



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

***AMENDED AGENDA**
Tuesday, December 1, 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

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 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=MDdqNnRmS2k4ZkRTOWhUldQOUF1Zz09>

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 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).

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

Levin Terminal vs. City of Richmond (Two cases: Federal District Court and Contra Costa County Superior Court)

Wolverine Fuels Sales vs. City of Richmond (One case: Federal District Court)

Phillips 66 vs. City of Richmond (Two cases: Federal District Court and Contra Costa County Superior Court)

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 budget amendment to the Wastewater Bond Funds Capital Improvement Plan Budget in the amount of \$375,000 from the 2019A WW bond proceeds fund balance to the Ferry Point Lift Sewer Pump Station design project and a contract with Schaaf and Wheeler Consulting Civil Engineers to design the Ferry Point Lift Sewer Pump Station replacement located at the intersection of Brickyard Cove Road and Dornan Road in an amount not to exceed \$375,000 (Proposal cost of \$331,478, plus contingency cost of \$43,522) - Public Works (Yader A. Bermudez 774-6300).
 - G-2. APPROVE the purchase of one replacement Elgin Crosswind model street sweeper from Owen Equipment in an amount not to exceed \$280,000 - Public Works Department (Yader A. Bermudez 774-6300).
 - G-3. ADOPT a resolution authorizing the city manager to execute reoccurring contracts for fiscal year 2020-2021 with Contra Costa County, Stege Sanitary District, West County Wastewater District and the State of California Water Resources Control Board. The execution of these contracts shall not exceed the limits as set forth for the following: Contra Costa County North Richmond Storm Drain Pump Station - \$75,000; Contra Costa County Clean Water Program - \$365,000; California Water Resources Control Board - WWTP National Pollutant Discharge Elimination System (NPDES) - \$125,000; California Water Resources Control Board - City of Richmond Stormwater NPDES permit - \$37,500; California Water Resources Control Board - Sanitary Sewer Overflow Waste Discharge Requirement (SSO - WDR) Permit - \$37,500; West County Agency - \$209,296; Stege Sanitary District Sewer Use Fees Joint Powers Agreement (JPA) - \$30,585 - Public Works Department (Yader Bermudez 774-6300/Mary Phelps 621-1269).

- G-4.** RECEIVE the City's Investment and Cash Balance Report for the month of October 2020 - Finance Department (Belinda Brown/Delmy Cuellar 620-6790).
- G-5.** APPROVE a five-year contract with a one year option with Brinks LLC to provide armored courier services in an amount not to exceed \$100,000 total from Fiscal Year 2020-21 to Fiscal Year 2024-25 - Finance Department (Belinda Brown 620-6740).
- G-6.** REVIEW the Debt Policy for Fiscal Year 2020-21 and ADOPT the resolution approving said policy - Finance Department (Belinda Brown/Delmy Cuellar 620-6740).
- G-7.** REVIEW the Swap Policy for Fiscal Year 2020-21 and ADOPT the resolution approving said policy - Finance Department (Belinda Brown/Delmy Cuellar 620-6740).
- G-8.** APPROVE the National Joint Powers Association (NJPA) contract with Staples & Commercial, Inc. and the National Cooperative Purchasing Alliance (NCPA) contract with American Office Products Distributors, Inc. (AOPD), with The Office City as the local distributor in an amount not to exceed \$350,000 per year, for the two vendors, for a period of three years with a two-year option to renew - Finance Department (Belinda Brown/Antonio Banuelos 620-6741).
- G-9.** REVIEW the Allowance for Doubtful Accounts Policy - Finance Department (Belinda Brown/Antonio Banuelos 620-6741).
- G-10.** APPROVE a second amendment to the contract with Colantuono, Highsmith, & Whatley, PC for legal representation, increasing the contract payment limit by \$125,000 for a total contract amount of \$225,000 while maintaining the term expiration date of June 30, 2022 - City Manager's Office, Economic Development (Shasa Curl/Carlos Privat 620-6512).
- G-11.** ACCEPT and APPROPRIATE grant awards from the East Bay Community Foundation in the amount of \$30,000; Kaiser Permanent Northern Community Benefit Program in the amount of \$30,000 and The California Endowment in the amount of \$35,000 for the Office of Neighborhood Safety (ONS) to provide general and emergency support services for ONS Operation Peacemaker Fellowship participants for the total amount of \$95,000 - Office of Neighborhood Safety (LaShonda Wilson/Sam Vaughn 620-6828).
- G-12.** APPROVE the expenditure plan associated with the 2020-2023 CalVIP Grant Award, a three-year grant to include the right to negotiate, enter into contracts for three years with RYSE Center (\$375,000), Richmond Police Activities League (RPAL) (\$375,000), National Council on Crime and Delinquency (NCCD) (\$105,000), Literacy for Every Adult Program (LEAP) (\$30,000), Financial Audit Services (\$25,000) and to execute all budgetary and program amendments approved by BSCC - Office of Neighborhood Safety (LaShonda White/Sam Vaughn 620-6828).

- G-13.** APPROVE the minutes of the November 10 and November 17, 2020, Regular Meetings of the City Council - City Clerk's Office (Pamela Christian 620-6513).
- G-14.** ADOPT a resolution authorizing the city manager to execute reoccurring contracts for fiscal years 2020-2021 and 2021-2022 with Contra Costa County and the State of California at an aggregate annual amount of \$1,661,000. Services contracted with Contra Costa County include the following: California Law Enforcement Telecommunications System (CLETS)-\$11,000; California Identification Division (CAL ID)- \$139,000; Automated Regional Information Exchange System (ARIES)- \$46,000; All County Criminal Justice Information System (ACCCJIN)- \$20,500; Martinez Detention Facility intake fees- \$46,000; alcohol/toxic drug and crime scene evidence analysis- \$359,000; Sexual Assault Response Team (SART) examinations- \$41,000; annual jail inspection and audit- \$18,500; Coroner & Gunshot Residue (GSR) examination and analysis- \$10,000; out of state inmate extradition \$4,000; Law Enforcement Training Center - \$19,500; Animal Services - \$717,500; Department of Information Technology - \$25,000; East Bay Regional Communication System Authority (EBRCS) - \$182,500. The State of California contracted services include Live Scan fingerprinting- \$16,500 and University of California Regents - \$5,000 - Police Department (Chief Bisa French 621-1802).
- G-15.** APPROVE the purchase of 32 Stop Stick® tire deflation devices and two training devices (\$16,799.90). This would allow the police department to maintain enough of the devices to issue every on-duty officer the device for their shift, and outfit Special Investigations Detectives and Traffic Officers with the devices in their vehicles - Police Department (Chief Bisa French 620-1802).
- G-16.** APPROVE an appointment to the Contra Costa Mosquito & Vector Control Board; APPOINT Shiva Mishek, new appointment, seat #1, term expiration date December 1, 2023 - Office of the Mayor (Mayor Tom Butt 620-6503).
- G-17.** PROCLAMATION declaring December 1, 2020, as World AIDS Day in the City of Richmond - Office of the Mayor (Mayor Tom Butt 620-6503)
- G-18.** ADOPT a resolution authorizing the city manager, pursuant to Article IV Section 1(b)(1) of the City Charter, to modify the position control, the list of Council-approved employee positions, as long as there is no net negative impact to the City's Operating Budget. The city manager will seek City Council approval prior to instituting any proposed change that would result in additional budgetary impacts - City Manager's Office (Laura Snideman/LaShonda White 620-6512).
- *G-19.** ADOPT an ordinance (second reading) to amend Chapter 3.54 of the Richmond Municipal Code (RMC) entitled the Community Police Review Commission (CPRC) to allow the CPRC to provide further oversight - Councilmember Jael Myrick (620-6636).

H. BUDGET SESSION

H-1. RECEIVE updates on the results of the California State Auditor's fiscal health assessment, the Fiscal Year 2020-21 budget, overtime report, the fiscal sustainability plan, and financial policies - Finance Department (LaShonda White 620-6512/Belinda Brown 620-6740).

I. PUBLIC HEARINGS

I-1. HOLD a public hearing to ADOPT a resolution adopting the Addendum to the Richmond Bay Specific Plan Environmental Impact Report (SCH#2014092082), including adopting a Mitigation Monitoring and Reporting Program (MMRP); approving a Vesting Tentative Map for condominium purposes; and approving a Use Permit for residential uses in the SD:R&D and T5MS-O transect zones of the Richmond Bay Specific Plan and a Shoreline Park use in the -S, Shoreline Overlay Zone; and INTRODUCE an ordinance approving a Development Agreement between the City and the applicant - Community Development Department/Economic Development Department (Lina Velasco/Shasa Curl 620-6841).

J. COUNCIL AS A WHOLE

J-1. RECEIVE a presentation on the Richmond Department of Children and Youth's Strategic Investment Plan process - Department of Children and Youth (LaShonda White 620-6512).

J-2. APPROVE the installation of 575 street sweeping parking restriction signs in the Richmond Annex and Panhandle Annex Neighborhoods - Public Works Department (Yader A. Bermudez 774-6300).

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

L. 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.