



**Community Services Building
440 Civic Center Plaza
Richmond, CA 94804**

**AGENDA
Tuesday, March 2, 2021
4:45 p.m.**

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
Demnlus Johnson III

Councilmembers
Nathaniel Bates
Claudia Jimenez
Eduardo Martinez
Gayle McLaughlin
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=MDdqNnRmS2k4ZkRTOWhUlIdQOUF1Zz09>

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.

Open Forum for Public Comment: Individuals who would like to address the City Council on matters not listed on the agenda or on items remaining on the consent calendar may do so under Open Forum. The amount of time allotted to individual speakers shall be determined based on the number of persons requesting to speak during this item. **The time allocation for each speaker will be as follows:** 15 or fewer speakers, a maximum of 2 minutes; 16 to 24 speakers, a maximum of 1 and one-half minutes; and 25 or more speakers, a maximum of 1 minute.

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**

4:45 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

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957):

Title: City Clerk

CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6):

Agency Representative: Mayor Tom Butt
Unrepresented Employee: City Clerk

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 the purchase of a breathing air compressor from Bauer Compressors, Inc. in the amount of \$68,628.63 - Fire Department (Interim Chief Brian Kelly 307-8041).
 - G-2. ADOPT a resolution authorizing the execution of a construction contract with Ghilotti Bros., Inc., for construction of the Yellow Brick Road Project in an amount not to exceed \$7,542,695.05, which includes a 10% contingency (\$685,699.55) - Public Works Department (Tawfic Halaby 621-1612).
 - G-3. APPROVE the minutes of the February 2, 2021, Regular Meeting of the City Council - City Clerk's Office (Pamela Christian 620-6513).
 - G-4. AUTHORIZE the city manager or designee to execute all necessary agreements with ZNE Alliance (firm awarded CEC grant) to implement the Phase II California Energy Commission grant from the California Energy Commission for Advanced Energy Communities initiatives; and APPROPRIATE \$345,715 of grant-funds to prepare an AEC Environmental Dashboard, the Richmond AEC Data Exchange Procedures Manual, and the AEC Open Data Guidebook to the City Manager's Office, Economic Development Division with a grant term through March 2025 - City Manager's Office (Shasa Curl/Thomas Omolo 620-6512).
 - G-5. AUTHORIZE the city manager to execute an indemnification agreement by the Open PACE program administrator, FortiFi, to indemnify the City as approved to form by the city attorney - City Manager's Office, Economic Development (Shasa Curl/Samantha Carr 620-6512).

- G-6.** AUTHORIZE the City Manager's Office to enroll in the Polco/National Research Center's National Citizen Survey Program in order to conduct a 2021 survey of City of Richmond residents at a cost not to exceed \$30,000 - City Manager's Office (Laura Snideman/LaShonda White 620-6512).
- G-7.** ADOPT a resolution authorizing placement of liens and special assessments for unpaid garbage collection service fees on County property tax records – Finance Department (Belinda Brown/Antonio Banuelos 620-6741).
- G-8.** RECEIVE the City’s Investment and Cash Balance Report for the month of January 2021 - Finance Department (Belinda Brown/Delmy Cuellar 620-6790).
- G-9.** RECEIVE a report summarizing non-contractual discretionary pays' status and the implementation of Special Assignment Pay and APPROVE the establishment of the Special Assignment Pay - Human Resources Department (Anil Comelo 620-6609).
- G-10.** APPROVE a construction agreement with NBC Construction & Engineering, Inc. to provide fencing at the Point Potrero Marine Terminal in an amount not to exceed \$34,158 - Port Department (Shasa Curl/Alan Wolken 215-4600).
- G-11.** APPROVE four new legal services agreements and first amendments to two existing legal services agreements with Maloney Employment Law, Manning & Kass, Ellrod, Ramirez & Trester, McNamara, Ney, Beatty, Slattery, Borges & Ambacher, Newdorf Legal, Allen Glaessner Hazelwood & Werth and Best, Best & Krieger to represent the City of Richmond in pending and future employment, dangerous condition, police/tort defense and other municipal law litigation in state and federal court - City Attorney's Office (Teresa Stricker 620-6509).
- G-12.** PROCLAMATION declaring February 28, 2021 as Rare Disease Day in the City of Richmond - Office of the Mayor (Mayor Tom Butt 620-6503).
- G-13.** PROCLAMATION declaring March 2021 as Women’s History Month in the City of Richmond - Office of the Mayor (Mayor Tom Butt 620-6503).
- G-14.** PROCLAMATION declaring March 10, 2021, as Tibetan Uprising Day in the City of Richmond - Office of the Mayor (Mayor Tom Butt 620-6503).
- G-15.** AUTHORIZE the city manager to execute an Amended and Restated Promissory Note and Regulatory Agreement with Richmond Neighborhood Housing Services, to extend the term of the Loan for an additional 20 years for affordable housing purposes for the triplex located at 561-565 South 29th Street, in the amount of \$104,406.94 (the "Loan") - Community Development Department (Lina Velasco 620-6706).

- G-16.** ADOPT an ordinance (second reading) amending RMC chapter 14.46 Neighborhood Parking Regulations, section 14.46.005 Definitions, section 14.46.010 (a) Neighborhood parking zones, section 14.46.010 (b) Electric Vehicle Charging, section 14.46.010 (c) Car Share, section 14.46.020 Installation and maintenance of parking revenue equipment, section 14.46.030 Curbs, street lines, markings and parklets, section 14.46.050 Unlawful parking in on-street parking spaces, section 14.46.070 Unlawful parking in off-street parking spaces, section 14.46.030, 14.46.100 Rates charged for use of parking spaces, 14.46.130 Notice of parking violation and vehicle removal, section 14.46.140 Disposition and use of revenue, 14.56 Neighborhood Permit Parking, section 14.56.020 (a) Legislative Findings, section (b) Specific Findings, section 14.56.030 (k) Definitions, section 14.56.060 (b) Designation process of a neighborhood permit parking area, section 14.56.080 (b)(3) Issuance of vehicle parking permits, section 14.56.090 Visitor permits, section 14.56.150 Revocation of permits, section 14.56.170 (b) Deletion of streets from neighborhood permit parking areas, section 14.44 Stopping, Standing, or Parking Restricted or Prohibited on Certain Streets, section 14.40.150 Parking in city-owned or operated lots, section 14.40.210 Parking areas for electric or low emission vehicles, section 14.08 Traffic Administration, and section 2.62 Administrative Citations - Library and Community Services Department (Jim Nantell/Denée Evans 621-1718).
- G-17.** ADOPT a resolution to ACCEPT and APPROPRIATE into the Fiscal Year 2020-2021 budget \$87,500 in grant-funds received from Marin Clean Energy, \$364,500 in state pass-through grant-funds received from the Construction Trades Workforce Initiative, and \$47,500 in state pass-through grant-funds received from the Alameda County Office of Education - Library and Community Services Department (Jim Nantell/Jill Perry 307-8012)
- G-18.** ADOPT a resolution approving the application to revitalize Dirt World with Statewide Park Development and Community Revitalization Program Grant funds - Library and Community Services Department (Jim Nantell/Jene Levine-Snipes 307-8132)

H. BUDGET SESSION

- H-1.** RECEIVE a presentation and ADOPT budget guiding principles - City Manager's Office (Laura Snideman/LaShonda White 620-6512). **This item was continued from the February 23, 2021, meeting.**
- H-2.** RECEIVE updates on the Fiscal Year 2020-21 budget, overtime reports, and City bonds; and DIRECT staff on which option to choose for the Pension Obligations Swap - Finance Department (LaShonda White 620-6512/Belinda Brown/Antonio Banuelos 620-6740).
- H-3.** AUTHORIZE the city manager to fill four public works positions and the deputy fire chief position that were "frozen" as part of the Fiscal Year 2020-21 budget process - City Manager's Office (LaShonda White 620-6512).

I. ORDINANCES

I-1. INTRODUCE an ordinance (first reading) to revise the wages, salaries, and compensation for the Fire Chief (Salary Range 5.5 \$12,338 - \$19,640/month) - Human Resources Department (Anil Comelo 620-6609).

J. COUNCIL AS A WHOLE

J-1. APPROVE a legal services agreement with Goldfarb & Lipman, LLP to advise and represent the City in pending litigation with a payment limit of \$100,000 for services rendered from February 1, 2021 to June 30, 2023 - City Attorney's Office (Teresa Stricker 620-6509). **This item was continued from the February 23, 2021, meeting.**

J-2. ANNOUNCE recent resignation from City of Richmond boards, commissions, and committees; and ANNOUNCE vacancies as of February 17, 2021 and ask that interested individuals send applications to the City Clerk - Office of the Mayor (Mayor Tom Butt 620-6503). **This item was continued from the February, 23, 2021, meeting.**

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.