



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, September 17, 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
Vacancy

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**
 - A-1. **LIABILITY CLAIMS** -(Government Code Section 54956.9):

Christine Boynton vs. City of Richmond

Elisa Ollison vs. City of Richmond
 - A-2. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
(paragraph (1) of Subdivision [d] of Government Code Section 54956.9):

SPRAWLDEF vs. City of Richmond
 - A-3. **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. REPORT FROM THE EXECUTIVE DIRECTOR

E. AGENDA REVIEW

F. HOUSING AUTHORITY CONSENT CALENDAR

F-1. ADOPT a resolution authorizing the Executive Director of the Richmond Housing Authority to execute a contract for a one-year term with Clampett Industries LLC dba EMG Corporation to complete a Seismic Assessment of Nevin Plaza - Richmond Housing Authority (Nannette Beacham/Charice Duckworth 621-1309).

F-2. APPROVE the minutes of the July 16 and 23, 2019, Special Richmond Housing Authority and July 23, 2019, Special Joint Richmond Housing Authority and City Council meetings - City Clerk's Office (Pamela Christian 620-6513).

G. ADJOURNMENT

**REGULAR 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.** ADOPT a resolution approving a contract amendment with Best Best & Krieger to increase its contract limit by \$100,000, bringing the new contract limit to \$385,000, and extending the contract to June 30, 2020, for legal services associated with Successor Agency activities - Successor Agency to the Richmond Community Redevelopment Agency (Lina Velasco 620-6841).
- H. CITY COUNCIL CONSENT CALENDAR**
 - H-1.** APPROVE the additional cost to build two fire apparatus-pumpers from Hi-Tech in an amount not to exceed \$25,000 – Department of Infrastructure Maintenance and Operations (Tim Higaes 620-6508).
 - H-2.** RECEIVE the City's Investment and Cash Balance Report for the month of June 2019 - Finance Department (Belinda Brown 620-6740).
 - H-3.** RECEIVE the City's Investment and Cash Balance Report for the month of July 2019 - Finance Department (Belinda Brown 620-6740).
 - H-4.** ADOPT a resolution approving the Fifth Amended and Restated Joint Exercise of Powers Agreement for the West Contra Costa Integrated Waste Management Authority (RecycleMore) - City Manager's Office (Shasa Curl/Adam Lenz 620-6512).

- H-5.** ADOPT a resolution approving standing contracts for Veolia Water to manage (on behalf of the City) on-call engineering design services with eight firms: Advanced Hydro (Walnut Creek), Carollo Engineers (Walnut Creek), GHD (Emeryville), HydroScience (Berkeley), IEC (San Jose), NCE (Point Richmond), V&A (Oakland), VW Housen (Walnut Creek), in an amount not to exceed \$600,000 per firm, per year, over a three-year period, with two optional one-year extensions - Water Resource Recovery Department (Yader Bermudez 774-6300).
- H-6.** ADOPT a resolution amending the Fiscal Year 2019-20 Stormwater Capital Improvement Budget in the amount of \$317,395; and APPROVE the emergency justification for Veolia Water to manage (on behalf of the City of Richmond) and award Valley View Sinkhole Repairs project subcontracts to: BayHawk Inc., Traffic Management Inc., and Nicholls Consulting Engineers, in an amount not to exceed \$278,116 [proposal cost of \$238,726 plus Veolia Mark-up of 16.5 percent of \$39,390] - Water Resource Recovery Department (Yader Bermudez 774-6300).
- H-7.** ADOPT a resolution approving standing contracts for Veolia Water to manage (on behalf of the City) for on-call technical design services with six firms: Questa Engineering (Richmond), BSK Associates (Livermore), V&A Associates (Oakland), Kister, Savio & Rei (Pinole), Terraphase Engineering (Oakland) and CSW/ST2 (Richmond) in an amount not to exceed \$600,000 per firm, per year, over a three-year period, with two optional one-year extensions - Water Resource Recovery Department (Yader Bermudez 774-6300).
- H-8.** ADOPT a resolution approving a contract for Veolia Water to manage and award the System Control and Data Acquisition (SCADA) project to Calcon Systems, Inc. to design and install the new standard SCADA program and servers and train the Operators and Maintenance staff at the Richmond Wastewater Treatment Plant and Lift Stations for an amount not to exceed \$2,036,565 [project cost of \$1,670,000, plus Veolia 16.5 percent mark-up of \$275,550, plus 5.0 percent contingency of \$83,500 plus Veolia 9.0 percent mark-up of \$7,515] - Water Resource Recovery Department (Yader Bermudez 774-6300).
- H-9.** ADOPT a resolution accepting the California Environmental Quality Act (CEQA) Addendum for the Richmond Wastewater Treatment Plant Cogeneration Facility Project - Water Resource Recovery Department (Yader Bermudez 774-6300).
- H-10.** ADOPT a resolution to approve the Green Infrastructure Plan, which addresses pollutants of concern (Polychlorinated Biphenyls PCBs and Mercury) from urban stormwater run-off, in order to be in compliance with the Municipal Regional Permit (MRP 2.0) - Water Resource Recovery Department (Yader Bermudez 774-6300).

- H-11.** INTRODUCE an ordinance (first reading) to establish wages, salaries, 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-12.** ADOPT a resolution amending the City of Richmond's Position Classification Plan to add the new Police Records and Property Manager classification - Human Resources Management Department (Lisa Stephenson/Donna Newton 620-6600).
- H-13.** ADOPT a resolution to accept and appropriate \$235,000 in grant funding from the California Office of Traffic Safety (OTS) awarded to the Police Department to combat deaths and injuries in motor vehicle crashes resulting from impaired driving within the City of Richmond - Police Department (Interim Chief Bisa French 621-1802).
- H-14.** APPROVE the minutes of the July 23, 2019, Special Joint Richmond Housing Authority and City Council meeting - City Clerk's Office (Pamela Christian 620-6513).
- H-15.** APPROVE contract amendment number one with Jordan Consulting & Investigations to provide pre-employment background investigations, increasing the contract by \$30,000, for a total amount not to exceed \$60,000, and extending the term of the contract through June 30, 2022 - Fire Department (Chief Adrian Sheppard 307-8041).
- H-16.** ADOPT a resolution accepting the recommendation of the Richmond Brownfields Revolving Loan Fund Approval Committee to award the Richmond Community Foundation an \$84,000 grant; and AUTHORIZE the city manager and/or his designee to execute a contract with the Richmond Community Foundation to complete remediation of two properties in the Richmond Housing Renovation Program - Planning and Building Services Department (Lina Velasco 620-6841).
- H-17.** APPROVE the distribution of grant awards, in a total amount not to exceed \$50,000, to 12 organizations approved as recipients through Category Four City of Richmond and Chevron Environmental Community Investment Agreement processes and guidelines - Community Services Department (Rochelle Polk 620-6511).
- H-18.** RECEIVE the monthly report on Point Molate activities for the month of June 2019 - City Manager's Office (Steven Falk/Craig Murray 620-6512).
- H-19.** RECEIVE a monthly report on Point Molate activities for the month of July 2019 - City Manager's Office (Steven Falk/Craig Murray 620-6512).

H-20. APPROVE international travel requests from Councilmembers Nathaniel Bates, Demnlus Johnson III, Eduardo Martinez, and staff liaison Trina Jackson to attend the Obi Matsuri Festival in Shimada, Japan from October 11 to 14, 2019 - Councilmember Nathaniel Bates (620-6793).

I. PUBLIC HEARINGS

I-1. WITHDRAWN BY APPLICANT PLN18-128 - the matter to DENY the appeal and ADOPT a resolution denying PLN18-123, a Conditional Use Permit and Design Review Permit to install a T-Mobile small cell site on a pole within the public right of way adjacent to 2100 Grant Avenue - Planning and Building Services Department (Lina Velasco 620-6706).

J. COUNCIL AS A WHOLE

J-1. DIRECT staff to begin drafting a "Tenants Opportunity to Purchase" Ordinance requiring owners of rental facilities in the City to offer tenants the first opportunity to purchase the rental facility before it may be demolished, discontinued, or sold on the market to a third-party purchaser, and to bring back an ordinance for the City Council to consider on first reading before the end of the calendar year - Councilmembers Jael Myrick (620-6636), Melvin Willis (412-2050), and Demnlus Johnson III (620-6568).

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.