



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, November 13, 2018

Link to City Council Agendas/Packets
<http://sireweb.ci.richmond.ca.us/sirepub/meet.aspx>
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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 that is sponsored by City staff must first complete a speaker's card and discuss the item with a City staff person who has knowledge of the subject material **prior** to filing the card with the City Clerk and **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**

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Initiation of litigation pursuant to Subdivision (c) of Government Code Section 54956.9):

One case

LIABILITY CLAIMS - (Government Code Section 54956.9):

Victor Vaca vs. City of Richmond

Delvin Watts vs. City of Richmond

California State Automobile Association (CSAA) as Subrogee for Hann Shin Mao
vs. City of Richmond

CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6):

Agency designated representatives: Carlos Martinez, Lisa Stephenson, Jack
Hughes, Maria Blue, and Belinda Warner
Employee organization: Service Employees International Union (SEIU Local
1021)

- B. **JOINT SUCCESSOR AGENCY TO THE RICHMOND COMMUNITY
REDEVELOPMENT AGENCY AND RICHMOND CITY COUNCIL**

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

Eagle Environmental Construction vs. Richmond Community Redevelopment
Agency, et al.

**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. REPORT FROM THE EXECUTIVE DIRECTOR

F. HOUSING AUTHORITY CONSENT CALENDAR

F-1. APPROVE the minutes of the September 25 and October 16, 2018, special Richmond Housing Authority meetings - City Clerk's Office (Pamela Christian 620-6513).

F-2. ADOPT a resolution removing former City of Richmond Accounting Manager, Stacie Plummer, and former City of Richmond City Manager, Bill Lindsay, and adding City of Richmond Budget Administrator, Markisha Guillory, and Richmond Housing Authority Acting Executive Director, Gabino Arredondo, as authorizing signatories on Mechanics Bank depository and checking accounts - Richmond Housing Authority (Gabino Arredondo 621-1310).

G. HOUSING AUTHORITY STUDY SESSION

G-1. RECEIVE a presentation on the Public Housing Authority Recovery and Sustainability (PHARS) agreement between the Richmond Housing Authority and Department of Housing and Urban Development - Richmond Housing Authority (Gabino Arredondo/LaShonda White 620-6512).

H. ADJOURNMENT

REGULAR MEETING OF THE 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. APPROVE a two-year contract with Tri-Tech for maintenance and professional services for the Crime View Suite of software, in an amount not to exceed \$75,000, from July 1, 2018 through June 30, 2020 - Police Department (Chief Allwyn Brown 621-1802).
 - G-2. APPROVE the applicant-funded contract amendment with Interwest Consulting Group, Inc. for plan review and technical support services in the Fire Prevention Services Division, increasing the payment limit by \$250,000, to a total contract amount not to exceed \$1,250,000, and extending the term of the contract to September 30, 2019; and APPROPRIATE the funding for the increase in the expenditure and revenue accounts by \$250,000 under the Chevron Inspection Program – Fire Department (Chief Adrian Sheppard 307-8041).
 - G-3. APPROVE year-end adjustments for the fiscal year ending June 30, 2018, transferring cash from General Fund reserves to funds with negative cash balances – Finance Department (Belinda Warner 620-6740/Markisha Guillory 620-5434).
 - G-4. RECEIVE the City’s Investment and Cash Balance Report for the month of September 2018 – Finance Department (Belinda Warner 620-6740).
 - G-5. ADOPT a resolution authorizing placement of liens and special assessments for unpaid garbage collection service fees on County property tax records - Finance Department (Belinda Warner/Antonio Banuelos 620-6741).
 - G-6. RECEIVE the annual year-end developer fee report as required pursuant to Section 66006 of the Government Code - Finance Department (Belinda Warner/Vrenesia Ward 621-1211).

- G-7.** APPROVE a contract with the Oakland Private Industry Council to be the Contracting & Vendor Pay Agent for Individual Training Accounts and On-the-Job Training activities for the Workforce Innovation and Opportunity Act (WIOA) program participants. The contract term will be November 13, 2018 through December 31, 2019. The contract will be for an amount not to exceed \$135,891 - Employment and Training Department (Sal Vaca/Rosemary Viramontes 307-8008).
- G-8.** APPROVE a contract with Global Diving & Salvage Inc. for the demolition of the abandoned tugboat Black Hawk for an amount not to exceed \$198,750 - Port Department (Jim Matzorkis 215-4600).
- G-9.** APPROVE a five-year contract with Schindler Elevator Corporation for elevator service and repairs at the Richmond Memorial Auditorium and Convention Center in an amount not to exceed \$50,000 - Department of Infrastructure Maintenance and Operations (Tim Higarees 620-6508).
- G-10.** APPROVE contract with Stronger Building Services for re-roofing the Community Services Child Care Center at 3230 Macdonald Avenue, Richmond, in an amount not to exceed \$140,000 - Engineering and Capital Improvement Projects (Yader A. Bermudez 774-6300).
- G-11.** ADOPT a resolution to accept each of The Richmond Transit Village Phase II Nevin Avenue Streetscape Improvement Projects, BART to 19th Street and 19th to 27th Street as being complete - Engineering and Capital Improvement Projects (Yader A. Bermudez 774-6300/Michael Williams 307-8147).
- G-12.** ADOPT a resolution to install two (2) All-Way Stops at the intersections at South 55th Street/Mariposa Street and South 55th Street/Highland Avenue intersections respectively and one (1) Four-Way Stop at 38th Street and Garvin Avenue intersection - Engineering and Capital Improvement Projects (Yader Bermudez 510-620-5478/Dane Rodgers 510-307-8112).
- G-13.** APPROVE payment for Emergency Justification contract in excess of the City Charter City Manager authorization limit to contract with TELFER to Slurry Seal Harbour Way South from Hall Avenue to Richmond Ferry Terminal in an amount not to exceed \$90,000 - Engineering and Capital Improvement Projects (Yader A. Bermudez 774-6300).
- G-14.** AUTHORIZE the city manager to enter into the Agreement between the City of Richmond and LBG Hilltop, LLC a Delaware limited liability company (LBG) in an amount not to exceed \$1,250 per calendar month from July 24, 2017, the "Acquisition Date" to June 30, 2019. The contract term begins on November 13, 2018, and will terminate upon the City of Richmond's disconnection of its facilities from LBG's meter - Engineering and Capital Improvement Projects (Yader Bermudez 774-6300).

- G-15.** APPROVE the third contract amendment with Nichols Consulting Engineers for environmental documentation, additional permitting services, and development of construction documents for the Via Verdi landslide repair project. The contract amount including the first two contract amendments is currently \$741,400, and Contract Amendment No. 3 will increase the contract amount by \$669,700 for a total contract amount not to exceed \$1,411,100 - Engineering and Capital Improvement Projects (Yader Bermudez 621-5478/Tawfic Halaby 621-1612).
- G-16.** ADOPT a resolution authorizing the city manager to execute an amendment to the Cooperative Implementation Agreement (CIA) with the State of California Department of Transportation (Caltrans) allowing the City of Richmond to utilize the remainder of the original \$2.5 million for the construction of two additional full-trash capture devices to prevent litter from discharging to local watersheds and the San Francisco Bay - Water Resource Recovery Department (Ryan Smith 620-5486/Joanne Le 620-6540).
- G-17.** RECEIVE a report on the Richmond Municipal Sewer District for the month of September 2018 - Water Resource Recovery Department (Ryan Smith 620-5486).
- G-18.** APPROVE the minutes of the September 25, 2018, October 2, October 16, and October 23, 2018, regular Richmond City Council meetings - City Clerk's Office (Pamela Christian 620-6513).
- G-19.** PROCLAMATION declaring November 11-18, 2018, as United Against Hate Week in the City of Richmond - Office of the Mayor (Mayor Tom Butt 620-6503).
- G-20.** APPROVE actions to update the Commission on Aging: APPOINT Timothy Walker, new appointment, seat #10, term expiration May 19, 2020; Paul Dees, new appointment, seat #12, term expiration date May 19, 2020 - Office of the Mayor (Mayor Tom Butt 620-6503).
- G-21.** APPROVE actions to update the Historic Preservation Commission; APPOINT Paul Scolari, re-appointment, seat #1, term expiration date July 31, 2022 - Office of the Mayor (Mayor Tom Butt 620-6503).
- G-22.** APPROVE actions to update the Richmond-Zhoushan Sister City Commission; APPOINT Wei Li, new appointment, seat #9, term expiration date December 31, 2020 - Office of the Mayor (Mayor Tom Butt 620-6503).

- G-23.** APPROVE actions to update the Youth Council: APPOINT Alishba Sardar, re-appointment, seat #7, term expiration date October 1, 2019; Alondra Alvarez, new appointment, seat #1, term expiration date October 1, 2019; Fatima Lopez, re-appointment, seat #5, term expiration date October 1, 2019; Eduardo Castellon, re-appointment, seat #6, term expiration date October 1, 2019; and Satine Waltz, re-appointment, seat #11, term expiration date October 1, 2019 - Office of the Mayor (Mayor Tom Butt 620-6503).

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

- H-1.** ADOPT a resolution in support of protecting the civil rights of the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) community under Title IX and to recognize gender identity that may differ from sex assignment at birth - Councilmember Ada Recinos (620-5431).

I. PUBLIC HEARINGS

- I-1.** HOLD a public hearing; and INTRODUCE an ordinance amending Chapter 15.04, Zoning and Subdivisions Regulations of the Richmond Municipal Code needed for General Plan consistency, correction of technical and grammatical errors, elimination of conflicts, state and federal law consistency, and clarification - Planning and Building Services Department (Richard Mitchell 620-6706).
- I-2.** HOLD a public hearing; and INTRODUCE an ordinance amending Richmond Municipal Code Chapter 15.04 Series 200, Base District Regulations modifying the zones which schools are allowed, and adding design standards for schools to Section 15.04.610.360, Schools - Planning and Building Services Department (Richard Mitchell 620-6706).
- I-3.** HOLD a public hearing; and ADOPT a resolution adopting the Addendum to the General Plan Update Final Environmental Impact Report (SCH#2008022018) and General Plan Amendments; and INTRODUCE an ordinance adopting associated zoning text amendments and rezoning for Change Area 12 (Northshore) - Planning and Building Services Department (Richard Mitchell 620-6706).
- I-4.** **CONTINUED TO DECEMBER 4, 2018**, the matter to hold a public hearing; and introduce an ordinance amending Article 15.04.614 - Wireless Communications Facilities intended for clarification and consistency with federal regulations for small wireless facilities - Planning and Building Services Department (Richard Mitchell 620-6706).

J. ORDINANCES

J-1. INTRODUCE an ordinance (first reading) amending the Richmond Municipal Code Chapter 2.52 adding the Exemption for Wastewater and Stormwater Facilities - Water Resource Recovery Department (Ryan Smith 620-5486).

K. COUNCIL AS A WHOLE

K-1. RECEIVE a presentation from City staff on the status of the proposed North Richmond annexation process - City Manager's Office (Carlos Martinez/LaShonda White 620-6512).

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

M. 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.