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# *Agenda*

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MEETING(S) ARE VIRTUAL

## REGULAR RICHMOND CITY COUNCIL AGENDA

Tuesday, February 7, 2023, 4:30 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, Vice Mayor, District 5**

**Claudia Jimenez, Councilmember District 6**

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](mailto:cityclerkdept@ci.richmond.ca.us) should you have difficulty submitting an eComment during a meeting.

**Via email:** to [cityclerkdept@ci.richmond.ca.us](mailto: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/aehrwCgISx>

**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>. \*\*

\*\*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](mailto: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.

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**Pages**

**A. OPEN SESSION TO HEAR PUBLIC COMMENT BEFORE CLOSED SESSION**

4:30 p.m.

**B. ROLL CALL**

**C. CLOSED SESSION**

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

- Stephenson v. City of Richmond
- 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
- Californians for Homeownership, Inc. 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)**

- Two cases:

In light of the California Court of Appeal's decision in Fowler v. City of Lafayette, the City Attorney's Office is attaching two 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 LEGAL COUNSEL - ANTICIPATED LITIGATION  
(initiation of litigation pursuant to paragraph (4) of Subdivision (d) of  
Government Code Section 54956.9)**

- One Case

**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
- Property: 1324 Canal Boulevard (General Warehouse, Port of Richmond)  
Agency negotiator: Dave Aleshire and Lizeht Zepeda  
Negotiating parties: Richmond Grown  
Under negotiation: Price and terms of payment
- Real Property Negotiations  
Property: 12th and Macdonald Agency negotiators: Dave Aleshire, Lina Velasco, and Jesus Morales  
Negotiating parties: SAA-EVI Richmond Partners, LLC  
Under negotiation: Price and terms of payment

**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 Clerk's Office

O.1.a City Council Meeting Minutes

12

APPROVE the minutes of the Richmond City Council December 20, 2022, and January 17, 2023, regular meetings, January 9, January 10, and January 31, 2023, special meetings, and January 10, 2023, Swearing-In Ceremony - City Clerk's Office (Pamela Christian 510-620-6513).

O.2 Community Development

O.2.a Adoption of the Richmond Bicycle and Pedestrian Action Plan (BPAP)

49

ADOPT a resolution approving the Richmond Bicycle and Pedestrian Action Plan (BPAP) – Community Development Department (Lina Velasco 510-620-6841/Hector Rojas 510-620-1220).

O.3 Finance Department

O.3.a Contract for Online Registration and Bid Management System

305

APPROVE a sole-source contract with PlanetBids, Inc. to provide an online vendor registration and bid Management System (BidsOnline), at an amount not to exceed \$18,675 per year, for a period of three years with one two-year option to extend at the same cost and terms per year – Finance Department (Antonio Banuelos 510-620-6741/Ofelia Alvarez 510-620-6699).

O.3.b Investment and Cash Balance Report, and Monthly Overtime Reports for the Month of December 2022

337

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

O.3.c	<b>Amendment of Authorized Signatures on the Local Agency Investment Fund (LAIF)</b>	352
	ADOPT a resolution revising the authorization list on the Local Agency Investment Fund (LAIF) accounts to reflect the current staff assignments in the Finance Department – Finance Department (Nickie Mastay/Mubeen Qader 510-412-2077).	
O.4	<b>Library and Community Services</b>	
O.4.a	<b>Love Your Block (LYB) Mini-Grant Program Fiscal Years 2022-2024</b>	356
	APPROVE the Fiscal Years (FY) 2022-2024 Love Your Block Mini-Grant (LYB Mini-Grant) program guidelines, application, final report, and grant award agreement; and AUTHORIZE the city manager or their designee to administer grant award agreements and disburse grant funds upon selection of recipients – Community Services Department (LaShonda White/Stephanie Ny 510-620-6563).	
O.4.b	<b>Memorandum of Understanding with R&amp;R Hospitality Academy for a Culinary Program at the Richmond Senior Center</b>	385
	APPROVE the Memorandum of Understanding between the City of Richmond and R&R Hospitality Academy, from January 1, 2023 to October 31, 2023, for a partnership to provide hot meals by R&R Hospitality to participants enrolled in programs at the Richmond Annex & Senior Center in exchange for the use of the Senior Center kitchen – Community Services Department (LaShonda White/Ranjana Maharaj/ Kymberlyn Carson-Thrower 510-620-6789).	
O.4.c	<b>Disposition of the Library Book Van as a Donation to the Richmond Public Library Foundation</b>	395
	ADOPT a resolution authorizing a donation of the Library Book Van, a Mercedes-Benz Sprinter 2500 Cargo Van, to the Richmond Public Library Foundation, a 501(c)(3) organization which donated funding for the purchase of the vehicle to the City in 2014; and AUTHORIZE the city manager or designee to execute this disposition of the vehicle – Community Services Department (LaShonda White/Christopher Larsen 510-620-5524).	
O.4.d	<b>Contracts with The Watershed Project and Groundwork Richmond for the Youth Outdoors Richmond Program</b>	421
	APPROVE sole-source contracts for The Watershed Project, in the amount of \$61,200, to provide outdoor educational programming for the Youth Outdoors Richmond Program, for a term of February 1, 2023, to December 31, 2025; and Groundwork Richmond, in an amount of \$59,208, to provide outdoor educational programming for the Youth Outdoors Richmond Program, for a term of February 1, 2023, to December 31, 2025 – Community Services Department (LaShonda White/Ranjana Maharaj/Stephanie Ny 510-620-6563).	

<b>O.4.e</b>	<b>Amend Contract with The Glen Price Group to Develop Grant Proposal Applications</b>	<b>556</b>
	APPROVE a ninth contract amendment with the Glen Price Group to increase the contract payment limit by \$150,000, for a new total contract amount not to exceed \$488,085, to develop proposal content, drafts, and attachments necessary to submit final copies of grant applications to various agencies, and extend the term expiration to June 30, 2024 – Community Services Department (LaShonda White/Tamara Walker 510-307-8006).	
<b>O.4.f</b>	<b>Amendment to the 2022-2023 Employment &amp; Training Department Budget</b>	<b>654</b>
	ADOPT a resolution to ACCEPT and APPROPRIATE into the Fiscal Year 2022-2023 budget \$210,500 in federal funds awarded to the Employment & Training Department from the Construction Trades Workforce Initiative – Community Services Department (LaShonda White/Tamara Walker 510-307-8006).	
<b>O.4.g</b>	<b>Grant for electric vehicle solar charging arc to support the Richmond Car Share Program</b>	<b>667</b>
	ACCEPT and APPROPRIATE grant funds from Richmond Community Foundation (RCF Connects) in accordance with the grant to purchase a solar EV ARC; AUTHORIZE a grant match in the amount of \$35,600 from the approved Environmental and Community Investment Agreement (ECIA) transportation budget; and APPROVE a first sole-source contract amendment with Envision Solar in an amount of \$91,000, for a total not to exceed amount of 171,000, to acquire and manage one EV ARC, with contingency expenses to support the Community Carshare Program, with a term ending December 31, 2024 – Community Services Department (LaShonda White/Denée Evans 510-621-1718).	
<b>O.5</b>	<b>Mayor's Office</b>	
<b>O.5.a</b>	<b>Arts and Culture Commission Appointments</b>	<b>757</b>
	APPOINT Ted Bell II, Arts and Culture Commission, Seat #4, Term Expires January 31, 2027; Melody Kozma-Kennedy, seat #12, Term Expires January 31, 2027 - Mayor's Office (Mayor Eduardo Martinez 510-620-6503).	
<b>O.6</b>	<b>Police Department</b>	
<b>O.6.a</b>	<b>Purchase of Encrypted Police Radios for Richmond Police Department</b>	<b>761</b>
	APPROVE the purchase of 175 portable police radios and 150 mobile police radios from Motorola Solutions, to comply with the California Department of Justice directive, for an amount not to exceed \$2,064,146.06 – Police Department (Chief Bisa French 510-621-1802).	

**O.6.b Proposed service agreement with Contra Costa County District Attorney's Office to continue the community-based prosecution program.**

786

APPROVE a sole-source agreement with the Contra Costa County District Attorney's Office for the continued and dedicated services of a deputy district attorney who would be specifically assigned as Richmond's Community Based Prosecutor, in an amount not to exceed \$100,000, from July 1, 2022, through June 30, 2023 - Police Department (Chief Bisa French 621-1802).

**P. PUBLIC HEARINGS**

**P.1 Terminal One Disposition pursuant to Amended Land Disposition Agreement**

798

ADOPT a resolution reviewing the terms of Amendment to Land Disposition Agreement for Terminal One Project and all outstanding objections by various Citizen Groups with respect to the Project and decide whether (i) to exercise the right to rescind the transaction and require the Property to be deeded back to the City and the Deposit returned to Developer; (ii) allow the sale and Project to continue forward; or (iii) direct staff to negotiate further revisions to the ALDA – City Attorney's Office (Dave Aleshire 510-620-6509).

**P.2 THIS ITEM HAS BEEN CONTINUED TO THE FEBRUARY 21, 2023, CITY COUNCIL MEETING.**

**Public Hearing to Consider Encroachment Agreement Application Approval**

APPROVE an Encroachment Agreement Application for private landowner fence encroachment into the unimproved public right of way at 130 E. Scenic Avenue; and AUTHORIZE the City to enter into a recorded Encroachment Agreement regarding same, to be recorded on the landowner's property title - Public Works Department (Daniel Chavarria 510-620-5478/Robert Armijo 510-520-5477).

**P.3 THIS ITEM HAS BEEN CONTINUED TO THE FEBRUARY 21, 2023, CITY COUNCIL MEETING.**

**Public Hearing to Consider Encroachment Agreement Application Approval**

APPROVE an Encroachment Agreement Application for private landowner fence encroachment into the unimproved public right of way at 8 Western Drive; and AUTHORIZE the City to enter into a recorded Encroachment Agreement regarding same, to be recorded on the landowner's property title - Public Works Department (Daniel Chavarria 510-620-5478/Robert Armijo 510-520-5477).

**Q. BUDGET SESSION**

**Q.1 Budget Presentation**

959

RECEIVE budget presentations from the City Manager, Capital Improvement Projects, Internal Services (Information Technology, Human Resources, Finance), Economic Development, City Clerk, City Council, Mayor's Office - Finance Department (Shasa Curl/Delmy Cuellar 510-620-6790).

- R. REPORTS OF OFFICERS: REFERRALS TO STAFF, AND GENERAL REPORTS  
(INCLUDING AB 1234 REPORTS)
  - S. ADJOURNMENT
-