



Community Services Building  
440 Civic Center Plaza  
Richmond, CA 94804

**AGENDA**  
**Tuesday, October 6, 2020**  
**5:00 p.m.**

**PLEASE SEE**  
**PUBLIC COMMENT PROCEDURES**  
**HIGHLIGHTED IN RED**

*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 comment may be submitted by mail, email and/or Zoom video conference in the manner that follows; provided that no member of the public may submit more than one verbal comment per agenda item.**

1. Via mail received by 1:00 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](mailto:cityclerkdept@ci.richmond.ca.us) by 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; 2) public comments – Open Forum; or 3) 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 Open Session and City Council:

**Please click the link below to join the webinar:**

**<https://zoom.us/j/99312205643?pwd=MDdqNnRmS2k4ZkRTOWhlUldQOUF1Zz09>**

**Passcode: ccmeeting**

**Or iPhone one-tap:**

**US: +16699006833,,99312205643# or +13462487799,,99312205643#**

**Or Telephone:**

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

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

**Webinar ID: 993 1220 5643**

International numbers available: <https://zoom.us/j/99312205643>

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. \*\*

\*\*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 public comments:**

Public comments will be considered a public record, put into the official meeting record. 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.**

**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  
(Significant exposure to litigation pursuant to paragraph (2) or (3) of Subdivision  
(d) [as applicable] of Government Code Section 54956.9):

One case.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(paragraph (1) of Subdivision [d] of Government Code Section 54956.9):

Yanez v. City of Richmond et al.

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. 4 with Goldfarb & Lipman, LLP to increase its contract limit by \$60,000, for a total amount not to exceed \$100,000, to continue to assist the Community Development Department with implementation of recent housing laws, including SB35, SB330, AB 881, and completing updates to the City's inclusionary housing ordinance, with a term ending June 30, 2022 - Community Development Department (Lina Velasco 620-6706).
  - G-2. ADOPT a resolution extending the age limit of the Richmond Youth Council members to 23 years of age and establishing a quorum as half of the appointed members plus one - Councilmember Demnlus Johnson III (620-6568).
  - G-3. APPROVE the minutes of the September 8, 2020, Special Meeting of the City Council and the September 15 and 22, 2020, Regular Meetings of the City Council - City Clerk's Office (Pamela Christian 620-6513).
  - G-4. APPROVE a contract with HR&A Advisors, Inc. to provide technical assistance to complete an Economic Development Action Plan (EDAP), which consists of a Short-Term Local Business Recovery Action Plan (STLBRAP) and a Business and Investment Attraction Strategy (BIAS) for a contract amount of \$140,000, and a contingency amount of \$20,000, for a total contract amount not to exceed \$160,000, and term ending December 31, 2021 - City Manager's Office (Shasa Curl 620-6512).
  - G-5. RECEIVE the City's Investment and Cash Balance Report for the month of August 2020 - Finance Department (Belinda Brown/Delmy Cuellar 620-6790).

- G-6.** APPROVE an agreement with Boudreau and Associates to secure permits and related activities for the maintenance dredging of Terminal 2 in an amount not to exceed \$165,000 - Port Department (Jim Matzorkis 215-4600)
- G-7.** APPROVE: (1) the Subscription License Agreement and (2) the Perpetual License Agreement with Innovative Interfaces, Inc.'s Integrated Library System (ILS) that includes maintenance and support, web hosting, specialized modules to enhance services, a subscription to Link+ resource sharing, and staff training, in an amount not to exceed \$160,000 per year for a five-year period, effective July 1, 2020 to June 30, 2025 - Library and Community Services, Library Division (Sal Vaca/Jane Pratt 620-5452/Wylendia Eastman 620-6963).
- G-8.** PROCLAMATION declaring September 26 to October 4, 2020, as National Drive Electric Week in the City of Richmond - Office of the Mayor (Mayor Tom Butt 620-6503).
- G-9.** PROCLAMATION declaring October 7, 2020, as California Clean Air Day in the City of Richmond - Office of the Mayor (Mayor Tom Butt 620-6503).
- G-10.** APPROVE a contract with Xebec Data Corp to provide weekly Electronic Data Interchange (EDI) services that allows the City to import Pacific Gas & Electric (PG&E), East Bay Municipal Utility District (EBMUD) and Association of Bay Area Governments (ABAG) bills and energy data usage into the City's web-based Energy Manager database to process City utility bills via electronic payments in an amount not to exceed \$50,000 per five year period for Fiscal Years 2020-2021 through 2024-2025 with the option to extend at five-year intervals through the life of the Energy Manager software or until there are alternative formats in which the utility companies submit their billing - Public Works Department (Yader A. Bermudez 774-6300).
- G-11.** APPROVE a sole-source contract with KAPPE Architects, to update the 2015 construction documents for the Parchester Community Center ADA Improvements to prepare them to bid and construction and provide construction support in an amount not to exceed \$75,000 at 900 Williams Drive - Public Works Department (Yader A. Bermudez 774-6300).
- G-12.** APPROVE contract with Knorr Systems Inc. to replace the pool water heater at the Richmond Swim Center at 4300 Cutting Boulevard, in an amount not to exceed \$140,000 - Public Works Department (Yader A. Bermudez 774-6300).

**G-13.** APPROVE the appointments of the following nominees to the Re-Imagining Public Safety Task Force: Mayor Butt: Joey Schlemmer, James Lee, David Tucker; Vice-Mayor Bates: Don Gosney, Ben Therriault, Linda Jackson-Whitmore; Councilmember Choi: Tania Pulido, Kristin Kilian Lobos, Marcus Njissang; Councilmember Johnson III: DeWanda Joseph, Armond Lee, Randy Joseph; Councilmember Martinez: Tamisha Walker, BK Williams, Andres Soto; Councilmember Myrick: Nakari Sydney, Deborah Small, Jasmine Frye; and Councilmember Willis: Laura Mangle, Luis Chacon, Shirley Leslie - Office of the Mayor (Mayor Tom Butt 620-6503).

**G-14.** ADOPT a resolution establishing the City's Authorized Financing Firms list to provide equipment and vehicle lease-purchase financing options - Finance Department (Belinda Brown/Delmy Cuellar 620-6790).

## **H. PUBLIC HEARINGS**

**H-1.** 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/ Emily Carroll 620-6706). **This item was continued from September 8 and 15, 2020, meetings.**

## **I. BUDGET SESSION**

**I-1.** RECEIVE updates on the Fiscal Year 2020-21 budget overall, position control, deferred maintenance and capital improvements, the Rent Program cash position, and negative cash balances; and, ADOPT a resolution approving the Fiscal Year 2019-20 year-end budget adjustments - Finance Department (Laura Snideman 620-6512/Belinda Brown 620-6740).

## **J. COUNCIL AS A WHOLE**

**J-1.** RECEIVE a presentation from the Fire Department regarding wildfire prevention and preparedness in the City's Very High Fire Hazard Severity Zones - Fire Department (Adrian Sheppard 307-8041 / Eric Govan 307-8046).

**J-2.** AUTHORIZE staff to seek reinstatement of board membership on the Oakland Airport-Community Noise Management Forum - Office of the Mayor (Tom Butt, 620-6503).

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

**L. 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.*