



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, September 12, 2017

Link to City Council Agendas/Packets
<http://sireweb.ci.richmond.ca.us/sirepub/meet.aspx>
Register to receive notification of new agendas, etc.
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Mayor
Thomas Butt

Vice Mayor
Jovanka Beckles

Councilmembers

Ben Choi
Eduardo Martinez
Vacant
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**

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

City of Richmond vs Trump et al

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code
Section 54956.8):

Property: General Warehouse—Port of Richmond
Agency negotiators: Bill Lindsay and Jim Matzorkis
Negotiating parties: (i) Orton Development; and (ii) Richmond Grown LLC
Under negotiation: Price and terms of payment

Property: (former) Cafeteria Building—Port of Richmond
Agency negotiators: Bill Lindsay and Jim Matzorkis
Negotiating party: Golden Gate Meats/Up and Under Pub & Grill
Under negotiation: Price and terms of payment

Property: Richmond Main Post Office
Negotiators: Bill Lindsay
Negotiating party: US Postal Service
Under negotiation: Price and terms of payment

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 September 9-17, 2017, as "National Drive Electric Week" in the City of Richmond - Office of the Mayor (Mayor Tom Butt 620-6503).

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. RECEIVE the City's Investment and Cash Balance Report for the months of June and July 2017 - Finance Department (Belinda Warner/Stacie Plummer 620-6930).

I-2. APPROVE the minutes of the June 20 and 27 and July 11, 18, and 25, 2017, regular meetings of the Richmond City Council - City Clerk's Office (Pamela Christian 620-6513).

I-3. APPROVE a professional services contract with Boudreau Associates, LLC in an amount not to exceed \$95,000, to support dredging of Berths 7 and 8 of the Point Potrero Marine Terminal and the Marina Bay Yacht Harbor Entrance Channel - Port Department (Jim Matzorkis 215-4600).

I-4. APPROVE a Lease Agreement with Sause Bros., Inc., for the Machine Shop at Terminal 3 - Port Department (Jim Matzorkis 215-4608).

I-5. APPROVE a Lease Agreement with NRC Environmental Services Inc., for Basin 3 at Point Potrero Marine Terminal - Port Department (Jim Matzorkis 215-4608).

- I-6.** AUTHORIZE travel for Jim Matzorkis, Port Director and Lucy Zhou, Port Operations and Marketing Manager to Zhoushan, China to attend the Third Annual International Island Tourism Conference, to update the Mutual Agreement between Richmond and Zhoushan, and finalize a Memorandum of Understanding for student and teacher exchange with Richmond schools - Port Department (Jim Matzorkis 215-4608).
- I-7.** APPROVE the purchase of one 2017 LeeBoy Model 8816B Paver, from Nixon Egli in an amount not to exceed \$330,000 - Department of Infrastructure Maintenance and Operations (Tim Higaes 231-3008).
- I-8.** APPROVE an amendment to the contract with the Laborers' Community Service and Training Foundation to provide an additional series of environmental workforce development training classes at the RichmondBUILD Academy. The contract term will be January 13, 2014, through June 30, 2018. The contract will be increased by \$30,000, to a total amount not to exceed \$155,000 - Employment and Training Department (Sal Vaca 307-8006).
- I-9.** APPROVE an amendment to the Bay Area Resource Center contract to provide technical assistance and construction capacity-building courses in support of the Construction Resource Center and the RichmondBUILD program. The contract term will be August 1, 2015, through June 30, 2019. The contract amount will be increased by \$42,000, for a total contract amount not to exceed \$199,000 - Employment and Training Department (Sal Vaca 307-8006).
- I-10.** APPROVE a second amendment to the contract with Oakland Private Industry Council to provide additional services as the Contracting & Vendor Pay Agent for Individual Training Accounts and On-the-Job Training activities for the Workforce Innovation and Opportunity Act (WIOA) program. The contract term will be July 26, 2016, through September 30, 2018. The contract amount will be increased by \$140,958, for a total contract amount not to exceed \$392,309.52 - Employment and Training Department (Sal Vaca / Rosemary Viramontes 307-8008).
- I-11.** ADOPT a resolution setting a public hearing on October 17, 2017, regarding the City's intent to grant to Phillips 66 Co. a 10-year franchise agreement 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 for a period of 10 years - Engineering and Capital Improvement Projects (Yader Bermudez 774-6300).
- I-12.** ADOPT a resolution setting a public hearing on October 17, 2017, regarding the City's intent to grant to Chevron U.S.A. a 10-year franchise agreement 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 for a period of 10 years - Engineering and Capital Improvement Projects (Yader Bermudez 799-6300).

- I-13.** APPROVE the execution of a construction contract with Ghilotti Bros., Inc., for construction of the Rifle Range Retaining Wall Project in an amount not to exceed \$1,217,808.35, including a 10 percent contingency - Engineering and Capital Improvement Projects (Yader Bermudez 620-5478/Tawfic Halaby 621-1612).
- I-14.** ADOPT a resolution renewing and continuing the local emergency on Rifle Range Road due to landslide damage, which was first adopted by the City Council on March 7, 2017 - Engineering and Capital Improvement Projects (Yader Bermudez 620-5478/Tawfic Halaby 621-1612).
- I-15.** ADOPT a resolution renewing and continuing the local emergency on Via Verdi due to landslide damage, which was first adopted by the City Council on February 28, 2017 - Engineering and Capital Improvement Projects (Yader Bermudez 620-5478/Tawfic Halaby 621-1612).
- I-16.** ADOPT a resolution of local support as required by the Metropolitan Transportation Commission to program \$7,700,000 in State Transportation Improvement Program (STIP) funds for improvements to reduce congestion on Central Avenue near I-80; and if awarded, ACCEPT and APPROPRIATE the funds - Engineering and Capital Improvement Projects (Yader Bermudez 620-5478/Tawfic Halaby 621-1612).
- I-17.** ADOPT a resolution of local support as required by the Metropolitan Transportation Commission to program \$2,205,000 in Local Streets and Road Preservation (LSRP) federal funds for street roadway improvements; and if awarded, ACCEPT and APPROPRIATE the funds - Engineering and Capital Improvement Projects (Yader Bermudez 620-5478/Tawfic Halaby 621-1612).
- I-18.** ADOPT a resolution of local support as required by the Metropolitan Transportation Commission to program \$320,000 in Safe Routes to School (SRTS) federal funds for pedestrian safety improvements at Lincoln Elementary School; and if awarded, ACCEPT and APPROPRIATE the funds - Engineering and Capital Improvement Projects (Yader Bermudez 620-5478/Tawfic Halaby 621-1612).
- I-19.** APPROVE a three-year contract, with the option of two, one-year renewal options, with O.C. Jones & Sons, Inc. for the rental of street paving equipment as needed, to supplement city crews on larger paving projects, in an amount not to exceed \$100,000 per fiscal year - Engineering and Capital Improvement Projects (Yader Bermudez 774-6300).
- I-20.** ADOPT a resolution of intention to set a public hearing for October 3, 2017, for the proposed vacation of a storm drain easement owned by City of Richmond recorded within the property addresses of 3000-3050 Hilltop Mall Road - Engineering and Capital Improvement Projects (Yader Bermudez 620-5478/Steven Tam 307-8112).

- I-21.** APPROVE the use of City-funds for the tuition cost of four police academy training slots at the Alameda County Sheriff's Office Regional Training Center, in an amount not to exceed \$18,000 - Police Department (Chief Allwyn Brown 621-1802).
- I-22.** APPROVE a sole-source contract with Capture Technologies to maintain the Communications Center call logging system, in an amount not to exceed \$15,456, with a term from July 1, 2017, to June 30, 2018 - Police Department (Chief Allwyn Brown 621-1802).
- I-23.** APPROVE a contract with Glen Price Group for as-needed grant writing services in an amount not to exceed \$60,000 (\$20,000 per year) from September 1, 2017, to June 30, 2020, with an option to extend an additional two years - Police Department (Chief Allwyn Brown 621-1802).
- I-24.** RECEIVE a report on the Richmond Municipal Sewer District for the month of June 2017 - Water Resource Recovery Department (Ryan Smith 620-5486).
- I-25.** APPROVE an amendment for a four-year contract extension with Downey Brand law firm in the amount of \$100,000, for the legal review of the requirements as predetermined in the existing Baykeeper Settlement Agreement, and to represent the City in future settlement agreement discussions, for a total contract amount not to exceed \$205,000 - Water Resource Recovery Department (Ryan Smith 620-5486/Mary Phelps 621-1269).
- I-26.** APPROVE a contract amendment with Allied Universal to provide security services for the Port of Richmond Point Potrero Marine Terminal and Terminal 1, from July 1, 2017, to June 30, 2019, in the amount of \$1,200,000 for a total contract amount not to exceed \$1,933,688; and APPROPRIATE Fiscal Year (FY) 17-18 Budget funds in the amount of \$600,000, and FY18-19 funds in the amount of \$600,000. - Port Department (Jim Matzorkis 215-4600).

J. COUNCIL AS A WHOLE

- J-1.** APPOINT a candidate to fill the vacant seat on the City Council that occurred on July 18, 2017 - Office of the Mayor (Mayor Tom Butt 620-6503).
- J-2.** DISCUSS and CONSIDER donating funds to the City of Oakland to conduct a study on the feasibility of a public bank - Councilmember Martinez (510-620-6593).

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.*