



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, October 4, 2016

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
Eduardo Martinez

Councilmembers

Nathaniel Bates
Jovanka Beckles
Gayle McLaughlin
Jael Myrick
Vinay Pimplé

Housing Authority Tenant Commissioners

Jaycine Scott
Tanise Smith

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 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 BEFORE
CLOSED SESSION**

5:30 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 - EXISTING LITIGATION
(Subdivision [a] of Government Code Section 54956.9):

Upstream vs. City of Richmond

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. **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. ADOPT an ordinance (second reading) amending Richmond Municipal Code Chapter 12.56 to meet the minimum requirements of the National Flood Insurance Program - Water Resource Recovery Department (Ryan Smith 620-5486).
 - H-2. APPROPRIATE the amount of \$371,312 from the Wastewater enterprise fund balance to the sewer line repairs capital project to fund the Urgent Sewer Force Main Repairs Project - Water Resource Recovery Department (Ryan Smith 620-5456).
 - H-3. APPROVE a contract amendment with PES Environmental, Inc. (PES) for Enhanced Area T product removal work, Area T annual work and performance of the annual inspection, analysis and report of the nine deed restricted properties in Marina Bay - Infrastructure Maintenance and Operations Department (Tim Higaes 620-6508).
 - H-4. APPROVE a contract with Nichols Consulting Engineers to provide technical and budgetary oversight for environmental remediation activities at Pt. Molate in an amount not to exceed \$236,306.18, with a term extending through June 30, 2017 - Infrastructure Maintenance and Operations Department (Tim Higaes 620-6508/Craig Murray 307-8188).
 - H-5. APPROVE the city manager's response to Grand Jury Report No. 1614 entitled, "Where Will We Live? The Affordable Housing Waiting List is Closed," and submittal of the response to the foreperson of the 2015-2016 Contra Costa County Civil Grand Jury - City Manager's Office (Bill Lindsay 620-6512).

- H-6.** APPROVE the city manager's response to Grand Jury Report No. 1615 entitled, "Truancy and Chronic Absences in Contra Costa County Schools," and submittal of the response to the foreperson of the 2015-2016 Contra Costa County Civil Grand Jury - City Manager's Office (Bill Lindsay 620-6512).
- H-7.** ADOPT a resolution authorizing the acceptance and appropriation of grant funds from the Cities of Service Bay Area Impact Volunteering Program in an amount not to exceed \$25,000 - Fire Department (Fire Chief Adrian Sheppard 307-8041).
- H-8.** ADOPT a resolution authorizing the acceptance of the Automatic Aid Agreement, Exhibit A - Operation Plan, and the Support Services and Specialized Resources Agreement between the City of Richmond and Contra Costa County Fire Protection District - Fire Department (Fire Chief Adrian Sheppard 307-8041).
- H-9.** AUTHORIZE the city manager to accept an Easement Deed from the Hilltop Village Owners Association, and to sign the Certificate of Acceptance in order to record the Easement with the County Recorder - Engineering and Capital Improvement Projects Department (Yader Bermudez/Tawfic Halaby 621-1612).
- H-10.** PROCLAMATION declaring the first Saturdays of October as "Bay Day" in the City of Richmond - Mayor Tom Butt (620-6503) and Vice Mayor Eduardo Martinez (620-6593).
- H-11.** APPROVE actions to update the Youth Council: APPOINT Demetrio Rodriguez, new appointment, seat #1, term expiration October 1, 2017 - Mayor's Office (Mayor Tom Butt 620-6503).
- H-12.** APPROVE an appointment to the Environmental and Community Investment Agreement (ECIA) Transportation Oversight Committee: APPOINT: Carolyn Douglas, new appointment, seat #5, term expiration July 25, 2019 - Mayor's Office (Mayor Tom Butt 620-6503).
- H-13.** ADOPT a resolution of the City Council encouraging autonomous vehicle testing as a public safety and economic development initiative in the City of Richmond - Mayor's Office (Mayor Tom Butt 620-6503).
- H-14.** APPROVE a contract with Municipal Code Corporation, for ordinance, zoning code codification, and supplements of the City's municipal code, for a five-year period, with two one-year options to extend, for the City Clerk's Office and the Planning Department, from July 1, 2016, through June 30, 2021, in the combined amount of \$17,000 per year, for a total amount not to exceed \$85,000 - City Clerk's Office (Pamela Christian 620-6513) and Planning and Building Services Department (Richard Mitchell 621-1231).

- H-15.** APPROVE the minutes of the special City Council meeting held Tuesday, September 13, 2016, and the regular meeting held Tuesday, September 20, 2016 - City Clerk's Office (Pamela Christian 620-6513).
- H-16.** ADOPT a resolution to accept and appropriate \$115,000 in funding from the Office of Traffic Safety (OTS) awarded to the Richmond Police Department for implementation of an effective, comprehensive and strategic approach to address problematic traffic related issues, focusing on impaired driving - Police Department (Chief Allwyn Brown 621-1802).
- H-17.** APPROVE a one-year contract with Vohne Liche Kennels, Inc. to provide canine maintenance training at a cost not to exceed \$12,600 commencing September 1, 2016, through August 31, 2017 - Police Department (Chief Allwyn Brown 621-1802).
- H-18.** APPROVE a three-year sole-source contract with Vigilant Solutions for software maintenance of the license plate recognition system, in an amount not to exceed \$24,000, for a term from July 1, 2016, to June 30, 2019 - Police Department (Chief Allwyn Brown 621-1802).

I. COUNCIL AS A WHOLE

- I-1.** RECEIVE a presentation of the Mayor's Housing Strategy - Mayor's Office (Mayor Tom Butt 620-6503). **This item was continued from the September 27, 2016, meeting.**

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

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.