



Agenda

MEETING(S) - (Meetings are virtual)

**RICHMOND HOUSING AUTHORITY
RICHMOND CITY COUNCIL**

Tuesday, May 17, 2022, 4:00 p.m.

Community Services Building

440 Civic Center Plaza

Richmond, CA 94804

Members:

Thomas K. Butt, Mayor

Demnlus Johnson III, Councilmember at Large

Nathaniel Bates, Councilmember at Large

Claudia Jimenez, Councilmember District 6

Eduardo Martinez, Vice Mayor at Large

Melvin Willis, Councilmember District 1

Gayle McLaughlin, Councilmember District 5

Jaycine Scott, Housing Authority Tenant Commissioner

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How to watch the meeting from home:

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2. Livestream online at <http://www.ci.richmond.ca.us/3178/KCRT-Live>

Public comment may be submitted by mail, eComment, email and/or Zoom video conference in the manner that follows, provided that no member of the public may submit more than one verbal comment per agenda item.

Via mail: received by 1:00 p.m. the day of the meeting, sent to 450 Civic Center Plaza, 3rd Floor, Office of the Clerk, Richmond, CA 94804.

Via eComments: eComments are available once an agenda is published. Locate the meeting in "upcoming meetings" and click the comment bubble icon. Click on the item you wish to comment on. eComments can be submitted when the agenda is published and until the conclusion of public comments for the agenda item. eComments can be viewed by the City Council and members of the public as they are submitted. Email your comment to cityclerkdept@ci.richmond.ca.us should you have difficulty submitting an eComment during a meeting.

Via email: to cityclerkdept@ci.richmond.ca.us by 1:00 p.m. the day of the meeting. Emails **MUST** contain in the subject line 1) public comments – Open Session prior to Closed Session; 2) public comments – Open Forum; or 3) public comments agenda item # ___ [include the agenda item number]. **All such email with correctly labeled subject lines will be posted on-line and emailed to the City Council before the meeting is called to order. Email received after 1:00 p.m. will be posted on-line following the meeting as part of the supplemental materials attached to the meeting minutes.**

Via Zoom by video conference: for Open Session and City Council: **Please click the link below to join the webinar:**

<https://zoom.us/j/99312205643?pwd=MDdqNnRmS2k4ZkRTOWhiUldQOUF1Zz09>

Passcode: ccmeeting

By iPhone one-tap: US: +16699006833,,99312205643# or +13462487799,,99312205643#

By Telephone: Dial (for higher quality, dial a number based on your current location): US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592
Webinar ID: 993 1220 5643

International numbers available: <https://zoom.us/u/aehrwCgISx>

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[https://support.zoom.us/hc/en-us/articles/201362663 -Joining-a-meeting-by-phone.](https://support.zoom.us/hc/en-us/articles/201362663-Joining-a-meeting-by-phone) **

**The mayor will announce the agenda item number and open public comment when appropriate.

The City cannot guarantee that its network and/or the site will be uninterrupted. To ensure that the City Council receives your comments, you are strongly encouraged to submit your comments in writing in advance of the meeting.

AB 361 Procedures in the Event of Technical Difficulties: In the event the meeting broadcast is disrupted, or if a technical issue on the agency's end disrupts public participation, the legislative body board cannot take any further action on the agenda until the technical issue is resolved.

Properly labeled public comments will be considered a public record, put into the official meeting record, available after the meeting as supplemental materials, and will be posted as an attachment to the meeting minutes when the minutes are posted: <http://www.ci.richmond.ca.us/Archive.aspx?AMID=31>.

Procedures for Removing Items from the Consent Calendar: Members of the public who request to remove an item from the consent calendar must first discuss the item with a staff member by phone or a back-and-forth email discussion, and state the name of the staff member when requesting removal of the item from the consent calendar (**by 2 p.m. the day of the meeting**).

Any member of the City Council who would like to remove an item from the consent calendar must notify the appropriate staff person and the City Clerk's Office prior to the meeting. Although members of the City Council are encouraged to ask questions and share concerns with staff ahead of the meeting, they are not required to do so.

The Clerk's Office must be informed of any requests to remove items from the Consent Calendar. Items removed from the Consent Calendar shall be placed at the end of the agenda for consideration.

Accessibility for Individuals with Disabilities: Upon request, the City will provide for written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services and sign language interpreters, to enable individuals with disabilities to participate in and provide comments at/related to public meetings. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, auxiliary aid, service or alternative format requested at least two days before the meeting. Requests should be emailed to cityclerkdept@ci.richmond.ca.us or submitted by phone at 510-620-6513, ext. 9, or 510-620-6509. Requests made by mail to City Clerk's Office, City Council meeting, 450 Civic Center Plaza, Richmond, CA 94804 must be received at least two days before the meeting. Requests will be granted whenever possible and resolved in favor of accessibility.

Effect of Advisory on In-person public participation: During the pendency of Assembly Bill 361, the language in this Advisory portion of the agenda supersedes any language contemplating in-person public comment.

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A. OPEN SESSION TO HEAR PUBLIC COMMENT BEFORE CLOSED SESSION

4:00 p.m.

B. ROLL CALL

C. CLOSED SESSION

**C.1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(initiation of litigation pursuant to paragraph (4) of Subdivision (d) of
Government Code Section 54956.9)**

- One case

C.2. PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6)

- Title: City Attorney

**C.3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (paragraph
(1) of Subdivision [d] of Government Code Section 54956.9)**

- SPRAWLDEF et al. v. City of Richmond
- The Guidiville Rancheria of California, et al. v. The United States of America, et. al.
- North Coast Rivers Alliance et al./Point Molate Alliance et al. v. City of Richmond

**C.4. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Significant exposure to litigation pursuant to paragraph (2) or (3) of Subdivision
(d) [as applicable] of Government Code Section 54956.9)**

- **Three cases:**

In light of the California Court of Appeal's decision in Fowler v. City of Lafayette, the City Attorney's Office is attaching to this agenda four communications regarding the amended judgment and various agreements related to Point Molate. These letters provide the existing facts and circumstances for going into closed session on these items pursuant to California Government Code Section 54956.9(d)(2) and (e)(3).

C.5. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

- Agency Representatives: Jaclyn Gross and Anil Comelo

Employee organizations:

1. SEIU Local 1021 Full Time Unit and Part Time Unit
2. IFPTE Local 21 Mid-Level Management Unit and Executive Management Units
3. Richmond Police Officers Association RPOA
4. Richmond Police Management Association RPMA
5. IAFF Local 188
6. Richmond Fire Management Association RFMA

D. PUBLIC COMMENT BEFORE CLOSED SESSION

E. ADJOURN TO CLOSED SESSION

F. SPECIAL MEETING OF THE RICHMOND HOUSING AUTHORITY

6:25 p.m.

G. ROLL CALL

H. PUBLIC COMMENT INSTRUCTIONAL VIDEO

I. STATEMENT OF CONFLICT OF INTEREST

J. AGENDA REVIEW

K. HOUSING AUTHORITY CONSENT CALENDAR

K.1. Continued Use of Teleconferencing

13

ADOPT a resolution requiring the continued use of teleconferencing for the meetings of the Board of Commissioners of the Richmond Housing Authority pursuant to the provisions of AB 361 – City Clerk’s Office (Pamela Christian 510-620-6513).

K.2. Housing Authority Meeting Minutes

17

APPROVE the minutes of the special April 19, 2022, Richmond Housing Authority meeting - City Clerk's Office (Pamela Christian 510-620-6513).

L. ADJOURNMENT

M. **REGULAR MEETING OF THE RICHMOND CITY COUNCIL**

6:30 p.m.

N. **ROLL CALL**

O. **STATEMENT OF CONFLICT OF INTEREST**

P. **AGENDA REVIEW**

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

R. **REPORT FROM THE CITY MANAGER (public comment allowed under Open Forum)**

S. **REPORT FROM THE IMPLEMENTATION SUB-COMMITTEE FOR REIMAGINING TASK FORCE - 3rd Tuesday (public comment allowed under Open Forum)**

- **CONTINUED to the June 21, 2022, City Council Meeting.**

T. **OPEN FORUM FOR PUBLIC COMMENT**

U. **CITY COUNCIL CONSENT CALENDAR**

U.1. **City Attorney's Office**

U.1.a. **Approval of Six Legal Services Agreement Amendments and One New Legal Services Agreement**

19

APPROVE six amendments to legal service agreements and one legal services agreement with the law firms of (1) Allen, Glaessner, Hazelwood & Werth LLP; (2) Best, Best & Krieger; (3) Colantuono, Highsmith & Whatley, PC; (4) Edrington, Shirmer & Murphy (5) Manning & Kass, Ellrod, Ramirez Trester LLP, (6) McNamara Ney, and (7) Orbach Huff Suarez & Henderson LLP for a total amount of \$760,000, and REQUEST a budget appropriation from the General Fund in the amount of \$125,000 to the City Attorney's Office – City Attorney's Office (Heather McLaughlin 510-620-6509).

U.1.b. **Amendment to the Interim City Attorney Agreement with Aleshire & Wynder**

353

APPROVE amendment to the Interim City Attorney Agreement with Aleshire & Wynder and APPROPRIATE \$376,000 from the General Fund – City Attorney's Office (Heather McLaughlin 510-620-6509).

U.2. **City Clerk's Office**

U.2.a. **NetFile, Inc. Third Contract Amendment for Electronic Filing Services**

383

APPROVE a third contract amendment with NetFile, Inc. to provide professional services for electronic filing and administration of Fair Political Practice Commission campaign statements (Form 460, etc.) and Statements of Economic Interest (Form 700), extending the term by five years to June 30, 2027, and increasing the contract amount by \$65,000 effective July 1, 2022, for a total contract amount not to exceed \$138,750 – City Clerk's Office (Pamela Christian 510-620-6513).

U.2.b.	Continued Use of Teleconferencing	437
	ADOPT a resolution requiring the continued use of teleconferencing for the meetings of all City legislative bodies pursuant to the provisions of Assembly Bill 361 – City Clerk’s Office (Pamela Christian 510-620-6513).	
U.2.c.	City Council Meeting Minutes	441
	APPROVE the minutes of the regular April 19, 2022, Richmond City Council meeting - City Clerk's Office (Pamela Christian 510-620-6513).	
U.3.	City Council	
U.3.a.	Commemorative Kiosk of Willie Mays	452
	APPROVE the renaming of Baseball Field 1 to the Willie Mays Baseball Field 1; and APPROVE the installation of a freestanding kiosk honoring Willie Mays at Nicholl Park – Councilmember Nathaniel Bates (510-620-6743).	
U.3.b.	Jewish American Heritage Month Recognition	464
	PROCLAMATION recognizing the month of May as Jewish American Heritage Month - Vice Mayor Eduardo Martinez (510-620-6593) and Mayor Tom Butt (510-620-6503).	
U.4.	City Manager's Office	
U.4.a.	Resolution of Intention to Renew the Downtown Richmond Property and Business Improvement District	467
	ADOPT a resolution of intention confirming the City Council's intention to renew the Downtown Richmond Property and Business Improvement District – City Manager's Office (Shasa Curl/Thomas Omolo 510-620-6512).	
U.5.	Finance Department	
U.5.a.	Tax Rate for Tax Override Pension Fund	562
	INTRODUCE an Ordinance (first reading) setting the tax rate for the Tax Override Pension Fund for Fiscal Year 2022-2023 at 0.14 percent – Finance Department (Delmy Cuellar/ Antonio Banuelos 510-620-6741).	
U.5.b.	Approval of New Fees for the Revised Master Fee Schedule	566
	ADOPT an ordinance (second reading) establishing certain fees for the proposed Master Fee Schedule and after the second reading of the ordinance, ADOPT a resolution setting the dollar amount for the new fees and adjusting the dollar amount for current fees – Finance Department (Delmy Cuellar/Antonio Banuelos 510-620- 6741).	

U.5.c.	Contract with Van Iwaarden Associates for Actuarial Services	619
	APPROVE the second amendment to the contract with Van Iwaarden Associates for actuarial services necessary for retiree healthcare plan and pension fund management, increasing the contract amount by \$64,500, for a total amount not to exceed \$98,500, and extending the contract term through June 30, 2023 – Finance Department (Delmy Cuellar 510-620-6740).	
U.5.d.	Sole Source Contract with Bartel Associates, LLC to Prepare an Actuarial Report Necessary to Refinance the 2005 Series B Pension Obligation Bonds ("2005 POBs")	887
	APPROVE a Sole Source contract with Bartel Associates, LLC., in a not to exceed amount of \$30,000, to prepare specialized actuarial analysis necessary to issue bonds and refinance the 2005 Pension Obligation Bonds, for a one-year term through May 16, 2023 – Finance Department (Anil Comelo/Delmy Cuellar 510-620-6790).	
U.6.	Human Resources	
U.6.a.	Amendments to the City's Position Control List	921
	ADOPT a resolution to amend the current position control to add Deputy City Clerk; and APPROVE the reallocation of City Clerk Technician to Deputy City Clerk and appropriation of funds for associated wages, salaries, and associated compensation for this position – Human Resources Department (Anil Comelo/Sharrone Taylor 510-620-6602).	
U.6.b.	Approve Legal Services Agreements with Three Firms to Perform Confidential Personnel Investigations	926
	APPROVE a first amendment to the legal services agreement with Kramer Workplace Investigations and a second amendment to the legal services agreement with Ellis Investigations and an initial legal services agreement with Boucher Labor and Employment Law. Terms of these agreements are until June 30, 2024, for an amount not to exceed \$50,000 per agreement, to conduct confidential personnel investigations for the Human Resources Department – Human Resources Department (Anil Comelo/Sharrone Taylor 510-620-6600). This item was continued from the May 3, 2022, meeting.	
U.7.	Information Technology	
U.7.a.	Pole License Agreement for Small Cell Sites on City Infrastructure	997
	ADOPT a resolution approving a Pole License Agreement with New Cingular Wireless PCS, LLC, that establishes the procedures, terms, and conditions under which New Cingular Wireless is permitted to deploy "small cell" facilities on City-owned streetlights, traffic signals, and other vertical infrastructure, for a term of ten years – Information Technology Department (Sue Hartman 510-620-6874). This item was continued from the May 3, 2022, meeting.	

U.8. Mayor's Office

U.8.a. Public Works Week – May 15-21, 2022 1177

PROCLAMATION declaring May 15-21, 2022, as Public Works Week in the City of Richmond – Mayor’s Office (Mayor Tom Butt 510-620-6503).

U.9. Police Department

U.9.a. Proposed Three-Year, \$60,000 Contract with STAND! for Families Free of Violence to Provide Lethality Assessment Protocol (LAP) Screening Services 1180

APPROVE a three-year, \$60,000 contract with STAND! For Families Free of Violence, to provide Lethality Assessment Protocol (LAP) Screening services, for the period January 1, 2021, through December 31, 2023 – Police Department (Louie Tirona 510-621-1802).

U.10. Public Works

U.10.a. Shimada Park Restrooms Roof Reconstruction 1237

APPROVE a contract with DMR Builders for the Shimada Park Restrooms roof reconstruction at Shimada Park Richmond Marina, in an amount not to exceed \$225,000 – Public Works Department (Joe Leach 510-620-5478).

V. NEW BUSINESS

V.1. Update on the Contra Costa County Animal and Sheltering Services 1260

RECEIVE a report from the Animal Rights Coalition on the animal and sheltering services by the Contra Costa County Animal Services Department – Councilmember Nathaniel Bates (510-620-6743). **This item was continued from the April 26, 2022, meeting.**

V.2. Process to clean up the City 1264

RECEIVE a report and provide direction to staff for a process and procedure to clean up and maintain the cleanliness of the city - Councilmember Nathaniel Bates (510-620-6743). **This item was continued from the April 26, 2022, meeting.**

V.3. Private Landowner Encroachments 1266

RECEIVE a report from the City Attorney regarding the legality of staff awarding and transferring city property without approval from the City Council - Councilmember Nathaniel Bates (510-620-6743).

V.4. The Segal Group Inc., Classification and Compensation Study 1268

DIRECT the city manager to release the Class and Compensation Study to the City Council – Mayor’s Office (Mayor Tom Butt 510-620-6503).

V.5. Reintroduce an Ordinance (First Reading) to Revise and Amend Richmond Municipal Code Chapter 12.30 1349

REINTRODUCE an Ordinance (first reading) amending RMC Chapter 12.30 (“Video Service Provider, Utility and Special District Encroachments”) by incorporating Chapter 12.29 (“Street Opening and Pavement Restoration Regulations”); adding provisions that address private landowner encroachments into the public Right-of-Way (ROW); easements; and street vacations; retitling Chapter 12.30 “Encroachments and Easements,” and rescinding Chapter 12.29 in its entirety - City Attorney’s Office/Public Works Department (Dave Aleshire 510-620-6509/Joe Leach 510-620-3008).

V.6. Point Molate DDA Closing Issues with Winehaven Legacy, LLC. 1517

REVIEW the latest submittals from SunCal and provide direction – City Attorney’s Office (Dave Aleshire 510-620-6509).

W. PUBLIC HEARINGS

W.1. Quarry Residential Project Redesign 1542

HOLD a public hearing; and ADOPT a Resolution certifying the Addendum to the Quarry Residential Project Environmental Impact Report (EIR) and adopting a Mitigation Monitoring and Reporting Program (MMRP) and approving a Major Amendment to a previously approved Planned Area Plan; a Density Bonus for the purpose of requesting waivers of certain development standards; a Vesting Tentative Map; and Design Review for the Quarry Residential Project Redesign, subject to conditions of approval – Community Development Department (Lina Velasco/Roberta Feliciano 510-620-6662).

X. BUDGET SESSION

X.1. Budget Presentation 1691

RECEIVE budget presentations from the City Manager and the Community Development and Community Services Departments – City Manager’s Office/Finance Department (Shasa Curl 620-6512/ Delmy Cuellar 510-620-6790/ Mubeen Qader 510-412-2077).

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

Z. ADJOURNMENT
