



Community Services Building  
440 Civic Center Plaza  
Richmond, CA 94804

**REVISED AGENDA\***  
**Tuesday, July 7, 2020**

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

*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**

- \* PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6):

Title: City Attorney

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

Property: Pt Molate  
Agency negotiators: Laura Snideman  
Negotiating parties: Winehaven Legacy LLC (SunCal)  
Under negotiations: price and terms of payment

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

## 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 contract amendment no. 5 with Wood Environment & Infrastructure Solutions, Inc. to increase the contract by \$200,000, for an amount not to exceed \$752, 550 through December 31, 2022, to continue to provide data and technical documentation needed to complete the remedial design in compliance with the RWQCB's clean-up order to be paid for using remediation funds resulting from a Settlement Agreement with past industrial tenants - Community Development Department (Lina Velasco 620-6706).
  - G-2. APPROVE the third amendment to the legal services agreement with Downey Brand LLP to represent the City as California Environmental Quality Act (CEQA) counsel for the Point Molate project, to increase the payment limit by \$300,000 with a total payment limit of \$900,000 to be paid with funds deposited by the master developer - City Attorney's Office/Community Development Department (Rachel Sommovilla 620-6509/Lina Velasco 620-6706).
  - G-3. APPROVE a five-year Lease Agreement with Nematode Holdings, LLC. and the Port of Richmond for Terminal 4, sub-leasing for general equipment storage and other waterfront uses and caretaker services - Port Department (Jim Matzorkis 215-4600).
  - G-4. APPROVE a sole-source contract amendment with Forensic Analytical Consulting Services, Inc. to perform thorough safety assessments of City facilities, increasing the contract by \$40,000, for a total amount not to exceed \$50,000 through September 30, 2020 - Human Resources Department (Allison Picard/Laura Marquez 620-6974).

- G-5.** ADOPT an ordinance (second reading) to establish wages, salaries and compensation for the classifications represented by IFPTE Local 21 Mid-Managers Association in the City's classified service providing for a one-time lump sum payment in the amount of \$1000 (minus applicable payroll deductions), an increase in the safety footwear allowance from \$125 to \$300 for those required to wear safety footwear, and a change in the bilingual pay from 2% of salary to a flat \$200.00 per month for those employees receiving bilingual pay - Human Resources Department (Allison Picard 620-6600).
- G-6.** APPROVE an agreement with ChargePoint, Inc. to renew the network cloud service and warranty coverage for city owned electric vehicle charging stations. The contract term is July 7, 2020 to June 30, 2021 with four one-year renewal options, not to exceed a total contract amount of \$ 34,970 - Library and Community Services Department (Sal Vaca/Denee Evans 621-1278).
- G-7.** APPROVE a grant-funded contract with Net Electric, Inc. for the installation and servicing of electric vehicle charging stations at the Port, Ferry, and Bayview Library facilities. The contract term is June 5, 2020, to December 1, 2020 in an amount not to exceed \$52,000 - Library and Community Services Department (Sal Vaca/Denée Evans 621-1718).
- G-8.** RECEIVE the City's Investment and Cash Balance Report for the month of May 2020 – Finance Department (Belinda Brown/Delmy Cuellar 620-6740).
- G-9.** ADOPT a resolution awarding a contract directly to Bayhawk Construction for the sanitary sewer pipeline repairs as listed in the 2017-19 Risk Assessment Analysis (RAA) Clean-up Proposal Project list in an amount not to exceed \$393,560 (Project cost of \$339,650 plus 10% contingency of \$33,960) - Public Works Department (Yader Bermudez 774-6300/Mary Phelps 621-1269).
- G-10.** ADOPT a resolution proclaiming a local emergency due to the imminent failure of the North Richmond Pump Station and the urgent need to replace the four existing pumps and pertinent equipment in order to prevent flooding of North Richmond community; APPROVE the Amendment to the Joint Exercise of Powers Agreement (JEPA) between Contra Costa and the City of Richmond and its allocation of costs for the replacement of the four pumps of the North Richmond Pump Station; APPROVE a contract with Peterson Power to provide emergency repair for an amount not to exceed \$883,315 (Project cost of \$768,100 plus a 15% contingency cost of \$115,215) - Public Works Department (Yader Bermudez 774-6300).
- G-11.** ADOPT a resolution allowing the City of Richmond to levy the property tax rolls of property owners subject to assessment under the Downtown Richmond Property and Business Improvement District (DRPBID) on the annual 2020-2021 property tax rolls - City Manager's Office (Shasa Curl/Thomas Omolo 620-6512).

**G-12.** ADOPT an ordinance (second reading) amending Chapter 2.43 of the Richmond Municipal Code to require that the City Council first appropriate and allocate funds as part of the adoption of the City's annual budget funds prior to awarding public matching funds for campaigns under the provisions of the ordinance, and reducing the total amount of matching funds from \$25,000 to \$12,500 per qualified candidate - City Attorney's Office and City Clerk's Office (Rachel Sommovilla/Bruce Soublet 620-6509/Pamela Christian 620-6513).

**H. PUBLIC HEARINGS**

**H-1.** INTRODUCE an ordinance (first reading) establishing certain fees for the proposed Master Fee Schedule - Finance Department (Belinda Brown/Antonio Banuelos 620-6741). **This item was continued from the June 30, 2020, meeting.**

**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.*