



**Community Services Building
440 Civic Center Plaza
And
Richmond Memorial Auditorium
403 Civic Center Plaza
Richmond, CA 94804**

**AGENDA
Tuesday, July 29, 2014**

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Mayor
Gayle McLaughlin

Vice Mayor
Jovanka Beckles

Councilmembers
Nathaniel Bates
Thomas K. Butt
Courtland “Corky” Boozé
Jael Myrick
Jim Rogers

Housing Authority Tenant Commissioners
Helen Hall
Jackie Thompson

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 and discussion has commenced, 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 TWO (2) MINUTES to address the City Council on NON-PUBLIC HEARING items listed on the agenda.**

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 must first complete a speaker's card and discuss the item with a City staff person prior to filing the card with the City Clerk and **prior to the City Council's consideration of Agenda Review.** An item removed from the Consent Calendar may be placed anywhere on the agenda following the City Council's agenda review.

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
ON CLOSED SESSION ITEMS
COUNCIL CHAMBERS**

4:30 p.m.

- A. **ROLL CALL**
- B. **PUBLIC COMMENT**
- C. **ADJOURN TO CLOSED SESSION**

CLOSED SESSION

Shimada Room of the Community Services Building

A. **CITY COUNCIL**

- A-1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957.6):

Title: City Attorney

- A-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Subdivision [a] of Government Code Section 54956.9):

Serkes vs. City of Richmond

- A-3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Initiation of litigation pursuant to Subdivision (c) of Government Code Section 54956.9):

One Case

**SPECIAL MEETING OF THE RICHMOND CITY COUNCIL
RICHMOND MEMORIAL AUDITORIUM**

5:30 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. CITY COUNCIL CONSENT CALENDAR**
 - F-1.** AUTHORIZE the Library and Cultural Services Director to accept a grant from the East Bay Community Foundation (EBCF) in the amount of \$10,000; and APPROVE an amendment to the Fiscal Year 2014-15 Library Fund revenue and expenditures - Library and Cultural Services (Katy Curl 620-6554).
 - F-2.** AUTHORIZE the Library and Cultural Services Director to accept a grant from the California Department of Education (CDE) in the amount of \$62,924; and APPROVE an amendment to the Fiscal Year 2014-15 Library Fund revenue and expenditures - Library and Cultural Services (Katy Curl 620-6554/ Sherry Drobner 307-8082).
 - F-3.** ACCEPT a grant award from the East Bay Community Foundation for the Office of Neighborhood Safety (ONS) in the amount of \$20,000 to provide general and emergency support services for ONS Fellowship participants - Office of Neighborhood Safety (DeVone Boggan 620-5422).
 - F-4.** APPROVE a contract amendment with NEMA Construction to replace the lighting system and scoreboard at the North Richmond Ballfield on Fred Jackson Way, increasing the contract amount by \$11,195 for a total amount of \$186,195 - Public Works Department (Yader A. Bermudez 231-3008).
 - F-5.** APPROVE the sole-source purchase of fire and police apparatus repair services from Hi-Tech EVS, in an amount not to exceed \$75,000 per fiscal year for a term extending from Fiscal Year 2014-15 through 2016-17 - Public Works Department (Yader A. Bermudez 231-3008).

- F-6.** APPROVE a contract with Turner Group Construction, Inc. to provide general contracting services for the Family Justice Center Project at 256 24th Street in an amount not to exceed \$1,541,525 for a term from July 2014 to June 2015, with funding from the proceeds of a \$2,000,000 bond previously approved by the City Council - Police Department (Chief Chris Magnus 621-1802) (This item was not reviewed by the Finance Standing Committee due to meeting schedules and time sensitivity) - Police Department (Chief Chris Magnus 620-1802).
- F-7.** APPROVE a three-year contract with The Omega Group for continued maintenance and technical support of the police department's CrimeView software, in an amount not to exceed \$45,000, for a term of July 1, 2014, through June 30, 2017 (\$15,000 a year for three years) - Police Department (Chief Chris Magnus 620-1802).
- F-8.** INTRODUCE an ordinance (first reading) amending Chapter 12.17 of the Richmond Municipal Code to update requirements pertaining to the inspection and rehabilitation or replacement of private sanitary sewer laterals - Engineering Services Department (Chad Davisson 620-5486).
- F-9.** APPROVE an agreement with Pacific States Environmental Contractors, Inc. (Pacific States) to provide remediation and abatement services (bid Alternative 6) for the Point Molate former United States Naval Fuel Depot IR Site 3 in an amount not to exceed \$9,241,094.50, with a 10 percent city-controlled contingency in the amount of \$924,109.45, for a total approved amount of \$10,165,203.95 and for a term from August 2014 to August 2015, utilizing funds received through the 2008 Early Transfer and Cooperative Agreement (ETCA) with the United States Navy (Due to meeting schedules, this item was not reviewed by the Finance Standing Committee) - Engineering Services Department (Craig Murray/Chad Davisson 307-8188).
- F-10.** APPROVE the City Manager's response to Grand Jury Report No. 1404 entitled, "Planning for Technology," and authorize submittal of the response to the foreperson of the 2013-2014 Contra Costa County Civil Grand Jury - City Manager's Office (Bill Lindsay 620-6512).
- F-11.** APPROVE the City Manager's response to Grand Jury Report No. 1403 entitled, "Training City Personnel in Reporting Child Abuse," and submittal of the response to the foreperson of the 2013-2014 Contra Costa County Civil Grand Jury - City Manager's Office (Bill Lindsay 620-6512).
- F-12.** APPROVE a contract with ShotSpotter Inc. for continued maintenance and technical support of the ShotSpotter System at a cost not to exceed \$184,950 from July 1, 2014, to June 30, 2015 (This item was reviewed and recommended for approval by the Finance Committee at its July 11, 2014, meeting) - Police Department (Chief Chris Magnus 621-1802).

- F-13.** APPROVE a grant-funded contract with the Contra Costa County Employment and Human Services Department on behalf of the Workforce Development Board to provide a multi-craft core curriculum and industry-recognized certificate for Future Build Program participants on behalf of the RichmondBUILD Academy. The contract term will be September 2, 2014, through June 30, 2016, in an amount not to exceed \$100,000 (This item was reviewed and recommended for approval by the Finance Standing Committee at its July 11, 2014, meeting) - Employment and Training - (Sal Vaca/Fred Lucero 307-8023).
- F-14.** APPROVE a grant-funded contract with the Cypress Mandela Training Center, Inc. to provide a multi-craft core curriculum and an industry-recognized certificate for 42 program participants at the Cypress Mandela Training Center. The contract term will be September 2, 2014, through June 30, 2016, in an amount not to exceed \$200,000 (This item was reviewed and recommended for approval by the Finance Standing Committee at its July 11, 2014, meeting) - Employment and Training (Sal Vaca/Fred Lucero 307-8023).
- F-15.** APPROVE a contract with Reed-Madden Design for the design, fabrication, and installation of the sculpture, "Changing Tide," the accepted public art sculpture to be installed at Point Sheridan in an amount not to exceed \$175,000 funded by the Public Art Capital Fund (This item was reviewed and recommended for approval by the Finance Standing Committee at its July 11, 2014, meeting) - Library and Cultural Services Department (Katy Curl 620-6554/Michele Seville 620-6952).
- F-16.** APPROVE a contract with Baker Tilly Virchow Krause, LLP to perform a management and performance audit for the Richmond Housing Authority in an amount not to exceed \$100,000 (This item was not reviewed by the Finance Committee due to meeting schedules and time sensitivity) - City Manager's Office (Bill Lindsay 620-6512).
- F-17.** (1) ADOPT the post-collection service agreement; and (2) APPROVE collection franchise agreement amendment with Richmond Sanitary Service/Republic to provide enhanced recycling and bulky item services - City Manager's Office (Bill Lindsay 620-6512).
- F-18.** APPROVE the minutes of the May 20, 2014 and June 3, 2014, Regular City Council Meetings - City Clerk's Office (Diane Holmes 620-6513).
- F-19.** APPROVE the following re-appointment: Planning Commission: Eduardo Martinez, incumbent, term expiring June 30, 2016 - Mayor McLaughlin (620-6503).
- F-20.** DESIGNATE Councilmember Butt as the voting delegate to represent the City of Richmond at the Annual Business Meeting of the League of California Cities 2014 Annual Conference to be held September 3-5, 2014, at the Los Angeles Convention Center, Los Angeles, California - City Clerk's Office (Diane Holmes 620-6514).

- F-21.** ADOPT a resolution approving the placement of Craig S. Meltzner & Associates, CSG Advisors, and Laurin Associates on the list of qualified financial consultants to provide underwriting, subsidy and financial layering analysis for Housing and Urban Development (HUD)-funded projects in an amount not to exceed \$50,000 per firm over a three-year period - Finance Department (James Goins 620-6740).

G. ITEMS CONTINUED FROM PREVIOUS MEETINGS

Continued Consent Calendar Items

- G-2.** APPROVE the 2014/2015 North Richmond Waste and Recovery Mitigation Fee Expenditure Plan that specifies the activities and the revenue to support those activities from July 1, 2014, through June 30, 2015, as recommended by the North Richmond Waste and Recovery Mitigation Fee Joint Expenditure Planning Committee - City Manager's Office (Bill Lindsay 620-6512/Lori Reese-Brown 620-6869). **This item was continued from the June 24 and July 1 and 15, 2014, meetings for Council deliberation and determination only.**
- G-3.** ADOPT a resolution allowing the City of Richmond to levy an assessment on properties subject to assessment under the Downtown Richmond Property and Business Improvement District (DRPBID) and place this levy on the annual 2014-2015 property tax rolls - City Manager's Office (Bill Lindsay/Janet Johnson 620-6512). **This item was continued from the July 1 and 15, 2014, meetings.**

Continued Public Hearings

- G-4.** ADOPT a resolution authorizing the City of Richmond to levy special assessments against certain properties having unpaid invoices related to administrative citations, nuisance abatement costs, and foreclosure ordinance fines pursuant to Richmond Municipal Code Chapters 9.22, 6.38, 9.50 and 2.63 - Police Department (Chief Chris Magnus 621-1802). **This item was continued from the July 1 and 15, 2014, meetings.**

ITEMG-5 CONTINUED PUBLIC HEARING - NOT EARLIER THAN 6:30 P.M.

- G-5.** CONDUCT a continued public hearing to receive comments on the certification of the Final Environmental Impact Report, Conditional Use Permit, Design Review Permit and other related approvals or agreements for the Chevron Refinery Modernization Project, and any appeal of the Planning Commission action, on the Project; CONSIDER certification of the Final Environmental Impact Report as well as applications for approvals and agreements needed to carry out the Chevron Refinery Modernization Project, and any appeal of the Planning Commission action. Staff recommends that the City Council: (1) ADOPT a resolution deciding the appeal of Planning Commission Resolution 14-11, certifying the Final Environmental Impact Report, adopting Findings, adopting a Mitigation Monitoring and Reporting Program, and directing the city manager to enter into a Memorandum of Understanding with the Bay Area Air Quality Management District; (2) ADOPT a resolution deciding the appeal of the Planning Commission Resolution 14-12, approving the Conditional Use Permit and Design Review Permit for Project Alternative 11, including Conditions of Approval and directing the city manager to enter into an Environmental and Community Investment Agreement with Chevron. The resolutions and related attachments reflect approval of Alternative 11 - Planning and Building Services Department (Richard Mitchell 620-6706). **This item was continued from the July 22, 2014, meeting. The public hearing remains open only for the remaining speakers who signed up to speak at the July 22, 2014, meeting. The City Clerk has the speaker cards.**

Continued Resolutions

- G-6.** ADOPT a resolution limiting the amount of time that Councilmembers have to ask questions - Councilmembers Rogers, Butt, and Myrick (620-6861). **This item was continued from the July 1 and 15, 2014, meetings.**

H. PUBLIC HEARINGS

- H-1.** ADOPT a resolution approving a report of sewer service charges for Fiscal Year 2014-15, and authorizing sanitary sewer and stormwater fees to be collected on the annual 2014-2015 tax rolls - Engineering Services (Chad Davisson 620-5486).

I. RESOLUTIONS

- I-1.** ADOPT a resolution urging Contra Costa County to integrate Doctor's Medical Center into the Contra Costa Health Services to provide health care to the residents of Richmond and the greater West Contra Costa County - Vice Mayor Beckles (620-6568), Mayor McLaughlin (620-6503) and Councilmember Myrick (620-6636).

J. COUNCIL AS A WHOLE

J-1. RECEIVE a report from the finance director and the city manager regarding the City of Richmond's budget and financial status - Councilmember Bates (620-6743).

K. 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.