
- H-20.** APPROVE a recommendation from the Environment & Community Investment Agreement Grant Review Committee for Fiscal Year 2018-2019 awarding grants to 24 organizations in an amount not to exceed \$500,000; and ADOPT a resolution authorizing the city manager to negotiate and execute Grant Service Agreements with approved grantees - City Manager's Office (Bill Lindsay/LaShonda White 620-6512).

H-21. INTRODUCE an ordinance (first reading) amending Richmond Municipal Code Chapter 9.24 entitled "Animals" adopting by reference all County Ordinances that relate to Animal Services - City Manager's Office (Bill Lindsay 620-6512).

I. CITY OF RICHMOND CONSENT CALENDAR RESOLUTIONS RELATING TO POLICY DECISIONS ON ISSUES THAT PERTAIN TO OTHER JURISDICTIONS

I-1. ADOPT a resolution in support of SB 1421 to uphold the right of the public to access records of misconduct on the part of public employees - Councilmember Ada Recinos (620-5431).

J. BUDGET SESSION

J-1. RECEIVE an update on the proposed operating budget for the fiscal year 2018-19 and the Capital Improvement Plan for fiscal years 2018-23 and DIRECT staff to finalize documents for June 26, 2018; and RECEIVE an update on the five-year financial forecast projections - Finance Department (Belinda Warner 620-6740/Markisha Guillory 620-5434).

K. PUBLIC HEARINGS

K-1. HOLD a public hearing to ADOPT a resolution approving the Engineer's Report and ordering the levy and collection of assessments in the Hilltop Landscape Maintenance District for the fiscal year 2018-2019, providing for a 3% increase in annual assessments - Department of Infrastructure Maintenance and Operations (Tim Higaes 620-6508).

K-2. HOLD a public hearing to ADOPT a resolution approving the Engineer's Report and ordering the levy and collection of assessments in the Marina Bay Landscaping and Lighting Maintenance District for the fiscal year 2018-2019, providing for a 3% increase in annual assessments - Department of Infrastructure Maintenance and Operations (Tim Higaes 620-6508).

K-3. HOLD a public hearing and ADOPT a resolution approving a Major Amendment to the Planned Area Plan, Vesting Tentative Map, and Design Review Permit for the Miraflores residential project being developed by Miraflores Community Devco, LLC - Planning and Building Services Department (Richard Mitchell 620-6706).

K-4. HOLD a public hearing to INTRODUCE an ordinance (first reading) establishing certain fees for the Proposed Master Fee Schedule - Finance Department (Belinda Warner/Antonio Banuelos 620-6741).

L. RESOLUTIONS

- L-1.** ADOPT a resolution declaring homelessness a public health crisis in Richmond - Vice Mayor Melvin Willis (412-2050) and Councilmember Jael Myrick (620-6636).
- L-2.** ADOPT a resolution in opposition to the exorbitant rent increases at Heritage Park at Hilltop apartments, which is home to many low-income seniors with fixed incomes - Vice Mayor Melvin Willis (412-2050).
- L-3.** ADOPT a resolution in support of the public sector unions in Richmond to ensure their health and success; and supporting the freedom of Richmond employees to participate in strong unions following the U. S. Supreme Court decision in Janus vs. AFSCME Council 31 - Councilmembers Ada Recinos (620-5431), Jovanka Beckles (620-6568), and Ben Choi (620-6565).

M. ORDINANCES

- M-1.** INTRODUCE an ordinance (new first reading) amending Chapter 9.22 Public Nuisances of the Richmond Municipal Code to require enclosure of coal and petroleum coke storage and transfer facilities and defining excessive and glaring lighting as a nuisance - Office of the Mayor (Mayor Tom Butt 620-6503).

N. COUNCIL AS A WHOLE

- N-1.** AUTHORIZE the continuance of the monthly Richmond Homeless Taskforce meetings through 2018-2019 fiscal year; RECEIVE the findings and recommendations of the Richmond Homeless Taskforce from the findings of the Homeless and Unsheltered Field Study; and APPROPRIATE a minimum of \$300,000 in housing in-lieu fees for transitory homeless housing - Vice Mayor Melvin Willis (412-2050) and Councilmember Jael Myrick (620-6636).
- N-2.** DIRECT staff to make modifications to the timeline and scope of the Point Molate Land Use Visioning process to allow for comprehensive outreach and meaningful community participation - Councilmembers Eduardo Martinez (620-6593), Ada Recinos (620-5431), and Vice Mayor Melvin Willis (412-2050).

O. REPORTS OF OFFICERS: REFERRALS TO STAFF, AND GENERAL REPORTS (INCLUDING AB 1234 REPORTS)

P. ADJOURNMENT

This agenda may be previewed on KCRT – Channel 28, Richmond Television, City website www.ci.richmond.ca.us. Any documents produced by the City and distributed to a majority of the City Council regarding any item on this agenda will be made available at the Main Counter at City Hall located at 450 Civic Center Plaza.