



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

**AGENDA
Tuesday, October 19, 2021
5:00 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, At Large

Councilmembers
Nathaniel Bates, At Large
Claudia Jimenez, District 6
Eduardo Martinez, At Large
Gayle McLaughlin, District 5
Melvin Willis, District 1

ALL CITY COUNCIL MEMBERS WILL PARTICIPATE VIA TELECONFERENCE

Housing Authority Tenant Commissioners
Jaycine Scott
Vacant

CORONAVIRUS DISEASE (COVID-19) ADVISORY

PURSUANT to the Governor of the State of California's Assembly Bill 361 and in the interest of the public health and safety, 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.

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. **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=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/u/aeHrwCgISx>

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>. **

****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:

Properly labeled public comments will be considered a public record, put into the official meeting record, 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

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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 Assembly Bill 361, the language in this Advisory portion of the agenda supersedes any language contemplating in-person public comment.

IN PERSON 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

CLOSED SESSION

CITY COUNCIL

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

SPRAWLDEF et al. v. City of Richmond North Coast Rivers Alliance et al./Point
Molate Alliance et al. v. City of Richmond

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(initiation of litigation pursuant to paragraph (4) of Subdivision (d) of
Government Code Section 54956.9):

In light of the California Court of Appeals' decision in Fowler v. City of Lafayette,
the City Attorney's Office is attaching to this agenda two letters regarding the
amended judgment and various agreements related to Point Molate. These letters
provide the existing facts and circumstances for going into closed session on these
items pursuant to California Government Code Section 54956.9(d)(2) and (e)(3).

CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section
54957.6):

Agency Representatives: Laura Snideman, Marc Fox and Jack Hughes

Employee organizations:

1. SEIU Local 1021 Full Time and Part Time Units
2. IFPTE Local 21 Mid-Level Management and Executive Management Units
3. Richmond Police Officers Association
4. Richmond Police Management Association
5. IAFF Local 188
6. Richmond Fire Management Association

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 - (COMMENTS ON THIS ITEM WILL BE ALLOWED UNDER OPEN FORUM)**
- G. **OPEN FORUM FOR PUBLIC COMMENT**
- H. **CITY COUNCIL CONSENT CALENDAR**

- H-1.** RECEIVE the City's Investment and Cash Balance Report for the month of August 2021 - Finance Department (Belinda Brown 510-620-6140/Delmy Cuellar 510-620-6790).
- H-2.** APPROVE a contract with Shaw Sports Turf to replace the turf at the Martin Luther King, Jr. Turf Field in an amount not to exceed \$250,000 for a contract term beginning July 1, 2021, to June 30, 2022 - Library and Community Services Department (LaShonda White/Jene Levine-Snipes 510-307-8132).
- H-3.** ADOPT a resolution authorizing service contracts with three material testing laboratories for 'as-needed' services in an amount not to exceed \$250,000 per contract over a three-year period with an optional two-year extension at \$250,000 per contract - Public Works Department (Joe Leach 510--620-5478).
- H-4.** ADOPT a resolution authorizing the execution of a sole-source contract to Pogo Park for various services related to the Greening the Yellow Brick Road project - Public Works Department (Joe Leach 510-620-5478/Tawfic Halaby 510-621-1612).
- H-5.** REJECT the bids received for the Unity Park Trash Enclosure Project and direct staff to re-advertise the project - Public Works Department (Joe Leach 510-620-5478/Tawfic Halaby 510-621-1612).

- H-6.** APPROVE the minutes of the September 14, September 21, and September 28, 2021, regular meetings, of the City Council - City Clerk's Office (Pamela Christian 510-620-6513).
- H-7.** APPROVE a contract with AmeriNat, LLC to provide loan-related services for the Housing Division in an amount not to exceed \$50,000, over three years, with an option to extend the contract for two years - Community Development Department (Lina Velasco 510-620-6706).
- H-8.** APPROVE a Legal Service Agreement with Goldfarb & Lipman LLP in an amount not to exceed \$150,000, to assist the Successor Agency and Housing Division in housing and real estate matters, including regulatory agreements, deeds of trust, loan documents, and disposition of surplus properties, for a term not to exceed June 30, 2023 - Community Development Department (Lina Velasco 510-620-6706).
- H-9.** APPROVE and AUTHORIZE a contract amendment with Advance Crime Scene Restoration. The contract amendment will extend the contract end date to December 1, 2022, and increase total contract amount by \$15,000 - Police Department (Chief Bisa French 510-621-1802).
- H-10.** APPROVE a Memorandum of Understanding (MOU) between the City of Richmond and the Richmond Police Activities League (RPAL) to subsidize RPAL staff and programs, ensuring that academic, athletic, and life-skills services offered by RPAL will continue for the period July 1, 2021, to June 30, 2023, in an amount not to exceed \$600,000 (\$300,000 annually for two years) - Police Department (Chief Bisa French 510-621-1802).
- H-11.** AUTHORIZE, ACCEPT and APPROVE the Richmond Police Department to participate in the State of California rental vehicle program for the purpose of securing unmarked police vehicles with Enterprise Holdings Incorporated in an amount not to exceed \$180,000 from July 1, 2021, to June 30, 2024, with two one-year options to renew following the State of California's Department of General Services Standard Agreement - Police Department (Chief Bisa French 510-621-1802).
- H-12.** APPROVE a sole-source contract for the continuation of STAND! For Families Free of Violence services to support those victimized by domestic abuse. The contract between the City of Richmond and STAND! For Families Free of Violence will begin July 1, 2021, to December 31, 2022, in an amount not to exceed \$47,567 - Police Department (Chief Bisa French 510-621-1802).

- H-13.** APPROVAL of a five-year agreement with an option for an additional two years with the non-profit group, MissionSquare Retirement (formerly ICMA-RC), for deferred compensation recordkeeping services and ADOPT three resolutions related to the establishment, management, and administration of 457 Deferred Compensation Plan, a Money Purchase Plan, and a Retirement Health Savings Plan. The initial five-year contract term will coincide with the date that assets transition from the current recordkeepers over to MissionSquare - Human Resources Department (Marc Fox 510-620-6602).
- H-14.** RECEIVE the 2020 Annual Report of the Personnel Board to adhere to the requirement that the annual report is transmitted to the City Council on an annual basis - Human Resources Department (Marc Fox 510-620-6600).
- H-15.** ADOPT a resolution of the Richmond City Council in Support of the Union organizing effort currently being undertaken by HelloFresh warehouse workers in Richmond - Councilmembers Gayle McLaughlin (510-620-6636) and Claudia Jimenez (510-620-6565).
- H-16.** ADOPT a resolution extending the Contra Costa County Abandoned Vehicle Abatement Program and associated fee - Office of the Mayor (Mayor Tom Butt 510-620-6503).
- H-17.** APPROVE appointment(s) to the Human Rights and Human Relations Commission; APPOINT Najari Smith new appointment, seat #9, term expiration date March 30, 2024 - Office of the Mayor (Mayor Tom Butt 510-620-6503).
- H-18.** APPROVE an appointment to the Workforce Development Board; APPOINT Xavier Abrams, re-appointment, seat #1, business representative, term expiration date September 22, 2025 - Office of the Mayor (Mayor Tom Butt 510-620-6503).
- H-19.** APPROVE appointment(s) to update the Library Commission: APPOINT Megan Bleckinger new appointment, seat #4, term expiration date July 1, 2024 - Office of the Mayor (Mayor Tom Butt 510-620-6503).
- H-20.** APPROVE updated term limits for current Recreation and Parks Commission terms:UPDATE Brendan Havenar-Daughton, seat #2, term expiration date October 26, 2022; Joey Smith, seat #4, term expiration date October 26, 2022; Allison Blakely, seat #7, term expiration date October 26, 2022; Maryn Hurlbut, seat #8, term expiration date October 26, 2022 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-21.** PROCLAMATION declaring October 2021 as Children's Environmental Health Month in the City of Richmond - Office of the Mayor (Mayor Tom Butt 510-620-6503).

- H-22.** PROCLAMATION declaring October 23-31, 2021, as Red Ribbon Week in the City of Richmond - Office of the Mayor (Mayor Tom Butt 510-620-6503).
- H-23.** PROCLAMATION declaring November 1, 2021, as Extra Mile Day in the City of Richmond - Office of the Mayor (Mayor Tom Butt 510-620-6503).
- H-24.** ADOPT a resolution in support of Net Energy Metering and send copies of the resolution to Governor Gavin Newsom, State Senator Nancy Skinner, Assemblymember Buffy Wicks, and the California Public Utilities Commission - Councilmembers Gayle McLaughlin (510-620-6636) and Melvin Willis (510-412-2050).

I. PUBLIC HEARINGS

- I-1.** **CONTINUED** to the November 2, 2021, City Council Meeting - the matter to INTRODUCE an ordinance (first reading) establishing certain fees for the proposed Master Fee Schedule - Finance Department (Belinda Brown/Antonio Banuelos 620-6741).

J. COUNCIL AS A WHOLE

- J-1.** RECEIVE a report from the Implementation Sub-Committee of the Reimagining Public Safety Community Task Force and CONSIDER adding a standing item on the regular City Council third Tuesday agenda to receive an update - Councilmembers Gayle McLaughlin (510-620-6636) and Claudia Jimenez (510-620-6565).
- J-2.** ADOPT changes to the Council Rules of Procedure and Order to modify the procedure for removing items from the Consent Calendar and DIRECT the City Clerk's Office to revise the instructions on City Council meeting agendas to reflect the new procedure - Councilmembers Gayle McLaughlin (510-620-6636), Melvin Willis (510-412-2050) and Claudia Jimenez (510-620-6565).
- J-3.** DIRECT staff to review ordinances from other jurisdictions to Prohibit Spectators at Illegal Speed Contests, Exhibitions of Speed, or Sideshows and draft an ordinance for the City of Richmond for a first reading in November - Councilmember Bates (510-620-6743)
- J-4.** APPROVE the Fiscal Year 2021-22 multi-year comparative position listing and ADOPT a resolution to amend the salary schedule to implement the city manager's reorganization of specific City departments - Human Resources Department (Marc Fox 510-620-6600). This item was continued from the October 5, 2021, meeting.

J-5. DIRECT city staff members to issue a Request for Proposals (RFP) for a consultant with experience analyzing emergency services data. The RFP would be released 45 days from the date of approval, returned to council for RFP approval by January 11, 2022, with an onboard date of January 31, 2022 - Councilmembers Claudia Jimenez (510-620-6565) and Gayle McLaughlin (510-620-6636)

J-6. REMOVE Tamisha Torres-Walker from the Reimagining Public Safety Task Force and request the City Council's affirmation - Office of the Mayor (Mayor Tom Butt 510-620-6503).

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