



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA

Tuesday, February 21, 2017

Link to City Council Agendas/Packets

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Mayor

Thomas K. Butt

Vice Mayor

Jovanka Beckles

Councilmembers

Ben Choi

Eduardo Martinez

Gayle McLaughlin

Jael Myrick

Melvin Willis

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 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 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**

6:00 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

- A. **CITY COUNCIL**

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

San Francisco vs. Trump

County of Santa Clara vs. Trump

**SPECIAL MEETING OF
THE RICHMOND HOUSING AUTHORITY**

6:25 p.m.

A. PLEDGE TO THE FLAG

B. ROLL CALL

C. STATEMENT OF CONFLICT OF INTEREST

D. AGENDA REVIEW

E. OPEN FORUM FOR PUBLIC COMMENT

F. HOUSING AUTHORITY CONSENT CALENDAR

F-1. ADOPT a resolution authorizing the Housing Authority to revise the Section 8 Housing Choice Voucher Program Housing Payment Standards (HPS), consistent with the federal Department of Housing and Urban Development's (HUD's) increased Fair Market Rent (FMR) rates for Contra Costa County effective 2017. (This item was reviewed and recommended for approval by the Housing Advisory Commission at its meeting held on February 13, 2017) - Housing Authority (Tim Jones 621-1310).

F-2. ADOPT a resolution approving the revisions to Chapter 8 of the Housing Authority's Admissions and Continued Occupancy Policies (ACOP) and Page 9 of the Authority's Procurement Standard Operating Procedures. (This item was reviewed and recommended for approval by the Housing Advisory Commission at its meeting held on February 13, 2017) - Housing Authority (Tim Jones 621-1310).

F-3. ADOPT a resolution to approve a contract with Communications Service Company for fire alarm system testing, inspections and maintenance services for the Housing Authority's Nevin Plaza public housing development for an amount not to exceed \$30,000 per year for a three-year term. (This item was reviewed and recommended for approval by the Housing Advisory Commission at its meeting held on February 13, 2017) - Housing Authority (Tim Jones 621-1310).

F-4. APPROVE the minutes of the July 26 and December 20, 2016, Richmond Housing Authority Meetings - City Clerk's Office (Pamela Christian 620-6513).

G. ADJOURNMENT

**REGULAR MEETING OF THE SUCCESSOR AGENCY TO THE
RICHMOND COMMUNITY REDEVELOPMENT AGENCY AND
RICHMOND CITY COUNCIL**

6:30 p.m.

- A. ROLL CALL**
- B. STATEMENT OF CONFLICT OF INTEREST**
- C. AGENDA REVIEW**
- D. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE DURING CLOSED SESSION**
- E. REPORT FROM THE CITY MANAGER**
- F. OPEN FORUM FOR PUBLIC COMMENT**
- G. SUCCESSOR AGENCY TO THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY CONSENT CALENDAR**
 - G-1.** ADOPT a resolution authorizing the execution of a Novation Agreement with the U.S. Environmental Protection Agency Region 9 (EPA) for continued operation of the Brownfield Revolving Loan Fund and transferring the obligations of the Closeout Agreement with the EPA for that fund from the Successor Agency to the Richmond Community Redevelopment Agency to the City of Richmond - Successor Agency to the Richmond Community Redevelopment Agency (Tim Jones 621-1310).
- H. CITY COUNCIL CONSENT CALENDAR**
 - H-1.** AUTHORIZE the City Manager or designee to take all actions necessary, including administrative management and project verification, to implement an enhanced energy efficiency multi-family residential homes incentive program in partnership with Marin Clean Energy (MCE) utilizing \$125,000 of Environmental and Community Investment Agreement funding; and APPROVE a contract with energy efficiency program administrator DNV GL to administer enhanced energy incentives to Richmond businesses for an amount not to exceed \$125,000 for a term ending December 31, 2018 - City Manager's Office (Bill Lindsay 620-6512).

- H-2.** APPROVE a contract with Marken Mechanical Services Inc. to perform as-needed major mechanical building maintenance services at various City facilities including the Civic Center Plaza, Main Library and the two Swim Centers in an amount not to exceed \$150,000 over a three year period, with an option to extend an additional two years at \$50,000 per year - Department of Infrastructure Maintenance and Operations (Tim Higaes 620-6508).
- H-3.** APPROVE contract amendment #4 with BioMax Environmental Services, LLC, in the amount of \$50,000 for on-call services regarding monitoring the level of hydrogen sulfide gas at and around the wastewater treatment plant, Point Richmond, Washington Elementary School and other neighboring communities for a total amount not to exceed \$230,000 - Water Resource Recovery Department (Ryan Smith 620-5486).
- H-4.** RECEIVE a report on the Richmond Municipal Sewer District for the month of December 2016 - Water Resource Recovery Department (Ryan Smith 620-5486).
- H-5.** APPROVE a three (3) year contract, with a two (2) year renewal option, with Sonoma Technologies, Inc. to remove the existing Jerome® hydrogen sulfide meters and install and maintain three (3) new, hydrogen sulfide monitors that will be (permanently) located at the Wastewater Treatment plant and at Washington Elementary School in an amount not to exceed \$610,080 - Water Resource Recovery Department (Ryan Smith 620-6594).
- H-6.** APPROVE AND APPROPRIATE grant funding of \$24,000 to cover program start-up costs, program management fees, including supplies, for the full-time placement and service of two (2) VISTA members - Community Services Department (Rochelle Monk 620-6511).
- H-7.** ADOPT a resolution to accept and appropriate \$81,644.00 in grant funding from the California Department of Justice, Community Policing Development Program awarded to the Richmond Police Department for their assistance in the development of police stop-data collection guidelines - Police Department (Chief Allwyn Brown 621-1802).
- H-8.** APPROVE actions to update the Commission on Aging; APPOINT Linda Onita Atkins, new appointment, seat #5, filling an unexpired term with an expiration date of May 19, 2017 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-9.** APPROVE actions to update the Library Commission; APPOINT Isabel Emerson, new appointment, seat #1, filling an unexpired term with an expiration date of July 1, 2018 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-10.** APPROVE appointment to the ECIA Transportation Oversight Committee; APPOINT Marena Brown, new appointment, seat #1, filling an unexpired term with an expiration date of July 25, 2019 - Office of the Mayor (Mayor Tom Butt 620-6503).

- H-11.** APPROVE actions to update the Urban Forest Advisory Committee; APPOINT Liz Bittner, new appointment, seat #2, filling an unexpired term with an expiration date of November 17, 2018 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-12.** APPROVE actions to update the Arts and Culture Commission; APPOINT Silvia Ledezma, re-appointment, seat #7, term expiration January 31, 2021 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-13.** APPOINT the following individuals to the Rent Board: Nancy Combs, new appointment, seat #1 term expiring February 21, 2019, and Virginia Finlay, new appointment, seat #2, term expiring February 21, 2019 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-14.** APPROVE actions to update the Planning Commission; APPOINT Yu-Hsiang (Michael) Huang, new appointment, seat #5, filling an unexpired term with an expiration date of June 30, 2018 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-15.** APPROVE a first amendment to the legal services agreement with the Telecom Law Firm for representation of the City concerning telecommunications matters, including assistance with wireless and wired siting applications, in the amount of \$275,000 for a total contract amount of \$285,000 (with funds for payment generated from application fees for wireless facilities), with a term ending December 31, 2018 - City Attorney's Office/Planning and Building Regulations (Bruce Reed Goodmiller 620-6509/Richard Mitchell 620-6706).
- H-16.** AUTHORIZE execution of a Legal Services Agreement with Burke Williams & Sorensen and Thomas Brown to assist staff on issues related to the General Plan Amendment for Northshore (Change Area 12) in an amount Not To Exceed \$50,000 with a term ending December 31, 2017 - City Attorney's Office (Bruce Reed Goodmiller 620-6509).
- H-17.** REVIEW and APPROVE the City's Investment and Cash Balance Report for the months of September, October, November and December 2016 - Finance Department (Belinda Warner/Latha Ravinder 620-6739).
- H-18.** APPROVE the minutes of the regular City Council meetings held Tuesday, January 24 and February 7, 2017 - City Clerk's Office (Pamela Christian 620-6513).

I. PUBLIC HEARINGS

- I-1.** ADOPT a resolution of intention to grant to SFPP, L.P. (Kinder Morgan) a 10-year franchise to use or lay and use oil pipes and appurtenances for the purpose of transmitting and distributing oil and oil products within the City's rights-of-way - Engineering and CIP Department (Yader A. Bermudez 774-6300).

J. RESOLUTIONS

J-1. ADOPT a resolution in support of a Congressional investigation regarding the impeachment of President Donald J. Trump - Councilmember Gayle McLaughlin (620-5431).

K. ORDINANCES

K-1. INTRODUCE an ordinance (first reading) adding Chapter 11.46 of Article XI of the City of Richmond Municipal Code establishing regulations concerning the use of unmanned aircraft systems (drones) in Richmond - Police Department (Chief Allwyn Brown 621-1802).

L. COUNCIL AS A WHOLE

L-1. APPROVE a contract with MIG, Inc., for an amount not to exceed \$98,980.00, to assist with the community outreach and input process discussing land uses at Point Molate - Planning and Building Services Department (Richard Mitchell 620-6706).

L-2. DIRECT the city manager to draft a letter to the California Board of State and Community Corrections to oppose the \$70 million grant proposal from the Contra Costa Sheriff's Office to expand the West County Detention Facility in Richmond - Councilmember Melvin Willis (412-2050).

L-3. DIRECT the city manager to initiate a procurement process for a proposal to re-establish electrical service at the City-owned property at Point Molate - Mayor's Office (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.