



Community Services Building  
440 Civic Center Plaza  
Richmond, CA 94804

**AGENDA**  
**Tuesday, July 28, 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 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 - ANTICIPATED LITIGATION  
(initiation of litigation pursuant to paragraph (4) of Subdivision (d) of  
Government Code Section 54956.9):

One case

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 REAL PROPERTY NEGOTIATOR (Government Code  
Section 54956.8):

Property: Terminal 3

Agency negotiators: Laura Snideman and Jim Matzorkis

Negotiating parties: Terminal 3 Partners and Silverado Contractors and Argent  
Materials

Under negotiations: price and terms of payment

Property: General Warehouse, Port of Richmond

Agency Negotiators: Laura Snideman and Jim Matzorkis

Negotiating party: Richmond Grown

Under negotiation: Price and terms of payment

**SPECIAL MEETING OF THE RICHMOND HOUSING  
AUTHORITY**

6:25 p.m.

**A. ROLL CALL**

**B. STATEMENT OF CONFLICT OF INTEREST**

**C. REPORT FROM THE EXECUTIVE DIRECTOR**

**D. AGENDA REVIEW**

**E. RESOLUTIONS**

**E-1.** ADOPT a resolution approving the proposed Fiscal Year (FY) 2020-2021 annual operating budget with estimated revenues of \$3,802,290 and total expenditures of \$4,794,951; and DIRECT Finance staff to return no later than December 2020 to the City Council with five-year projections, discussion about the impact of RHA debt to the City of Richmond, implementation measures to address the outstanding debt, and a plan to subsidize or otherwise eliminate the annual on-going structural deficit - Richmond Housing Authority (Nannette J. Beacham 621-1300).

**F. ADJOURNMENT**

# 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. **REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE DURING CLOSED SESSION**
- F. **REPORT FROM THE CITY MANAGER**
- G. **OPEN FORUM FOR PUBLIC COMMENT**
- H. **CITY COUNCIL CONSENT CALENDAR**
  - H-1. AUTHORIZE the city manager to sign PG&E's license agreement to provide an indoor Community Resource Center in the City of Richmond during PG&E Public Safety Power Shutoff events - Fire Department (Chief Adrian Sheppard/Genevieve Pastor-Cohen 620-5429).
  - H-2. ANNOUNCE recent resignation from City of Richmond boards, commissions, and committees; and ANNOUNCE vacancies as of July 22, 2020, and ask that interested individuals send applications to the City Clerk - Office of the Mayor (Mayor Tom Butt 620-6503).
  - H-3. ADOPT a resolution to approve the amendment to the constructions task authorization for the installation of water capture facility (full-trash capture device) on Bayview Avenue not to exceed \$2,285,614 (Project cost of \$1,987,490 and 15% contingency of \$298,123.5) in order to meet project deadline, April, 2021, as required by CALTRANS - Public Works Department (Yader A. Bermudez 774-6300).
  - H-4. ADOPT a Resolution authorizing the City Manager to execute a contract directly to the lowest responsive bidder from a list of prequalified contractors for the sanitary sewer pipeline repairs as listed in the 2018-19 Risk Assessment Analysis (RAA) Clean-up Proposal Project list in an amount not to exceed \$374,000 (Project cost of \$340,000 plus 10% contingency of \$34,000) - Public Works Department (Yader A. Bermudez 774-6300/Mary Phelps 621-1269).

- H-5.** ADOPT a resolution approving the Landscape Maintenance Agreement and authorizing the City Manager to enter into said agreement with the California Department of Transportation for the maintenance of landscaping within the Caltrans easement, adjacent to the Miraflores Sustainable Greenbelt project - Community Development Department (Lina Velasco 620-6706)/Public Works Department (Yader Bermudez 774-6300).
- H-6.** ADOPT a resolution to accept and appropriate \$280,208 of Sustainable Transportation Planning Grant funds and authorize the City Manager or their designee to execute a fund transfer agreement with the California Department of Transportation for grant funds and execute contracts with project partners for the Richmond Greenway Gap Closure and Connectivity Study - Community Development Department (Lina Velasco 620-6706).
- H-7.** ADOPT a resolution to amend the Port of Richmond FMC Tariff No. 3 reflecting a 2% increase in tariff rates as approved by the Executive Committee of the California Association of Port Authorities (CAPA) - Port Department (Jim Matzorkis 215-4600).
- H-8.** ADOPT a resolution declaring a fiscal emergency due to the City's longstanding structural budget imbalance and the financial impacts of the Coronavirus (COVID-19) Pandemic - City Manager's office (LaShonda White 620-1264).
- H-9.** RECEIVE the monthly report on Point Molate activities for the month of April 2020 - City Manager's Office (Craig Murray 307-8188).
- H-10.** ADOPT a resolution to ACCEPT and APPROPRIATE the Coronavirus Emergency Supplemental Funding Program (CESF) from the Department of Justice (DOJ) funds in the amount of \$221,800 - Police Department (Chief Bisa French 621-1802).
- H-11.** ADOPT a resolution to ACCEPT and APPROPRIATE the Department of Justice (DOJ) funds in the amount of \$229,259 - Police Department (Chief Bisa French 621-1802).
- H-12.** APPROVE a contract for the continuation of STAND! For Families Free of Violence services to support those victimized by domestic abuse. The contract between the city and STAND! FOR Families Free of Violence will begin July 1, 2020, to June 30, 2021, in an amount not to exceed \$47,567 - Police Department (Chief Bisa French 621-1802).
- H-13.** APPROVE a contract for the continuation of Community Violence Solutions (CVS) services to support those victimized by sexual abuse. The contract between the city and Community Violence Solutions will begin July 1, 2020 to June 30, 2021, in an amount not to exceed \$94,611.00 - Police Department (Chief Bisa French - 621-1802).

**H-14.** APPROVE proposed contracts with two existing vendors currently used by the Police Department to conduct background investigations (Moreland Investigations and IJX James Anthony Carrol Investigations) for a total contract amount not to exceed \$24,500 per vendor, with the term of each contract for two years until June 30, 2022 - Police Department (Bisa French 621-1802).

**H-15.** AUTHORIZE the City Manager to modify the adopted Fiscal Year 2020-21 position control, as necessary, and within the budgeted savings realized from approved vacancy savings - City Manager's Office (Laura Snideman 620-6512).

**I. CITY OF RICHMOND CONSENT CALENDAR RESOLUTIONS RELATING TO POLICY DECISIONS ON ISSUES THAT PERTAIN TO OTHER JURISDICTIONS**

**I-1.** ADOPT a resolution in support of justice for Vanessa Guillén, US Army Specialist - Councilmember Eduardo Martinez (620-6593)

**J. PUBLIC HEARINGS**

**J-1.** HOLD a public hearing and ADOPT a resolution authorizing the City of Richmond to levy special assessments against certain properties having unpaid invoices related to administrative citations, nuisance abatement costs, and foreclosure ordinance fines pursuant to Richmond Municipal Code Chapters 2.63, 6.38, 9.22 and 11.76 - Community Development Department (Lina Velasco 620-6706)

**J-2.** INTRODUCE an ordinance (first reading) amending section 15.04.104.020, Definitions, section 15.04.201.020, Land Use Regulations, section 15.04.201.030.A, Accessory Building Height, section 15.04.201.050.B, Accessory Building Height, section 15.04.202.020, Land Use Regulations, section 15.04.607.040, Calculation of Parking Requirements, and section 15.04.610.030, Accessory Short-Term Rentals ("Home-Shares") and repealing section 15.04.610.020, Accessory Dwelling Units, and adopting section 15.04.610.020, Accessory Dwelling Units and Junior Accessory Dwelling Units of the Richmond Municipal Code Regarding Accessory Dwelling Units and Junior Accessory Dwelling Units - Community Development Department (Lina Velasco 620-6706).

**J-3.** INTRODUCE an ordinance (first reading) amending Richmond Municipal Code Chapter 6.02 (Richmond Building Code) to incorporate Emergency Building Standards Appendices X and O, as adopted by the State of California for Emergency Housing Buildings and Facilities, with local amendments to address minimum fire and life safety measures - Community Development Department (Lina Velasco 620-6706).

- J-4.** **CONTINUED to the September 8, 2020, meeting** the matter to INTRODUCE an ordinance amending Sections 15.04.610.060, 15.04.803.140, 15.04.201.020, 15.04.203.020, 15.04.204.020 of Chapter 15.04, Zoning and Subdivisions Regulations of the Richmond Municipal Code and the Zoning Map - Community Development Department (Lina Velasco 620-6706).

**K. STUDY AND ACTION SESSION**

- K-1.** REVIEW the draft measure for the November 3, 2020 ballot which would amend the City's business tax rate structure to authorize the City to tax businesses based on a range from 0.075% to 1.395% of gross receipts instead of charging based on the number of employees and either: (1) ADOPT a resolution placing the measure on the November 3, 2020 ballot; or (2) PROVIDE DIRECTION to staff on further revisions to the draft measure and direct staff to schedule a special meeting for Council to consider placing the measure on the November 3, 2020 ballot - Finance Department (LaShonda White/Belinda Brown 620-6740/Antonio Banuelos 620-6741/James Atencio 620-6504).
- K-2.** RECEIVE a status report on the Fiscal Year 2020-21 adopted budget, overtime details, professional services details, and the Richmond Housing Authority's budget - City Manager's Office/Finance Department (Laura Snideman 620-6512/Belinda Brown 620-6740).
- K-3.** RECEIVE a presentation from the Police Department regarding the current and projected status of police services administered by the department - Office of the Mayor (Tom Butt 620-6503), Vice-Mayor Bates (620-6743).
- K-4.** RECEIVE a presentation from the Richmond Youth Council and ADOPT a resolution in support of the Richmond Youth Council recommendations to increase anti-racism programs and projects in the community, public safety and the West Contra Costa Unified School District - Councilmember Demnlus Johnson, III (620-6568)
- K-5.** DISCUSS and provide direction to staff regarding a request from Enterprise Rental Car to add a truck rental division to the existing car rental operation at 3080 Hilltop Mall Road - Vice Mayor Nathaniel Bates (620-6743).

**L. ORDINANCES**

**L-1.** INTRODUCE (first reading) an ordinance to establish the wages, salaries, and compensation for the classification specifications of: Police Chief (salary range 5.7 \$13,572-\$20,833/month), Assistant Police Chief (salary range 5.5 \$12,338-\$19,640/month), Deputy City Clerk (salary range 052H \$6,238-\$7,555), Information Technology Manager (salary range 071D \$10,020-\$12,183), Network and Systems Security Officer (salary range 070E \$9,674-\$11,761), Cable Television Manager (salary range 055 \$6,638-\$8,069), and Police Records and Property Manager (salary range 064 \$7,684-\$9,322); and APPROVE a resolution amending the Position Classification Plan to revise the classification title of Assistant City Clerk to Deputy City Clerk, and to add the new classification specifications of Assistant Police Chief, Information Technology Manager, Network and Systems Security Officer, Cable Television Manager, and Police Records and Property Manager - Human Resources Department (Allison Picard/ Donna Newton/ Kate Soiseth 620-6602).

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

**N. 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.*