



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, October 22, 2019

Link to City Council Agendas/Packets

<http://sireweb.ci.richmond.ca.us/sirepub/meet.aspx>

Register to receive notification of new agendas, etc.

<http://www.ci.richmond.ca.us/list.aspx>

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 Soulet, 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

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Significant exposure to litigation pursuant to paragraph (2) or (3) of Subdivision
(d) [as applicable] of Government Code Section 54956.9):

One case

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code
Section 54957):

Title: City Manager

PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6):

Community Police Review Commission Investigative Officer

**SPECIAL JOINT MEETING OF THE RICHMOND HOUSING
AUTHORITY/CITY COUNCIL**

6:20 p.m.

- A. **PLEDGE TO THE FLAG**
- B. **ROLL CALL**
- C. **STATEMENT OF CONFLICT OF INTEREST**
- D. **AGENDA REVIEW**
- E. **REPORT FROM THE HOUSING AUTHORITY EXECUTIVE DIRECTOR**
- F. **CONSENT CALENDAR**
 - F-1. APPROVE the minutes of the special September 17, 2019, Richmond Housing Authority Meeting - City Clerk's Office (Pamela Christian 620-6513).
- G. **AUTHORITY/AGENCY/COUNCIL AS A WHOLE**
 - G-1. RECEIVE a presentation and ADOPT a joint resolution approving and authorizing execution of the 2019 Public Housing Authority Recovery and Sustainability (PHARS) Agreement and Action Plan with the United States Department of Housing and Urban Development (HUD) - Richmond Housing Authority (Nannette J. Beacham 621-1300).
- 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. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

D-1. ANNOUNCE recent resignations from City of Richmond boards, commissions, and committees; and ANNOUNCE vacancies as of October 16, 2019, and ask that interested individuals send applications to the City Clerk - Office of the Mayor (Mayor Tom Butt 620-6503).

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 domestic travel requests from Youth Services Coordinator Guadalupe Morales and Associate Administrative Analyst Stephanie Ny, of the Community Services Department, to attend the 2019 Cities of Service Annual Convening on November 14 and 15, 2019, in Dallas, Texas - Community Services Department (Rochelle Polk 620-6511).

H-2. APPROVE an Interagency Agreement between the City of Richmond and Contra Costa County and APPROPRIATE up to \$18,050 in funding to establish a mobile tool lending library in North Richmond, as authorized in the North Richmond Mitigation Fee (NRMF) Expenditure Plan - Community Services Department (Rochelle Polk 620-6511).

H-3. APPROVE a contract amendment with Ninyo and Moore to increase the contract allocation to the existing on-call contract for as-needed construction materials testing services, in an amount not to exceed \$150,000, for a total 2016-2021 allocation not to exceed \$250,000, per contract, over a five-year period - Engineering and Capital Improvement Projects Department (Yader A. Bermudez 774-6300).

- H-4.** APPROVE the purchase of a Vermeer BC1500 Chipper with Winch from RDO Vermeer Equipment Company in an amount not to exceed \$73,500 - Department of Infrastructure Maintenance and Operations (Tim Higares 231-3008).

I. RESOLUTIONS

- I-1.** DISCUSS and ADOPT a Resolution Declaring the City's Intention, Pursuant to Elections Code Section 10010, to initiate procedures for establishing and implementing By-District Elections for City Council Members; and AUTHORIZE the city manager to execute an agreement to retain the services of National Demographics Corporation to assist with the transition to By-District Elections - City Attorney's Office/City Clerk's Office (Bruce Reed Goodmiller 620-6509/Pamela Christian 620-6513).

J. BUDGET SESSION

- J-1.** RECEIVE a presentation of the City of Richmond departmental reorganization and ADOPT a resolution to allocate \$125,000 from the General Fund to pay for a management-level Classification and Compensation Study (\$50,000) and an opt-out program for managers who are displaced (\$75,000) - City Manager's Office (Steven Falk 620-6512).
- J-2.** APPROVE year-end adjustments for the Fiscal Year ending June 30, 2019 - Finance Department (Belinda Warner 620-6740/Markisha Guillory 620-5434).
- J-3.** RECEIVE a report on the status of the operating and capital improvement budget for the first quarter of the Fiscal Year 2019-20 - Finance Department (Belinda Warner 620-6740/Markisha Guillory 620-5434).

K. PUBLIC HEARING

- K-1.** INTRODUCE an ordinance (first reading) repealing Section 15.04.610.270 (Medical Marijuana Uses Ordinance) and adopting revised Section 15.04.610.270 (Marijuana/Cannabis Commercial Uses) and new Section 15.04.610.275 (Marijuana/Cannabis: Personal Use) - Planning and Building Services Department (Lina Velasco 620-6706).

L. STUDY AND ACTION SESSION

- L-1.** RECEIVE a presentation from Willdan Financial Services on the Sanitary Sewer Rate Study of the Richmond wastewater system, including sanitary sewer and wastewater treatment plant capital improvement planning and projects - Water Resource Recovery Department (Yader Bermudez 774-6300).

L-2. RECEIVE a presentation and ADOPT a resolution supporting the Countywide imposition of a one-half of one percent sales tax to fund transportation improvements in Contra Costa County and a proposed Transportation Expenditure Plan (TEP) conditionally amending the Growth Management Program (GMP), which includes principles of agreement for establishing the Urban Limit Line (ULL) in the Measure J TEP to match that found in the 2020 TEP - City Manager's Office (Steven Falk/Lori Reese-Brown 620-6869).

L-3. RECEIVE a report summarizing the status of major land use development projects in Richmond - Councilmember Nathaniel Bates (620-6743), Councilmember Eduardo Martinez (620-6593), and Director of Planning and Building Services Lina Velasco (620-6706).

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

N. 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.