

CITY OF RICHMOND
Reimagining Public Safety Community Task Force

Wednesday, April 27, 2022 5:30 PM

<https://zoom.us/j/99598896210?pwd=MEdpUWRjMG02bnI5MXlnb2xrQTloQT09>

This meeting is accessible to people with disabilities*



Members:

Burks, Helene
Cantú, Marisol
Chacon, Eddy
Chacon, Luis
Gosney, Don
Joseph, Randy
Kilian-Lobos, Kristin
Lee, Armond
Lee, James
Mangels, Laura
Njissang, Marcus
Schlemmer, Joey
Small, Deborah
Soto, Andres
Therriault, Ben
Walker, Tamisha
Whitmore, Linda
Williams, B.K.

ALL TASK FORCE MEMBERS WILL PARTICIPATE VIA VIDEO OR TELECONFERENCE

This meeting is scheduled to adjourn at 7:30 P.M. The meeting may be extended by a majority vote of the Task Force members.

- A. Call to Order**
- B. Roll Call**
- C. Agenda Review and Adoption**
- D. Meeting Procedures**
- E. Minutes Approval**
 - 1. APPROVE the minutes of the January 26, 2022 regular meeting of the Reimagining Public Safety Community Task Force
- F. City Staff Reports (Verbal)**
- G. Public Comments**
- H. Presentations, Discussions, & Action Items**

Following discussion of each item, the Task Force may vote to make recommendations to staff or to the City Council.

 - 1. RECEIVE updates on the status of implementation for Unhoused Interventions and Community Crisis Response Program proposals and DISCUSS next steps
 - 2. REVIEW and DISCUSS City of Richmond FY 2021-22 budget report and Task Force program expenditures to-date
 - 3. REVIEW, DISCUSS, and APPROVE the Task Force meeting schedule for May and June 2022
 - 4. REVIEW and DISCUSS Task Force presentation schedule to City Council
 - 5. REVIEW, DISCUSS, and APPROVE the Task Force working group structure and membership for the next six months
 - 6. REVIEW feedback on proposed Task Force bylaws and DISCUSS next steps
- I. Action Item Recap**
- J. Adjournment**

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Scheduled Meetings:

- Report to City Council - Tuesday, May 17, 2022
- General Meeting - Wednesday, May 25, 2022

Staff:

LaShonda White (510) 620-6828 lashonda_white@ci.richmond.ca.us
Stephanie Ny (510) 620-6563 stephanie_ny@ci.richmond.ca.us
Guadalupe Morales (510) 620-6553 guadalupe_morales@ci.richmond.ca.us



MEETING PROCEDURES & INFORMATION

ALL TASK FORCE MEMBERS WILL PARTICIPATE VIA VIDEO OR TELECONFERENCE

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. (See, for example, March 31, 2020 County Order extending the shelter-in-place order until May 3, 2020 and March 19, 2020 statewide shelter-in-place order.) Accordingly, Governor Gavin Newsom has issued executive orders that allow cities to hold public meetings via teleconferencing (Executive Order N-29-20).

Both <https://www.coronavirus.cchealth.org/> and <http://www.ci.richmond.ca.us/3914/Richmond-Coronavirus-Info> provide updated coronavirus information. On April 29, 2020, the Health Officer of Contra Costa County issued a press release to inform the public that regional shelter-in-place orders will be extended through May 31, 2020, as some restrictions are eased.

DUE TO THE SHELTER IN PLACE ORDERS, and consistent with Executive Order N29-20, this meeting will utilize video/teleconferencing only.

How to participate in Public Comment and/or to speak on an agenda item in the meeting:

Written comments will only be accepted via email to recreation@ci.richmond.ca.us by no later than 3 p.m. on the day of the scheduled meeting. The comments will be read at the top of the Public Comment portion of the agenda. Emails MUST contain in the subject line:

1. Public Comments
2. Public Comments agenda item #__ [include the agenda item number].

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 3 p.m. will not be read into the record. Email received after 3 p.m. will, however, be posted on-line following the meeting as part of the supplemental materials attached to the meeting minutes.

By Computer, Tablet, or Mobile Device:

Step 1: Tune in to the videoconference at the following link:

<https://zoom.us/j/99598896210?pwd=MEdpUWRjMG02bnI5MXlnb2xrQTloQT09>

Webinar ID: 995 9889 6210

Passcode: TASKFORCE

Step 2: 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 announced or as speakers are called upon at the start of each agenda item. Attendees will then have two (2) minutes to click the “**Raise Your Hand**” button at that time. Speakers will be called upon in the order they select the “Raise Your Hand” feature. When called upon, you will be unmuted. Speakers are allowed up to two (2) minutes on public comment and agenda items. After the allotted time, you will then be re-muted.

By Telephone:

Step 1:

Or iPhone one-tap :

US: +16699009128,,99598896210# or +12532158782,,99598896210#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656

Webinar ID: 995 9889 6210

Passcode: TASKFORCE

International numbers available: <https://zoom.us/j/99598896210>

Step 2: To comment by phone, you will be prompted to “Raise Your Hand” by pressing “*(star)9” to request to speak when Public Comment is being announced or as speakers are called upon at the start of each agenda item. Attendees will then have two (2) minutes to click the “**Raise Your Hand**” button at that time. Speakers will be called upon in the order they select the “Raise Your Hand” feature. When called upon, you will be unmuted. Speakers are allowed up to two (2) minute on public comment and agenda items. After the allotted time, you will then be re-muted.
<https://support.zoom.us/hc/en-us/articles/201362663-Joining-a-meeting-by-phone>

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 bruce_soublet@ci.richmond.ca.us or submitted by phone at (510) 620-6507. Requests will be granted whenever possible and resolved in favor of accessibility.

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:

<https://www.ci.richmond.ca.us/Archive.aspx?AMID=183>.

City of Richmond - Reimagining Public Safety Community Task Force
Meeting held via Zoom: https://richmond.granicus.com/ViewPublisher.php?view_id=38

MINUTES*
WEDNESDAY, JANUARY 26, 2021, 5:30 P.M.

**video recording and meeting transcript available*

I. CALL TO ORDER - ROLL CALL - AGENDA REVIEW

Meeting called to order by Chair Chacon at 5:32 P.M.

II. ROLL CALL

PRESENT*: H. Burks, M. Cantú, E. Chacon, L. Chacon, D. Gosney, R. Joseph, K. Kilian-Lobos, A. Lee, J. Lee
L. Mangels, M. Njissang, D. Small, J. Schlemmer, A. Soto, T. Walker, B. Therriault, L. Whitmore, B.K. Williams
ABSENT: D. Joseph

*A. Lee and L. Mangels arrived at 5:37 P.M. J. Lee arrived at 6:04 P.M. A. Soto at 6:20 P.M. J. Schlemmer at 6:23 P.M.

III. AGENDA REVIEW AND ADOPTION

Staff Liaison LaShonda White requested to move agenda item VIII-3 up after staff reports; Chair Chacon approved.

A motion was made to approve the agenda by D. Small; seconded by M. Cantú; approved by the following vote:
Ayes: H. Burks, M. Cantú, E. Chacon, L. Chacon, D. Gosney, R. Joseph, K. Kilian-Lobos, M. Njissang, D. Small, T. Walker, B. Therriault, L. Whitmore, B.K. Williams

Noes:

Abstentions:

Absent: D. Joseph, A. Lee, J. Lee, L. Mangels, J. Schlemmer, A. Soto

IV. MEETING PROCEDURES

V. MINUTES APPROVAL (CHAIR CHACON)

1. APPROVE the minutes of the December 8, 2021 special meeting of the Reimagining Public Safety Community Task Force

A motion was made to approve the December 8, 2021 meeting minutes by L. Whitmore; seconded by R. Joseph; approved by the following vote:

Ayes: H. Burks, M. Cantú, E. Chacon, L. Chacon, D. Gosney, R. Joseph, K. Kilian-Lobos, A. Lee, L. Mangels, M. Njissang, D. Small, T. Walker, B. Therriault, L. Whitmore, B.K. Williams

Noes:

Abstentions:

Absent: D. Joseph, J. Lee, J. Schlemmer, A. Soto

VI. PUBLIC COMMENT

1. An emailed public comment submitted by Cordell Hindler was read into the record (attached).
2. Chair Luis Chacon made remarks about the late Mike Parker and acknowledged his passing and power and hoped that his legacy will carry on through the work that they do.

VII. STAFF REPORTS

City of Richmond - Reimagining Public Safety Community Task Force

Meeting held via Zoom: https://richmond.granicus.com/ViewPublisher.php?view_id=38

1. Public Records Act Request Update

Staff Liaison LaShonda White presented this report and City Attorney Heather McLaughlin provided additional input. Liaison White reminded Task Force members that Bruce Soublet is still awaiting a response from several Task Force members to submit documentation that complies with the various Public Records Requests regarding any communication members had with Councilmembers and others by January 31, 2022. Discussion ensued.

Chair Small commented that she has sent numerous written requests to the City Attorney's Office regarding her concerns on the scope of the public records request being overly broad and personal and is awaiting an adequate response from the Office that will address her concerns. City Attorney Heather McLaughlin confirmed receiving the request and shared that it is typical City protocol to ask the the requestor to narrow down the scope but are not always successful. McLaughlin asked Task Force members still pending responses to send records that they believe are responsive and not overly broad per the records request at that point in time. She further stated that it can become a rolling release of the records and that she will check in with City Attorney Bruce Soublet regarding the letters and concerns. L. Mangels stated she had not complied with the request due to outstanding questions not being addressed. D. Small cited California case law stating that records that are part of deliberative process are not subject to the PRA and expressed concerned that much of the material requested falls outside of this scope and noted these concerns in her two letters sent to City Attorney Bruce Soublet in November and December 2021. She further expressed that Task Force members were not told they were subject to the Public Records Act when they first joined. D. Gosney agreed that separate emails would be beneficial for communication. B. Therriault suggested to do redactions and D. Gosney stated it should be done by City staff and McLaughlin agreed. She requested separate emails for Task Force members for Task Force business. Liaison White noted that due to the concerns to be addressed, the deadline of January 31, 2022, is no longer active and that the rolling release of the records will be best moving forward.

2. Task Force Meeting Attendance Report

Staff Liaison LaShonda White presented this report and reminded Task Force members about the attendance and excused absences policy in the City of Richmond Commission Handbook. Discussion ensued to clarify procedures, timing, and absences.

Public Comment:

1. Sara Cantor asked staff regarding the actual consequences of not complying with the Public Records Request.
2. Carole Johnson asked why we cannot see all of the Task Force members on camera and compared it with another public commission.
3. Adey Teshager commented on City Attorney Heather McLaughlin's comments regarding arrests and imprisonment and that it was a triggering comment.

VIII. PRESENTATIONS, DISCUSSIONS, & ACTION ITEMS

1. ELECTION of Chair

Chair L. Chacon announced that he is stepping down as Chair and will also step back from the Implementation subcommittee. Chair Chacon opened the floor for nominations. Discussion ensued.

A. Lee nominated D. Small; seconded by M. Cantú; D. Small accepted the nomination.

A substitution motion was made to keep nominations open by H. Burks; seconded by D. Gosney; approved by the following vote:

Ayes: H. Burks, M. Cantú, E. Chacon, L. Chacon, D. Gosney, R. Joseph, K. Kilian-Lobos, A. Lee, J. Lee, L. Mangels, M. Njissang, J. Schlemmer, D. Small, B. Therriault, L. Whitmore, B.K. Williams

Noes: A. Soto, T. Walker

City of Richmond - Reimagining Public Safety Community Task Force

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Abstentions:

Absent: D. Joseph

B. Therriault nominated J. Schlemmer; seconded by L. Whitmore; J. Schlemmer accepted the nomination. Chair Chacon closed nominations and discussion ensued.

Public Comment:

1. Carole Johnson commented that Deborah Small would make a great chair.

The motion continued to nominate D. Small as Chair by A. Lee; seconded by M. Cantú; approved by the following vote:

Ayes: H. Burks, M. Cantú, E. Chacon, L. Chacon, R. Joseph, K. Kilian-Lobos, A. Lee, L. Mangels, M. Njissang, D. Small, A. Soto, T. Walker, B. Therriault, B.K. Williams

Noes: D. Gosney, J. Lee, J. Schlemmer, L. Whitmore

Abstentions:

Absent: D. Joseph

J. Schlemmer withdrew his nomination after the vote for D. Small as Chair.

2. APPROVE extending the public comment period to 2 minutes

Chair Chacon presented this item. Discussion ensued.

A motion was made to approve extending the public comment period to 2 minutes and follow City council protocol for public comment by R. Joseph; seconded by A. Soto; approved by the following vote:

Ayes: H. Burks, M. Cantú, E. Chacon, L. Chacon, D. Gosney, R. Joseph, K. Kilian-Lobos, A. Lee, J. Lee, L. Mangels, M. Njissang, J. Schlemmer, D. Small, A. Soto, T. Walker, B. Therriault, L. Whitmore, B.K. Williams

Noes:

Abstentions:

Absent: D. Joseph

Public Comment:

There were no public speakers.

3. DISCUSS future Task Force community meeting protocol regarding promoting members as panelists and recording of meetings

LaShonda provided a presentation on this agenda item in light of concerns brought up by a Task Force member at a recent Community Conversations meeting and clarified standard City protocol during public meetings. Discussion ensued.

VII. ADJOURNMENT

A motion was made to extend the meeting by 15 minutes by A. Soto; seconded by R. Joseph; failed by the following vote:

Ayes: M. Cantú, R. Joseph, A. Soto, T. Walker

Noes: L. Chacon, D. Gosney, K. Kilian-Lobos, A. Lee, J. Lee, M. Njissang, J. Schlemmer, D. Small, B. Therriault, L. Whitmore, B.K. Williams

Abstentions: H. Burks, E. Chacon, L. Mangels

Absent: D. Joseph

The meeting was adjourned at 7:28 P.M.



REIMAGINING PUBLIC SAFETY COMMUNITY TASK FORCE

DATE: April 27, 2022

TO: Members of the Reimagining Public Safety Community Task Force

FROM: LaShonda White, Interim Library and Community Services Director. Task Force Staff Liaison

SUBJECT: Implementation Updates for Unhoused Interventions and Community Crisis Response Program

STATEMENT OF THE ISSUE:

The Task Force will receive updates on the status of implementation of Unhoused Interventions and Community Crisis Response Program.

RECOMMENDED ACTION:

RECEIVE updates on the status of implementation for Unhoused Interventions and Community Crisis Response Program proposals and DISCUSS next steps

DISCUSSION:

City staff, consultants, and/or Task Force members that currently support the development and implementation of the Unhoused Interventions and/or Community Crisis Response Program programs will provide verbal updates. A high-level overview of both programs is included below:

Community Crisis Response Program (CCRP)

The proposed Community Crisis Response Program (CCRP) intends to provide a community response that is non-law enforcement to address non-violent/non-felony mental health crises in Richmond. The CCRP provides an opportunity to improve access to mental health and other community services in Richmond and seeks to provide a community-based crisis response that is efficient and effective for medically vulnerable and socially marginalized people in Richmond, most especially for people with mental illness, substance use disorders, or people in crisis who are experiencing homelessness and requiring community-based services.

The CCRP team developed a Request for Proposals to hire a consulting group to assist with CCRP development and implementation. The RFP was released on April 15, 2022, and is due on May 20, 2022. The consultant will support the team to determine the best path forward to ensure successful implementation of the program. In addition, the CCRP team recently

partnered with councilmembers Claudia Jimenez and Gayle McLaughlin to host the first in a series of 3 community roundtable discussions about the CCRP program.

Unhoused Interventions

The City Council approved a contract with Rebuilding Together East Bay-North (RTEN) on July 27, 2021 in an amount not to exceed \$983,975, for a term ending on June 30, 2022, for Safe Organized Spaces Richmond (SOS!) to provide outreach and support services to unsheltered people who reside in encampments and safe parking sites in the City. SOS serve all Richmond neighborhoods and SOS teams provide support surrounding Mobile Engagement (trash and outreach), Mobile Showers, Local Stewards, and RV Repair.



REIMAGINING PUBLIC SAFETY COMMUNITY TASK FORCE

DATE: April 27, 2022

TO: Members of the Reimagining Public Safety Community Task Force

FROM: LaShonda White, Interim Library and Community Services Director, Task Force Staff Liaison

SUBJECT: FY 2021-22 Task Force Budget Update

STATEMENT OF THE ISSUE:

City staff will present a FY 2021-22 budget update on the Reimagining Public Safety Implementation Subcommittee projects. Budget numbers show costs through April 15, 2022.

RECOMMENDED ACTION:

REVIEW and DISCUSS City of Richmond FY 2021-22 budget report and Task Force program expenditures to-date

DISCUSSION:

City staff will present a high-level summary of expenditures connected with the four (4) projects recommended for funding through the Task Force. The budget report was run through April 15, 2022, through MUNIS, the City's financial system. Below are items that are noteworthy:

- The total budget allocated by the City Council for the four (4) projects totaled \$6.8 million
- The term "Encumbrances" reflects us "holding" funds for a contract.
- Expenditures for the YouthWorks program are up-to-date through December 2021 and January 2022. Due to staffing issues, the actual expenditures have not yet hit MUNIS, but are in the process of being updated through April 2022.
- ONS and Community Crisis Response programs have no expenditures to-date; however, staff is working diligently to develop and implement the new programs and great progress is being made.



AGENDA REPORT

Finance Department

DATE:	March 22, 2022
TO:	Mayor Butt and Members of the City Council
FROM:	Shasa Curl, Interim City Manager Anil Comelo, Interim Deputy City Manager LaShonda White, Interim Director of Library and Community Services Belinda Brown, Director of Finance Mubeen Qader, Budget Administrator Antonio Bañuelos, Accounting Manager Patrick Seals, Associate Administrative Analyst
SUBJECT:	Mid-Year Report on Fiscal Year (FY) 2021-22 Operating and Capital Improvement Budgets
FINANCIAL IMPACT:	<p>The Fiscal Year 2021-22 General Fund (GF) operating budget was adopted on June 29, 2021, with revenue projections of \$188.5 million and expenditures authorized at \$187.8 million. For this mid-year budget review, staff is proposing budget adjustments that will increase the operating revenues to \$192.0 million and expenditures to \$195.1 million to correctly account for all prior approved expenditures, as well as new funding needs in departments. Together with the \$192.0 million in revenues and \$5.5 million in available set-asides (from FY2020-21), staff is currently projecting a \$2.4 million surplus.</p> <p>The attached resolution reflects changes to the General Fund operating budget and describes adjustments to the non-General Fund and Capital Improvement Plan budgets.</p>

PREVIOUS COUNCIL ACTION:	June 29, 2021, October 26, 2021, January 25, 2022, February 1, 2022, February 15, 2022, & March 1, 2022
STATEMENT OF THE ISSUE:	The mid-year budget update is an opportunity to look back at what has happened between July 1, 2021, and December 31, 2021, since the current budget was adopted. It provides the City Council and public a snapshot of the current fiscal year based on the most currently available revenues and expenditures. It also provides a limited forward-looking component updating the year-end projections should current estimates of the remaining six months prove to be accurate. Updating the current year budget provides staff a starting point from which to make future multi-year projections.
RECOMMENDED ACTION:	REVIEW the Fiscal Year 2021-2022 operating and capital improvement budgets at mid-year; and ADOPT a resolution approving the proposed Fiscal Year 2021-2022 budget adjustments – City Manager’s Office/Finance Department (Shasa Curl/Anil Comelo/LaShonda White – 510-620-6740).

DISCUSSION:

An important part of managing the City’s budget stability and performance is through the presentation of a mid-year budget review, which includes a financial forecast for the fiscal year. A mid-year budget review also allows the City to determine if adjustments to revenue projections are needed, whether planned expenditures should be modified, and/or if other changes should be made to effectuate policy direction from the City Council.

The City of Richmond’s Fiscal Year (FY) 2021-22 budget, as well as the City’s future fiscal sustainability, are impacted by local, national, and global events. Unfortunately, the COVID pandemic continues; staff turnover, retirements, and vacancy rates are higher than in previous years; inflation is rising at a high rate, and Russia’s invasion of Ukraine continues and appears to be destabilizing the global economy and exacerbating food shortages for products such as wheat. All these events, in addition to others, are considered by staff and influence the current and future year budgets. Moving forward, City finance staff will endeavor to include more comprehensive updates in the Monthly Financial Reports to City Council to clearly note any outliers and will mention how, if at all, local and global events are impacting current and future fiscal forecasts. During the budget development and analysis process, staff will adhere to the set of Guiding Fiscal Policies the City Council adopted on April 20, 2021. These policies were developed to guide and direct collaborative work on building a healthy, equitable, and sustainable budget for the City of Richmond.

Background

To clearly understand the mid-year budget, it is important to review previous City Council actions that impact the FY 2021-22 budget.

On June 29, 2021, the City Council adopted the annual operating budget for FY 2021-22 and the Capital Improvement Plan for FYs 2021-22 through 2025-26. The General Fund revenue projections were \$188.5 million, and expenditures were authorized at \$187.8 million. Staff also provided an estimated surplus balance of \$15.5 million from FY 2020-21, and the City Council approved the budget with the proposed use of set-asides (Table 4) in FY 2021-22, including \$3 million to write-off Richmond Housing Authority (RHA) liability.

On October 26, 2021, the City Council received an FY 2020-21 budget update and was informed that the estimated surplus balance increased from \$15.5 million to \$20.9 million. Staff proposed and City Council approved additional set-asides totaling \$5.4 million (Table 4). Included in these set-asides was an additional \$3.1 million to reduce RHA liability, thereby bringing the total amount available to reduce RHA liability to \$6.1 million.

In combination with the report by CVR Associates, Inc., which was presented at a Special Joint Meeting of the RHA Board and the Richmond City Council on April 27, 2021, and the completion of the FY 2020-21 Annual Financial Comprehensive Report (AFCR), it became clearer that RHA debts in the amount of \$10.4 million, which were noted as receivables on the City's balance sheet, would not be repaid. Based on the guidance from the City's Auditors, Badawi and Associates, and in compliance with the U.S. Housing and Urban Development (HUD), a repayment agreement was developed to ensure any remaining outstanding debt owed by RHA to the City would have a structure to be repaid.

On January 25, 2022, the City Council approved the RHA Mid-Year budget for FY2021-22 and authorized the repayment agreement between RHA and the City of Richmond.

On February 15, 2022, the City Council received the final adjustments proposed to close out FY 2020-21, which have historically taken place in consultation with the City's auditors at the end of December and are approved in January or February of the following year.

On March 1, 2022, the City Council received a Mid-Year update on FY 2021-22. Additional analysis was required to ensure City Council's policy direction sought in FY 2020-2021 and FY 2021-2022 was operationalized.

Although City Council approved proposed various uses for the \$20.9 million in excess revenue for FY 2021-22 expenditures, many of those items were not properly budgeted into MUNIS, the City's financial system. Therefore, staff is proposing to make all the previous City Council-approved adjustments as part of the FY 2021-22 Mid-Year budget updates outlined in the section "General Fund Expenditures Revisions." For example, there were inconsistencies in the staff report on June 29, 2021, and October 26, 2021, with regards to the amount of funds that would be available to reach the percentage of projected Reserves for FY 2021-22. The report lacked clarity pertaining to the reserve levels as it referenced both 14.3 percent and the

amount necessary to meet the goal of 15 percent based on the various set-asides approved.

This agenda report aims to provide clarity and transparency regarding budget-related actions required to operationalize several items noted during the June 29, 2021 and October 26, 2021, City Council meetings.

FY 2021-22 Mid-Year Budget Development

Finance staff worked with departments to identify additional cost reductions and efficiencies, review all revenue and expenditure line items, and on a monthly basis, compare actual results against budgeted expectations. At the mid-point of the fiscal year, staff conducts a detailed analysis to determine if the original budget is still viable, or if adjustments will be necessary. As of December 31, 2021, the expectation is that most budget categories will be at 50 percent, although this may fluctuate based on the timing of certain revenue receipts and expenditures. The mid-year budget, excluding one-time adjustments, serves as the revised baseline budget for the subsequent fiscal year and longer-term financial forecasts. Staff is requesting City Council adoption of a resolution approving the proposed Fiscal Year (FY) 2021-2022 mid-year budget adjustments (Attachment 1).

General Fund Revenue Revisions

On June 29, 2021, the City Council adopted the General Fund revenue budget totaling \$188.5 million. The revised General Fund revenue budget at the end of December 2021 totals \$192.0 million including adjustments. Staff is projecting an additional \$3.5 million in General Fund revenue based on adjustments as outlined below. Detailed information regarding revenue and expenditure changes can be found in Attachment 2 – Summary of Mid-Year Requests FY2021-2022 and Attachment 3 – General Fund Revenue Summary.

Property Tax – Decrease of \$2.2 million: In preparing the FY 2021-2022 budget, staff forecasted Assessed Valuation (AV) growth of 4 percent. This was based on the new value of properties sold during the last year, the Chevron Refinery AV staying flat, and all other properties going up by 2 percent. When the Equalized Roll, a listing published by Contra Costa County every July showing every property in Richmond with the updated valuation, was posted, the total AV for the City of Richmond had gone up by only 0.15 percent. This Assessed Valuation was much lower than forecasted. The main item causing this lower-than-expected growth was the Chevron refinery valuation decreasing from \$3 billion to \$2.7 billion. The County Assessor in response to staff's request for information explained that the Office uses the income method to determine the valuation of commercial properties. A copy of the County Assessor's letter is included as part of Attachment 13.

Sales Tax – Increase of \$1.9 million: This increase is based on updated estimates provided by Avenu, the City's sales tax consultants. This increase is in part due to the local economy being strong, bolstered by the big box stores including Costco, Target,

The Home Depot, and Wal-Mart.

Utility Users Tax (UUT) – Increase of \$1.1 million: UUT is an “excise” or usage tax imposed on a person or entity using utility services (i.e., electricity, gas, or communications). An increase of \$137,114 from Cable UUT, which is trending higher through the first five months, is adjusted accordingly. Additionally, the cap amount paid by Chevron is increasing by \$933,225. The UUT cap amount payment is based on the Consumer Price Index (CPI) for energy services in the San Francisco metropolitan area. The original forecast used a CPI of 3 percent; however, the actual CPI increased by 6.8 percent. Section 13.52.100 of the Richmond Municipal Code entitled Maximum Tax Payable allows taxpayers, such as Chevron, to opt into paying this cap amount rather than the 10 percent of the actual utility usage. As such, the City Council may want to revisit this matter in the near term. It is important to note that any changes to the UUT must be voter approved.

Other Taxes – Net Increase of \$2.68 million: Most of this increase is in the Documentary Transfer Tax revenue stream. The Documentary Transfer Tax adjustment is based on policy direction within the Guiding Fiscal Policies which includes a calculation based on the average amount of Transfer tax collected since the increase to the rate was approved by voters in 2018. Based on the average collected since January 2019, this yields an estimate of \$13.65 million, which is \$2.58 million more than the original budgeted amount.

Business Taxes – Decrease of \$1.6 million: This decrease stems from the business tax exemptions applied to rental properties that pay Rent Control fees. Additionally, a potential decrease of \$2 million was identified due to the implementation of Measure U being delayed from July 1, 2021, to January 1, 2022. As such, the total potential decrease to date is \$3.6 million. At this point, it is too early to tell if the \$2 million shortfall will come to fruition. The City Council has previously set aside \$2 million dollars to mitigate that possibility. Revenues for Business Taxes are still well below projections and staff will continue to monitor this revenue source and update the City Council on whether or not the approved \$2 million in set-asides for a potential shortfall will be needed.

Other Revenues (Includes Fines & Forfeitures, Use of Money & Property, Charges for Services, Other Revenues, Rental Income, Intergovernmental State Taxes & Grants, Loan & Bond Proceeds, and Operating Transfers In) – Net increase of \$1.7 million: Most of these adjustments generate from revenue received year-to-date that were either not expected or are exceeding projections. In some cases, these are one-time revenue increases and decreases that cannot be anticipated, or the amount received is deviating significantly from previous years.

- Decrease to Fines & Forfeitures of \$81,103 stemming from reduced ticketing by Parking Enforcement per initial City Council direction on January 19, 2021.
- Increase to Charges for Services of \$40,528 from False Alarm fees

reflecting registration of new alarm systems and the current increased volume of false alarms.

- Increase to Other Revenue of \$309,012 stemming primarily from one-time type payments including \$194,106 from PG&E for the Rebuilding Together program.
- Increase of \$27,878 to Intergovernmental State grants stemming from higher-than-expected State Mandated Claims reimbursements and other State grants.
- Increase of \$36,400 to Loan and Bond Proceeds stemming from the loan payoff of Community Development property.
- Increase of \$348,042 in Operating Transfers-In from the Pension Tax Override Fund since higher than expected property tax revenue was received in that Fund that exceeded corresponding current year expenses.
- Increase of \$1 million in developer reimbursements stemming from the Campus Bay litigation and Point Molate Community Facilities District formation.

Proposed General Fund revenue adjustments in the mid-year budget from July 1, 2021, are as follows and additional information is provided in Attachment 3.

Table 1: FY2021-22 General Fund Revenues

ACCOUNT DESCRIPTION	ADOPTED FY2021-22	PREVIOUS ADJUSTMENTS	REVISED FY2021-22	MID-YEAR ADJUSTMENTS	PROPOSED FY2021-22
PROPERTY TAXES	47,460,890	-	47,460,890	(2,227,329)	45,233,561
SALES & USE TAXES	50,060,211	-	50,060,211	1,933,525	51,993,736
UTILITY USERS TAXES	45,452,324	-	45,452,324	1,070,339	46,522,663
OTHER TAXES	18,269,102	-	18,269,102	2,684,241	20,953,343
LICENSES, PERMITS & FEES	11,806,326	-	11,806,326	(1,626,991)	10,179,335
FINES & FORFEITURES	550,000	-	550,000	(81,103)	468,897
USE OF MONEY & PROPERTY	236,079	-	236,079	-	236,079
CHARGES FOR SERVICES	3,383,931	-	3,383,931	40,528	3,424,459
OTHER REVENUES	158,977	-	158,977	1,314,950	1,473,927
RENTAL INCOME	733,206	-	733,206	14,062	747,268
INTERGOVT. STATE TAXES	90,000	-	90,000	-	90,000
INTERGOVT. STATE GRANTS	160,000	-	160,000	27,878	187,878
INTERGOVT. OTHER GRANTS	153,569	-	153,569	-	153,569
PROCEEDS: SALE of PROPERTY	100,000	-	100,000	-	100,000
LOAN & BOND PROCEEDS	-	-	-	36,400	36,400
OPERATING TRANSFERS – IN	9,856,182	-	9,856,182	348,042	10,204,224
GF REVENUE TOTAL	188,470,796	-	188,470,796	3,534,542	192,005,339

General Fund Expenditure Revisions

On June 29, 2021, the City Council adopted a General Fund expenditures budget totaling \$187.8 million. Since the beginning of the FY 2021-22 from July 2021 through December 2021, several budget adjustments have been processed, resulting in a net decrease in expenditures by approximately \$1.8 million. As of December 2021, the total General Fund authority is at \$186 million.

With mid-year adjustments, the proposed revised General Fund expenditure budget totals \$195.1 million. Detailed information regarding revenues and expenditures can be found in Attachment 2 – Summary of Mid-Year Requests FY 2021-2022. New adjustments requests totaling \$800,000 have been added since the March 1, 2022, City Council meeting. With these additions, total mid-year expenditure adjustments are approximately \$9.1 million, which brings the total proposed General Fund Expenditures from \$186 million to \$195.1 million. Mid-year adjustments outlined below and in Attachment 2 lists the proposed revenue and expenditure adjustments. The adjustments include appropriations of previously approved set-asides¹ (See Table 4) and new expenditures adjustments.

Salaries and Benefits – Increase of \$913,483: The main item impacting this increase is a request from the Fire Department for additional sworn overtime. This request is partially a result of staffing shortages due to COVID, injury leave, and to maintain constant minimum staffing of 8 fire companies costing an estimated \$4.3 million, a \$705,402 increase over the adopted FY2021-2022 budget. Minimum staffing is required per the labor agreement. This increase ultimately supports the full service and safe communities' strategic goal by providing fire and medical response and coverage to the community. Detailed information for each department can be found in Attachment 5 – Overtime Report.

Professional Services – Increase of \$2.5 million: The increase is due to changes to various contracts including the Classification and Compensation study, Community Benefits policy, finalization of Measure U implementation, bond counsel services, and various legal service agreements. It also includes an increase of \$1 million in expenditures stemming from the Campus Bay litigation that should be reimbursed, Point Molate Community Facilities District formation reimbursements, and \$300,000 for various studies.

Utilities – Increase of \$473,948: Most of the increase is needed to cover water expenses with \$410,000 of the increase due to the higher than budgeted water expenditures with East Bay Municipal Utility District (EBMUD).

Cost Pool – Increase of \$325,000: This amount will allow for the purchase of a street sweeper that was removed from the FY 2020-2021 equipment replacement budget.

¹ The term "set-aside" is defined in the section "Fund Balance Types Defined" on page 17.

Operating Transfer Out – Increase of \$4.9 million. The first three items listed below were previously approved by City Council but were not recorded accordingly. The following budget adjustments are needed to transfer funds to the correct accounts.

- \$1.98 million is being transferred from the General Fund to Employment & Training - YouthWORKS as part of the Reimagining Public Safety summer and year-round youth employment program.
- \$1.32 million is being transferred from the General Fund to Planning & Building as part of the Reimagining Public Safety unhoused intervention work.
- \$1.52 million is being transferred for Community Facility Improvements whose budget is currently in General Capital Fund.
- \$116,000 is made up by various smaller appropriations and adjustments.

Proposed General Fund expenditure adjustments from July 1, 2021, are as follows and in Attachment 6 General Fund Revenue and Expenditures.

Table 2: FY2021-22 General Fund Expenditures

ACCOUNT DESCRIPTION	ADOPTED FY2021-22	PREVIOUS ADJUSTMENTS	REVISED FY2021-22	MID-YEAR ADJUSTMENT	PROPOSED FY2021-22
SALARIES AND WAGES	75,424,602	5,382	75,429,983	913,483	76,343,466
PAYROLL COSTS & BENEFITS	62,145,202	-	62,145,202		62,145,202
PROF & ADMIN	11,201,880	1,602,379	12,804,259	2,466,000	15,270,259
OTHER OPERATING	10,680,893	(3,560,686)	7,120,207		7,120,207
UTILITIES	4,565,743	(6)	4,565,737	473,948	5,039,685
EQUIP. & CONTRACT SVCS	2,628,158	63,986	2,692,144		2,692,144
PROVISION FOR INS LOSS	25,725	87	25,812		25,812
COST POOL	14,130,436	-	14,130,436	325,000	14,455,436
ASSET/CAPITAL OUTLAY	1,602,890	1,333	1,604,223		1,604,223
DEBT SERVICE	1,065,359	-	1,065,359		1,065,359
A87 COST PLAN REIMBURSE	(3,516,104)	-	(3,516,104)		(3,516,104)
GRANT EXPENDITURES	2,500	80,000	82,500		82,500
OPERATING TRANSFERS	7,884,939	-	7,884,939	4,916,480	12,801,419
GF EXPENDITURE TOTAL	187,842,223	(1,807,525)	186,034,698	9,094,911	195,129,609

General Fund Revenues over Expenditures

Total General Fund Revenues are projected to be at \$192.0 million, which included several budget adjustments and the proposed mid-year adjustments. Revised expenditures are at \$195.1 million for the FY 2021-22. Together with the total revised

revenue of \$192.0 million and revised expenditures at \$195.1 million, there exists a gap of \$3,124,271. With the set-asides for FY 2021-22 of \$5.5 million, there is an anticipated year-end surplus of \$2,404,729 (Table 3). Departmental summaries of revenues and expenditures can be found in Attachment 6 – General Fund Revenues and Expenditures.

Table 3: FY2021-22 Revenue over Expenditures

ACCOUNT DESCRIPTION	ADOPTED FY2021-22	PREVIOUS ADJUSTMENTS	REVISED FY2021-22	MID-YEAR ADJUSTMENTS	PROPOSED FY2021-22
GF REVENUE TOTAL	188,470,796	-	188,470,796	3,534,542	192,005,339
GF EXPENDITURE TOTAL	187,842,223	(1,807,525)	186,034,698	9,094,911	195,129,609
Total	628,573	1,807,525	2,436,098	(5,560,369)	(3,124,271)
Set Asides from FY2020-2021					5,529,000
FINAL GENERAL FUND SURPLUS/(DEFICIT)					2,404,729

As part of the budget adoption on June 29, 2021, the City Council approved part of the surplus from FY 2020-2021 as set-asides to balance the FY 2021-22 budget. The set-asides were earmarked to fund: one-time payments for staff compensation, Community Facilities Improvements, and a portion of Reimagining Public Safety approved programs. Table 4, shown below, lists the various set-asides and their intended uses in FY 2020-21 and FY 2021-22.

Table 4: Approved Set-Asides from FY2020-21

Intended Uses of the Set-Asides from FY2020-21 Excess	Projected Jun. 29, 2021	Projected Oct. 26, 2021	FY 2020-21 Fiscal Close, Feb. 15, 2022	Set-Asides Available for FY21-22 Budget
Reimagining Public Safety	1,300,000	1,300,000	1,300,000	1,300,000 ²
Community Facility Improvements	1,700,000	1,700,000	1,700,000	1,700,000
Staff Compensation – One Time Payment	2,300,000	2,300,000	2,300,000	2,300,000 ³
Additional GF Expenditures		229,000	229,000	229,000
Set Asides to Balance FY2021-22 Budget	5,300,000	5,529,000	5,529,000	5,529,000
Attain 14.3% Reserve Level	4,219,567	4,219,567 ⁴	N/A	

² The total allocation for Reimagining Public Safety is \$6.3 million from various funding sources, including \$1.3 million coming from the General Fund.

³ Actual used for one-time compensation may be different than \$2.3 million.

⁴ Actual RHA liability written-off during the fiscal close was \$10,442,853, which was \$4,313,885 more than the set-aside of \$6,128,968.

Reduce RHA liability	3,000,000	6,128,968	10,442,853 ⁵	
Set aside for Reserves	3,000,000	3,000,000	2,938,811	
Set aside for possible Measure U shortfall		2,000,000	2,000,000	
Total Approved Uses:	15,519,567	20,877,535⁶	20,910,664	5,529,000

Personnel Authority (Position Count)

As part of the budget process, the City Council establishes the City's maximum full-time equivalent (FTE) personnel authority. However, the number of active employees changes day-to-day as employees leave and new employees are hired, resulting in a gap between the number of employees authorized (in FTE), and actual staffing levels achieved on any given day. The actual number of employees, or FTE position count as of December 31, 2021, was 579 full-time employees, 10 part-time employees with benefits, and 8 CalPERS annuitants⁷, totaling 597 active employees (Table 5). This number is in comparison to 706.1 authorized and budgeted positions. Not included in this amount are part-time employees without benefits. Many of these are seasonal positions that change often. As of December 31, 2021, the City employed 127 part-time staff without benefits.

Table 5: Active Full-Time Employees vs. Authorized Positions

Status	Active Employees as of 12/31/2021	Authorized & Proposed Budgeted FTE
Full-Time Employees	579	706.1 ⁸
Part-Time Employees with Benefits	10	0
Retired Annuitants (Part-Time without Benefits)	8	0
Total Active vs. Authorized Employees	597	706.1

At mid-year, total adjustments for salaries and benefits are approximately \$913,000. Overtime for the Richmond Fire Department is approximately \$705,000, and non-public safety adjustments are approximately \$208,000. Below is the list of the proposed position changes. In addition, a Senior Civil Engineer position was budgeted, but not included on the original position listing and is now included. The Multi-Year Position Listing details can be found in Attachment 7. Staff will continue to monitor total position

⁵ Set aside to attain 14.3 percent reserve level were used to write-off RHA liability.

⁶ The additional \$5,357,986 approved as set asides on October 26, 2021, included an additional \$3,128,968 for RHA, bringing the total set aside for RHA to \$6,128,968. Measure U Shortfall is \$2,000,000, and General Fund expenditures equates to \$229,000. The revised projected surplus increased from \$15,519,567 to \$20,877,535.

⁷ A "retired annuitant" is a CalPERS retiree who, without applying for reinstatement from retirement, returns to work with a CalPERS employer in a designated retired annuitant position; retired annuitants are part-time employees because the maximum number of hours they are permitted to work as per CalPERS stipulations is strictly capped at 960 hours per fiscal year.

⁸ Part-time employees with benefits are included in the total 706.1 number.

count and bring back a historical multi-year position count to the City Council for various considerations.

Table 6: Proposed Mid-Year 2021-22 Position Changes

Department	Mid-Year Position Changes	
	From	To
City Attorney	Reclass promotional from Executive Secretary II	Administrative Services Analyst
City Council	Promotion from Sr. Admin Analyst	Project Coordinator
City Manager and Public Works	Reallocate Community Engagement Manager	Deputy Public Works Director
Children & Youth	Promotion from Associate Admin Analyst	Sr. Management Analyst
Finance	Reclass from Accounting Manager	Deputy Finance Director
Finance	Reclass from Budget Analyst II	Accountant II
Community Services - Library	New	Librarian II
Community Services - Recreation	Reclass from Admin Aide	Assistant Admin Analyst
Community Services - Employment & Training	Reclass from Finance Manager	Sr. Accountant
Economic Development	Promotion from Associate Admin Analyst	Sr. Admin Analyst
Economic Development	Remove Management Analyst I	No position
Economic Development/RHA	Promotion from Management Analyst II	Partially fund Sr. Management Analyst (0.5)
RHA	Remove RHA Sr. Property Manager	Partially fund Sr. Management Analyst (0.5)

The position adjustments shown above and other items such as overtime and professional services for staffing needs are included in Attachment 2 – Summary of Mid-Year Budget Requests.

Richmond Housing Authority

FY 2021-2022 Mid-Year Budget

On January 25, 2022, The Richmond Housing Authority (RHA) mid-year budget adjustments were approved at a joint meeting of the Richmond Housing Authority and the Richmond City Council. The RHA requested mid-year adjustments to the FY 2021-2022 Operating Budget that included an increase of \$21,481 to revenues and a decrease of \$349,975 to expenditures. This created a reduction and savings to the General Fund’s subsidy of the RHA in the amount of \$371,456.

Repayment Agreement with the City of Richmond

February 28, 2021, CVR Associates, Inc. prepared and submitted to RHA, the City of Richmond, and HUD a report entitled “Report of Recommendations – Debts Owed Write Off/Repayment” addressing the scope of, and recommendations regarding, repayment of

funds advanced by the City for the benefit of RHA. Subsequently, at the joint meeting of the Richmond Housing Authority and the Richmond City Council on January 25, 2022, a repayment agreement was approved and authorized to be executed to facilitate the RHA repaying the City of Richmond \$531,473.

General Fund Reserve

As part of the FY 2021-22 budget adoption, the City Council approved a set-aside of \$4.2 million from the FY 2020-21 surplus for reserves. Based upon the expenditure amount of \$171.6 million and coupled with the previous year’s reserve of \$20.3 million, the reserves were estimated at 14.3 percent. During the last few months, staff determined (in consultation with the City’s Auditor), that the City would need to write-off as uncollectable a total of \$10.4 million from the Richmond Housing Authority. Therefore, instead of using a set-aside of \$4.2 million for reserves, the \$4.2 million was used to write off a portion of the RHA liability. This was required because once there is no mechanism to collect outstanding debt, those receivables must be removed from the City’s balance sheet to mitigate the City’s Auditors from making a qualified opinion. Typically, final adjustments to the budget take place in January or February and post to the previous June (year-end). In the future, if the City’s Auditor strongly encourages changes to set-asides or excess it will be brought to the City Council in advance for consideration. Per the Annual Comprehensive Financial Report (ACFR) for the year ending June 30, 2021, the Unassigned Fund Balance (reserves) was \$22.5 million. Based upon the Original Adopted FY 2021-22 General Fund Expenditures excluding Operating Transfers-Out, the reserve level was 12.5 percent. However, there was also an additional \$3 million that the City Council set aside for reserves on June 29, 2021. This amount is currently sitting in the Committed category of the fund balance and will be reclassified to the Reserve balance at the end of FY 2021-22. This thereby brings the City’s total reserves to \$25.5 million and approximately 14.16 percent at the end of FY 2021-22.

Non-General Funds Revisions

Staff is recommending increases in non-general fund revenue totaling \$24.8 million and expenditures totaling \$6 million. These adjustments are primarily due to appropriation of pass-through funding, appropriation of Fund Balance reserves for operating and capital improvement needs, and adjustments to impact fee revenue based on current receipts (See Attachments 2 and 8).

Table 7: Non-General Fund Adjustments

NON-GENERAL FUND	Revenue Adjustment	Expenditure Adjustment	Net Impact
Employment & Training	1,992,371	12,371	1,980,000
Equipment Services	355,000	175,000	180,000
Fire Impact Fee	27,634		27,634
General Capital	1,520,000	-2,384,726	3,904,726
Grants	161,707	62,888	98,819
Hilltop Landscape Maintenance District		47,000	-47,000

Housing Admin Prof Services		480,000	-480,000
Insurance Reserves	16,886,431	8,330,539	8,555,892
KCRT		35,999	-35,999
Library Impact Fee	36,302		36,302
Marina Bay Landscape & Lighting		47,000	-47,000
Non-Departmental	1,291,760	-521,142	1,812,902
Park Impact Fee	2,160		2,160
Parks Open Space Impact Fee	43,899		43,899
Planning & Building Cost Recovery	1,800,000		1,800,000
Police Impact Fee	152,496		152,496
Port	38	44,000	-43,962
Recreation Impact Fee	10,527		10,527
Stormwater Impact Fee	109,195		109,195
Traffic Impact Fee	227,990		227,990
Wastewater	325,313		325,313
Wastewater Impact Fee	173,118		173,118
Richmond Housing Authority	-349,975	-349,975	0
Total Non-General Fund Requests	24,765,966	5,978,954	18,787,012

Capital Improvement Plan Budget

The Capital Improvement Plan (CIP) is a five-year projection of the City's highest priority capital improvement projects. Currently, staff is recommending a few administrative adjustments to the CIP project budgets which equates to a total expenditure reduction of \$2.3 million. ARPA funding was budgeted twice, once in the General Capital Fund and again after a new fund was created specifically for ARPA. The reduction of \$2 million is needed to clear the duplicated budget (referenced in Table 7). Total revenue adjustments include year-to-date actual receipts in several Impact-Fee funds totaling \$794,442. The CIP documents provide an update and information on individual projects and their sources and uses of funding (See Attachments 9 and 10). The CIP is managed continuously by measuring progress and anticipating future needs, and the budget is adopted annually alongside the operating budget.

For FY2021-2022, expenditures budgeted in CIP funds total \$49.6 million. The major sources of funding for these projects are as follows:

State Gas Taxes, which are monies paid by taxpayers to the State under the provision of the Streets and Highway Code and distributed to local agencies for streets and road maintenance. The City's gas tax allocation increased by \$2.1 million to \$4.9 million due to Senate Bill 1 - the Road Repair and Accountability Act of 2017.

Notable projects are:

- Street paving program - \$2.5 million

- Cutting Blvd. and Harbour Way S. Bikeway - \$900,000

Measure C/J was established when the electorate of Contra Costa County passed Measure C approving the creation of the Contra Costa County Transportation Authority (Authority). The original half-cent transportation sales tax approved with Measure C was renewed by Measure J, effective April 1, 2009. The Authority collects one-half of one percent sales and use tax on taxable goods and services. 20 percent of this tax is allocated to the City of Richmond to be used for the improvement of local transportation, including streets and roads in accordance with Measure C and Measure J requirements.

Notable projects are:

- I-80 Central Interchange Phase II - \$2.3 million
- Americans with Disabilities Act (ADA) Miscellaneous Sidewalk Repairs - \$994,774

Detailed information on the Capital Budget can be found in Attachment 9 – Capital Improvement Projects

Loan Proceeds are used to fund large enterprise projects, mainly capital improvements in the Wastewater system. Notable projects are:

- Grit and Aeration Replacement - \$34 million

Grants that fund CIP projects are mostly awarded by state and local granting agencies. Notable projects are:

- Boorman Park Revitalization - \$3.9 million
- Carlson Crosstown Connections - \$421,268
- Greening the Yellow Brick Road - \$3.5 million
- Harbour 8 Park Expansion - \$7.4 million

Detailed information on the Grants Budget can be found in Attachment 10 – Grant Listings.

Other capital projects are funded by operating funds, including enterprise funds. For FY 2021-2022, these expenditures total \$71.1 million. On-going operations and maintenance costs of capital projects are budgeted in operating budgets. Major CIP Mid-year adjustments are listed below:

Table 8: Capital Improvement Project (CIP) Adjustments

CAPITAL PROJECTS	REVISED BUDGET FY2021-22	MID-YEAR ADJUSTMENTS FY2021-22	PROPOSED BUDGET FY2021-22
ARPA/MAIN LIBRARY	1,000,000	-500,000	500,000
ARPA/NEVIN CENTER	1,000,000	-500,000	500,000
ARPA/RECREATION CENTER	1,000,000	-500,000	500,000
ARPA/RICHMOND MUSEUM	1,000,000	-500,000	500,000
FIRE STATION 67 ROOF REPLACEMENT	14,726	-14,726	-
NEVIN COMMUNITY CENTER HVAC UPGRADE	370,000	-370,000	-
PORT REHAB/TERMINAL 2 IMPROVEMENTS	-	4,088	4,088
PPMT ELECTRICAL SYSTEM	90,000	-40,000	50,000
PPMT Fence Installation Project	-	44,000	44,000
PPMT GRAVING WATER LINE	145,000	-45,088	99,912
PPMT PAVEMENT REHAB	160,000	-100,000	60,000
PPMT TERMINAL 7 & 8 VENTRIFICATION	150,000	-67,000	83,000
TERMINAL 2 DREDGING	-	275,000	275,000
TERMINAL 2 MACHINE SHOP	30,000	-27,000	3,000
TOTAL	4,959,726	-2,340,726	2,619,000

American Rescue Plan Act (ARPA)

The City received a \$27.7 million ARPA allocation and received its first installment of \$13.9 million in August 2021. Per City Council approval, \$10.5 million of the \$27.7 million was allocated to the various projects listed in the chart below. Although only \$180,000 in ARPA funds have been spent and/or encumbered as of December 31, 2021, City staff are currently working to support the development, design, and/or implementation of all the projects. For example:

- Public Works staff is working on the design of heating, ventilation, and air conditioning (HVAC) systems at four (4) City facilities (Nevin Community Center, Recreation Complex, Richmond Museum, and Main Library).
- On February 15, 2022, the Community Development Department brought forth a contract with EdFund West to distribute funds via the Richmond Rapid Response Fund to support rent relief and direct disbursements for basic needs for Richmond residents.
- On February 15, 2022, the Community Services Department brought forth a contract with HR&A consulting firm to conduct a Community Needs Assessment and develop a strategic investment plan to support the distribution of remaining ARPA funds.
- The City Manager’s Office, Economic Development division is currently negotiating a contract with a consultant, which is budgeted at \$300,000, to develop a Workforce

Development Plan with a Green-Blue New Deal and Just Transition framework informed by a comprehensive community engagement process.

- Public Works and Community Services are moving forward with capital project related to the North Richmond Pump Station and Martin Luther King, Jr. Park projects, respectively.

Below is a summary of the approved projects related to ARPA and the year-to-date expenditures for each project. Detailed information on the ARPA Budget can be found in Attachment 12 – ARPA and Reimagining Public Safety.

Table 9: American Rescue Plan Act 2021

FY2021-22 through December 2021	BUDGET	ACTUAL	ENCUMBRANCES	REMAINING
ARPA REVENUE -TOTAL	\$27,740,723	\$13,870,362*	\$ -	\$13,870,361
ARPA EXPENDITURES				
MAIN LIBRARY - HVAC IMPROVEMENTS	\$500,000	-	\$48,000	\$452,000
NEVIN COMMUNITY CENTER - HVAC IMPROVEMENTS	\$500,000	\$10,250	\$39,750	\$450,000
RECREATION COMPLEX - HVAC IMPROVEMENTS	\$500,000	\$9,750	\$39,250	\$451,000
RICHMOND MUSEUM - HVAC IMPROVEMENTS	\$500,000	-	\$32,600	\$467,400
COMMUNITY BEAUTIFICATION	\$1,000,000	-	-	\$1,000,000
COMMUNITY NEEDS ASSESSMENT	\$250,000	-	-	\$250,000
ENVIRONMENTAL PLANNING CONSULTANT	\$300,000	-	-	\$300,000
HOUSING & DEVELOPMENT INITIATIVES/RICHMOND RAPID RESPONSE FUND	\$1,000,000	-	-	\$1,000,000
FY2020-2021 REVENUE RECOVERY APPLIED TO BALANCE FY2021-2022 GENERAL FUND BUDGET	\$4,000,000	-	-	\$4,000,000
NORTH RICHMOND PUMP STATION	\$1,800,000	-	-	\$1,800,000
MLK PARK TURF FIELD	\$150,000	-	-	\$150,000
Total - ARPA FY2021-2022	\$10,500,000	\$20,000	\$159,600	\$10,320,400
REMAINING ARPA ALLOCATION	\$17,240,723			

* Additional \$7,487.59 received in interest through December 2021

Reimagining Public Safety Community Task Force

In June 2021, the City Council approved the recommendations of the Reimagining Public Safety Community Task Force, which included an allocation of \$6.38 million for the four (4) interventions listed below. As with ARPA, the year-to-date expenditures have been low through December 2021, but City staff are working diligently to implement all programs.

Detailed information on the interventions can be found in Attachment 12 – ARPA and Reimagining Public Safety.

Table 10: Reimagining Public Safety FY2021-21 Budget

FY2021-22 through December 2021	<u>BUDGET</u>	<u>ACTUAL</u>	<u>ENCUMBRANCES</u>	<u>REMAINING</u>
YouthWORKS	\$1,980,000	\$352,026	-	\$1,627,974
Office of Neighborhood Safety (ONS)	\$1,600,000	-	-	\$1,600,000
UNHOUSED INTERVENTION	\$1,800,000	-	\$983,975	\$816,025
COMMUNITY CRISIS RESPONSE	\$1,000,000	-	-	\$1,000,000
Total - Reimagining Public Safety FY2021-2022 Expenditures	\$6,380,000	\$352,026	\$983,975	\$5,043,999

Fund Balance Types Defined

At the City Council Meeting on March 1, 2022, Staff was directed to provide clarity on various segments of fund balance to establish understanding on Reserve versus Set Aside. In the City of Richmond’s FY 2021-22 budget context, “Surplus” or “Excess” is the difference between revenues exceeding expenditures for FY 2020-21 and allocated for other uses per City Council direction for FY 2021-22. The “Reserve” is a component of the Unassigned Fund Balance (not appropriated for any use or purpose). The text below further explains different categories of fund balances.

Governmental Accounting Standards Board (GASB) statement number 54 categorizes general fund balances by their degree of accessibility. The GASB categorizes fund balances by the five (5) categories below:

- **Non-spendable**: Amounts that cannot be spent because they are either (a) not in a spendable form or (b) legally or contractually required to be maintained intact. The non-spendable form criterion includes items that are not expected to be converted to cash, for example, inventories and prepaid amounts.
- **Restricted**: Funds whose use is constrained by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments; or by law through constitutional provisions or enabling legislation.
- **Committed (Set Aside)**: Amounts that can only be used for specific purposes pursuant to constraints imposed by formal action of the government’s highest level of decision-making authority.
- **Assigned**: Amounts that are constrained by the government’s intent to use them for specific purposes but are neither restricted nor committed.
- **Unassigned (Reserve)**: A fund balance that has not been assigned to other funds and that has not been restricted, committed, or assigned to specific purposes within the general fund.

Next Steps

City staff members will continue to monitor both current year revenues and expenditures and report monthly to City Council with updates. The goal remains to have a structurally balanced budget and long-term fiscal sustainability for the City of Richmond as the City Council adopted in the Guiding Fiscal Policies on April 20, 2021. Some of the priorities to achieve long-term fiscal sustainability are addressing pension obligation bonds, funding and implementing class and compensation study, monitoring Measure U revenue, considering additional revenue enhancements, increasing the City Reserves to 15 percent, and considering revising Cash Reserve Policy.

DOCUMENTS ATTACHED:

- Attachment 1 – Mid-Year Budget Resolution
- Attachment 2 – Summary of Mid-Year Budget Requests
- Attachment 3 – General Fund Revenue Summary
- Attachment 4 – General Fund Summary of Revenue and Expenditures
- Attachment 5 – Overtime Report
- Attachment 6 – General Fund Revenues and Expenditures
- Attachment 7 – Multi-Year Position Listing
- Attachment 8 – Non-General Fund Revenues and Expenditures
- Attachment 9 – Capital Improvement Projects
- Attachment 10 – Grants Listing
- Attachment 11 – Mid-Year Presentation
- Attachment 12 – American Rescue Plan and Reimagining Public Safety Task Force FY2021-2022 Budgets
- Attachment 13 – City Council Questions and Draft Responses: March 1, 2022, City Council Meeting



REIMAGINING PUBLIC SAFETY COMMUNITY TASK FORCE

DATE: April 27, 2022

TO: Members of the Reimagining Public Safety Community Task Force

FROM: LaShonda White, Interim Director of Library and Community Services, Task Force Staff Liaison

SUBJECT: May and June 2022 Task Force Meeting Schedule

STATEMENT OF THE ISSUE:

Chair Small requested an agenda item to discuss the Task Force meeting schedule for May and June 2022.

RECOMMENDED ACTION:

REVIEW, DISCUSS, and APPROVE the Task Force meeting schedule for May and June 2022

DISCUSSION:

In an effort to allow the full Task Force to have additional time to discuss important items such as but not limited to budget, program implementation, etc., the Chair requested an item to discuss the potential to add additional meetings to the schedule in May and June 2022. These meetings would be in addition to the regular meetings scheduled on the 4th Wednesdays of the month in May and June 2022.



REIMAGINING PUBLIC SAFETY COMMUNITY TASK FORCE

DATE: April 27, 2022

TO: Members of the Reimagining Public Safety Community Task Force

FROM: LaShonda White, Interim Director of Library and Community Services, Task Force Staff Liaison

SUBJECT: City Council Presentation Schedule

STATEMENT OF THE ISSUE:

The Task Force will discuss the structure and presenters for future presentations to City Council.

RECOMMENDED ACTION:

REVIEW and DISCUSS the Task Force presentation schedule to City Council

DISCUSSION:

In the past, the Implementation Subcommittee of the Task Force has made 10-15 minute presentations to City Council during their 2nd regular meeting of the month. The last presentation was made by Chair Small on Tuesday, April 19, 2022. Based on staff's understanding, future presentations to City Council will be made on behalf of the full Task Force and therefore, the structure and presenters for future presentations need to be determined.



REIMAGINING PUBLIC SAFETY COMMUNITY TASK FORCE

DATE: April 27, 2022

TO: Members of the Reimagining Public Safety Community Task Force

FROM: LaShonda White, Interim Director of Library and Community Services, Task Force Staff Liaison

SUBJECT: Status of Task Force Working Groups

STATEMENT OF THE ISSUE:

The Reimagining Public Safety Community Task Force will discuss working group structure and membership.

RECOMMENDED ACTION:

REVIEW, DISCUSS, and APPROVE the Task Force working group structure and membership for the next six months

DISCUSSION:

Based on current staff knowledge, the table below lists the four (4) initial working groups established as part of Task Force and includes known task force members that were/are participants. During the April 13, 2022, special Task Force meeting, a discussion ensued regarding the future structure and membership of working groups; however, there was a desire to continue the discussion and make decisions at the April 27, 2022, regular meeting. The results of the discussion, in addition to other factors (i.e. number of members, duration of subcommittee, tasks/focus, etc.), will help the City Attorney's Office determine if any of the working groups are subject to the Brown Act.

<u>Previous Working Groups</u>	<u>Task Force Members (# of members)</u>
1. Smart Budget and Resource Allocation - Focus on budgetary and other resource allocation issues including support for programs such as ONS & Ceasefire, and creating synergy between law enforcement and human services resources.	Cantu, Schlemmer, Small, Soto (4)
2. Accountability as Safety - this group would focus on RPD staffing, training, basic processes for departmental accountability including complaints and misconduct.	Burks, Joseph R., Lee J., Mangels, Schlemmer, Small, Therriault, Walker, Whitmore (9)
3. Health & Safety - areas of focus, mental and behavioral health, substance abuse, homelessness with an emphasis on public health-oriented approaches that alternatives to traditional law enforcement	Chacon L., Joseph D., Killian-Lobos, Njissang (4)
4. Community Based Solutions - this subgroup would focus on alternatives to policing for common problems and areas where we need to meet people's needs - e.g. mutual aid, housing counseling and assistance, immigration issues, interpersonal disputes, family reconciliation, and other issues that people often turn to police to address that could be better resolved using community solutions.	Chacon E., Chacon L., Joseph R., Lee A., Walker, Williams (6)



REIMAGINING PUBLIC SAFETY COMMUNITY TASK FORCE

DATE: April 27, 2022

TO: Members of the Reimagining Public Safety Community Task Force

FROM: LaShonda White, Interim Director of Library and Community Services, Task Force Staff Liaison

SUBJECT: Creation of Task Force Bylaws

STATEMENT OF THE ISSUE:

The Task Force will discuss and provide feedback on the draft Task Force bylaws.

RECOMMENDED ACTION:

REVIEW feedback on proposed Task Force bylaws and DISCUSS next steps

DISCUSSION:

The City of Richmond Boards and Commission Handbook ([Handbook](#)) was approved by City Council and contains guidelines and instructions for all City of Richmond Boards and Commission. Members will discuss the potential of creating specific bylaws for the Task Force, which will not be in conflict with information included in the Handbook, but will provide greater clarity where needed.

Chair Small developed draft bylaws for review and consideration by the full Task Force during the March 23, 2022 regular meeting. Task Force members were subsequently provided an opportunity to review and recommend revisions to the draft bylaws prior to the April 27, 2022 regular meeting. The draft bylaws as well as the feedback received are being presented for further discussion before revisions are incorporated and submitted to the City Attorney's Office for final review and approval. Final bylaws will be brought back before the Task Force at a subsequent meeting for adoption.

ATTACHMENTS:

- Draft Reimagining Public Safety Community Task Force Bylaws
- Feedback on Draft Bylaws

**RICHMOND REIMAGINING PUBLIC SAFETY
COMMUNITY TASK FORCE
By-Laws**

ARTICLE I. NAME, PURPOSE, FUNCTION

Section 1. *NAME:* The name of this committee shall be the Richmond Reimagining Public Safety Community Task Force (hereinafter “Task Force”).

Section 2. *PURPOSE:* A joint, community-led task force charged with examining the public safety needs of Richmond residents and communities. Providing recommendations for alternatives to policing and enforcement to reduce conflict, harm, and institutionalization, introduce restorative and transformative justice models, and reduce or eliminate use of fines and incarceration. Develop options to reduce police contacts, stops, arrests, tickets, fines and incarceration and replace these, to the greatest extent possible, with educational, community serving, restorative and other positive programs, policies and systems.

Section 3. *FUNCTIONS:* The duties of the task force are as follows:

Conduct comprehensive reviews of existing institutional and community-based public safety and health resources. Identify community safety needs that are not currently being served and provide recommendations for how to add new resources to fill these gaps;

Conduct listening sessions to ascertain community needs as well as public meetings to discuss community concerns about public safety; gather information and educate the public about existing resources;

Provide regular reports on action steps and deliverables to all relevant governing bodies.

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Evaluate and make recommendations for the implementation of, or improvements to current and proposed programs that impact public safety to the Richmond City Council.

ARTICLE II. MEMBERSHIP

- Section 1. *MEMBERSHIP.* The Task Force is comprised of 21 members who represent the Richmond community. The Mayor and City Council members each nominated three individuals to be members of the Task Force for a total of twenty-one, which were subsequently approved by the City Council. Current members shall be listed in the written minutes of each meeting.
- Section 2. *VACANCIES.* It was determined that it is within the charter-appointed duties of the Mayor to nominate candidates for appointment to the task force, as is done for the city's boards and commissions. Mayor Butt has reasserted his right to fill vacancies that may occur with approval of the City Council.
- Section 3. *CHAIR & VICE-CHAIR.* The Task Force will elect a chair and vice-chair from the 21 members. The Chair will work with City Staff to develop Task Force agendas, review minutes and facilitate meetings. In the absence of the Chair, the Vice-Chair will assume these accountabilities. The Task Force will elect a Chair and Vice Chair annually until its termination.
- Section 4. *ATTENDANCE.* Members are required to attend all Task Force regular meetings unless excused by the Chair for good reason. Three unexcused absences are grounds for removal. The list of attendees will be recorded as part of the minutes of each meeting. Any member in violation of the attendance policy shall be sent a letter informing them of their automatic removal.

ARTICLE III. MEETINGS

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- Section 1. *Quorum.* A quorum of fifty (50) percent plus one of the Task Force twenty-one (21) members must be present at any regular or specially scheduled meeting in order for the Task Force to engage in formal decision-making. A quorum is defined as more than one-half of the total membership, including vacant seats.
- Section 2. *Proceedings.* Task Force meetings shall be open to the public, in full accordance of the Brown Act. Audio recordings will be kept for all meetings and will be posted on the Task Force website in accordance with the Brown Act and will be a public document.
- Section 3. *Parliamentary Procedure.* Rosenberg's Rules of Order, as published by the League of California Cities, shall be the parliamentary rules of order for Task Force meetings.
- Section 4. *Regular Meetings.* Task Force meetings will occur once a month at a time and place to be determined by the Task Force members. The Task Force may hold meetings more frequently if necessary. Any change in the regular meeting schedule shall be announced at least seventy-two (72) hours in advance.
- Section 5. *Order of Business.* Unless changed as determined by a majority vote of the Task Force, the order of business of any Regular meeting shall be as follows:
1. Roll call
 2. Approval of the Minutes
 3. Open Public Comment (for items relevant to the Task Force, but not on the agenda).
 4. Consideration of Task Force Business/Action Items.
(Public comment specific to each business/action item shall be requested prior to any action being taken on the item.)
 5. New Business (No action if not on agenda.)
 6. Adjournment
- Section 7. *Notice.* Written notice of the time and place of every full Task Force meeting shall be given to members of the Task Force and

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the public at least 72 hours before the time of such meeting, in accordance with the Brown Act.

- Section 8. *Special Meetings.* Special Meetings may be called and scheduled by the Chair or, by seven or more members. The agenda, place and time of such meetings shall be set forth in the meeting notice, at least twenty-four (24) hours before the time of such meeting in accordance with the Brown Act.

ARTICLE IV. VOTING

- Section 1. *Voting.* While the Task Force strives to achieve consensus, the affirmative vote of a majority of the members present shall be required for the approval of any matter. Votes will be taken by roll call vote, and detailed in the minutes.

- Section 2. *Absentee Votes.* Absentee votes shall not be permitted.

ARTICLE V. SUBCOMMITTEES

- Section 1. *Subcommittee Structure.* The Task Force may create working groups and sub-committees as deemed necessary, by a majority vote of the Task Force.

- Section 2. *Committee Membership.* Membership of working groups and subcommittees shall be made up of members of the Task Force.

- Section 3. *Advisory Committees.* Task Force members may create Advisory Committees to support specific working groups or subcommittees. Advisory committee members may include city staff, organizational stakeholders and such other experts as appropriate and/or necessary. No subcommittee, working group or advisory committee may make decisions or act on behalf of the Task Force, except as authorized.

ARTICLE VI. TERMINATION

Section 1. It is anticipated that the Task Force shall complete its mission by the close of FY2024. However, this work is critically important and should be completed with due care and all needed time and attention. In light of that, if at the end of that time, the Task Force has not fully completed its work, the Task Force may by two-thirds vote of the membership add six months to its period of work with approval by City Council.

ARTICLE VII. NON-PARTISAN/NON-DISCRIMINATORY

Section 1. The Task Force shall be non-partisan, shall not support any political party or candidate for public office, and shall not take positions on matters of governmental policy or legislation, except for those relevant to its purposes. The Task Force shall not directly or indirectly participate or intervene in any political campaign on behalf of, or in opposition to, any candidate for public office.

Section 2. The Task Force shall not discriminate on the basis of race, sex, color, national origin, religion, gender, sexual orientation, age, gender identity or disability.

ARTICLE VIII. AMENDMENTS

Section 1. These by-laws may be amended at any regular meeting of the Task Force by a two-thirds vote of those members present, providing that a notice of the proposed amendment shall be distributed to all members at least ten days prior to the meeting.

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DON GOSNEY COMMENTS

COMMENT:

Since most of these by-laws are already included in the Brown Act, Rosenberg’s Rules of Order and the City’s Handbook of Committees and Commissions, how necessary is it for the Task Force to establish their own by-laws?

When this draft is discussed, the individual items of concern should be addressed seriatim and not as a group. Each item has its own merits (and flaws).

ARTICLE I. NAME, PURPOSE, FUNCTION

Section 1. *NAME:* The name of this committee shall be the Richmond Reimagining Public Safety Community Task Force (hereinafter “Task Force”).

Section 2. *PURPOSE:* A **joint [I-2(a)]**, community-led task force charged with examining the public safety needs of Richmond residents and **communities [I-2(b)]**. Providing recommendations for alternatives to policing and enforcement to reduce conflict, harm, and institutionalization, introduce restorative and transformative justice models, and **reduce or eliminate use of fines and incarceration [I-2(c)] [I-2(e)]**. Develop options to reduce police contacts, stops, arrests, tickets, fines and incarceration and replace these, to the greatest extent possible, with educational, community serving, restorative and other positive programs, policies and systems **[I-2-(d)]. [I-2(f)]**

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COMMENTS:

I-2(a) “Joint”? Who is the Task Force partnered with? His reference needs clarification.

I-2(b) What “communities”? This reference needs definition and explanation.

I-2(c) The Task Force’s scope seems to have been expanded beyond what the Council approved when the Task Force was created. The Task Force needs to revisit the very specific language used when the Council created the Task Force. If the Council specifically created the scope of the Task Force, does the Task Force have the authority to expand that scope? [Don Gosney will seek out he specific language and try to amend these comments to include that language.]

I-2(d) This task force is purely advisory and has no authority to take action on behalf of the City. The Task Force can make recommendations but the language here needs to be specific so there is no confusion or ambiguity as to the authority that the Task Force has.

I-2(e) Isn’t it the State that determines what is against the law and what the punishment for breaking those laws will be? Is it the intent of this Task Force to direct the Richmond Police Department about which laws they should not enforce or which persons they should give a pass to? Since sworn police officers take an oath to uphold the laws of California, does the Task Force have the authority to reprioritize which laws

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should be enforced? Does the Task Force have the authority to direct the judicial system which cases should be heard and the punishments meted out by the courts?

I-2(f) This reads like a list but its written as if the items are sentences. His section should be redrafted so it's either a list of items or the sentences are complete sentences and make sense.

Section 3. *FUNCTIONS:* The duties of the task force are as follows:

Conduct comprehensive reviews of existing institutional and community-based public safety and health resources. Identify community safety needs that are not currently being served and provide recommendations for how to add new resources to fill these gaps; **[I-3(a)]**

COMMENT:

I-3(a) Is it the responsibility of the Task Force to find new resources to fund the solutions to the “community needs” or should it be the responsibility of the elected City Council?

Conduct listening sessions to ascertain community needs as well as public meetings to discuss community concerns about public safety; gather information and educate the public about existing resources; **[I-3(b)]**

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COMMENT:

I-3(b) Include language that would require the Task Force to actually listen to members of the community at these “listening sessions”.

Provide regular reports on action steps and deliverables to all relevant governing bodies. [I-3(c)]

COMMENT:

I-3(c) Specify what governing bodies other than the City Council that this Task Force reports to.

Evaluate and make recommendations for the implementation of [I-3(d)] public safety to the Richmond City Council.

COMMENT:

I-3(d) Remove comma.

ARTICLE II. MEMBERSHIP

Section 1. *MEMBERSHIP.* The Task Force is comprised of 21 members who represent the Richmond community. The Mayor [II-1(a)] and City Council members each nominated three individuals to be members of the Task Force for a total of twenty-one, which were subsequently approved by the City Council. [II-1(b)] Current members shall be listed in the written minutes of each meeting. [II-1(c)]

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COMMENTS:

II-1(a) The Mayor is a member of the City Council so this reference should not make a distinction between the two elected offices.

II-1(b) Amend the second sentence to as follows so it reflects the policy of the Council: “Members of the Task Force are nominated by individual members of the City Council, appointed by the Mayor with the appointments approved by a majority of the Council.”

II-1(c) Maintain a current list of the Task Force members on the Task Force web site as well.

Section 2. *VACANCIES.* It was determined that it is within the charter-appointed duties [II-2(a)] of the Mayor to nominate candidates [II-2(b)] [II-2(c)] for appointment to the task force, as is done for the city’s [II-2(d)] boards and commissions. Mayor Butt has reasserted his right to fill vacancies that may occur with approval of the City Council.

COMMENTS:

II-2(a) This language suggests there was a question on who had the authority to appoint members to the Task Force, there was an investigation with a follow-up ruling—which was not the case. Remove this text.

II-2(b) The Mayor appoints people to the Task Force and these appointments must be approved by the Council.

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II-2(c) These are not candidates—they are applicants.

II-2(d) In cases like this where the reference is to the City of Richmond as opposed to a generic city, “City” is capitalized.

Section 3. *CHAIR & VICE-CHAIR.* The Task Force will elect a chair and vice-chair from the 21 members. The Chair will work with City Staff to develop Task Force agendas, review minutes and facilitate meetings. In the absence of the Chair, the Vice-Chair will assume these accountabilities. The Task Force will elect a Chair and Vice Chair annually until its termination. **[II-3(a)]**

COMMENT:

II-3(a) When will the elections be held?

Section 4. *ATTENDANCE.* Members are required to attend all Task Force regular meetings unless excused by the Chair for good reason. **[II-4(a)]** Three unexcused absences **[II-4(b)]** are grounds for removal. The list of attendees will be recorded as part of the minutes of each meeting. Any member in violation of the attendance policy shall be sent a letter informing them of their automatic removal. **[II-4(c)] [II-4(d)]**

COMMENTS:

II-4(a) What constitutes an excused/unexcused absence?

II-4(b) Three absences over what period?

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II-4(c) A letter should be sent out well in advance of any removal as well as notifying the Task Force member of the removal. The Task Force should find way of keeping people on the Task Force instead of giving the appearance of finding ways to remove them from this Task Force.

II-4(d) Why are Task Force members NOT required to attend special called meetings of the Task Force? Are these special called meets of less importance?

ARTICLE III. MEETINGS

Section 1. *Quorum.* A quorum of fifty (50) percent plus one of the Task Force Force's [III-1(a)] twenty-one (21) members must be present at any regular or specially scheduled meeting in order for the Task Force to engage in formal decision-making. A quorum is defined as more than one-half of the total membership, including vacant seats.

COMMENT:

III-1(a) Pluralize the word "Force".

Section 2. *Proceedings.* Task Force meetings shall be open to the public, in full accordance ~~of~~ with [III-2(a)] the Brown Act. Audio Audio and Video [III-2(b)] recordings will be kept for all meetings and will be posted on the Task Force website in accordance with the Brown Act [III-2(c)] and will be a public document.

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COMMENTS:

III-2(a) Replace “of” with “with:.”

III-2(b) Replace “Audio” with “Audio and video”.

III-2(c) Should the reference to The Brown Act be removed? Since the Brown Act was passed in 1953 it does not always keep up with the advancements of technology. Video recordings are the norm today but were not existent in 1953.

Section 3. *Parliamentary Procedure.* Rosenberg's Rules of Order, as published by the League of California Cities, shall be the parliamentary rules of order for Task Force meetings.

Section 4. *Regular Meetings.* Task Force meetings will occur once a month at a time and place to be determined by the Task Force members. The Task Force may hold meetings more frequently if necessary. Any change in the regular meeting schedule shall be announced at least seventy-two (72) hours in advance. **[III-4(a)]**

COMMENT:

III-4(a) Who has the authority to change the date and time of the meetings?

Section 5. *Order of Business.* Unless changed as determined by a majority vote of the Task Force, the order of business of any Regular meeting shall be as follows:

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1. Roll call
2. Approval of the Minutes
3. Open Public Comment (for items relevant to the Task Force, but not on the agenda).
4. Consideration of Task Force Business/Action Items. (Public comment specific to each business/action item shall be requested prior to any action being taken on the item.)
5. New Business (No action if not on agenda.)
6. Adjournment

Section 7. *Notice.* Written notice of the time and place of every full Task Force meeting shall be given to members of the Task Force and the public at least 72 hours before the time of such meeting, in accordance with the Brown Act. **[III-7(a)]**

COMMENT:

III-7(a) For more fluid flow, relocate the end of the paragraph to the beginning:

“In accordance with the Brown Act, written notice of the time and place of every full Task Force meeting shall be given to members of the Task Force and the public at least 72 hours before the time of such meeting.”

Section 8. *Special Meetings.* **[III-8(a)]** Special Meetings may be called and scheduled by the Chair or, by seven or more members. The agenda, place and time of such meetings shall be set forth in the meeting notice, at least twenty-four (24) hours before the

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time of such meeting in accordance with the Brown Act. [III-7(b)]

COMMENT:

III-8(A) What would be the basis of a Special Meeting? Normally a Special meeting is called when there is an item with critical timing involved. What kind of item covered by this Task Force might fall under that category?

III-8(b) When such a small group has the authority to call a special meeting with only 24 hours notice, this is ripe for the small group to hijack the Task Force and act on items possibly without a full representation of the Task Force. This Task Force is far from unanimous on the issues and this item comes across as if it were designed to circumvent the democratic purposes. What kind of emergency would require a Special Meeting with only 24 hours notice?

ARTICLE IV. VOTING

Section 1. *Voting.* While the Task Force strives to achieve consensus, the affirmative vote of a majority of the members present [IV-1(a)] shall be required for the approval of any matter. Votes will be taken by roll call vote, and detailed in the minutes.

COMMENT:

IV-1(a) Rosenberg's Rules call for a majority of possible members to approve any action—NOT just those present.

Section 2. *Absentee Votes.* Absentee votes shall not be permitted.

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ARTICLE V. SUBCOMMITTEES

Section 1. *Subcommittee Structure.* The Task Force may create working groups and sub-committees as deemed necessary, by a majority vote of the Task Force. [V-1(a)]

COMMENT:

V-1(a) For more fluid flow, relocate the end of the paragraph to the beginning:

“By a majority vote of the Task Force the Task Force may create working groups and sub-committees as deemed necessary.”

Section 2. *Committee Membership.* Membership of working groups and subcommittees shall be made up of members of the Task Force.

Advisory Committees. Task Force members [IV-2(a)] may create Advisory Committees to support specific working groups or subcommittees.

COMMENTS:

V-2(a) “Task Force members”? Is this ‘two or more’ Task Force members or a ‘majority’ of the Task Force members?

Section 3. Advisory committee members may include city staff, organizational stakeholders and such other experts as appropriate and/or necessary. No subcommittee, working

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group or advisory committee may make decisions or act on behalf of the Task Force, except as authorized. **[V-3(a)]**

COMMENT:

V-3(a) This sounds like individual Task Force members may be creating a Task Force within a Task Force—adding persons not appointed by the City Council.

ARTICLE VI. TERMINATION

Section 1.

It is anticipated that the Task Force shall complete its mission by the close of FY2024. However, this work is critically important and should be completed with due care and all needed time and attention. In light of that, if at the end of that time, the Task Force has not fully completed its work, the Task Force may by two-thirds vote of the membership add six months to its period of work with approval by City Council. **[VI-1(a)]**

COMMENT:

VI-1(a) **ONLY** the City Council can extend the life of the Task Force. Likewise, the Council may choose, at their convenience, to terminate the Task Force at any time deemed appropriate to their whims.

Suggest the replacement of this entire section with the following text:

“The City Council shall determine when the work of this Task Force has concluded and will have sole authority to either

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extend the duration of the Task Force or to terminate it's work.”

ARTICLE VII. NON-PARTISAN/NON-DISCRIMINATORY

Section 1. The Task Force shall be non-partisan, shall not support any political party or candidate for public office, and shall not take positions on matters of governmental policy or legislation, except for those relevant to its purposes. The Task Force shall not directly or indirectly participate or intervene in any political campaign on behalf of, or in opposition to, any candidate for public office.

Section 2. The Task Force shall not discriminate on the basis of race, sex, color, national origin, religion, gender, sexual orientation, age, gender identity or disability. **[VII-2(a)]**

COMMENT:

VII-2(a) This is meaningless as long as Task Force members feel and act contrary to these words. There have been numerous incidents of comments made that conflict with this section made towards Task Force members as well as staff. Task Force members have walked away from this Task Force because of the lack of civility and attitude towards persons who may have opposing opinions or the gender or color of their skin does not match what the preferences of other Task Force members. [See video of meeting of 02.23.22 where a Task Force member objected to the face of a White Man being seen on the screen.

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ARTICLE VIII. AMENDMENTS

Section 1. These by-laws may be amended at any regular meeting of the Task Force by a **two-thirds [VIII-1(a)]** vote of those members present, providing that a notice of the proposed amendment shall be distributed to all members at least ten days prior to the meeting.

COMMENT:

VIII 1(a) Normal procedure requires only a simple majority. Rosenberg's Rules allows for a supermajority to be required under specific situations but amending the By-Laws is not one of them. Getting 14 Task Force members to agree on a By-Law amendment is overly burdensome. This Article should revert to the standard of a simple majority for passage and it should follow the same rules for what constitutes a majority as any other vote as covered by Rosenberg's Rules.