



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, July 17, 2018

Link to City Council Agendas/Packets
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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

CITY COUNCIL

CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6):

Agency designated representatives: Bill Lindsay and Lisa Stephenson
Employee organization: International Federation of Professional and Technical Employees (IFPTE) Local 21 Executive Management Unit

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8):

Property: Metro Walk Phase II at Richmond Multi-Modal Transit Station
Agency negotiators: Bill Lindsay and Shasa Curl
Negotiating party: SAA-EVI and The Michaels Organization
Under negotiation: Price and terms of payment

Property: (ex) Fire Training Center, 3506 Cutting Blvd
Agency negotiators: Bill Lindsay and Shasa Curl
Negotiating party: Integral Development, LLC
Under negotiation: Price and terms of payment

Property: Parcel FM Marina Bay
Agency negotiators: Bill Lindsay and Richard Mitchell
Negotiating Party: Orton Development Company
Under negotiation: Price and terms of payment

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957.6):

Title: City Manager

PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6):

Title: City Manager

**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. APPROVE an amendment to the contract with Municipal Resource Group to provide consulting services to the Richmond Housing Authority by Tia Ingram, increasing the contract amount by \$100,000, for a total amount not to exceed \$305,264, and for a term extending from June 27, 2017 to June 30, 2019 - City Manager's Office (Bill Lindsay 620-6512).

E-2. ADOPT a resolution approving the revised FY2017-18 budget and approving the FY2018-19 operating budget - City Manager's Office (Bill Lindsay 620-6512) and Finance Department (Belinda Warner 620-6740).

E-3. APPROVE the minutes of the June 19, 2018, special 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. CITY COUNCIL CONSENT CALENDAR**
 - G-1.** ADOPT a resolution adding Ricoh to the approved list of standing orders/outline agreements for technology related goods and services in an amount not to exceed \$250,000 per year for fiscal years 2018-2019 through 2021-2022 - Information Technology Department (Sue Hartman/Steve Furtado 620-6874).
 - G-2.** APPROVE a five-year contract with Packet Fusion for maintenance of the City's ShoreTel Telephone system in an amount not to exceed \$201,096 over the term of the contract ending June 30, 2023 - Information Technology Department (Sue Hartman 620-6874).
 - G-3.** APPROVE the purchase of one (1) 2018 Hyster H50XT Lift Truck (forklift) from Pape Material Handling in an amount not to exceed \$29,000 - Department of Infrastructure Maintenance and Operations (Tim Higare 620-6508).
 - G-4.** APPROVE the purchase of seven (7) 2019 Ford Utility Police Interceptors from Hilltop Ford, in an aggregate amount not to exceed \$224,000 - Department of Infrastructure Maintenance and Operations (Tim Higare 620-6508).
 - G-5.** APPROVE the purchase of twenty (20) 2019 Ford Utility Police Interceptors from Hilltop Ford, in an aggregate amount not to exceed \$672,000 - Department of Infrastructure Maintenance and Operations (Tim Higare 620-6508).

- G-6.** APPROVE the grant-funded purchase of two pre-fabricated concrete "Ozark I" restroom buildings from CXT Inc. Precast Products, to be placed at John F. Kennedy (JFK) Park in an amount not to exceed \$114,020.57, and at Lucas Park in an amount not to exceed \$114,801.43 - Infrastructure Maintenance and Operations Department (Tim Higaes 620-6508).
- G-7.** APPROVE the purchase of mobile lifts from Steril Koni for use by the Equipment Services Division in an amount not to exceed \$44,500 - Department of Infrastructure Maintenance and Operations (Tim Higaes 620-6508).
- G-8.** ADOPT a resolution authorizing the execution of a construction agreement with R.V. Stich Construction, Inc. for construction of the Wall Avenue Storm Drain Improvements. The total cost shall be the base bid amount of \$859,710.00 per the plans and specifications for the project, plus \$85,971.00 for a construction contingency of 10% to render a grand total not-to-exceed amount of \$945,681.00 - Housing and Community Development (Alan Wolken 307-8137).
- G-9.** ADOPT a resolution to install two (2) four-way stop controls at the intersections of Barrett Avenue and Key Boulevard and Macdonald Avenue and Key Boulevard, and to install two (2) two-way stop controls at the intersection of Roosevelt Avenue and Key Boulevard and Nevin Avenue and 36th Street - Engineering and Capital Improvement Projects Department (Yader Bermudez 510-620-5478 / Dane Rodgers 510-307-8112).
- G-10.** ADOPT a resolution to approve installation of signage, striping and traffic signal modification to convert the two-way alley to a one-way alley from Grant Avenue to Burbeck Avenue (between 22nd Street and 23rd Street) - Engineering and Capital Improvement Projects Department (Yader Bermudez 510-620-5478 / Dane Rodgers 510-307-8112).
- G-11.** ADOPT a resolution to install signage, striping and traffic signal modification to convert 5th Street from a two-way street to a one-way street between Lucas Avenue to Pennsylvania Avenue heading southbound, adjacent to Peres Elementary School, to improve school safety - Engineering and Capital Improvement Projects Department (Yader Bermudez 510-620-5478 / Dane Rodgers 510-307-8112).
- G-12.** APPROVE a contract amendment with Nichols Consulting Engineers for compliance and monitoring services at the Via Verdi landslide, increasing the contract amount by 141,200 for a total contract amount not to exceed \$741,400 - Engineering and Capital Improvement Projects Department (Yader Bermudez 774-6300/Tawfic Halaby 621-1612).

- G-13.** ADOPT a resolution to accept and appropriate \$50,000 in funding from the California Department of Alcoholic Beverage Control (ABC) awarded to the Richmond Police Department for implementation of an effective, comprehensive and strategic approach to address crime and public nuisance problems associated with problematic liquor establishments - Police Department (Chief Allwyn Brown 621-1802).
- G-14.** APPROVE an agreement with LBG Hilltop, LLC to provide police services at the Shops at Hilltop from May 31, 2018 through May 31, 2019, with an option to extend the service agreement for an additional year, providing for reimbursement of Police Department overtime costs to provide this service - Police Department (Chief Allwyn Brown 621-1802). **This item was continued from the July 10, 2018, meeting.**
- G-15.** APPROVE a third amendment to loan documents with the East Bay Center for the Performing Arts (EBC) to amend the bridge loan and promissory note by 1) extending the repayment maturity date to no later than by June 30, 2019, and 2) providing a grant of \$150,000 to be used as leverage by EBC for raising capital and program funds; and AUTHORIZE the City Manager to negotiate and execute the final form of the third amendment to loan documents and any other necessary agreements to be prepared by the City Attorney's Office - City Manager's Office (Bill Lindsay/Shasa Curl 620-6512).
- G-16.** ADOPT a resolution related to forming a Community Facilities District for financing improvements associated with the Terminal One project: (1) authorizing the California Statewide Communities Development Authority ("CSCDA") to form a Community Facilities District within the City of Richmond to finance certain improvements, services, and development impact fees; (2) incorporating a Joint Community Facilities Agreement setting forth the terms and conditions of the Community Facilities District financing; (3) approving an acquisition agreement between the City and the Developer; and (4) authorizing City staff to cooperate with CSCDA and its consultants in connection with the Community Facilities District formation and financing - City Manager's Office (Bill Lindsay 620-6512) and Finance Department (Belinda Warner 620-6740).
- G-17.** APPROVE the minutes of the June 26, 2018, regular Richmond City Council meeting - City Clerk's Office (Pamela Christian 620-6513).
- G-18.** ADOPT a resolution allowing the City of Richmond to place a levy on the annual 2018-2019 property tax rolls of property owners subject to assessment under the Downtown Richmond Property and Business Improvement District (DRPBID) - City Manager's Office (Bill Lindsay/Janet Johnson 620-6512). **This item was continued from the July 10, 2018, meeting.**

- G-19.** ADOPT an ordinance (second reading) amending Richmond Municipal Code Chapter 7.106 by banning the sale of menthol and other flavored tobacco products, establishing a minimum pack size for little cigars and cigars and imposing location requirements on new tobacco retailers and REPEAL Richmond Municipal Code Chapter 9.45 - City Attorney's Office (Bruce Reed Goodmiller 620-6509).
- G-20.** ADOPT an ordinance (second reading) amending Ordinance 16-17 N.S., modifying Section 3 (Delinquency) and Section 4 (City entitled to payment) and deferring to the Rent Board to establish by Regulation its own rules and procedures governing the collection of the Residential Rental Housing Fee, including fees for late payments - Rent Program (Nicolas Traylor/Charles Oshinuga 620-6564).
- G-21.** INTRODUCE an ordinance (first reading) amending Chapter 2.28, Nondiscrimination Clauses in City Contracts, of the Richmond Municipal Code to include "gender identity" in nondiscrimination clauses for city contracts - Office of the Mayor (Mayor Tom Butt 620-6503).
- G-22.** APPROVE actions to update the Youth Council; APPOINT Alishba Sardar, new appointment, seat #7, term expiration date October 1, 2018 - Office of the Mayor (Mayor Tom Butt 620-6503).
- G-23.** INTRODUCE an ordinance (first reading) updating the fees and code provisions in Richmond Municipal Code Chapter 12.20, which establishes sewer service charges for the City of Richmond - Water Resource Recovery Department (Ryan Smith 620-5486/Mary Phelps 621-1269).
- G-24.** ADOPT an ordinance (second reading) amending Richmond Municipal Code Chapter 12.18 adding the Dental Amalgam: Mercury Source Control Program - Water Resource Recovery Department (Ryan Smith 620-5486).

H. PUBLIC HEARINGS

- H-1.** **CONTINUED to July 24, 2018**, the matter to hold a public hearing regarding approval of a Disposition and Development Agreement with SAA-EVI Richmond Partners, LLC for the development of the Successor Agency and city-owned property located along Macdonald Avenue between 11th Street and 13th Street - City Manager's Office (Shasa Curl/Gabino Arredondo 620-6512).

I. ORDINANCES

- I-1.** INTRODUCE an ordinance (first reading) adding Chapter 14.47 of the Richmond Municipal Code entitled "Parking Ticket Payment Plan" that provides a parking ticket payment plan for those who meet the indigency determination - Councilmember Jael Myrick (620-6636).

J. COUNCIL AS A WHOLE

J-1. APPROVE the tentative Point Molate schedule; APPROVE a contract, not to exceed \$150,000 with Kosmont Companies to provide financial and real estate advisory services related to Point Molate; and AUTHORIZE the City Manager to issue a Request for Qualifications from master developers for the Point Molate site - Planning and Building Services Department (Richard Mitchell/Lina Velasco 620-6706). **This item was continued from the July 10, 2018, meeting.**

J-2. ADOPT a resolution in support of statewide efforts to implement the Buy Clean California Act and; DIRECT city staff to deliver a report during the September 25, 2018, City Council meeting regarding potential implementation in the City of Richmond, including the adoption of a Global Warming Potential limit and the requirement of an Environmental Product Declaration - Councilmember Ada Recinos (620-6593) and Councilmember Eduardo Martinez (620-6593). **This item was continued from the July 10, 2018, meeting.**

J-3. REVISE the Skelly process in the following ways: 1. No Department head shall be allowed to serve as the hearing officer for a Skelly meeting involving someone in their own Department; 2. Before an outside attorney can be procured on the city's behalf for one of these meetings the city will first determine if the employee facing disciplinary action will be represented by an attorney of their own. If they are not the city will not procure outside counsel for any purpose at that meeting - Councilmembers Jael Myrick (620-6636) and Ada Recinos (620-6564). **This item was continued from the July 10, 2018, meeting.**

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

L. 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.