



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

REGULAR AND SPECIAL MEETING AGENDA
Tuesday, December 3, 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

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):

Two cases

CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section
54957.6):

Agency Representatives: Lisa Stephenson, Belinda Warner, Bruce Soublet, Maria
Blue, and Jack Hughes
Employee organization: Service Employees International Union (SEIU Local
1021)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code
Section 54957):

Community Police Review Commission Investigative Officer

**REGULAR AND SPECIAL 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 contract with the Oakland Private Industry Council to be the Contracting and 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 26, 2019, through June 30, 2021. The contract will be for a total amount not to exceed \$141,645 - Employment and Training Department (Sal Vaca 307-8021/Rosemary Viramontes 307-8023).

H-2. APPROVE a contract with the National Association of Training and Environmental Consulting (NATEC) International, Inc. for a series of hazardous materials training classes as part of the RichmondBUILD pre-apprenticeship training program. The contract term will be November 26, 2019, through June 30, 2021, for a total contract amount not to exceed \$46,000 - Employment and Training Department (Sal Vaca 307-8021/Fred Lucero 307-8023).

H-3. ADOPT a resolution to ACCEPT and APPROPRIATE into the Fiscal Year 2019-20 budget \$250,000 in state grant funds received from the State of California Workforce Development Board, \$20,250 in state grant funds from the California Workforce Development Board passed through the Oakland Private Industry Council, and \$200,000 in federal grant funds from the Environmental Protection Agency - Employment and Training Department (Sal Vaca/Jill Perry 307-8023).

- H-4.** RECEIVE the City's Investment and Cash Balance Report for the month of October 2019 - Finance Department (Belinda Brown 620-6740).
- H-5.** RECEIVE the annual year-end developer fee report as required pursuant to Section 66006 of the Government Code - Finance Department (Belinda Brown/Markisha Guillory/Vrenesia Ward 621-1211).
- H-6.** AUTHORIZE the city manager to execute a second amendment to the lease agreement between the City of Richmond and County of Contra Costa, to allow the County to continue to provide child care services at 5050 Hartnett Avenue through June 30, 2024. The lease rental rate is \$1.00 plus \$2,460 per year for water and sewer services - City Manager's Office (Steven Falk/Craig Murray 620-6512).
- H-7.** APPROVE a professional services agreement with CSW/ST2, Stuber, Stroeh Engineering Group, Inc. (Robert Stevens, Engineer) for engineering and program management services to support pavement and utility rehabilitation at Point Potrero Marine Terminal, and other engineering services at the Port of Richmond, for a term of one year (July 1, 2019, through July 1, 2020) in an amount not to exceed \$95,000 - Port Department (Jim Matzorkis 215-4600).
- H-8.** ADOPT a resolution amending Fiscal Year 2019-20 Stormwater Capital Improvement Budget in the amount of \$27,290 and APPROVE the emergency justification for Veolia Water to pay Traffic Management Inc. for additional traffic control measures at the Valley View Sink Hole location - Water Resource Recovery Department (Yader Bermudez 774-6300).
- H-9.** ADOPT a resolution amending the City of Richmond's Position Classification Plan to add four (4) new classifications: Deputy City Manager, Community Development Director, Library and Community Services Director, and Public Works Director - Human Resources Department (Lisa Stephenson/Donna Newton 620-6600).
- H-10.** INTRODUCE an ordinance (first reading) to establish wages, salary, and compensation for Deputy City Manager (Salary Range No. 5.5. \$12,338 - \$19,640); Community Development Director (Salary Range No. 5.2. \$11,801 - \$18,785), Library and Community Services Director (Salary Range No. 5.1 \$10,728 - \$17,078) and Public Works Director (Salary Range No. 5.1 \$10,728 - \$17,078) classifications - Human Resources Department - (Lisa Stephenson/Donna Newton 620-6600).
- H-11.** APPROVE the minutes of the October 15 and 22, 2019, and the November 5, 2019, Regular City Council Meetings, and the November 12 and 23, 2019, Special City Council Meetings - City Clerk's Office (Pamela Christian 620-6513).

- H-12.** DIRECT the city manager and staff to explore potential revenue enhancement and cost recovery measures, including researching and preparing potential ballot measures for City Council consideration, and AUTHORIZE the city manager to hire a consultant for an amount not to exceed \$25,000 to analyze potential revenues and expenditures for Kids First - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-13.** APPROVE an appointment to the Commission on Aging: APPOINT Frances Smith, new appointment, seat #13, filling an unexpired term with an expiration date May 19, 2023 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-14.** APPROVE appointments to the Citizens Police Review Commission; APPOINT Yenny Garcia, re-appointment, seat #4, term expiration date November 1, 2022, and Diego Garcia, re- appointment, seat #9, term expiration date November 1, 2022 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-15.** APPROVE an appointment to update the Housing Advisory Commission: APPOINT Preston Lam., re-appointment, seat #4, term expiration date November 1, 2021, and Carol Hegstrom, re-appointment, seat #5, term expiration date November 1, 2021 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-16.** APPROVE appointment to the Recreation and Parks Commission: APPOINT Joey Smith, re-appointment, seat #4, term expiration date October 26, 2021, Allison Blakely, new appointment, seat #7, term expiration date October 26, 2021, Maryn Hurlbut, re-appointment, seat #8, term expiration date October 26, 2021 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-17.** ADOPT a resolution barring the City of Richmond from purchasing or leasing non-electric vehicles, including hybrids, from automobile manufacturers that refuse to support the State of California’s vehicle emissions regulations - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-18.** APPROVE a Contract Amendment (No. 1) with Analytical Environmental Services (AES) to increase its contract by \$500,000, for a total contract amount not to exceed \$1,500,000 through June 30, 2022, to continue providing on-call Professional Environmental Consulting Services - Planning and Building Services Department (Lina Velasco 620-6706).
- H-19.** ADOPT an ordinance (second reading) amending Richmond Municipal Code (RMC) Article VI, Building Regulations by revising Chapters 6.02 and 6.04 (adopting the 2019 California Building Standards Code), and repealing Chapters 6.16, 6.20, 6.28 (which are superseded by the 2019 codes and incorporated into Richmond Municipal Code [RMC] Chapter 6.04) and 6.46 (which has been superseded by the California Green Building Standards Code incorporated into Chapter 6.04) - Planning and Building Services Department (Lina Velasco 620-6706).

H-20. INTRODUCE an ordinance (first reading) amending Article XI of the Municipal Code (Public Safety and Welfare) by adding Chapter 11.104 (Fair Tenant Screening) requiring landlords to accept a verified and secure third party tenant screening report on behalf of a tenant(s) when applying for rental housing within a 30-day period - Planning and Building Services Department (Lina Velasco 620-6841).

H-21. INTRODUCE an ordinance (first reading) amending Article XI of the Municipal Code by adding Chapter 11.102, Source of Income Ordinance to prohibit discrimination of housing based on an applicant's source of income, including using rental subsidies like the Housing Choice Voucher Program (commonly known as Section 8) - Planning and Building Services Department (Lina Velasco 620-6841).

I. PUBLIC HEARINGS

I-1. HOLD a public hearing to receive public input on draft maps of voting district boundaries and election sequencing as part of the City's transition from an "at-large" election system of electing City Council Members to a "by-district" election system - City Attorney's Office/City Clerk's Office (Bruce Reed Goodmiller 620-6509/Pamela Christian 620-6513).

I-2. INTRODUCE an ordinance (first reading): (1) adding Article 15.04.615 to the Richmond Municipal Code ("RMC") to prohibit new land uses and phase out existing land uses related to the storage and handling of coal and petroleum coke, and (2) making conforming amendments to the Richmond Municipal Code ("RMC") to ensure that it is internally consistent - Planning and Building Services Department (Lina Velasco 620-6706). This item was continued from November 5, 2019.

J. ORDINANCES

J-1. INTRODUCE an ordinance (first reading) amending sections of Richmond Municipal Code Chapter 9.48 Integrated Pest Management - Office of the Mayor (Mayor Tom Butt 620-6503).

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.