



Agenda

MEETING(S) ARE VIRTUAL

REGULAR RICHMOND CITY COUNCIL AGENDA

Tuesday, November 1, 2022, 4:30 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

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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/u/aehrwCglSx>

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.

Pages

A. OPEN SESSION TO HEAR PUBLIC COMMENT BEFORE CLOSED SESSION

4:30 p.m.

B. ROLL CALL

C. CLOSED SESSION

JOINT CITY COUNCIL AND RICHMOND HOUSING AUTHORITY

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

- Avalos v. City of Richmond

C.2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (initiation of litigation pursuant to paragraph (4) of Subdivision (d) of Government Code Section 54956.9)

- Two Cases

C.3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)

- Property: South 45th Street to the west, Wall Avenue to the south, Interstate 80 to the east, and the BART tracks to the north
Agency negotiators: Anita Luck, Lina Velasco, and Jesus Morales
Negotiating parties: Miraflores Community Devco, LLC
Under negotiation: Price and terms of payment
- Property: Nevin Plaza - 2400 Nevin Plaza
Agency negotiators: Shasa Curl and Nannette Beacham
Negotiating parties: EAH Housing
Under negotiations: Price and Terms of Payment

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

Agency Representatives: Sharrone Taylor and Jack Hughes

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

D. PUBLIC COMMENT BEFORE CLOSED SESSION

E. ADJOURN TO CLOSED SESSION

F. REGULAR MEETING OF THE RICHMOND CITY COUNCIL

6:30 p.m.

G. ROLL CALL

H. PUBLIC COMMENT INSTRUCTIONAL VIDEO

I. STATEMENT OF CONFLICT OF INTEREST

J. AGENDA REVIEW

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

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

M. ABATEMENT REPORT FROM THE PUBLIC WORKS DIRECTOR - 1st Tuesday (public comment allowed under Open Forum)

N. OPEN FORUM FOR PUBLIC COMMENT

O. CITY COUNCIL CONSENT CALENDAR

O.1. City Attorney's Office

O.1.a. Legal Services Agreement with Liebert Cassidy Whitmore Legal for Litigation Services 12

APPROVE a new agreement with the law firm of Liebert Cassidy Whitmore, in a total amount not to exceed \$225,000, for the continuation of litigation legal services, for a term of June 30, 2022, to June 30, 2023 – City Attorney's Office (Dave Aleshire/Heather McLaughlin 510-620-6509).

O.1.b. Legal Services Agreement for Labor Negotiations and Employment Advice and Representation with the Law Firm of Liebert Cassidy Whitmore 58

APPROVE a legal services agreement with the law firm of Liebert Cassidy Whitmore, for a total contract amount of \$165,000, for a term starting July 1, 2022, through June 30, 2023 – City Attorney's Office (Dave Aleshire 510-620-6509).

O.2. City Clerk's Office

O.2.a. City Council Meeting Minutes 129

APPROVE the minutes of the October 18, 2022, Regular City Council meeting - City Clerk's Office (Pamela Christian 510-620-6513).

O.3.	City Council	
O.3.a.	Audit of the Port of Richmond	141
	DIRECT staff to conduct a comprehensive audit of the Richmond Port that will provide a Comprehensive Assessment and integrate the development of the Blue-Green New Deal into the ongoing planning and operations of the Port of Richmond and return to the City Council in January 2023 - Councilmembers Claudia Jimenez (510-620-6565) and Gayle McLaughlin (510-620-6636).	
O.4.	Community Development	
O.4.a.	On-Call Financial and Economic Analyses Services	143
	ADOPT a resolution authorizing contracts for on-call financial and economic analyses services, for an amount not to exceed \$50,000 per vendor, including Land Econ Group, David Paul Rosen & Associates, and CSG Advisors, for a one-year term, November 1, 2022, through October 31, 2023, with an option to extend the contract term date for one year – Community Development Department (Lina Velasco/Jesus M. Morales 510-620-6706).	
O.4.b.	Terraces Subordination Agreement	249
	AUTHORIZE the city manager to execute the Subordination and Intercreditor Agreement by and between the City of Richmond, a California municipal corporation and Citibank, N.A. a national banking association, and acknowledged by Richmond Nevin Associates, a California limited partnership and make any changes to the Subordination and Intercreditor Agreement that may be needed – Community Development Department (Lina Velasco/Jesus Morales 510-620-6649).	
O.5.	Economic Development	
O.5.a.	Marina Lease Amendment and Assignment	289
	APPROVE an assignment of Marina Lease to Safe Harbors Marinas (SHM MBYH, LLC); and APPROVE an amended and restated Marina Lease between the City of Richmond and Safe Harbors Marinas (SHM MBYH, LLC) for the balance of the 55-year original lease term ending June 30, 2055 – City Manager’s Office (Craig Murray 510-307-8188).	
O.5.b.	Point Molate Monthly Report – September 2022	451
	RECEIVE the Point Molate September 2022 update report on maintenance, security, and park activities – City Manager’s Office (Craig Murray 510-307-8188).	

O.6.	Finance Department	
O.6.a.	Approval of Liens and Special Assessments for Unpaid Garbage Collection Service Fees Due to Republic Services	468
	ADOPT a resolution authorizing placement of liens and special assessments for unpaid garbage collection service fees on County property tax records – Finance Department (Delmy Cuellar 510-620-6790/Antonio Banuelos 510-620-6741).	
O.6.b.	Investment and Cash Balance Report, and Monthly Overtime Reports for the Month of September 2022	525
	RECEIVE the City’s Investment and Cash Balance Report and monthly Overtime Reports for the month of September 2022 – Finance Department (Delmy Cuellar 510-620-6790/Mubeen Qadar 510-412-2077).	
O.7.	Library and Community Services	
O.7.a.	State of California Department of Parks and Recreation Outdoor Equity Grant Program Funds for the Youth Outdoors Richmond Program	540
	ADOPT a resolution to ACCEPT and APPROPRIATE grant funds in the amount of \$700,000 from the State of California Department State of Parks and Recreation Outdoor Equity Grant Program Funds for the Youth Outdoors Richmond Program - Library and Community Services Department (LaShonda White/Jene Levine-Snipes 510-307-8132).	
O.7.b.	Authorize the Purchase of 35 Refurbished Laptops from Tech Exchange for Library Patron Use, in Partial Fulfillment of a Federal Communications Commission Emergency Connectivity Fund Award	545
	APPROVE the purchase of 35 Dell Latitude e5470 laptops from Tech Exchange, for a total purchase price of \$12,492.70 – Library and Community Services Department (Diana Lopez/Christopher Larsen 510-620-5524).	
O.8.	Mayor's Office	
O.8.a.	Support of Women’s Rights in Iran	551
	ADOPT a resolution firmly supporting the immediate release of all women’s rights defenders and prisoners of conscience in the Islamic Republic of Iran, condemning the brutal murder of Mahsa Amini, and asking for the immediate cessation of human rights abuses against the Iranian people - Mayor’s Office (Mayor Tom Butt 510-620-6503).	
O.8.b.	Extra Mile Day – November 1, 2022	555
	PROCLAMATION declaring November 1, 2022, as Extra Mile Day in the City of Richmond – Mayor’s Office (Mayor Tom Butt 510-620-6503).	

O.8.c.	Family Court Awareness Month – November 2022	558
	PROCLAMATION declaring November 2022 as Family Court Awareness Month in the City of Richmond – Mayor’s Office (Mayor Tom Butt 510-620-6503).	
O.8.d.	Design Review Board Appointment	561
	APPOINT Leah Marthinsen, Design Review Board, Seat #2, Unexpired Term Expires March 17, 2023 - Mayor’s Office (Mayor Tom Butt 510-620-6503).	
O.8.e.	Commission on Aging Reappointment	564
	REAPPOINT Naomi Williams, Commission on Aging, Seat #9, Term Expires May 19, 2026 - Mayor’s Office (Mayor Tom Butt 510-620-6503).	
O.8.f.	Community Police Review Commission Reappointment	566
	REAPPOINT Yenny Garcia, Community Police Review Commission, Seat #4, Term Expires November 1, 2025 - Mayor’s Office (Mayor Tom Butt 510-620-6503).	
O.8.g.	Fund for Children and Youth Oversight Board Reappointment	569
	REAPPOINT Katherine Lee, Fund for Children and Youth Oversight Board, Seat #2, Term Expires December 2, 2023 - Mayor’s Office (Mayor Tom Butt 510-620-6503).	
O.8.h.	Housing Advisory Commission Reappointments	576
	REAPPOINT Y’Anad Burrell, Housing Advisory Commission, Seat #1, Term Expires November 1, 2024; Dena Nelson, Housing Advisory Commission, Seat #2, Term Expires November 1, 2024 - Mayor’s Office (Mayor Tom Butt 510-620-6503).	
O.8.i.	Recreation and Parks Commission Reappointments	580
	REAPPOINT Joey Smith, Recreation and Parks Commission, Seat #4, Term Expires October 26, 2025; Allison Blakeley, Recreation and Parks Commission, Seat #7, Term Expires October 26, 2025; Maryn Hurlbut, Recreation and Parks Commission, Seat #8, Term Expires October 26, 2025 – Mayor’s Office (Mayor Tom Butt 510-620-6503).	
O.8.j.	Youth Council Reappointment	586
	REAPPOINT Gabrielle Stevenson, Youth Council, Seat #5, Term Expires October 1, 2023 – Mayor’s Office (Mayor Tom Butt 510-620-6503).	
O.8.k.	Veterans Day 2022	588
	ADOPT a resolution honoring Veterans Day – Mayor’s Office (Mayor Tom Butt 510-620-6503)	

O.9. Public Works

O.9.a. Dump Day Event Agreement

591

APPROVE the Dump Day Event Agreement with Caltrans; and ACCEPT and APPROPRIATE \$25,000 of funds to be reimbursed to the City of Richmond's Public Works Department, Abatement Division – Public Works Department (Nickie Mastay/Hugo Mendoza 510-231-3030)

P. NEW BUSINESS

P.1. Report on Police and Fire Department Recruitment

598

RECEIVE a status report on the police department and fire department recruitment efforts – Human Resources Department (Sharrone Taylor 510-620-6803). **This item was continued from the October 25, 2022, meeting.**

P.2. 2019-20/2020-21 Rent Program Annual Report

599

RECEIVE the 2019-20/2020-21 Rent Program Annual Report infographic video - Richmond Rent Program (Nicolas Traylor 510-620-6564). **This item was continued from the October 25, 2022, meeting.**

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

R. ADJOURNMENT

