



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, December 15, 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=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](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 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

JOINT RICHMOND HOUSING AUTHORITY/RICHMOND CITY COUNCIL

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

Williams, et al. v. City of Richmond and the Richmond Housing Authority

CITY COUNCIL

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Significant exposure to litigation pursuant to paragraph (2) of Subdivision (d)
and paragraph (3) of Subdivision (e) of Government Code Section 54956.9):

One case

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.

Under negotiations: Price and terms of payment

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

Property: Nevin Plaza

Agency negotiators: Shasa Curl and Nannette Beacham
Negotiating parties: EAH Housing

Under negotiations: Price and Terms of Payment

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code
Section 54957):

Title: Former Interim City Manager

Title: Former City Attorney

**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. **HOUSING AUTHORITY CONSENT CALENDAR**

E-1. ADOPT a resolution authorizing the Executive Director to enter into a Master Development Agreement (MDA) and to negotiate and execute any and all related documents and agreements, including the Ground Lease, between the Richmond Housing Authority and EAH Housing for the development of the Nevin Plaza public housing site (2400 Nevin Avenue) - Richmond Housing Authority (Shasa Curl/Nannette J. Beacham 621-1300).

F. **ADJOURNMENT**

**REGULAR MEETING OF THE SUCCESSOR AGENCY TO THE
RICHMOND COMMUNITY REDEVELOPMENT AGENCY AND
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. **SUCCESSOR AGENCY TO THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY CONSENT CALENDAR**
 - G-1. ADOPT a resolution approving the Successor Agency to the Richmond Community Redevelopment Agency's Recognized Obligation Payment Schedule and an administrative budget for the period July 1, 2021 through June 30, 2022 ("ROPS 21-22") pursuant to California Health and Safety Code Sections 34177(o) and 34171(a),(b), and 34177(j), respectively - Finance Department/Community Development Department (Belinda Brown 620-6740/Lina Velasco 620-6841).
- H. **CITY COUNCIL CONSENT CALENDAR**
 - H-1. APPROVE the third amendment to the contract with Liebert, Cassidy, Whitmore, in the amount of \$700,000, which will increase the total contract amount to \$875,000 for the continuation of labor negotiations and other legal services through June 30, 2022 - Human Resources Department (Anil Comelo 620-6609).
 - H-2. INTRODUCE an ordinance (first reading) to establish compensation for: Human Resources Manager (new salary range 090A\$11,580- \$14,075/month) and ADOPT a resolution amending the Position Classification Plan to add the new classification specification of Human Resources Manager - Human Resources Department (Anil Comelo 620-6600).

- H-3.** RECEIVE a written report from the Richmond Government Alliance on Race and Equity Team on activities and the progress of the draft Racial Equity Action Plan - Councilmember Demnlus Johnson III (620-6568).
- H-4.** ADOPT a resolution Declaring the Canvass of Returns and Results of the General Municipal Election held on November 3, 2020 - City Clerk's Office (Pamela Christian 620-6513).
- H-5.** APPROVE a sole-source contract with National Demographics Corporation for services related to revising the district boundaries for the City after the 2020 census count is completed, in an amount not to exceed \$40,000 - City Clerk's Office (Pamela Christian 620-6513).
- H-6.** APPROVE appointment(s) to the Richmond Fund for Children and Youth Oversight Board: Councilmember Ben Choi Appointment: APPOINT Miriam Stephanie Sequeira, re-appointment, seat #5, term expiration date December 2, 2022.; Vice Mayor Nathaniel Bates Appointment: APPOINT Madiha Qader, re-appointment, seat #7, term expiration date December 2, 2022; Councilmember Eduardo Martinez Appointments: APPOINT Khaleighya Dandie-Evans, re-appointment, seat #10, term expiration date December 2, 2022; Carol Hegstrom, re-appointment, seat #11, term expiration date December 2, 2022- Office of the Mayor (Mayor Tom Butt 620-6503).
- H-7.** APPROVE an appointment to the Economic Development Commission: APPOINT Ahmad Anderson, new appointment, seat #3, filing an unexpired term with an expiration date of March 30, 2023 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-8.** APPROVE an appointment to the Housing Advisory Commission: APPOINT Toni Autry, re- appointment, seat#7, term expiration date November 1, 2022 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-9.** APPROVE appointments to the Oakland Airport Community Noise Management Forum: APPOINT Mayor Tom Butt, new appointment seat #1 elected representative, term expiration date December 21, 2022; Laura Ho, new appointment, seat #2 non-elected resident representative, term expiration date December 21, 2022 -Office of the Mayor (Mayor Tom Butt 620-6503).
- H-10.** AUTHORIZE the Port to enter into a 26-year lease, with four options to extend for 10-years, with T3 Partners for restoration and use of property at Terminal 3, with minimum estimated annual revenue to the Port of Richmond in the amount of \$440,000, and with additional possible revenue to the Port from future revenue sharing - Port Department (Jim Matzorkis 215-4600).

- H-11.** APPROVE a legal services agreement with Shartisis Friese, LLP for as needed specialized legal services and advice regarding the lease of Terminal 3, in an amount not to exceed \$100,000, with a term expiration of June 30 2021 and appropriate \$100,000 from the Port of Richmond fund balance - 4001 (beginning fund balance for fiscal year 2020/2021 of \$10,364,580). All legal fees are to be paid by the tenant pursuant to their proposal in response to the Port's Request for Proposals concerning the letting of Terminal 3 - Port Department (Jim Matzorkis 215-4600).
- H-12.** RECEIVE the monthly report on Point Molate activities for the month of May 2020 - City Manager's Office (Craig K. Murray 307-8188).
- H-13.** RECEIVE the monthly report on Point Molate activities for the month of June 2020 - City Manager's Office (Craig K. Murray 307-8188).
- H-14.** RECEIVE the monthly report on Point Molate activities for the month of July 2020 - City Manager's Office (Craig Murray 307-8188).
- H-15.** APPROVE a contract amendment with Hatchuel Tabernik & Associates to support the Department of Children and Youth in the implementation of the Strategic Investment Plan, amending the contract by \$20,000 for a total contract amount not exceed \$197,033, with a contract term expiration of June 30, 2021 - City Manager's Office (LaShonda White/David Padilla 620-6523).
- H-16.** APPROVE a modification to the Fiscal Year 2021-22 Environmental and Community Investment Agreement (ECIA) competitive grant program annual allocation from \$600,000 to \$300,000, and AUTHORIZE the release of the Request for Application and Guidelines - City Manager's Office (LaShonda White/Shane Johnson 620-6512).
- H-17.** ADOPT a resolution to APPROVE contract amendment number one with Infrastructure Engineering Corporation to extend the existing contract two additional years for a cost not to exceed \$41,580 (\$19,500/year plus annual increase) and to upgrade the existing 3G® cell phone network to a 4G® network using ADS' ECHO® alarm monitoring system to monitor sanitary sewer overflows for a one-time cost not to exceed \$50,000, for a total contract amount not to exceed \$183,080 over the life of the contract - Public Works Department (Yader Bermudez 774-6300/Mary Phelps 621-1269).
- H-18.** ADOPT a Resolution of Intention declaring the City's intention to quitclaim a 10,804 SF portion of the parcel with APN 507-251-021, adjacent to Dalai Lama Avenue, and setting the public hearing on the matter on January 19, 2021 - Public Works Department (Yader Bermudez 774-6300/Patrick Phelan 307-8111).

- H-19.** ADOPT a resolution to ACCEPT and APPROPRIATE \$72,000 in state funds from the California Department of Transportation, and AUTHORIZE staff to contribute an \$8,000.00 local match, to develop the City's Local Roadway Safety Plan - Public Works Department (Yader A. Bermudez 774-6300/Tawfic Halaby 621-1612).
- H-20.** APPROVE the purchase of a model AT41M aerial truck from Altec Industries, Inc., in an amount not to exceed \$175,000; and APPROPRIATE \$30,249 from Equipment Services Improvement fund balance and \$52,000 from the Traffic Impact Fee fund balance for this purpose - Public Works Department (Yader A. Bermudez 774-6300)
- H-21.** APPROVE and RATIFY a contract with DNV-GL in an amount not to exceed \$200,000, for a term ending December 31, 2020, to continue the previous contract allowing DNVGL to complete and close out the previous energy upgrade projects, with funding from the Environmental and Community Investment Agreement - City Manager's Office (LaShonda White/Samantha Carr 620-6512).

I. ORDINANCES

- I-1.** ADOPT an ordinance (second reading) approving a Development Agreement between the City and HRP Campus Bay Property, LLC, applicant of the Campus Bay Mixed-Use Project - Community Development Department/Economic Development Department (Lina Velasco/Shasa Curl 620-6841).

J. BUDGET SESSION

- J-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). **This item was continued from the December 1, 2020, meeting.**

K. PUBLIC HEARINGS

- K-1.** ADOPT a resolution adopting an Initial Study/Mitigated Negative Declaration, adopting a Mitigation Monitoring and Reporting Program, and approving a General Plan Amendment, Vesting Tentative Map, and Design Review Permit for the Richmond Country Club Residential Project, and INTRODUCE an ordinance amending the Zoning Map to rezone the Richmond Country Club Residential Project site from PR, Parks and Recreation to OS, Open Space and RL2, Single Family Low Density Residential District - Community Development Department (Lina Velasco 620-6841).

L. RESOLUTIONS

L-1. ADOPT a resolution approving form of Preliminary Official Statement in connection with the sale and delivery of Refunding Bonds; making other determinations; and authorizing related actions – Finance Department /Community Development Department(Belinda Brown 620-6740/Lina Velasco 620-6841).

L-2. ADOPT a resolution to DIRECT the city manager to prepare, for approval by the City Council, a schedule of taxes under Measure U that is less than the maximum allowable - Mayor Tom Butt and Vice Mayor Bates (620-6503 and 620-6743).

M. COUNCIL AS A WHOLE

M-1. 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). **This item was continued from the December 1, 2020, meeting.**

M-2. APPROVE the Richmond Fund for Children and Youth's 2021-2024 Strategic Investment Plan - Department of Children and Youth (LaShonda White 620-6512).

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

O. 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.