



Community Services Building  
440 Civic Center Plaza  
Richmond, CA 94804

**PLEASE NOTE NEW CHANGES IN THE  
PUBLIC COMMENT PROCEDURES  
HIGHLIGHTED IN GREEN**

**AGENDA  
Tuesday, June 23, 2020**

*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 only one of the following 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) received after 6:25 p.m. (except for closed session items that can be submitted starting at 5:00 p.m.) 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) **after 6:25 p.m. (except for closed session items that can be submitted starting at 5:00 p.m.) 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.***

**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 - EXISTING LITIGATION  
(paragraph (1) of Subdivision [d] of Government Code Section 54956.9):

Stephenson vs. City of Richmond

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

- A-3.** CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code  
Section 54956.8):

Property: Port of Richmond (Terminal 3)

Agency negotiators: Jim Matzorkis

Negotiating party: Richmond Terminal 3 Partners (Bobby Winston, Orton  
Development and Tom Lockard)

Under negotiations: Price and terms of payment

## 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. INTRODUCE an ordinance (first reading) amending Richmond Municipal Code Chapter 9.48 (Integrated Pest Management) by repealing sections 9.48.035 (Sale of Pesticides) and 9.48.045 (Enforcement for Sale of Pesticides) to comply with California Food and Agricultural Code section 11501.1 - City Attorney's Office (Rachel Sommovilla/Shannon Moore 620-6509).
  - G-2. APPROVE a contract with Andy's Roofing Company Inc. for re-roofing the Richmond Fire Department Station 67, located at 1131 Cutting Boulevard in an amount not to exceed \$160,500 - Public Works Department (Yader A. Bermudez 774-6300).
  - G-3. AWARD on-call professional service contracts to three firms: Ghirardelli Associates, mack5, and Swinerton Management & Consulting, for as-needed construction management and inspection services for capital projects, in an amount not to exceed \$450,000 per firm, from grant funds, Gas Tax, and Measure J funds with no impact to the General Fund, for a three-year term with the option to extend the term for two additional years - Public Works Department (Yader A. Bermudez 774-6300/Tawfic Halaby 621-1612).
  - G-4. INTRODUCE an ordinance (first reading) amending Chapter 2.52 (Contracting and Purchasing Procedures) of the Richmond Municipal Code to increase the formal bidding threshold and authorize the acceptance of electronic bids - Finance Department (Belinda Brown/Antonio Banuelos 620-6741/Ofelia Alvarez 620-6699).
  - G-5. ADOPT a resolution authorizing placement of liens and special assessments for unpaid garbage collection service fees on County property tax records - Finance Department (Belinda Brown/Antonio Banuelos 620-6741).

- G-6.** ACCEPT and APPROPRIATE a \$59,900 Homeless Emergency Aid Program (HEAP) grant from Contra Costa County ("County"); APPROVE a contract with TentMakers, Inc., in an amount not to exceed \$59,900 through June 30, 2021, to provide outreach and support to unsheltered people who reside in homeless encampments across West County; and APPROVE Amendment No. 2 to the contract with County for Coordinated Outreach Referral and Engagement (CORE) services to continue services to the City for Fiscal Year 2020/2021 at no cost to the City since HEAP funds will be used pay for these services - Police Department and Community Development Department (Bisa French 620-1802/Lina Velasco 620-6706)
- G-7.** ADOPT an urgency ordinance authorizing the Zoning Administrator to issue special temporary use permits and waive requirements of Article XV of the Richmond Municipal Code related to outdoor dining, sales and community assembly to facilitate certain business and organizational operations impacted by COVID-19 - Community Development Department (Lina Velasco 620-6706).
- G-8.** APPROVE a contract with Vallier Design Associates, Inc. for landscape architectural design and engineering services for the Boorman Park Project in an amount not to exceed \$388,370 with a contract term ending date of December 31, 2022 - Library and Community Services Department (Sal Vaca/Ranjana Maharaj 307-8006).
- G-9.** AUTHORIZE the cancellation of the 3rd of July Fireworks Celebration event for health and safety reasons as indicated by the orders of the Contra Costa County Health Officer and AUTHORIZE an amendment to extend the contract with PyroSpectaculars to July 3, 2022 fireworks event to the current contract as indicated in the vendor's Production Agreement - Library and Community Services Department (Sal Vaca/Ranjana Maharaj 307-8006).
- G-10.** APPROVE the amended North Richmond Waste & Recovery Mitigation Fee Expenditure Plan for Fiscal Year 2020/21, as recommended by the North Richmond Waste and Recovery Mitigation Fee Joint Expenditure Planning Committee - Library and Community Services Department (Sal Vaca/Lori Reese-Brown 620-6869).

**H. PUBLIC HEARINGS**

- H-1.** CONTINUED to the June 30, 2020, City Council Meeting - the matter to INTRODUCE an ordinance (first reading) establishing certain fees for the proposed Master Fee Schedule - Finance Department (Belinda Brown/Antonio Banuelos 620-6741).

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

**J. 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.*