



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, October 6, 2015

Link to City Council Agendas/Packets

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Mayor
Thomas K. Butt

Vice Mayor
Jael Myrick

Councilmembers

Nathaniel Bates
Jovanka Beckles
Eduardo Martinez
Gayle McLaughlin
Vinay Pimplé

Housing Authority Tenant Commissioners

Dolores Johnson
Barbara Sutton

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

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 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. 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
ON CLOSED SESSION ITEMS**

5:00 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. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Initiation of litigation pursuant to Subdivision (c) of Government Code Section 54956.9):

One Case
 - A-2. PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6):

Title: Confidential Investigative and Appeals Officer
 - A-3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957.6):

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. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

E-1. PROCLAMATION recognizing Citizens for East Shore Parks' 30 years of public service - Mayor Tom Butt (620-6503).

E-2. RECEIVE a presentation by East Bay Municipal Utility District Director Lesa McIntosh concerning the water shortage and EBMUD water supply - Mayor Tom Butt (620-6503).

E-3. PROCLAMATION to declare October 18, 2015, to October 24, 2015, as Freedom from Workplace Bullies Week in Richmond, California - Mayor Tom Butt (620-6503).

E-4. PROCLAMATION declaring October 2015 as Domestic Violence Awareness Month - Mayor Tom Butt (620-6503) and Councilmember Gayle McLaughlin (620-5431).

F. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE DURING CLOSED SESSION

G. REPORT FROM THE CITY MANAGER

H. OPEN FORUM FOR PUBLIC COMMENT

I. CITY COUNCIL CONSENT CALENDAR

I-1. ADOPT a resolution authorizing participation by both the Atchison Village Mutual Homes Corporation and Villa Mira Vista Homeowners Association in the City's private sewer lateral grant program, and award private sewer lateral grants to these developments in a manner that is consistent with the current grant program guidelines - Engineering Services Department (Chadrick Smalley 412-2067).

- I-2.** AUTHORIZE the Library and Cultural Services Director to ACCEPT a grant from the California Department of Education (CDE) in the amount of \$46,525; and APPROVE an amendment to the Fiscal Year 2015-16 Library Fund revenue and expenditures - Library and Cultural Services Department (Katy Curl 620-6554/Sherry Drobner 307-8082).
- I-3.** ADOPT a resolution authorizing the city manager to execute a Consortium Agreement between the City of Richmond and the County of Contra Costa to allow the City of Richmond to join the Contra Costa County HOME Investment Partnership Program Consortium as a co-participant, which will allow the City of Richmond to continue to receive HOME funds for eligible affordable housing activities under the Cranston-Gonzalez National Affordable Housing Act of 1990, as amended by the Housing and Community Development Act of 1992 - Housing and Community Development Department (Tim Jones 621-1310).
- I-4.** ADOPT a resolution of the City Council authorizing the city manager to execute a Cooperation Agreement between the City of Richmond and the County of Contra Costa to become a co-participant of the Contra Costa CDBG Urban County, which will allow the City of Richmond to continue to receive CDBG Program funds for eligible affordable housing and public service activities under Title I of the Housing and Community Development Act of 1974, as amended - Housing and Community Development Department (Tim Jones 621-1310).
- I-5.** ADOPT a resolution of the City Council authorizing the city manager to execute documents to release Neighborhood House of North Richmond from a \$285,000 Community Development Block Grant loan obligation to the city, allowing for the sale of this Property, finding that (a) the national objective in 24 CFR 570.208, and (b) the public benefit standards at 24 CFR 570.209(b) were both met through service to homeless or low and moderate income individuals - Housing and Community Development Department (Tim Jones 621-1310).
- I-6.** APPROVE the grant-funded purchase of 180 laptop computers from ReliaTech, at a cost of \$139 for each computer for a total cost not to exceed \$25,020 over two years. The computers are for the Digital Health Literacy Project (DHLP) and are funded by an Institute for Museum and Library Services (IMLS) grant - Library and Cultural Services Department (Katy Curl 620-6554).
- I-7.** APPROVE an amendment to the contract with Straight Talk on Prison, Inc. to coordinate the YouthWORKS Academic Program. The contract term will be September 9, 2014, through September 30, 2016. The contract amount will be amended by \$60,000 for an amount not to exceed \$119,830 - Employment and Training Department (Sal Vaca/Rosemary Viramontes 307-8008).
- I-8.** APPROVE the purchase of one John Deere 2032R Compact Utility Tractor from Deere & Company for the Police Department Code Enforcement Abatement Unit in an amount not to exceed \$30,000 - Police Department (Chief Chris Magnus 621-1802).

- I-9.** APPROVE a three-year contract with Shot Spotter, Inc. for maintenance of the Shot Spotter Flex gunshot detection system, in an amount not to exceed \$554,850, commencing July 1, 2015, through June 30, 2018 - Police Department (Chief Chris Magnus 621-1802).
- I-10.** ADOPT a resolution authorizing (1) the execution of Service Contract No. 75LX276 with the California Department of Transportation for the provision of a grant of \$260,550 from the Section 130 Railway-Highways Crossing Program for the Cutting/Carlson Boulevard Grade Crossing Improvements Phase II Project, and (2) amendment of the 2015/16-2019/20 CIP Budget to accept and add \$260,550 in Section 130 Railway Highways Crossing Program funds to be appropriated to the Cutting/Carlson Boulevard Grade Crossing Improvements Phase II Project - Engineering Services Department (Chadrack Smalley 412-2067/Steven Tam 307-8112).
- I-11.** APPROVE a contract amendment with NEMA Construction for the final construction change order for the installation and connection of an existing emergency generator and upgrading of the existing power source at the Corporation Yard, Equipment Services facilities, in an amount not to exceed \$107,657.00 for a total contract amount of \$357,657.00 - Public Works Department (Yader A. Bermudez 774-6300).
- I-12.** PROCLAMATION commemorating October 24, 2015, as the City of Richmond's Official Arbor Day this year - Mayor's Office/Public Works Department (Mayor Tom Butt 620-6503/Yader A. Bermudez 774-6300).
- I-13.** PROCLAMATION supporting United Nation's Convention on the Elimination of All Forms of Discrimination Against Women - Mayor Tom Butt (620-6503).
- I-14.** APPROVE the minutes of the regular City Council meetings held Tuesday, September 15, 2015, September 22, 2015, and Monday, September 21, 2015, Special City Council Meeting - City Clerk's Office (Pamela Christian 620-6513).

J. PUBLIC HEARINGS

- J-1.** (1) ADOPT a resolution adopting a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program, and approving a Vesting Tentative Subdivision Map and Design Review Permit to construct a 193-unit mixed-use development at 830 Marina Way South, subject to conditions; and (2) INTRODUCE an ordinance rezoning the Baywalk Mixed-Use Development site from Industrial/Office Flex (M-1) to Planned Area District (PA) - Planning and Building Services Department (Richard Mitchell 620-6706).

K. RESOLUTIONS

K-1. ADOPT a resolution providing for the issuance of one or more series of City of Richmond Pension Obligation Bonds, approving the form of and authorizing the execution and delivery of a first supplemental indenture and termination of interest rate swap agreements related thereto, and authorizing certain other actions in connection therewith. These actions will authorize the refunding of a portion of the outstanding 2005 Pension Funding Bonds, and fund a termination of the interest rate swaps relating to the 2005 Pension Funding Bonds, by issuing Taxable Pension Obligation Refunding Bonds, Series 2015A - City Manager's Office/Finance Department (Bill Lindsay/Belinda Warner 620-6740).

L. COUNCIL AS A WHOLE

L-1. CONSIDER opposing the proposal by the Metropolitan Transportation Commission (MTC) to defund the Association of Bay Area Governments (ABAG) and AUTHORIZE the city manager to send a letter to MTC and ABAG stating the City Council's opposition - Mayor Tom Butt (620-6503).

L-2. DIRECT the city manager to circulate a Request for Proposal (RFP) to solicit interest from consultants to complete a fiscal analysis for the possible annexation of unincorporated North Richmond to the City of Richmond and REPORT back to the City Council with a recommendation - Mayor Tom Butt (620-6503).

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.