



Agenda

MEETING(S) ARE VIRTUAL

AMENDED AGENDA
SPECIAL MEETING OF THE RICHMOND HOUSING AUTHORITY
REGULAR RICHMOND CITY COUNCIL

Tuesday, January 17, 2023, 4:00 p.m.

Community Services Building

440 Civic Center Plaza

Richmond, CA 94804

Members:

Eduardo Martinez, Mayor at Large

Melvin Willis, Councilmember District 1

Cesar Zepeda, Councilmember District 2

Doria Robinson, Councilmember District 3

Soheila Bana, Councilmember District 4

Gayle McLaughlin, Councilmember District 5

Claudia Jimenez, Councilmember District 6

Jaycine Scott, Housing Authority Tenant Commissioner

Link to City Council Agendas/Packets

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

Register to receive notification of new agendas, etc.

<http://www.ci.richmond.ca.us/list.aspx>

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.

Unless otherwise noted in an agenda description, all actions taken by the Council include a determination that CEQA does not apply (i.e., the action is not a project and therefore exempt from CEQA).

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

4:00 p.m.

B. ROLL CALL

C. CLOSED SESSION

C.1 CONFERENCE WITH LEGAL COUNSEL- WORKERS' COMPENSATION CLAIM (Pursuant to Government Code Section 54956.95)

- Claimant: Employee - Police Department
Claims: 21000016COR
Agency Claimed Against: City of Richmond
- Claimant: Employee - Police Department
Claims: 20000073COR, 20000110COR
Agency Claimed Against: City of Richmond

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

- Winehaven v. City of Richmond
- Guidiville Rancheria of California, et al. v. United States of America, et al.
- North Coast Rivers Alliance et al./Point Molate Alliance et al. v. City of Richmond

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

- Three cases:

In light of the California Court of Appeal's decision in *Fowler v. City of Lafayette*, the City Attorney's Office is attaching three letters to this agenda. These letters provide the existing facts and circumstances for going into closed session on these items pursuant to California Government Code Section 54956.9(d)(2) and (e)(3).

C.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

C.5 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

D. PUBLIC COMMENT BEFORE CLOSED SESSION (limited to items under the Closed Session Agenda only)

E. ADJOURN TO CLOSED SESSION

F. SPECIAL MEETING OF THE RICHMOND HOUSING AUTHORITY

6:25 p.m.

G. ROLL CALL

H. PUBLIC COMMENT INSTRUCTIONAL VIDEO

I. STATEMENT OF CONFLICT OF INTEREST

J. AGENDA REVIEW

K. HOUSING AUTHORITY OPEN FORUM

L. HOUSING AUTHORITY CONSENT CALENDAR

L.1 Continued use of teleconference technology

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

L.2 Housing Authority Minutes

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APPROVE the minutes of the December 6, 2022, Special Joint Meeting of the Richmond Housing Authority/Richmond City Council - 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. ELECTION OF THE NEW VICE MAYOR FOR 2023****R. AGENDA REVIEW****S. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE DURING CLOSED SESSION****T. REPORT FROM THE CITY MANAGER (public comment allowed under Open Forum)****U. REPORT FROM THE REIMAGINING TASK FORCE - 3rd Tuesday (public comment allowed under Open Forum)****V. OPEN FORUM FOR PUBLIC COMMENT****W. CITY COUNCIL CONSENT CALENDAR****W.1 City Clerk's Office****W.1.a Continued Use of Teleconferencing** 18

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).

W.1.b City Council Meeting Minutes 22

APPROVE the minutes of the December 6, 2022, Special Joint Meeting of the Richmond Housing Authority/Richmond City Council and Regular Meeting of the Richmond City Council - City Clerk's Office (Pamela Christian 510-620-6513).

W.2 City Manager's Office**W.2.a Amendment to contract with Colantuono, Highsmith, & Whatley, PC for legal representation related to PG&E's Franchise Agreements with the City** 35

APPROVE a fifth amendment to the contract with Colantuono, Highsmith, & Whatley, PC for legal representation, to increase contract payment limit by \$50,000, for a new total contract amount not to exceed \$334,000, while maintaining the term expiration date of June 30, 2023 – City Manager's Office (Shasa Curl/Shannon Moore 510-620-6505).

W.3 Community Development**W.3.a Amendment to Emergency Security Services Contract with Ascend Professional Services, LLC for the Castro Encampment 72**

APPROVE a first amendment to the contract with Ascend Professional Services, LLC., in the amount of \$175,000, for a total contract amount not to exceed \$375,000, to provide security guard services, for up to three guards, 24 hours a day, seven days a week, with an extended contract term through March 31, 2023 – Community Development Department (Lina Velasco/Jesus M. Morales 510-620-6706).

W.4 Finance Department**W.4.a Contract for Cost Allocation Plan 125**

APPROVE a contract in the amount of \$17,290 with Matrix Consulting Group to develop a Cost Allocation Plan to direct staff from the Finance Department and Richmond Rent Program to prepare the Full Cost Allocation Plans that adheres to both Government Code Section 50076 and Richmond Municipal Code Section 11.100.060(l), for a term beginning January 18, 2023 through January 17, 2025 – Finance Department (Shasa Curl/Nicolas Traylor/Mubeen Qader 510-412-2077).

W.4.b Compliance with Developer Fees Reporting Requirements of Sections 66006 and 66001 of the Government Code 176

RECEIVE the annual year-end developer fee report as required pursuant to Section 66006 of the Government Code – Finance Department (Mubeen Qader 510-412-2077/Vrenesia Ward 510-621-1211).

W.4.c Investment and Cash Balance Report, and Monthly Overtime Reports for the Month of November 2022 181

RECEIVE the City's Investment and Cash Balance Report and monthly Overtime Reports for the month of November 2022 – Finance Department (Nickie Mastay/Mubeen Qader 510-412-2077).

W.5 Fire Department**W.5.a Amendments to Richmond Municipal Code Article VIII Chapter 8.16 196**

ADOPT an ordinance (second reading) with an effective date of January 1, 2023, amending Richmond Municipal Code (RMC) Article VIII (Fire) Chapter 8.16 (Fire Prevention Code) by adopting the 2022 California Fire Code with noted local amendments – Fire Department (Eric Munson 510-307-8144).

- W.6 Human Resources**
- W.6.a Resolutions amending staffing (position control) for the Office of the Mayor/Police Department and amending the salary schedule retroactive to October 4, 2022** 428
- ADOPT resolutions amending staffing (position control) for the Office of the Mayor and Police Department and amending the salary schedule for the Communications Dispatcher II (Per Diem), Communications Dispatcher III, Communications Shift Supervisor, and Director of Public Works classifications; and APPROPRIATE associated salaries, wages, and benefits as required – Human Resources Department (Nickie Mastay/ Sharrone Taylor 510-620-6602).
- W.7 Public Works**
- W.7.a Emergency Justification Repair Purchase Order for Heating, Ventilation, and Air Conditioning (HVAC) Duct System Replacement at the Developing Personal Resource Center (DPRC)** 437
- APPROVE an Emergency Justification purchase order in an amount not to exceed \$60,259, for Bay City Mechanical Service, LLC. to install a new Heating, Ventilation, and Air Conditioning (HVAC) duct system for the Developing Personal Resource Center (DPRC) located at 1900 Barrett Avenue – Public Works Department (Daniel Chavarria 510-620-5478/Yader A. Bermudez 510-774-6300)
- X. BUDGET SESSION**
- X.1 Budget Presentation** 446
- RECEIVE budget presentations from the city manager and the Public Works department – Public Works Department (Shasa Curl 510-620-6512/Mubeen Qader 510-412-2077/Daniel Chavarria 510-620-5478).
- Y. NEW BUSINESS**
- Y.1 City of Richmond Emergency Operations Center (EOC) Status** 471
- RECEIVE a presentation from the City of Richmond Emergency Operations Center (EOC) regarding the status of the Emergency Operations Center as of January 11, 2023 – Fire Department (Angel Montoya 510-307-8041).
- Z. REPORTS OF OFFICERS: REFERRALS TO STAFF, AND GENERAL REPORTS (INCLUDING AB 1234 REPORTS)**
- AA. ADJOURNMENT**
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