



Agenda

MEETING(S) ARE VIRTUAL

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

Tuesday, February 21, 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

Jaycine Scott, Housing Authority Tenant Commissioner

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/u/aehrwCglSx>

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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

4:30 p.m.

B. ROLL CALL

C. CLOSED SESSION

**C.1 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)**

- One case

**C.2 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.3 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (paragraph
(1) of Subdivision [d] of Government Code Section 54956.9)**

- DKD of Hilltop, Inc., et al. v. City of Richmond
- Californians for Homeownership, Inc. v. City of Richmond

**C.4 CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code
Section 54956.8)**

- Property: 1324 Canal Boulevard (General Warehouse, Port of Richmond)
Agency negotiator: Dave Aleshire, Lizeht Zepeda, and Nannette Beacham
Negotiating parties: Richmond Grown
Under negotiation: Price and terms of payment

**C.5 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. 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 OPEN FORUM

M. HOUSING AUTHORITY CONSENT CALENDAR

M.1 Housing Authority Meeting Minutes

15

APPROVE the minutes of the Richmond Housing Authority December 20, 2022, and January 17, 2023, special meetings - City Clerk's Office (Pamela Christian 510-620-6513).

M.2 Continued use of teleconference technology

19

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 scheduled to end February 28, 2023 – City Clerk’s Office (Pamela Christian 510-620-6513).

N. ADJOURNMENT

O. REGULAR MEETING OF THE RICHMOND CITY COUNCIL

6:30 p.m.

P. ROLL CALL

Q. STATEMENT OF CONFLICT OF INTEREST

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 Attorney's Office

W.1.a Chevron Hydrogen Project Legal Services Agreement

23

APPROVE a legal services agreement with Aleshire & Wynder for legal representation related to a proposed Chevron Hydrogen Fuel project, with the term expiration date of June 30, 2024, and for a total amount not to exceed \$85,000 to be paid by fees collected from the project applicant - City Attorney's Office (James Atencio 510-620-6509).

W.1.b Approval of Settlement Agreement and General Release for Former Retired Annuitant, Jim Nantell

47

APPROVE a Settlement Agreement and General Release with former retired annuitant Jim Nantell; and AUTHORIZE the city manager to execute the agreement – City Attorney's Office (Dave Aleshire 510-620-6509).

W.1.c Third Amendment to a contract with Burke, Williams & Sorensen, LLP to assist with RHA Asset Repositioning and, as requested, citywide affordable housing projects.

56

APPROVE a third amendment to the legal services contract with Burke, Williams & Sorensen, LLP to increase contract payment limit by \$55,000, for a new total contract amount not to exceed \$355,000, for assistance with Richmond Housing Authority Asset Repositioning and, as requested, city-wide affordable housing projects, and extending the expiration date to June 30, 2024 - City Attorney's Office (Shannon Moore 510-620-6509).

W.2	City Clerk's Office	
W.2.a	City Council Meeting Minutes	90
	APPROVE the minutes of the Richmond City Council Orientation meeting on January 17, 2023, and the minutes of the January 24 and February 7, 2023, regular meetings - City Clerk's Office (Pamela Christian 510-620-6513).	
W.2.b	Continued Use of Teleconferencing	110
	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 scheduled to end February 28, 2023 – City Clerk's Office (Pamela Christian 510-620-6513).	
W.3	City Council	
W.3.a	Resolution urging that Cuba be removed from U.S. list of State Sponsors of Terrorism	114
	ADOPT a Richmond City Council resolution urging that Cuba be removed from U.S. list of State Sponsors of Terrorism; and DIRECT City staff to send a copy of the resolution and a cover letter to President Biden and our congressional delegation – Vice Mayor Gayle McLaughlin (510-620-6636).	
W.3.b	Approval to attend the Community Village Symposium in Austin, Texas	120
	APPROVE travel requests to attend the Community Village Symposium in Austin, Texas in April – Councilmembers Soheila Bana (510-620-6743) and Cesar Zepeda (510-620-6593).	
W.4	Fire Department	
W.4.a	Appropriate General Fund for Personal Protective Equipment and Increase Limit of Purchase Order with LN Curtis & Sons.	128
	APPROVE a standing purchase order limit increase in the amount of \$250,000, for a new total purchase order amount not to exceed of \$716,000, with a term extended through January 20, 2024; and APPROPRIATE \$199,500 from the General Fund, for the procurement of personal protective equipment (PPE), firefighting tools, and safety supplies – Fire Department (Chief Angel Montoya 501-307-8041/Aaron Osorio 510-307-8021).	

W.4.b	Appropriate Additional Funds to Allow the Rotation of Fire Personnel to Staff the 2023 Fire Academy.	156
	<p>APPROPRIATE additional funds in the amount of \$148,469.82 to augment the Fire Department’s Fiscal Year 2022 –2023 Overtime Budget to allow the rotation of one firefighter, one fire engineer, and one fire captain to staff the 2023 Fire Academy for twelve weeks, and backfill the three temporarily vacant roster assignments by authorizing the overtime of existing staff – Fire Department (Chief Angel Montoya 510-307-8038).</p>	
W.5	Human Resources	
W.5.a	Contract amendment for Municipal Resource Group (MRG), Peer Advocates and The Consulting Team	173
	<p>APPROVE contract amendments with Municipal Resources Group (MRG), Peer Advocates, and The Consulting Team in the amounts of \$150,000 per contract, for the total contract limit amounts not to exceed \$200,000 per contract, for a total of \$600,000, for facilitation, conflict resolution, consultation and/or training services, for a three-year period extending through June 30, 2026; and APPROPRIATE the funds as needed – Human Resources Department (Sharrone Taylor/Nickie Mastay 510-620-6602).</p>	
W.5.b	Contract with GovernmentJobs.com dba NEOGOV	324
	<p>APPROVE a sole-source contract with GovernmentJobs.com dba NEOGOV, in an amount not to exceed \$50,984.65, for a three-year subscription to Insight Enterprise and GovernmentJobs.com, with a term from January 28, 2023, through January 27, 2026 – Human Resources Department (Nickie Mastay/Sharrone Taylor 510-620-6602).</p>	
W.5.c	Resolution Amending Staffing (Position Control) for the Community Services Department, City Attorney’s Office, and Police Department	376
	<p>ADOPT a resolution amending staffing (position control) for the Community Services Department, City Attorney’s Office, and Police Department; and APPROPRIATE the required wages, salaries, and benefits costs – Human Resources Department (Nickie Mastay/Sharrone Taylor 510-620-6602).</p>	
W.5.d	Fourth Contract Amendment with the Segal Group (Western States) DBA Segal	382
	<p>APPROVE a fourth contract amendment in the amount of \$20,000 with The Segal Group, Inc., for a total amount not to exceed \$350,000, to provide consultation services regarding implementation of the classification and compensation study, with a term extending through December 31, 2023 - Human Resources Department (Nickie Mastay/Sharrone Taylor 510-620-6602).</p>	

W.6	Library and Community Services	
W.6.a	Grant Application for the California Department of Food and Agriculture Fairground and Community Resilience Centers Program	494
	ADOPT a resolution approving the Community Services-Recreation Department’s request to authorize it to file a grant application for the California Department of Food and Agriculture Fairground and Community Resilience Centers Program; and to approve its proposed, potential partnership list in said grant - Community Services Department (LaShonda White/Ranjana Maharaj/Jene Levine-Snipes 510-620-6793).	
W.7	Mayor's Office	
W.7.a	Revised 2023 Appointments to Committees and Liaison Positions	500
	APPROVE the revised liaison appointment and the addition of a committee to the Regional Committees, Ad-Hoc Committees and Liaison Positions for the year of 2023 - Mayor’s Office (Mayor Eduardo Martinez 510-620- 6503).	
W.7.b	Richmond Arts and Culture Commission Appointment	505
	APPOINT Carole J Porter to the Richmond Arts and Culture Commission, Term Expires January 31, 2027 – Mayor’s Office (Mayor Eduardo Martinez 510-620-6503).	
W.7.c	Recreation and Parks Commission Appointment	508
	APPOINT Dani Lanis to the Recreation and Parks Commission, term expires, October 26, 2026 – Mayor’s Office (Mayor Eduardo Martinez 510-620-6503).	
W.7.d	Community Police Review Commission Appointment	511
	APPOINT Michael Caesar to the Community Police Review Commission, term expires, November 1, 2026 – Mayor’s Office (Mayor Eduardo Martinez 510-620-6503).	
W.7.e	Economic Development Commission Appointment	514
	Appoint Christina Kenney to the Economic Development Commission, term expires, March 30, 2026 – Mayor’s Office (Mayor Eduardo Martinez 510-620-6503).	
W.7.f	Youth Council Appointment	517
	APPOINT Scarlett Perez to the Youth Council, term expires, October 1, 2023 – Mayor’s Office (Eduardo Martinez 510-620-6503).	
W.7.g	Commission on Aging Appointment	520
	APPOINT Darlene Drapkin Rios to the Commission on Aging, term expires, May 19, 2027 - Mayor’s Office (Mayor Eduardo Martinez 510-620-6503).	

W.7.h	Reimagining Public Safety Community Task Force Appointment	523
	APPOINT Lea Murray and Jamin Pursell to the Reimagining Public Safety Task Force, terms expire, June 30, 2024 – Mayor’s Office (Mayor Eduardo Martinez 510-620-6503).	
W.8	Public Works	
W.8.a	Application for the Transportation Development Act (TDA) Article 3 Pedestrian and Bicycle Funding for Fiscal Year 2023-24	527
	ADOPT a resolution authorizing a request to the Metropolitan Transportation Commission for the allocation of fiscal year 2023-2024 Transportation Development Act Article 3 pedestrian/bicycle project funding for the Carlson Blvd Path & Bike Education Project; and to ACCEPT and APPROPRIATE the funds should the grant be awarded – Public Works Department (Robert Armijo 510-620-5477/Ken Cheng 510-621-1612).	
W.8.b	Purchase of Police Pursuit Dodge Durango Vehicles	585
	APPROVE the purchase of twenty 2023 4-door Police Pursuit Dodge Durango All Wheel Drive Sport Utility vehicles from Elk Grove Auto Group in a total amount not to exceed \$975,000 – Public Works Department (Daniel Chavarria 510-620-5478).	
W.8.c	Private Sewer Lateral Grants for Brickyard Cove Homeowner’s Association Number Two	623
	ADOPT a resolution authorizing participation by the Brickyard Cove Association Number 2 in the City’s private sewer lateral grant program and approval of the private sewer lateral grant award to this development, in the amount of \$16,200, for the replacement of multiple laterals that is consistent with the current grant program guidelines – Public Works Department (Daniel Chavarria 510-620-5478/Mary Phelps 510-621-1269).	
W.8.d	Contract with Sonoma Technology, Inc. for the Upgrade of the Hydrogen Sulfide Monitoring and Maintenance System	674
	APPROVE a three year sole-source contract with Sonoma Technologies, Inc., in an amount not to exceed \$340,046, with a term ending December 31, 2025, to upgrade the existing Jerome® Hydrogen Sulfide meters and for continuous monitoring and maintenance of the data, with a two year renewal option in the amount of \$208,698, for a total not-to-exceed contract limit of \$548,744 – Public Works Department (Daniel Chavarria 510-620-5478/Mary Phelps 510-621-1269).	

W.8.e Contract with Wiss, Janney, Elstner Associates, Inc. (WJE) for Historic Resource Evaluations

714

APPROVE a sole-source contract with Wiss, Janney, Elstner Associates, Inc. (WJE), in an amount not to exceed \$250,000, for a term ending June 30, 2024, to provide evaluation and related design services of certain historic structures at Winehaven Historic District and Shipyard No. 3 Historic District – Public Works Department (Daniel Chavarria 510-620-5478/Lina Velasco 510-620-6841).

X. PUBLIC HEARINGS

X.1 Public Hearing to consider approval of an Encroachment Agreement Application for a private landowner encroachment into the unimproved public right of way at 130 E. Scenic Avenue

816

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

X.2 Keller Beach Sanitary Sewer Temporary (45-day) Urgency Ordinance

845

ADOPT an urgency ordinance, pursuant to Government Code Section 65858, establishing a temporary moratorium (45 days) on the issuance of certain building permits for development requiring a new sewer connection to the Keller Beach Sanitary Sewer and Declaring the Urgency thereof pursuant to Government Code Section 65858. The Ordinance is not a project under the California Environmental Quality Act (CEQA), in that it maintains the existing physical environment and prevents changes in the environment and so does not have the potential for resulting in either a direct or reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378(a)). It is also exempt under Guidelines Sections 15060(c)(2), as the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment, and Section 15061(b)(3), as there is no possibility that the adoption of this ordinance may have a significant effect on the environment because it maintains the existing condition of the environment. – Public Works Department (Daniel Chavarria 510-620-5478).

X.3 THIS ITEM HAS BEEN CONTINUED TO THE MARCH 7, 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).

Y.	BUDGET SESSION	
Y.1	Budget Presentation	860
	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). This item was continued from the February 7, 2023, meeting.	
Y.2	Budget Presentations	964
	RECEIVE budget presentations from Community Services (Children and Youth, Employment & Training, Environmental and Community Investment Agreement Grant Administration, Library, Office of Neighborhood Safety, Recreation, Transportation), Community Development (Building, Code Enforcement, Housing Policy, Planning, Successor Agency to the former Redevelopment Agency), and City Attorney’s Office – Finance Department (Shasa Curl/Delmy Cuellar 510-620-6790).	
Z.	NEW BUSINESS	
Z.1	Resolution authorizing City Manager and City Attorney (or their designees) to work through next steps for forming the Public Bank East Bay with the cities of Berkeley and Oakland	1012
	RECEIVE a presentation from the Friends of Public Bank East Bay; and ADOPT a resolution authorizing the City Manager and City Attorney (or their designees) to work through next steps along the pathway to forming the Public Bank East Bay with the Cities of Berkeley and Oakland – Vice Mayor Gayle McLaughlin (510-620-6636).	
Z.2	Three-year Agreement with Flock Group, Inc.	1020
	APPROVE a three-year agreement with Flock Group, Inc. for the acquisition, support, and maintenance of a Fixed Automated License Plate Reader System, in an amount not to exceed \$249,600, for a term beginning March 1, 2023, through February 28, 2026, and with two one-year renewal options based on the same terms - Police Department (Chief Bisa French 510-621-1802).	
Z.3	Finance Committee and Support Staff	1079
	APPROVE the creation of the Finance Committee and the hiring of the one staff person within the Mayor’s Office to support the Finance Committee. The deadline to create the Finance committee that includes the City staff will be March 21, 2023 – Mayor’s Office (Mayor Eduardo Martinez 510-620-6503).	
AA.	REPORTS OF OFFICERS: REFERRALS TO STAFF, AND GENERAL REPORTS (INCLUDING AB 1234 REPORTS)	
AB.	ADJOURNMENT	