



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

**AGENDA  
Tuesday, July 6, 2021  
6:00 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

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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 Orders N-29-20 and N-08-21** 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. **No individual email will be read into the record. 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 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, press the unmute button. 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 asked to unmuted by pressing \*6. 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 mayor will announce the agenda item number and open public comment when appropriate. Individuals who would like to address the Council should raise their hand. The mayor will close public comment when public comment is concluded.**

**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 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](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

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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 Orders N-29-20 and N-08-21**, 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**

6:00 p.m.

A. **ROLL CALL**

**CLOSED SESSION**

**CITY COUNCIL**

LIABILITY CLAIMS -(Government Code Section 54956.9):

Robert Gray v. City of Richmond

B. **PUBLIC COMMENT BEFORE CLOSED SESSION**

C. **ADJOURN TO CLOSED SESSION**

# REGULAR MEETING OF THE RICHMOND CITY COUNCIL

6:30 p.m.

- A. **ROLL CALL**
- B. **PUBLIC COMMENT INSTRUCTIONAL VIDEO**
- C. **STATEMENT OF CONFLICT OF INTEREST**
- D. **AGENDA REVIEW**
- E. **REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE DURING CLOSED SESSION**
- F. **REPORT FROM THE CITY MANAGER**
- G. **CRIME REPORT FROM POLICE CHIEF**
- H. **OPEN FORUM FOR PUBLIC COMMENT**
- I. **CITY COUNCIL CONSENT CALENDAR**
  - I-1. ACCEPT and APPROPRIATE a two-year \$88,763 grant award with TransForm for the Car Sharing and Mobility Hubs in Affordable Housing project for a term from October 1, 2020 to March 31, 2022; APPROVE an agreement with TransForm to complete outreach, education, and coordination tasks related to the grant-funded project; and AUTHORIZE the city manager to enter into a contract with the Richmond Community Foundation, for an amount not to exceed \$70,000, to assist in the performance of grant-related tasks for a term from October 1, 2020, to March 31, 2022 - Library and Community Services Department (LaShonda White 510-620-6512).
  - I-2. APPROVE a contract amendment with Nichols Consulting Engineers for additional design services on the Yellow Brick Road project, increasing the contract amount by \$75,000 for a total contract amount not to exceed \$1,393,697.58 - Public Works Department (Joe Leach 510-620-5478/Tawfic Halaby 510-621-1612).
  - I-3. ADOPT a resolution of local support as required by the Metropolitan Transportation Commission to program \$2,821,000 in Safe and Seamless Mobility Quick-Strike Program funds for the 13th Street Complete Streets Project, and if awarded, ACCEPT and APPROPRIATE the funds - Public Works Department (Joe Leach 510-620-5478/Tawfic Halaby 510-621-1612).

- I-4.** ADOPT a resolution authorizing the city manager to execute a funding agreement between the City of Richmond and the State of California Air Resources Board (CARB) Clean Mobility Options Mobility Project Voucher Pilot Program; ACCEPT and APPROPRIATE the voucher program funds; and APPROVE a three-year service contract with Nomad Transit, LLC (dba Via Transportation, Inc.) in an amount not to exceed \$1, 000,000 to develop and operate the shuttle service - Library and Community Services Department (Lashonda White/Denee Evans 510-621-1718).
- I-5.** RECEIVE a presentation regarding the Richmond Bike Share program; APPROPRIATE Bike Share Capital Program grant funds; and AUTHORIZE the city manager to execute the funding agreement between the Metropolitan Transportation Commission and the City of Richmond Supplement No. 1 to City of Richmond Bike Share Capital Program Amendment No. 1 with a term expiration of June 30, 2022 - Library and Community Services Department (LaShonda White/Denée Evans 510-621-1718).
- I-6.** APPROVE the 2021/2022 North Richmond Waste and Recovery Mitigation Fee Expenditure Plan (Exhibit A), identifying the activities, programs, and services recommended for funding by the North Richmond Waste and Recovery Mitigation Committee for the period of July 1, 2021, through June 30, 2022 - Library and Community Services Department (LaShonda White/Lori Reese 510-620-6869).
- I-7.** APPROVE a contract with LCP Tracker, Inc. to provide software and technical support for a web-based labor compliance, monitoring software, and technical support system to track compliance with the City of Richmond Ordinances. The contract term is from July 6, 2021, through June 30, 2024, with an option for a three-year extension, for a total amount not to exceed \$60,000 - Library and Community Services Department (Jim Nantell 510-307-8062/Gina Baker 510-307-8011).
- I-8.** RECEIVE the City's Investment and Cash Balance Report for the month of May 2021 - Finance Department (Anil Comelo 510-620-6600/Delmy Cuellar 510-620-6790).
- I-9.** APPROVE the minutes of the June 1, 2021, regular meeting, and June 8, 2021, special meeting of the City Council - City Clerk's Office (Pamela Christian 510-620-6513).
- I-10.** ADOPT a resolution authorizing the execution of a construction contract to W. R. Forde Associates, Inc., for construction of the Cutting Boulevard and Harbour Way South Bikeways Project in an amount not to exceed \$1,783,969, including a 10 percent contingency (\$162,179) - Public Works Department (Joe Leach 510-620-5478/Patrick Phelan 510-307-8111).

- I-11.** ADOPT a resolution authorizing the submittal of a grant application to the California Natural Resources Agency for Urban Flood Protection Program (Prop 68) funds and ACCEPT; and APPROPRIATE the funds should the grant be awarded - Public Works Department (Joe Leach 510-620-5478/Patrick Phelan 510-307-8111).
- I-12.** ADOPT a resolution authorizing the city manager, or designee, to enter into an agreement with Caltrans in the amount of \$1,200,000 for the Preliminary Engineering Phase of the Harbour & Wright Railroad Grade Crossing Project funded by Section 130 Highway Railroad Grade Crossing Safety Program - Public Works Department (Joe Leach 510-620-5478/Patrick Phelan 510-307-8111).
- I-13.** ADOPT a resolution authorizing the city manager to execute a third amendment to the Cooperative Implementation Agreement with CALTRANS to utilize the additional funding of \$3.2 million that will become available in Fiscal Year 2021-2022 through Fiscal Year 2022-2023 for the construction of one (1 full-trash capture device) at Bayview Avenue - Public Works Department (Joe Leach 510-620-5478/Mary Phelps 510-621-1269).
- I-14.** DIRECT staff to waive fees for the SEED-Contra Costa Building Trades Job Expo hosted by Southside Economic Empowerment Development, LLC - Office of the Mayor (Mayor Tom Butt 510-620-6503).
- I-15.** DIRECT staff to waive fees for the Grand Re-Opening Celebration of the Richmond Transit Center - Office of the Mayor (Mayor Tom Butt 510-620-6503).

**J. CITY OF RICHMOND CONSENT CALENDAR RESOLUTIONS RELATING TO POLICY DECISIONS ON ISSUES THAT PERTAIN TO OTHER JURISDICTIONS**

- J-1.** ADOPT a resolution urging U.S. Senators Diane Feinstein and Alex Padilla to advance the passage of a pathway for permanent residency and, eventually, citizenship for Deferred Action for Childhood Arrivals (DACA), Temporary Protected Status (TPS), and Deferred Enforced Departure (DED) beneficiaries - Councilmembers Eduardo Martinez (510-620-6593), Gayle McLaughlin (510-620-6636), and Claudia Jimenez (510-412-2050).

**K. PUBLIC HEARINGS - 7 P.M.**

- K-1.** HOLD the first required public hearings to review the redistricting process for City Council elections and receive public input regarding the composition of potential City Council districts - City Clerk's Office (Pamela Christian 510-620-6513).

**L. RESOLUTIONS**

- L-1.** ADOPT a resolution directing the city manager to implement a Citywide requirement of all applications for City services, projects, permits, and/or approvals that require limited liability companies (LLC) to disclose information about its beneficial owners as part of its submittal, and to report back to the City Council on a regular basis the progress made towards implementation - Councilmembers Claudia Jimenez (510-620-6565) and Gayle McLaughlin (510-620-6636).
- L-2.** ADOPT a resolution urging Metropolitan Transportation Commission (MTC) to immediately program \$1.67 Billion in American Rescue Plan (ARP) Transit Funds for use in restoring Bay Area transit service - Councilmembers Claudia Jimenez (510-620-6565), Eduardo Martinez (510-620-6593) and Melvin Willis (510-412-2050).
- L-3.** ADOPT a resolution to support the process of developing a Richmond Green-Blue New Deal and Just Transition to 21st Century jobs and DIRECT staff to prepare a request for proposal (RFP) to hire an environmental consultant to conduct a one-year to 18-month planning process to develop and facilitate a comprehensive and inclusive public engagement process to co-create the plan to achieve a local Green-Blue New Deal and come back to the Council with a recommendation of such a consultant within 90 days - Councilmembers Gayle McLaughlin (510-620-6636), Claudia Jiménez (510-620-6565) and Eduardo Martinez (510-620-6593).

**M. ORDINANCES**

- M-1.** INTRODUCE an ordinance (first reading) adding Chapter 11.103 entitled "Tenant Anti-Harassment Ordinance" to the Richmond Municipal Code - Councilmembers Gayle McLaughlin (510-620-6636) and Melvin Willis (510-412-2050).

**N. COUNCIL AS A WHOLE**

- N-1.** DIRECT staff to draft amendments to Richmond Municipal Code Chapter 11.05 (Fireworks Ordinance) that strengthens the City's ability to enforce the Fireworks Ordinance and return by the end of July with a first reading of an amended ordinance - Office of the Mayor (Mayor Tom Butt 510-620-6503). **This item was continued from the June 15, 2021, meeting.**

- N-2. DIRECT staff (city attorney) to review University of California Berkeley's research, the City Charter and other relevant legal authority to determine if the City Council has the authority to extend voting rights to undocumented Richmond residents to participate in local elections and, upon completion, DIRECT staff to present their findings to Council and, if authority exists, agendaize an item for Council to consider such voting rights extension - Councilmember Claudia Jimenez (510-620-6565), Councilmember Eduardo Martinez (510-620-6593) and Vice Mayor Demnlus Johnson III (510-620-6568).
- N-3. RECEIVE an oral report from Police Bisa Chief French to provide specific information on current and anticipated staffing reduction within the Richmond Police Department - Councilmember Nathaniel Bates (510-620-6743).

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

P. **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: <http://sireweb.ci.richmond.ca.us/sirepub/meet.aspx>*