



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

SPECIAL AGENDA
Tuesday, September 8, 2020
4:00 p.m.

**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

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>

No member of the public may submit more than one written or verbal comment per agenda item. Public comments may be submitted in only one of the following ways:

1. Via mail received by 3:00 p.m. the day of the meeting, sent to 450 Civic Center Plaza, 3rd Floor, Office of the Clerk, Richmond, CA 94804.
2. Via email to cityclerkdept@ci.richmond.ca.us after posting of the agenda until 1:00 p.m. the day of the meeting.

Emails **MUST** contain in the subject line 1) public comments – Open Session prior to Closed Session 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 individual email will be read into the record, only the summaries.** 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. **Email received after 1:00 p.m. will not be summarized nor read into the record. Email received after 1:00 p.m. will, however, be posted on-line following the meeting as part of the supplemental materials attached to the meeting minutes.**

3. Via Zoom by video conference or by phone using the following link/call-in numbers – for Special Open Session and Special City Council:

Please click the link below to join the webinar:

<https://zoom.us/j/96986961620?pwd=c3lxdmJpNkJKNTJlVnFCc3c2b0hIQT09>

Webinar ID: 969 8696 1620

Passcode: ccsept8

Or iPhone one-tap/dial:

US: +16699006833, 96986961620# or +12532158782, 96986961620#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 312 626 6799
or +1 929 205 6099 or +1 301 715 8592

Webinar ID: 969 8696 1620

International numbers available: <https://zoom.us/j/96986961620>

a. To comment by video conference, click on the Participants button at the bottom of your screen and select the “**Raise Your Hand**” button to request to speak when Public Comment is being asked for. Speakers will be called upon in the order they select the “Raise Your Hand” feature. When called upon, you will be unmuted. After the allotted time, you will then be re-muted. **

b. To comment by phone, you will be prompted to “Raise Your Hand” by pressing “*9” to request to speak when Public Comment is asked for. When called upon, you will be unmuted. After the allotted time, you will then be re-muted. Instructions of how to raise your hand by phone are available at: [https://support.zoom.us/hc/en-us/articles/201362663 -Joining-a-meeting-by-phone](https://support.zoom.us/hc/en-us/articles/201362663-Joining-a-meeting-by-phone). **

**The clerk will announce the item number and ask individuals who would like to address the Council to raise their hand. After the clerk reads the item into the record, the request to speak period on the item will be closed.

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 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 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.

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).

**SPECIAL OPEN SESSION TO HEAR PUBLIC COMMENT
BEFORE CLOSED SESSION**

4:00 p.m.

- A. **ROLL CALL**
- B. **PUBLIC COMMENT BEFORE CLOSED SESSION**
- C. **ADJOURN TO CLOSED SESSION**

SPECIAL CLOSED SESSION

Shimada Room of the Community Services Building

CITY COUNCIL

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

PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6):

Title: City Attorney

SPECIAL MEETING OF THE RICHMOND CITY COUNCIL

5:30 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. CITY COUNCIL CONSENT CALENDAR**
 - F-1.** APPROVE appointments to update the Historic Preservation Commission; APPOINT Michael Hibma, re- appointment, seat #2, term expiration date of July 31, 2024 - Office of the Mayor (Mayor Tom Butt 620-6503).
 - F-2.** APPROVE appointment(s) to update the Shimada Friendship Commission: APPOINT Evan Sirchuk, re-appointment, seat #1, term expiration date May 30, 2023 - Office of the Mayor (Mayor Tom Butt 620-6503).
 - F-3.** APPROVE appointment to the Workforce Development Board; APPOINT Len Turner, re-appointment, seat #15, business representative, term expiration date March 1, 2024; John Troughton, re-appointment, seat #16, business representative, term expiration date March 1, 2024 - Office of the Mayor (Mayor Tom Butt 620-6503).
 - F-4.** APPROVE an appointment to the Economic Development Commission: APPOINT Vivian Wong, new appointment, seat #2, filing an unexpired term with an expiration date of March 30, 2021; Qiana Riley, new appointment, seat #10, filing an unexpired term with an expiration date of March 30, 2021; Andrew Perroy, new appointment, seat #15, filing an unexpired term with an expiration date of March 30, 2022 - Office of the Mayor (Mayor Tom Butt 620-6503).
 - F-5.** APPROVE the minutes of the regular meeting held on July 21, 2020, and special meeting held on July 22, 2020 - City Clerk's Office (Pamela Christian 620-6513).
 - F-6.** RECEIVE the City's Investment and Cash Balance Report for the month of June 2020 – Finance Department (Belinda Brown/Delmy Cuellar 620-6740).

- F-7.** APPROVE the annual support and user license agreement with Faster Asset Solutions for fleet management software used in maintaining data records of city-owned equipment in an amount not to exceed \$14,000 for Fiscal Year 2020-2021, \$14,500 for Fiscal Year 2021-2022 and \$15,000 for Fiscal Year 2022-2023 - Public Works Department (Yader A. Bermudez 774-6300).
- F-8.** ADOPT a resolution authorizing the city manager or designee, to execute the escrow purchasing documentation, certificate of acceptance and any amendments thereto to complete the 909-911 Ohio Avenue, Richmond, California, property purchasing - Public Works Department (Yader A. Bermudez 774-6300).
- F-9.** ADOPT a resolution authorizing contracts with three contractors (Net Electric, Inc. - Richmond; NEMA Construction - Albany; and St. Francis Electric, Inc. - San Leandro) to perform high voltage and major electrical services throughout the City on an as-needed basis in an amount not to exceed \$500,000 per firm per year for a three-year period with options for two-year extensions - Public Works Department (Yader A. Bermudez 774-6300).
- F-10.** ADOPT a resolution approving the contract with Aquatic Harvesting Inc. for Cattails trimming at the Hilltop Lake and appropriate \$75,000 from the Landscape Maintenance District reserve fund into the operation budget; and AUTHORIZE the city manager to execute all required documents and contracts to perform deferred maintenance at the Hilltop Lake in amounts not to exceed the \$75,000 - Public Works Department (Yader A. Bermudez 774-6300).
- F-11.** ADOPT a resolution to accept and appropriate \$215,000 in grant funding from the California Office of Traffic Safety (OTS) awarded to the Police Department to combat deaths and injuries in motor vehicle crashes resulting from impaired driving within the City of Richmond - Police Department (Chief Bisa French 621-1802).
- F-12.** ADOPT a resolution to accept and appropriate \$73,734.00 in grant funding from the California Office of Traffic Safety (OTS) awarded to the Police Department to upgrade current crash reporting software as well as purchasing and implementing electronic citations - Police Department (Chief Bisa French 621-1802).

G. PUBLIC HEARINGS

- G-1.** HOLD a public hearing to ADOPT a resolution approving the report of sewer service charges for Fiscal Year 2020-21 allowing for the sanitary and stormwater fees to be collected on the annual 2020-21 tax rolls - Public Works Department (Yader A. Bermudez 774-6300).

G-2. HOLD a public hearing to ADOPT a resolution certifying the final Subsequent Environmental Impact Report (SEIR) and adopting a Mitigation Monitoring and Reporting Program (MMRP), California Environmental Quality Act (CEQA) Findings of Facts and Statement of Overriding Considerations; approving a General Plan map and text amendments; approving a Conditional Use Permit for a Shoreline Park in the -S Overlay Zone; approving a Vesting Tentative Tract Map; approving Design Guidelines with a Historic Conservation Plan and Master Planned Area District Plan; approving a Major Design Review for Design Guidelines; and approving a Disposition and Development Agreement with Winehaven Legacy LLC; and INTRODUCE an ordinance rezoning the Project Site to a Point Molate Planned Area District (PM-PAD) with -H, Historic District Overlay for the Winehaven Historic District; and an ordinance approving a Development Agreement - Community Development Department (Lina Velasco 620-6841).

G-3. CONTINUED to the September 15, 2020, meeting the matter to INTRODUCE an ordinance (first reading) 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). This item was continued from the July 28, 2020, meeting.

G-4. CONTINUED to the September 15, 2020, meeting the matter to 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). **This item was continued from the July 28, 2020, meeting.**

H. ADJOURNMENT

This agenda may be previewed on KCRT – Channel 28, Richmond Television, City website 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.