



Agenda

MEETING(S) - (Meetings are virtual)

REGULAR RICHMOND CITY COUNCIL AGENDA

Tuesday, July 19, 2022, 5:00 p.m.

Community Services Building

440 Civic Center Plaza

Richmond, CA 94804

Members:

Thomas K. Butt, Mayor

Demnlus Johnson III, Councilmember at Large

Nathaniel Bates, Councilmember at Large

Claudia Jimenez, Councilmember District 6

Eduardo Martinez, Vice Mayor at Large

Melvin Willis, Councilmember District 1

Gayle McLaughlin, Councilmember District 5

Link to City Council Agendas/Packets

<http://www.ci.richmond.ca.us/4157/City-ofRichmond-Council-Meetings>

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CORONAVIRUS DISEASE (COVID-19) ADVISORY

PURSUANT to the Governor of the State of California's Assembly Bill 361 and in the interest of the public health and safety, attendance at the City of Richmond City Council meeting will be limited to Council members, essential City of Richmond staff, and members of the news media. Public comment will be confined to items appearing on the agenda and will be limited to the methods provided below.

How to watch the meeting from home:

1. KCRT – Comcast Channel 28 or AT&T Uverse Channel 99
2. Livestream online at <http://www.ci.richmond.ca.us/3178/KCRT-Live>

Public comment may be submitted by mail, eComment, email and/or Zoom video conference in the manner that follows, provided that no member of the public may submit more than one verbal comment per agenda item.

Via mail: received by 1:00 p.m. the day of the meeting, sent to 450 Civic Center Plaza, 3rd Floor, Office of the Clerk, Richmond, CA 94804.

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

Via email: to cityclerkdept@ci.richmond.ca.us by 1:00 p.m. the day of the meeting.

Emails **MUST** contain in the subject line 1) public comments – Open Session prior to Closed Session; 2) public comments – Open Forum; or 3) public comments agenda item # ___ [include the agenda item number]. **All such email with correctly labeled subject lines will be posted on-line and emailed to the City Council before the meeting is called to order. Email received after 1:00 p.m. will be posted on-line following the meeting as part of the supplemental materials attached to the meeting minutes.**

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

<https://zoom.us/j/99312205643?pwd=MDdqNnRmS2k4ZkRTOWhiUldQOUF1Zz09>

Passcode: ccmeeting

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

By Telephone: Dial (for higher quality, dial a number based on your current location): US: +1 669 900

6833 or +1 346 248 7799 or +1 253 215 8782 or +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592
Webinar ID: 993 1220 5643
International numbers available: <https://zoom.us/j/99312205643>

To comment by video conference: click on the Participants button at the bottom of your screen and select the “**Raise Your Hand**” button to request to speak when Public Comment is being asked for. **When called upon, press the unmute button. After the allotted time, you will then be re-muted. ****

To comment by phone: you will be prompted to “Raise Your Hand” by pressing “*9” to request to speak when Public Comment is asked for. **When called upon, you will be asked to unmuted by pressing *6.** After the allotted time, you will then be re-muted. Instructions of how to raise your hand by phone are available at:
[https://support.zoom.us/hc/en-us/articles/201362663 -Joining-a-meeting-by-phone.](https://support.zoom.us/hc/en-us/articles/201362663-Joining-a-meeting-by-phone) **

**The mayor will announce the agenda item number and open public comment when appropriate.

The City cannot guarantee that its network and/or the site will be uninterrupted. To ensure that the City Council receives your comments, you are strongly encouraged to submit your comments in writing in advance of the meeting.

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

Properly labeled public comments will be considered a public record, put into the official meeting record, available after the meeting as supplemental materials, and will be posted as an attachment to the meeting minutes when the minutes are posted: <http://www.ci.richmond.ca.us/Archive.aspx?AMID=31>.

Procedures for Removing Items from the Consent Calendar: Members of the public who request to remove an item from the consent calendar must first discuss the item with a staff member by phone or a back-and-forth email discussion, and state the name of the staff member when requesting removal of the item from the consent calendar **(by 2 p.m. the day of the meeting)**.

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

The Clerk’s Office must be informed of any requests to remove items from the Consent Calendar. Items removed from the Consent Calendar shall be placed at the end of the agenda for consideration.

Accessibility for Individuals with Disabilities: Upon request, the City will provide for written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services and sign language interpreters, to enable individuals with disabilities to participate in and provide comments at/related to public meetings. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, auxiliary aid, service or alternative format requested at least two days before the meeting. Requests should be emailed to

cityclerkdept@ci.richmond.ca.us or submitted by phone at 510-620-6513, ext. 9, or 510-620-6509. Requests made by mail to City Clerk's Office, City Council meeting, 450 Civic Center Plaza, Richmond, CA 94804 must be received at least two days before the meeting. Requests will be granted whenever possible and resolved in favor of accessibility.

Effect of Advisory on In-person public participation: During the pendency of Assembly Bill 361, the language in this Advisory portion of the agenda supersedes any language contemplating in-person public comment.

Disclaimer: The City Clerk's Office translates agendas to enhance public access. Translated agendas are provided as a courtesy and do not constitute legal notice of the meeting or items to be discussed. In case of discrepancy, the English agenda will prevail.

A. OPEN SESSION TO HEAR PUBLIC COMMENT BEFORE CLOSED SESSION

5:00 p.m.

B. ROLL CALL

C. CLOSED SESSION

C.1. LIABILITY CLAIMS (Government Code Section 54956.9)

- GEICO

C.2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (paragraph (1) of Subdivision [d] of Government Code Section 54956.9)

- City of Long Beach v. Monsanto Company et al.

C.3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (initiation of litigation pursuant to paragraph (4) of Subdivision (d) of Government Code Section 54956.9)

- Two potential cases:
 1. Monsanto
 2. Richmond Grown

C.4. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

- Agency Representatives: Jaclyn Gross, Sharrone Taylor, Teresa Fairbanks

Employee organizations:

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

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

- Title: City Attorney

D. PUBLIC COMMENT BEFORE CLOSED SESSION

E. ADJOURN TO CLOSED SESSION

F. SPECIAL MEETING OF THE RICHMOND HOUSING AUTHORITY

6:25 p.m.

G. ROLL CALL

H. PUBLIC COMMENT INSTRUCTIONAL VIDEO

I. STATEMENT OF CONFLICT OF INTEREST

J. REPORT FROM THE EXECUTIVE DIRECTOR

K. AGENDA REVIEW

L. HOUSING AUTHORITY CONSENT CALENDAR

L.1. Continued Use of Teleconferencing

13

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

L.2. Housing Authority Minutes

17

APPROVE the minutes of the regular June 7, 2022, Richmond Housing Authority meeting and the special June 21, 2022, Richmond Housing Authority/City Council joint meeting - City Clerk's Office (Pamela Christian 510-620-6513).

M. ADJOURNMENT

N. REGULAR MEETING OF THE RICHMOND CITY COUNCIL

6:30 p.m.

O. ROLL CALL

P. STATEMENT OF CONFLICT OF INTEREST

Q. AGENDA REVIEW

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

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

T. REPORT FROM THE REIMAGINING TASK FORCE - 3rd Tuesday (public comment allowed under Open Forum)

U. OPEN FORUM FOR PUBLIC COMMENT

V. CITY COUNCIL CONSENT CALENDAR

V.1. City Attorney's Office

V.1.a. Amendment of the Downey Brand Agreement

21

APPROVE a first amendment with Downey Brand in the amount of \$120,000, for a not to exceed total amount of \$160,000, for the Point Molate/Guidiville litigation – City Attorney's Office (Dave Aleshire 510-620-6509).

V.2. City Clerk's Office

V.2.a. Continued Use of Teleconferencing

51

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

V.2.b. City Council Minutes

55

APPROVE the minutes of the regular June 7, 21, and 28, 2022, City Council meetings and the special June 21, 2022, Richmond Housing Authority/City Council joint meeting - City Clerk's Office (Pamela Christian 510-620-6513).

V.3. City Council

V.3.a. Approval of the Agreement with Aleshire and Wynder for City Attorney Services

93

APPROVE a sole source legal services agreement with Aleshire and Wynder for City Attorney services, with an agreement term beginning July 1, 2022, with a quarterly cost of approximately \$400,000, and a total of \$1,600,000 per year; and APPOINT Dave Aleshire as City Attorney – Councilmembers Demnlus Johnson III (510-620-6861) and Gayle McLaughlin (510-620-6565), and Mayor Tom Butt (510-620-6503).

V.3.b.	Explore the feasibility of implementing additional farmers markets, food hubs, and/or Foodieland events on a reoccurring basis	123
	DIRECT staff to come back to the City Council in October of 2022 with a presentation that includes a menu of opportunities for the Council to examine for recurring open market food events in Richmond - Councilmember Gayle McLaughlin (510-620-6636).	
V.4.	City Manager's Office	
V.4.a.	Approve a Lease Amendment with Richmond Grown LLC	126
	APPROVE a lease agreement amendment with Richmond Grown, LLC. extending the term, modifying allowable uses, adding a sponsor program and modify sublease consent – City Manager's Office (Lizeht Zepeda /James Atencio 620-6504/620-6653).	
V.5.	Economic Development	
V.5.a.	Consultant Services for Solid Waste Franchise Agreement Analysis and Recommendations	237
	APPROVE a contract with R3 Consulting Group, Inc to provide analysis and recommendations regarding the City's Solid Waste Franchise Agreement, in the amount not to exceed \$136,735, with the contract term beginning July 20, 2022, and ending December 31, 2023 – City Manager's Office, Economic Development (Shasa Curl/Samantha Carr 510-620-5407).	
V.5.b.	Professional Services to Develop and Provide Economic Analyses on Real Property Negotiations	323
	APPROVE a second contract amendment with Land Econ Group in the amount of \$50,000, for a total contract amount not to exceed \$100,000, for professional services to develop and provide economic analyses on real property negotiations, for a term extending through June 30, 2024 – City Manager's Office, Economic Development (Shasa Curl/Shané Johnson 510-620-6512).	
V.6.	Finance Department	
V.6.a.	Investment and Cash Balance Report, and Monthly Overtime Reports for the Month of May 2022	355
	RECEIVE the City's Investment and Cash Balance Report and monthly Overtime Reports for the month of May 2022 – Finance Department (Delmy Cuellar 510-620-6740).	
V.6.b.	Funding Strategy for Pension and OPEB Liability through a 115 Trust	370
	APPROVE an agreement with PARS and the execution of all necessary agreements and plan documents associated with establishment of the new IRS approved PARS 115 Combination (OPEB & Pension) Trust – Finance Department (Anil Comelo 510-620-6600/Delmy Cuellar 510-620-6790).	

V.6.c.	Ordinance Allowing for the Credit of Rent Board Fees Paid by Landlords with Four or Fewer Rental Units Against the Gross Receipts Tax Obligation	408
	ADOPT an ordinance (second reading) allowing landlords with four or fewer residential units to credit their paid Rent Board fees against their gross receipts tax obligation – Finance Department (Delmy Cuellar 510-620-6740/ Antonio Banuelos 510-620-6741).	
V.7.	Library and Community Services	
V.7.a.	Resolution to Accept and Appropriate Grant Funds Received from Janet Johnson with Sistas On The Links Golf Club for Instructional Summer Youth Golf Program at the Martin Luther King, Jr. Softball Field	412
	ADOPT a resolution to ACCEPT and APPROPRIATE grant funds, in the amount of \$3,500 from Sistas On The Links Golf Club, to fund a summer youth golf program at Martin Luther King, Jr. Park – Library and Community Services (LaShonda White/Ranjana Maharaj/Tetteh Kisseh 510-620-6919).	
V.7.b.	Approve a Fee Waiver Policy and Partnership Policy	417
	APPROVE the City of Richmond’s fee waiver and partnership policies; and AUTHORIZE City staff to make administrative changes to both policies and corresponding applications, as necessary, to improve the successful implementation of both policies - Library and Community Services (LaShonda White/Ranjana Maharaj 510-620-6828).	
V.8.	Mayor's Office	
V.8.a.	Appointment(s) to the Economic Development Commission	447
	APPROVE appointment(s) to the Economic Development Commission: APPOINT Nicole Reams, new appointment, seat #8, term expiration date March 30, 2025 – Mayor’s Office (Mayor Tom Butt 510-620-6503).	
V.8.b.	Appointment(s) to the Reimagining Public Safety Task Force	450
	APPROVE appointment(s) to the Reimagining Public Safety Task Force: APPOINT Steve Bischoff, new appointment, term expiration date June 30, 2024 – Mayor’s Office (Mayor Tom Butt 510-620-6503).	

V.9.	Police Department	
V.9.a.	Approval of Agreement with Contra Costa County for Animal Services	452
	APPROVE a two-year contract with Contra Costa County for animal services, with automatic renewal for successive three-year periods until either party terminates the contract, with an amount not to exceed \$877,736 during Fiscal Year 2022-2023, and \$1,003,284 during Fiscal Year 2023-2024, with a term beginning July 1, 2022, and ending June 30, 2024 - Police Department (Acting Chief Louie Tirona 510-621-1802).	
V.9.b.	Contract with Bay Area Marine Services (BAMS)	469
	APPROVE a three-year contract with Bay Area Marine Services, in a total amount not to exceed \$50,000, for repairs and maintenance to Richmond Police Department's marine vessels, with a term beginning August 1, 2022, and ending July 31, 2025 – Police Department (Acting Chief Louie Tirona 510-621-1802).	
V.9.c.	Third contract amendment with Allied Universal Security to add services at Booker T. Anderson Community Center.	511
	APPROVE a third contract amendment with Allied Universal for additional security guard services at Booker T. Anderson Community Center to increase the contract amount by \$119,348.40, for a new total payment limit not to exceed \$1,183,698.40, with a term expiring on December 31, 2022 – Police Department (Acting Chief Louie Tirona 510-621-1802).	
V.10.	Public Works	
V.10.a.	Pogo Park Contract Amendment for Harbour 8 Park Expansion	569
	APPROVE a first contract amendment in the amount of \$5,370,000 with Pogo Park for the construction phase of the Harbour 8 Park expansion project, for a total contract amount not to exceed \$6,959,500, and a term extending through June 30, 2024 – Public Works Department (Joe Leach 510-620-5478/Greg Hardesty 510-620-6920).	
V.10.b.	Final Approval of the Local Roadway Safety Plan	647
	ADOPT a resolution approving the Local Roadway Safety Plan – Public Works Department (Joe Leach/Patrick Phelan 510-307-8111).	
V.10.c.	Resolution Accepting and Appropriating the Urban Flood Protection Grant Award	831
	ADOPT a Resolution Accepting and Appropriating the Urban Flood Protection Grant Award of \$1,598,844 for the Flood Risk Reduction in the Rheem Creek Watershed Project – Public Works Department (Joe Leach/Patrick Phelan 510-307-8111).	

V.10.d. **Sole Source Contract with American Rivers in an amount not to exceed \$300,500 for the Flood Risk Reduction in the Rheem Creek Watershed Project** 886

ADOPT a resolution to approve a sole-source professional services contract with American Rivers in an amount not to exceed \$300,500 for the grant-funded Flood Risk Reduction in the Rheem Creek Watershed Project – Public Works Department (Joe Leach/Patrick Phelan 510-307-8111).

W. PUBLIC HEARINGS

W.1. **Ballot Approval to Renew the Downtown Richmond Property and Business Improvement District** 959

ADOPT a resolution renewing the Downtown Richmond Property and Business Improvement District (DRPBID), approving the assessment formula, and levying the assessments – City Manager’s Office (Shasa Curl/Thomas Omolo/Lizeht Zepeda 510-620-6512). **This item was continued from the July 5, 2022, meeting.**

X. NEW BUSINESS

X.1. **Information Item on Issuance of Taxable Pension Refunding Bonds, Series 2022 ("2022 Refunding Bonds")** 1011

RECEIVE report, CONSIDER staff recommendations, and PROVIDE guidance on structuring the 2005 Pension Bond Refunding – Finance Department (Anil Comelo 510-620-6609/Delmy Cuellar 510-620-6790/Antonio Banuelos 510-620-6741).

X.2. **Rent Control Amendment for November 2022 Ballot** 1059

DIRECT staff to prepare a resolution for the July 26, 2022, City Council agenda to submit to the City of Richmond electorate at the general Municipal Election to be held on November 8, 2022, an initiative to adjust the maximum allowable rent increase on rent-controlled units to 60 percent of CPI or three (3) percent (whichever is lower) - Councilmember Gayle McLaughlin (510-620-6636).

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

Z. ADJOURNMENT