



Agenda

MEETINGS

**RICHMOND HOUSING AUTHORITY
RICHMOND CITY COUNCIL
(Meetings are virtual)**

Tuesday, February 15, 2022, 5:00 p.m.
Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

Members:

**Thomas K. Butt, Mayor
Demnlus Johnson III, Vice Mayor at Large
Nathaniel Bates, Councilmember at Large
Claudia Jimenez, Councilmember District 6
Eduardo Martinez, Councilmember at Large
Melvin Willis, Councilmember District 1
Gayle McLaughlin, Councilmember District 5
Jaycine Scott, Housing Authority Tenant Commissioner**

**Link to City Council Agendas/Packets
<http://www.ci.richmond.ca.us/4157/City-ofRichmond-Council-Meetings>**

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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, eComment, 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.

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.

Via eComments: eComments are available once an agenda is published. Locate the meeting in "upcoming meetings" and click the comment bubble icon. Click on the item you wish to comment on. eComments can be submitted when the agenda is published and until the conclusion of public comments for the agenda item. eComments can be viewed by the City Council and members of the public as they are submitted. Email your comment to cityclerkdept@ci.richmond.ca.us should you have difficulty submitting an eComment during a meeting.

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 with correctly labeled subject lines will be posted on-line and emailed to the City Council before the meeting is called to order. 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.

Via Zoom by video conference: for Open Session and City Council: **Please click the link below to join the webinar:**

<https://zoom.us/j/99312205643?pwd=MDdqNnRmS2k4ZkRTOWhIUldQOUF1Zz09>

Passcode: ccmeeting

By iPhone one-tap: US: +16699006833,,99312205643# or +13462487799,,99312205643#

By 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>

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. **When called upon, press the unmute button. After the allotted time, you will then be re-muted. ****

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.

Open Forum for Public Comment:

Address the City Council on matters not listed on the agenda, items remaining on the consent calendar, reports from the city manager, public works director, sub-committee for reimagining task force, and police chief 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.

AB 361 Procedures in the Event of Technical Difficulties: In the event the meeting broadcast is disrupted, or if a technical issue on the agency's end disrupts public participation, the legislative body board cannot take any further action on the agenda until the technical issue is resolved.

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.](http://www.ci.richmond.ca.us/Archive.aspx?AMID=31)

Procedures for Removing Items from the Consent Calendar:

Members of the public who request to remove an item from the consent calendar must first discuss the item with a staff member by phone or a back-and-forth email discussion, and state the name of the staff member when requesting removal of the item from the consent calendar.

Any member of the City Council who would like to remove an item from the consent calendar must notify the appropriate staff person and the City Clerk’s Office prior to the meeting. Although members of the City Council are encouraged to ask questions and share concerns with staff ahead of the meeting, they are not required to do so.

The Clerk's Office must be informed of any requests to remove items from the Consent Calendar.

Items removed from the Consent Calendar shall be placed at the end of the agenda for consideration.

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

A. OPEN SESSION TO HEAR PUBLIC COMMENT BEFORE CLOSED SESSION

5:00 p.m.

B. ROLL CALL

C. CLOSED SESSION

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

- SPRAWLDEF et al. v. City of Richmond
- The Guidiville Rancheria of California, et al. v. The United States of America, et. al.
- North Coast Rivers Alliance et al./Point Molate Alliance et al. v. City of Richmond
- City of Richmond v. Thomas K. Butt

**C.2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Significant exposure to litigation pursuant to paragraph (2) or (3) of Subdivision (d) [as applicable] of Government Code Section 54956.9)**

- **Three Cases**

In light of the California Court of Appeal's decision in Fowler v. City of Lafayette, the City Attorney's Office is attaching to this agenda four communications 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).

C.3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)

- Title: City Manager

C.4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)

- Property: Terminal One
Agency negotiators: Shasa Curl and Lina Velasco
Negotiating parties: Terminal One Development LLC
Under negotiation: Price and terms of payment

C.5. PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6)

- Title: City Attorney

D. PUBLIC COMMENT BEFORE CLOSED SESSION

E. ADJOURN TO CLOSED SESSION

F. SPECIAL MEETING OF THE RICHMOND HOUSING AUTHORITY

6:25 p.m.

G. ROLL CALL

H. PUBLIC COMMENT INSTRUCTIONAL VIDEO

I. STATEMENT OF CONFLICT OF INTEREST

J. AGENDA REVIEW

K. HOUSING AUTHORITY CONSENT CALENDAR

- K.1. Continued use of teleconference technology for meetings of the Board of Commissioners of the Richmond Housing Authority pursuant to the provisions of AB 361**

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ADOPT a resolution requiring the continued use of teleconferencing for the meetings of the Board of Commissioners of the Richmond Housing Authority pursuant to the provisions of AB 361 – City Clerk’s Office (Pamela Christian 510-620-6513).

L. ADJOURNMENT

M. REGULAR MEETING OF THE RICHMOND CITY COUNCIL

6:30 p.m.

N. ROLL CALL

O. STATEMENT OF CONFLICT OF INTEREST

P. ELECTION OF THE VICE MAYOR FOR 2022

P.1. Election of Vice Mayor to serve for 2022 - Office of the Mayor (Tom Butt 510-620-6503).

Q. AGENDA REVIEW

R. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE DURING CLOSED SESSION

S. REPORT FROM THE CITY MANAGER (public comment allowed under Open Forum)

T. REPORT FROM THE IMPLEMENTATION SUB-COMMITTEE FOR REIMAGINING TASK FORCE (public comment allowed under Open Forum)

U. OPEN FORUM FOR PUBLIC COMMENT

V. CITY COUNCIL CONSENT CALENDAR

V.1. City Attorney's Office

V.1.a. Adopt a Resolution Amending the City of Richmond's Conflict-of-Interest Code 17

ADOPT a resolution amending the City of Richmond's Conflict-of Interest Code to ensure that all City positions required to file Statements of Economic Interest are properly identified – City Attorney's Office (Interim City Attorney Dave Aleshire 510-620-6509).

V.2. City Clerk's Office

V.2.a. Continued use of teleconferencing for the meetings of all City legislative bodies pursuant to the provisions of Assembly Bill (Ab) 361 50

ADOPT a resolution requiring the continued use of teleconferencing for the meetings of all City legislative bodies pursuant to the provisions of Assembly Bill 361 – City Clerk's Office (Pamela Christian 510-620-6513).

V.3.	City Council	
V.3.a.	Rename Baseball Diamond #2 at Nicholl Park in Honor of National Hero Willie Mays	54
	APPROVE a request to rename Baseball Diamond Field #2 at Nicholl Park to Willie Mays Baseball Field; and ADOPT a Resolution of Intent to set a public hearing for March 1, 2022 - Councilmembers Nathaniel Bates (510-620-6743) and Melvin Willis (510- 412-2050).	
V.3.b.	Support of a safe and fair contract for refinery workers at Chevron, Richmond, CA	71
	ADOPT a resolution of the Richmond City Council in support of a safe and fair contract for Refinery workers at Chevron in Richmond, California; and DIRECT staff to send a copy of the resolution and cover letter to the Chevron CEO John Watson - Councilmembers Claudia Jimenez (510-620-6565) and Eduardo Martinez (510-620-6593).	
V.4.	Community Development	
V.4.a.	Contract with West Contra Costa Public Education Fund (Edfund West) to Support Richmond Residents Impacted by Covid through the Richmond Rapid Response Fund (R3F).	75
	APPROVE a sole source contract with West Contra Costa Public Education Fund (EdFund West) to manage the distribution of American Rescue Plan Act (ARPA) funding to support Richmond residents impacted by COVID through the Richmond Rapid Response Fund (R3F), in an amount not to exceed \$600,000, for a term from February 15, 2022, to December 31, 2024 – Community Development Department (Lina Velasco 620-6706).	
V.5.	Economic Development	
V.5.a.	Lease Agreement - Richmond Police Activities League	120
	ADOPT a resolution approving the lease agreement between the City of Richmond and the Richmond Police Activities League (“RPAL”) (as lessee), for the construction and maintenance of a parking lot and an option for a community garden and supportive programs at 175 23rd Street, for a ten (10) year term with two (2) successive five (5) year option periods, at an annual rate of \$1.00 per year – City Manager’s Office (Craig Murray 510-307-8188).	

V.5.b.	Authorization to Apply for Calrecycle Grants	161
	ADOPT a resolution authorizing the city manager or their designee to submit grant applications for any and all CalRecycle grants for which the City of Richmond is eligible; and if any grants are awarded, to ACCEPT and APPROPRIATE into the budget - City Manager's Office (Shasa Curl/Samantha Carr 510-620-5407).	
V.6.	Human Resources	
V.6.a.	Contract with Governmentjobs.com dba NeoGov and Governmentjobs.com Job Postings.	165
	APPROVE a sole-source contract with Governmentjobs.com dba NeoGov for software support and a subscription for job postings to the public - Human Resources Department (Anil Comelo 510-620-6609).	
V.7.	Library and Community Services	
V.7.a.	Approval of the Juneteenth Freedom Mural Project and Resolution of Intent to Rename	199
	APPROVE the Juneteenth Freedom Mural Project at the South 37 th Street Underpass; ADOPT a resolution of Intention to rename the South 37 th Street Underpass to Juneteenth Freedom Underpass; and RESCHEDULE a Public Hearing previously scheduled for February 15, 2022, to March 1, 2022 – Community Services Department (LaShonda White/Ranjana Maharaj/Stephanie Ny 510-620-6563). This item was continued from the February 1, 2022, meeting.	
V.7.b.	Contract with HR&A Advisors, Inc. to support American Rescue Plan Act Community Needs Assessment and Strategic Investment Plan Development	238
	APPROVE a contract with HR&A Advisors, Inc. to conduct a community needs assessment and develop and implement a strategic investment plan to provide guidance on spending the City's remaining American Rescue Plan Act (ARPA) allocation, for a total amount not to exceed \$250,000, with a term from February 16, 2022, to June 30, 2023 – Library and Community Services (LaShonda White 510-620-6512).	

V.8. Public Works

V.8.a. Booker T. Anderson Community Center Fire Restoration Project 292

APPROVE a construction contract with Angotti & Reilly Inc. for the Booker T. Anderson Community Center Fire Restoration Project, located at 960 S. 47th St., Richmond, in an amount not to exceed \$2,583,900 including \$2,349,000 low bid plus \$234,900 contingency; and APPROPRIATE the funding from the Risk Management fund balance. There will be a reimbursement from insurance for the majority of the cost – Public Works Department (Joe Leach 510-620-5478).

W. BUDGET SESSION

W.1. Final Adjustments to Fiscal Year 2020-2021 Budget 323

RECEIVE an update on the Fiscal Year 2020-2021 budget – City Manager’s Office/Finance Department (Shasa Curl/Anil Comelo/Belinda Brown/Antonio Banuelos 510-620-6740). **This item was continued from the February 1, 2022, meeting.**

W.2. City of Richmond Annual Comprehensive Financial Report for the Fiscal Year Ended June 30, 2021 327

RECEIVE a report on the City’s Annual Comprehensive Financial Report (ACFR) for Fiscal Year 2020-2021 – Finance Department (Belinda Brown/Delmy Cuellar 510-620-6740). **This item was continued from the February 1, 2022, meeting.**

X. PUBLIC HEARINGS

X.1. Appeal of Planning Commission’s approval of a conditional use permit and design review (PLN20-043) 669

ADOPT a Resolution Denying the Appeal and Affirming the Planning Commission’s conditional approval of a Conditional Use Permit and Design Review, to construct a single-family residence on a vacant parcel located within the RL1 zoning district and -S, Shoreline overlay district at 357 Western Drive – Community Development Department (Lina Velasco 510-620-6706). **This item was continued from the December 7, 2021, January 11, 2022, January 18, 2022, and February 1, 2022, meetings. The public hearing is closed on this item; for council discussion and resolution only.**

X.2. Approval of New Fees for the Revised Master Fee Schedule 719

INTRODUCE an ordinance (first reading) establishing certain fees for the proposed Master Fee Schedule - Finance Department (Belinda Brown 510-620-6740/Antonio Banuelos 510-620- 6741).

- Y. NEW BUSINESS**
- Y.1. Cease Expending Funds of Litigation Against the Mayor. 837**
 CEASE expending funds to litigate the mayor – Councilmember Nathaniel Bates (510-620-6743)
- Y.2. Prioritization and Control of City Council Meeting Agenda Items and Discussion 839**
 APPROVE a procedure to expedite City business by establishing a time limit on City Council discussions and allow the mayor, city clerk, and city manager to prioritize the City Council agendas – Councilmember Nathaniel Bates (510-620-6743).
- Y.3. Amend the Richmond Municipal Code to add new section 9.40.019 Non-residential Junior Accessory Dwelling Unit JADU Pilot Program 841**
 INTRODUCE an ordinance amending the Richmond Municipal Code to add new section 9.40.019 to allow Junior Accessory Dwelling Units in non-residential buildings during a Shelter Crisis – Mayor Tom Butt (510-620-6503).
- Z. REPORTS OF OFFICERS: REFERRALS TO STAFF, AND GENERAL REPORTS (INCLUDING AB 1234 REPORTS)**
- AA. ADJOURNMENT**