



Community Services Building  
440 Civic Center Plaza  
Richmond, CA 94804

**AGENDA**  
**Tuesday, June 16, 2020**

**PLEASE NOTE CHANGES IN THE  
PUBLIC COMMENT PROCEDURES  
HIGHLIGHTED IN GREEN  
(MORE TO COME)**

*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**  
Nathaniel Bates

**Councilmembers**  
Ben Choi  
Demnlus Johnson III  
Eduardo Martinez  
Jael Myrick  
Melvin Willis

**ALL CITY COUNCIL MEMBERS WILL PARTICIPATE VIA TELECONFERENCE**

**Housing Authority Tenant Commissioners**  
Jaycine Scott  
Vacant

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**CORONAVIRUS DISEASE (COVID-19) ADVISORY**

Due to the coronavirus (COVID-19) pandemic, Contra Costa County and Governor Gavin

Newsom have issued multiple orders requiring sheltering in place, social distancing, and reduction of person-to-person contact. Accordingly, Governor Gavin Newsom has issued executive orders that allow cities to hold public meetings via teleconferencing. Both <https://www.coronavirus.cchealth.org/> and <http://www.ci.richmond.ca.us/3914/Richmond-Coronavirus-Info> provide updated coronavirus information.

DUE TO THE SHELTER IN PLACE ORDERS, attendance at the City of Richmond City Council meeting will be limited to Council members, essential City of Richmond staff, and members of the news media. Public comment will be confined to items appearing on the agenda and will be limited to the methods provided below. Consistent with Executive Order N-29-20, this meeting will utilize teleconferencing only. The following provides information on how the public can participate in this meeting.

**How to watch the meeting from home:**

1. KCRT – Comcast Channel 28 or AT&T Uverse Channel 99
2. Livestream online at <http://www.ci.richmond.ca.us/3178/KCRT-Live>

**Public comments may be submitted in multiple ways:**

1. Via mail received by 3:00 p.m. sent to 450 Civic Center Plaza, 3rd Floor, Office of the Clerk, Richmond, CA 94804.
2. Via email to [cityclerkdept@ci.richmond.ca.us](mailto:cityclerkdept@ci.richmond.ca.us) by 3:00 p.m.

**Emails *MUST* contain in the subject line 1) open forum for public comments – not on the agenda or 2) public comments – agenda item # [include the agenda item number]. All such email will be posted on-line and emailed to the City Council before the meeting is called to order. The Clerk will prepare summaries of all such email and the summaries will be read into the record. No email will be read into the record. Due to the high volume of emails received, emails that do not contain the correct identifying information in the subject line may be overlooked and may not become part of the record.**

3. Via email to [cityclerkdept@ci.richmond.ca.us](mailto:cityclerkdept@ci.richmond.ca.us) during the meeting and prior to the clerk announcing the agenda item:

**Emails *MUST* contain in the subject line 1) open forum for public comments – not on the agenda or 2) public comments – agenda item # [include the agenda item number]. All such email will be posted on-line following the meeting. Due to the high volume of emails received, emails that do not contain the correct identifying information in the subject line may be overlooked and may not become part of the record.**

4. Via eComment. To leave a comment, click eComment on the City's Meeting & Agenda Center webpage at <https://richmond.granicusideas.com/meetings>, select the item you wish to comment on and submit your written comment. The comment

period will begin after the agenda is published and will close at 3:00 p.m. the day of the meeting. Comments received via eComment will be exported into a report, distributed to the City Council and staff and published on the City's Meeting & Agenda Center under Documents Received After Published Agenda.

5. Via Telephone. Email your telephone number with area code to [cityclerkdept@ci.richmond.ca.us](mailto:cityclerkdept@ci.richmond.ca.us) during the meeting and prior to the clerk announcing the item you wish to speak on. Email MUST contain in the subject line 1) open forum for public comments – not on the agenda or 2) public comments – agenda item # [include the agenda item number]. You will be called during the public comment period and you will be given the opportunity to verbally submit public comment (not to exceed the allotted time – one, two or three minutes – for such comments as provided below). Due to the high volume of emails received, emails that do not contain the correct identifying information in the subject line may be overlooked and may not become part of the record.

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.

For future meetings, the City is working on additional ways for the public to submit comments.

#### **Record of all public comments:**

All public comments will be considered a public record, put into the official meeting record. All public comments will be 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 Consent Calendar Items from the Consent Calendar**

Councilmembers and members of the public who wish to remove an item from the consent calendar must comply with the following procedures in order to remove an item from the consent calendar:

1. Telephone or email a City staff member who has knowledge of the subject matter by 2:00 p.m. on the day of meeting. Any staff member shown as an author of the agenda report for the particular item has knowledge of the subject matter and may be called.
2. Inform the City Clerk's Office by email at [cityclerkdept@ci.richmond.ca.us](mailto:cityclerkdept@ci.richmond.ca.us) or by phone at 510-620-6513, ext. 9, by 3:00 p.m. that they discussed the matter with staff with knowledge of the subject matter and that such Councilmember or member of the public, nonetheless, desires the item to be removed from the consent calendar for discussion.

Staff will be informed by the City Clerk's Office as soon as reasonably practicable after notice of the request to remove the item from the consent calendar. Staff may attend the meeting remotely.

**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](mailto: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 the Executive Order N-29-20, the language in this Advisory portion of the agenda supersedes any language below in the meeting procedures contemplating in-person public comment.

## 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 that is sponsored by City staff 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. Councilmembers who request to remove an item from the consent calendar must do so during 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).

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**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 - ANTICIPATED LITIGATION  
(initiation of litigation pursuant to paragraph (4) of Subdivision (d) of  
Government Code Section 54956.9):

One case - Receipt of a claim/written communication regarding whether the City  
failed to properly calculate the overtime rate for employees in the Fire Department,  
resulting in unpaid overtime wages due.

CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section  
54957.6):

Agency Representatives: Jack Hughes

Employee organizations:

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

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):

One case - Receipt of claim/written communication from potential plaintiff DeJon  
Brown relating to incident on April 30, 2020.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code  
Section 54957):

Community Police Review Commission Investigative Officer

## REGULAR MEETING OF THE 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. **CITY COUNCIL CONSENT CALENDAR**
  - G-1. APPROVE a recommendation from the Environment & Community Investment Agreement (ECIA) Grant Review Committee for the Fiscal Year 2020-2021 grant awards to 21 organizations in an amount not to exceed \$500,000, ADOPT a resolution and AUTHORIZE the City Manager to negotiate and execute Grant Service Agreements with approved grantees - City Manager's Office (LaShonda White 620-6512).
  - G-2. ADOPT a resolution: (1) Calling and Giving Notice of the holding of a Municipal Election to be held on Tuesday, November 3, 2020, for the election of certain officers as required by the provisions of the Charter of the City of Richmond; (2) requesting the Board of Supervisors of Contra Costa County to consolidate the Municipal Election with the Statewide General Election; and (3) adopting regulations for candidates pertaining to the candidates' statements submitted to the voters, cost of the candidates' statements and other fees, word limit for candidates' statements; and actions to be taken for a tie vote - City Clerk's Office (Pamela Christian 620-6513).
  - G-3. APPROVE the minutes of the May 19 and 26, 2020, Regular City Council meetings - City Clerk's Office (Pamela Christian 620-6513).
  - G-4. APPROVE a contract with SmartWAVE Technologies to maintain the public wireless broadband network over a two-year period with an annual value of \$26,560 for a total value not to exceed amount of \$53,120 - Information Technology Department (Sue Hartman 620-6874).
  - G-5. ADOPT a resolution accepting the 2019 Annual Progress Report for the City's Housing Element (2015-2023) - Community Development Department (Lina Velasco 620-6841).

- G-6.** ADOPT a resolution authorizing an application for State Department of Housing and Community Development Local Early Action Planning (LEAP) grants program funds to develop a Specific Plan for the Hilltop District Priority Development Area (PDA) and designating the City Manager or their designee to execute the necessary agreements to compete the project, if grant funds are awarded. - Community Development Department (Lina Velasco 620-6841).
- G-7.** ADOPT a resolution authorizing the City Manager to draft a letter to West County Wastewater District notifying them of the City's intent to extend the terms of the Ground Lease with the West County Wastewater District until December 31, 2025 as stipulated in Section 2.2.4 of the agreement as amended on December 6, 2016 - Public Works Department (Yader A. Bermudez 774-6300/Mary Phelps 621-1269).
- G-8.** APPROVE a Master Funding Agreement Supplement with the Metropolitan Transportation Commission and APPROPRIATE \$325,000 for implementation of bicycle and pedestrian safety improvements along Harbour Way South - Public Works Department (Yader A. Bermudez 774-6300). **This item was continued from the June 2, 2020, meeting.**
- G-9.** APPROVE the contract with RC Racing & Restoration for automobile body painting and body repairs in an amount not to exceed \$100,000 - Public Works Department (Yader A. Bermudez 774-6300)
- G-10.** APPROVE the purchase of the portion of 909 Ohio Avenue for expansion of the Harbour 8 Park for the lesser of (a) Three Hundred and Ten Thousand Dollars (\$310,000) or the fair market value therefor established in the pending appraisal report - Public Works Department (Yader Bermudez 774-6300).
- G-11.** APPROVE a contract with Groundwork Richmond to coordinate contractual services in support of the Richmond YouthBuild Program as part of the RichmondBUILD pre-apprenticeship training program. The contract term will be June 16, 2020 through June 30, 2022 for a total contract amount not to exceed \$548,200 - Library and Community Services Department (Sal Vaca/Fred Lucero 307-8023).
- G-12.** ADOPT a resolution amending the City of Richmond's Position Classification Plan to add the classification specification for Assistant Police Chief, and change the title for the Human Resources Management Director to Human Resources Director and INTRODUCE an ordinance (first reading) to establish the wages, salary, and compensation for the Assistant Police Chief (Salary Range 5.5: \$12,338 - \$19,640) and to revise the wages, salary, and compensation for the Police Chief (Salary Range 5.7: \$13,572 - \$20,833) and the Human Resources Director (Salary Range 5.1: \$10,728 - \$17,078) - Human Resource Management Department (Allison Picard 620-6600). **This item was continued from the June 2, 2020, meeting.**

- G-13.** ADOPT an ordinance (second reading) setting the tax rate for the Tax Override Pension Fund for Fiscal Year 2020-2021 at 0.14% - Finance Department (Belinda Brown/Antonio Banuelos 620-6741).
- G-14.** APPROVE an appointment to update the Public Art Advisory Committee: APPOINT Tom Herriman, re-appointment, seat #6, filing an unexpired term with an expiration date of February 20, 2022 - Office of the Mayor (Mayor Tom Butt 620-6503).
- G-15.** APPROVE appointments to the Workforce Development Board; APPOINT Richard Johnson, re-appointment, seat #6, government, economic development, and community representative, term expiration date March 1, 2024; Uche Uwahemu, re-appointment, seat #10, government, economic development, and community representative, term expiration date March 1, 2024; Cassandra Youngblood, re-appointment, seat #18, business and government representative, term expiration date March 1, 2024 - Office of the Mayor (Mayor Tom Butt 620-6503).
- G-16.** APPROVE actions to update the Youth Council: APPOINT Ozmar Huerta, appointment, seat #1, term expiration date October 1, 2020 -Office of the Mayor (Mayor Tom Butt 620-6503).
- G-17.** APPROVE an appointment to the Economic Development Commission: APPOINT Alpa Agarwal, re-appointment, seat #3, term expiration date of March 30, 2023; Abayomi Jones, re-appointment, seat #7, term expiration date of March 30, 2023 -Office of the Mayor (Mayor Tom Butt 620-6503).
- G-18.** APPROVE an appointment to the Citizens Police Review Commission; APPOINT Carol Hegstrom, re-appointment, seat #3, term expiration date April 18, 2023 - Office of the Mayor (Mayor Tom Butt 620-6503).
- G-19.** APPROVE appointments to the Human Rights and Human Relations Commission; APPOINT Michael Cervantes re- appointment, seat #3, term expiration date March 30, 2023, Victoria Sawicki re-appointment, seat #6, term expiration date March 30, 2023 - Office of the Mayor (Mayor Tom Butt 620-6503).
- G-20.** APPROVE appointments to the ECIA Grant Review Panel: APPOINT Carol Hegstrom, re-appointment, seat #2, term expiration date of March 31, 2022; Lily Rahnama, re-appointment, seat #3, term expiration date of March 31, 2022; Lidia Perdomo, re-appointment, seat #4, term expiration date of March 31, 2022; James Becker, re-appointment, seat #5, term expiration date of March 31, 2022 - Office of the Mayor (Mayor Tom Butt 620-6503).

- G-21.** APPROVE on-call concrete repair contracts with four companies: Bay Hawk, Inc., Malachi Paving & Grading, Inc., Precision Concrete Cutting, and Yerba Buena Engineering & Construction, Inc., in an amount not to exceed \$500,000 per company, from grant funds, Gas Tax, and Measure J funds, with no impact to the General Fund, per year over a three-year period each, with an optional maximum two year extension - Public Works Department (Yader A. Bermudez 774-6300/Tawfic Halaby 621-1612). **This item was continued from the June 2, 2020, meeting.**

**H. PUBLIC HEARINGS**

- H-1. CONTINUED FROM THE June 2, 2020, meeting:** ADOPT a resolution approving the Engineer's Report and ordering the levy and collection of assessments in the Hilltop Landscape Maintenance District for the Fiscal Year 2020-21, providing for a three percent increase in annual assessments - Public Works Department (Yader A. Bermudez 774-6300).
- H-2. CONTINUED FROM THE June 2, 2020, meeting:** ADOPT a resolution approving the Engineer's Report and ordering the levy and collection of assessments in the Marina Bay Landscaping and Lighting Maintenance District for the Fiscal Year 2020-2021, providing for a three percent increase in annual assessments - Public Works Department (Yader A. Bermudez 774-6300).

**I. BUDGET SESSION**

- I-1.** PROVIDE direction on implementing the recommended budget balancing proposal - Finance Department (Belinda Brown 620-6740/Markisha Guillory 620-5434).

**J. RESOLUTIONS**

- J-1.** ADOPT a resolution establishing the Fiscal Year 2020-21 Residential Rental Housing Fee in the amount of \$219 per Controlled Rental Unit and \$124 per Partially Covered Rental Unit, which includes Governmentally Subsidized Rental Units - Rent Program (Nicolas Traylor 620-6564).

**K. COUNCIL AS A WHOLE**

- K-1.** APPROVE contract Amendment No. 1 with Mark43 in an amount of \$1,500,000. The proposed contract amendment would extend the term of the contract for five-years and increase the amended contract amount by \$1,500,000 for a total ten-year contract amount not to exceed \$3,000,000 - Police Department (Interim Chief Bisa French 621-1802). **This item was continued from the May 26 and June 2, 2020, meetings.**

**K-2.** AUTHORIZE the city attorney to draft an amendment to Measures E and K, to be placed on the November 2020 ballot, that will cap the maximum general fund allocation for Measures E and K with an amount equal to the net increase in revenue resulting from Measure H for each fiscal year preceding the fiscal year for the budget being adopted and to provide for an emergency waiver of Section 6 of Measure E - Office of the Mayor (Mayor Tom Butt 620-6503). **This item was continued from the May 26 and June 2, 2020, meetings.**

**K-3.** AUTHORIZE the city attorney to draft an ordinance to be placed on the November 2020 ballot that will repeal the Richmond Fair Rent, Just Cause for Eviction and Homeowner Protection ordinance and replace it with the Richmond Affordable Housing Ordinance - Office of the Mayor (Mayor Tom Butt 620-6503). **This item was continued from the May 26 and June 2, 2020, meetings.**

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

**M. ADJOURNMENT**

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*This agenda may be previewed on KCRT – Channel 28, Richmond Television, City website [www.ci.richmond.ca.us](http://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.*