



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

REVISED

AGENDA

Tuesday, June 4, 2019

Link to City Council Agendas/Packets

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Mayor

Thomas K. Butt

Vice Mayor

Ben Choi

Councilmembers

Nathaniel Bates

Demnlus Johnson III

Eduardo Martinez

Jael Myrick

Melvin Willis

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

CITY COUNCIL

LIABILITY CLAIMS - (Government Code Section 54956.9):

Onome Ojo vs. City of Richmond

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code
Section 54957):

Title: City Manager

REGULAR MEETING OF THE RICHMOND CITY COUNCIL

6:30 p.m.

- A. **PLEDGE TO THE FLAG**
- B. **ROLL CALL**
- C. **STATEMENT OF CONFLICT OF INTEREST**
- D. **AGENDA REVIEW**
- E. **REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE DURING CLOSED SESSION**
- F. **REPORT FROM THE CITY MANAGER**
- G. **OPEN FORUM FOR PUBLIC COMMENT**
- H. **CITY COUNCIL CONSENT CALENDAR**
 - H-1. APPROVE a recommendation from the City Council Ad Hoc Committee to award \$54,000 in FY 2019-20 Environmental Community Investment Agreement (ECIA) Grant funds (Category 3 - City Council Approved Award) to nine Richmond-serving non-profit organizations - City Manager's Office (Carlos Martinez/LaShonda White 620-6512).
 - H-2. ADOPT a resolution to accept and appropriate \$146,246 in funding from the 2017 and 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) Program awarded to the Richmond Police Department for the purchase of police safety equipment - Police Department (Chief Allwyn Brown 621-1802).
 - H-3. APPROVE a contract amendment with Vigilant Solutions LLC in an amount not to exceed \$30,000, with a term from July 1, 2019 to June 30, 2022 - Police Department (Chief Allwyn Brown 621-1802).
 - H-4. APPROVE a contract with Tyler Technologies Inc. and its subsidiary, Socrata Inc., to develop and maintain an expanded cloud-based dashboard software service that publicly reports City of Richmond performance data for an amount not to exceed \$657,728 over five years, with a project contingency for optional services of \$42,272 for a total contract amount of \$700,000, utilizing funds from the Information Technology ERP budget (01262417 400502) - Information Technology Department (Sue Hartman 620-6874).

- H-5.** APPROVE the first amendment to the legal services agreement with Downey Brand LLP (Christian Marsh and Don Sobelman) to represent the City as CEQA counsel for the Point Molate project, with a payment limit of \$240,000 to be paid with funds deposited by the master developer - City Attorney's Office (Bruce Reed Goodmiller 620-6509).
- H-6.** RECEIVE a report on the Richmond Municipal Sewer District for the months of March and April 2019 – Water Resource Recovery Department (Ryan Smith 620-5486).
- H-7.** ADOPT a resolution upholding the appeal by Eric Whann and denying the Conditional Use Permit and Design Review Permit (PLN18-053) for a mini-storage facility with artist work studios at 205 Cutting Boulevard - Planning and Building Services Department (Lina Velasco 620-6706).
- H-8.** ADOPT an ordinance (second reading) establishing certain fees for the proposed Master Fee Schedule - Finance Department (Belinda Warner/Antonio Banuelos 620- 6741).
- H-9.** INTRODUCE an ordinance (first reading) to establish wages, salary, and compensation for the new Police Records and Property Manager classification (Salary Range No. 070D \$9,535 - \$11,532/month) - Human Resources Management Department (Lisa Stephenson/Donna Newton 620-6600).
- H-10.** ADOPT a resolution amending the City of Richmond's Position Classification Plan to add the new classification specification for Police Records and Property Manager - Human Resources Management Department (Lisa Stephenson/Donna Newton (620-6600).
- H-11.** ADOPT a resolution amending the City of Richmond's Position Classification Plan to add the new classification of Deputy Fire Marshall - Human Resources Management Department - (Lisa Stephenson/Jessica Somera 620-6600).
- H-12.** ACCEPT and APPROPRIATE a \$1,024,000 grant from the Metropolitan Transportation Commission (MTC); and APPROVE a contract with Gotcha LLC in an amount not to exceed \$868,000 for the development of a publicly available bike share system in Richmond - City Manager's Office (Carlos Martinez/Lori Reese-Brown 620-6512).
- H-13.** RECEIVE the monthly report on Point Molate activities for the month of March 2019 - City Manager's Office (Carlos Martinez/Craig Murray 620-6512). **This item was continued from the May 7, 2019, meeting.**
- H-14.** RECEIVE the monthly report on Point Molate activities for the month of April 2019 – City Manager's Office (Carlos Martinez/Craig Murray 620-6512)

H-15. RECEIVE the City’s Investment and Cash Balance Report for the month of April 2019 – Finance Department (Belinda Warner 620-6740).

H-16. APPROVE the following appointments and re-appointments: Richmond Rent Board: Alana Grice Conner, new appointment, seat #1, term expiration date March 21, 2021, Virginia Finlay, re-appointment, seat #2, term expiration date March 21, 2021, Emma Gerould, re-appointment, seat #3, term expiration date March 21, 2021, David Gray, re-appointment, seat #4, term expiration date March 21, 2021, Lauren Maddock, re-appointment, seat #5, term expiration date March 21, 2021; and Community Police Review Commission: Porschea Brown, new appointment, seat #2, filling an unexpired term with and expiration date of November 1, 2020, Christopher Whitmore, new appointment, seat #5, term expiration date November 1, 2021, Randy Joseph, new appointment, seat #6, term expiration date November 1, 2021, Steven Lacy, new appointment, seat #7, term expiration date November 1, 2021; and Planning Commission: Nancy Baer, re-appointment, seat #1, term expiration date June 30, 2020, Jen Loy, re-appointment, seat #2, term expiration date June 30, 2020, David Tucker, re-appointment, seat #3, term expiration date June 30, 2021, Andrew Butt, re-appointment, seat #4, term expiration date June 30, 2020, Michael Huang, re-appointment, seat #5, term expiration date June 30, 2020, Claudia Garcia, re-appointment, seat #6, term expiration date June 30, 2020, and Brandon Evans, new appointment, seat #7, term expiration date June 30, 2020 - Office of the Mayor (Mayor Tom Butt 620-6503). **This item was continued from the May 28, 2019, meeting.**

H-17. RECEIVE a status update on the development of the Richmond Department of Children and Youth (Department), and AUTHORIZE the Department to release the proposed Oversight Board application - City Manager's Office (Carlos Martinez/LaShonda White 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 AB 392 by Assemblymember Weber to bring California Law in line with Best Policing Practices by limiting and redefining the circumstances under which a homicide by a peace officer is deemed justifiable to include self-defense or defense of another and DIRECT the city manager or designee to send a letter to our State Representatives - Councilmember Eduardo Martinez (620-6593).

J. ORDINANCES

J-1. INTRODUCE an ordinance (first reading) to amend Richmond Municipal Code 2.34 entitled "Schedule of Fees and Service Charges" to charge fees to members of the public seeking electronic records under the Public Records Act to review, extract and redact audio and video files. The immediate parties to a police encounter involving a use of force that results in great bodily injury or death, an immediate family member or next of kin are exempt from said fee - Police Department (Allwyn Brown 621-1802). **This item was continued from the May 21 and 28, 2019, meetings.**

K. BUDGET SESSION

K-1. RECEIVE the balanced Fiscal Year (FY) 2019-20 budget proposal; and provide DIRECTION on budget checklist items. This Agenda Report, including the balanced FY 2019-20 budget proposal it contains, is not an Action item. As noted in ATTACHMENT 4 (Memorandum to City Employee Organizations) and in the Conclusion herein, this Item is presented only for purposes of City Council discussion and input at the June 4 meeting, and not for specific direction or a vote by the City Council - Finance Department (Belinda Warner 620-6740/Markisha Guillory 620-5434).

L. PUBLIC HEARINGS

L-1. **CONTINUED to the June 18, 2019, meeting** the matter 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 2019-2020, providing for a 3% increase in annual assessments - Department of Infrastructure Maintenance and Operations (Tim Higare 620-6508).

L-2. **CONTINUED to the June 18, 2019, meeting** the matter 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 2019-2020, providing for a 3% increase in annual assessments - Department of Infrastructure Maintenance and Operations (Tim Higare 620-6508).

M. COUNCIL AS A WHOLE

M-1. DIRECT staff to amend Ordinance 5-16 (The Richmond Municipal Code entitled Citizens Police Review Commission) to establish a quorum relative to the number of commissioners appointed, and to bring the drafted ordinance to the City Council for a first reading - Councilmember Eduardo Martinez (620-6593) - **This item was continued from the May 7, 2019, meeting.**

M-2. CONSIDER reestablishing the West Contra Costa Unified School District/City Coordination Committee and provide direction to staff - Councilmembers Eduardo Martinez (620-6593) and Nathaniel Bates (620-6743). **This item was continued from the May 7, 2019, meeting.**

M-3. DIRECT the City Manager to convene a weekly meeting until a balanced budget is adopted with city department heads, labor leaders, and up to three city council members to eliminate the budget deficit without adverse impacts to city employees - Councilmember Melvin Willis (412-2050), Councilmember Eduardo Martinez (620-6593), and Vice Mayor Ben Choi (620-6565).

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

O. 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.