



Agenda

PLEASE NOTE: HYBRID MEETING FORMAT

AGENDA(S):

***REGULAR MEETING OF THE RICHMOND CITY COUNCIL**

Tuesday, March 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

NOTICE: SEATING IN THE CHAMBERS WILL BE LIMITED TO THE FIRST 39 PEOPLE AND MASKS ARE STRONGLY ENCOURAGED.

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

HOW TO SUBMIT PUBLIC COMMENTS:

In Person: Anyone who desires to address the City Council on items appearing on the agenda, *including Open Forum*, must complete and file a pink speaker's card with the City Clerk **prior** to the City Council's consideration of the item. Once the City Clerk has announced the item, no person shall be permitted to speak on the item other than those persons who have submitted their names to the City Clerk. **Each speaker will be allowed up to TWO (2) MINUTES to address the City Council on NON-PUBLIC HEARING items listed on the agenda. Speakers are allowed up to THREE (3) minutes on PUBLIC HEARING items.**

Via Zoom: Anyone who desires to address the City Council on items appearing on the agenda, *including Open Forum*, must raise their hand once public comment is open. **The public speakers attending in person will be called first, followed by Zoom participants. Only those public speakers that have their hand raised once the speakers are called will be recognized.**

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>. **

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

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. 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].

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>

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.

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.

CONDUCT AT MEETINGS: Richmond City Council meetings are limited public forums during which the City strives to provide an open, safe atmosphere and promote robust public debate. Members of the public, however, must comply with state law, as well as the City's laws and procedures and may not actually disrupt the orderly conduct of these meetings. The public, for example, may not shout or use amplifying devices, must submit comment cards and speak during their allotted time, may not create a physical disturbance, may not speak on matters unrelated to issues within the jurisdiction of the City Council or the agenda item at hand, and may not cause immediate threats to public safety.

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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.

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 - EXISTING LITIGATION (paragraph (1) of Subdivision [d] of Government Code Section 54956.9)

- City of Richmond v. Pacific Gas & Electric

C.2 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.3 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
- 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, Jesus Morales, and Nannette Beacham
Negotiating parties: Miraflores Community Devco, LLC
Under negotiation: 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 (Limited to items on the Closed Session agenda only)
 - E. ADJOURN TO CLOSED SESSION
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F. REGULAR MEETING OF THE RICHMOND CITY COUNCIL

6:30 p.m.

G. ROLL CALL

H. STATEMENT OF CONFLICT OF INTEREST

I. AGENDA REVIEW

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

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

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

M. OPEN FORUM FOR PUBLIC COMMENT

(public comment on items that remain on the Consent Calendar or items not on the agenda - limited to 2 minutes unless otherwise specified - Back and forth dialogue with the Council is prohibited)

N. CITY COUNCIL CONSENT CALENDAR

(All items placed under the Consent Calendar are considered to be routine and noncontroversial. These items will be enacted upon together with a motion and second, without discussion, of any member of the City Council, and each item shall be deemed to have received the action recommended.)

N.1 City Council

N.1.a Resolution Opposing Initiative 21-0042A1

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ADOPT a resolution opposing initiative 21-0042A1 Restricting Voters' Input and Local Taxing Authority – Mayor Eduardo Martinez, Councilmembers Soheila Bana and Claudia Jimenez (510-620-6581).

N.2 Community Development

N.2.a Contract Amendments Related to Castro Encampment Resolution Project for Security and Fencing

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APPROVE a Second Amendment to the contract with Ascend Professional Services, LLC to increase the contract amount by \$732,996, for a total contract amount of \$1,107,996, to provide security guard services, for a term ending on June 30, 2024; and APPROVE a First Amendment to the contract with Chainlink Fence and Supply, Inc. to increase contract amount by \$69,029, for a total contract amount of \$93,538, for fencing installation at the Castro Encampment, with a term extending through December 31, 2023. Both contract amendments will be paid using grant funds received for the Castro Encampment Resolution Project – Community Development Department (Lina Velasco/Jesus M. Morales 510-620-6706).

N.3	Finance Department	
N.3.a	Approval of Liens and Special Assessments for Unpaid Garbage Collection Service Fees Due to Republic Services	374
	ADOPT a resolution authorizing placement of liens and special assessments for unpaid garbage collection service fees on Contra Costa County’s property tax records – Finance Department (Delmy Cuellar 510-620-6790/Antonio Banuelos 510-620-6741).	
N.4	Library and Community Services	
N.4.a	Contract with Baker and Taylor for Purchase of Library Materials and Services	483
	APPROVE the purchase of library materials for the Richmond Public Library from Baker and Taylor, Inc., in an amount not to exceed \$1,500,000, over a three-year period ending June 30, 2025, with two one-year options – Community Services Department (LaShonda White 510-620-6828/Wylendia Eastman 510-620-6963).	
N.5	Mayor's Office	
N.5.a	Workforce Development Board	522
	APPOINT Della Randolph to the Workplace Development Board, term expires, September 22, 2027 - Mayor’s Office (Mayor Eduardo Martinez 510-620-6503).	
N.5.b	Appointment to the Arts and Culture Commission	525
	APPOINT Lynson M. Beaulieu and Kaelen Van Cura to the Arts and Culture Commission, term expires, January 31, 2027 - Mayor’s Office (Mayor Eduardo Martinez 510-620-6503).	
N.5.c	Community Police Review Commission	529
	APPOINT Daniel Lawson to the Community Police Review Commission, term expires, November 1, 2026 - Mayor’s Office (Mayor Eduardo Martinez 510-620-6503).	
N.5.d	Design Review Board	532
	APPOINT David Plotkin to the Design Review Board, term expires, March 17, 2027 - Mayor’s Office (Mayor Eduardo Martinez 510-620-6503).	
N.6	Police Department	
N.6.a	Two-Year Sole-Source Contract with Police Strategies, LLC	535
	APPROVE a two-year sole-source contract with Police Strategies, LLC, in an amount not to exceed \$45,000, to analyze and publish use-of-force data, with a term from January 17, 2023, through December 31, 2024, with two one-year extension options – Police Department (Chief Bisa French 510-621-1802).	

N.7	Public Works	
N.7.a	Preparation of Engineer’s Report for Fiscal Year 2023-2024 for the Hilltop Landscape Maintenance District	569
	ADOPT a resolution ordering the preparation of the Engineer’s Report for Fiscal Year 2023-2024 regarding improvements and costs for the Hilltop Landscape Maintenance District - Public Works Department (Daniel Chavarria 510-620-5478/Greg Hardesty 510-620-6920).	
N.7.b	Preparation of the Engineer’s Report for Fiscal Year 2023-2024 for the Marina Bay Landscape and Lighting Maintenance District	572
	ADOPT a resolution ordering the preparation of the annual engineer’s report for Fiscal Year 2023-2024 regarding improvements and costs for the Marina Bay Landscape and Lighting Maintenance District – Public Works Department (Daniel Chavarria 510-620-5478/Greg Hardesty 510-620-6920).	
N.7.c	Tom Horton Memorial Bench Donation	575
	APPROVE the donation of a memorial bench dedicated to Tom Horton to be installed at Barbara and Jay Vincent Park – Public Works Department (Daniel Chavarria/Greg Hardesty 510-620-6920).	
N.7.d	Contract with Wiss, Janney, Elstner Associates, Inc. (WJE) for Historic Resource Evaluations	585
	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). This item was continued from the February 21, 2023, and February 28, 2023 meetings.	

O. PUBLIC HEARINGS

O.1	Hold a public hearing to consider approval of an Encroachment Agreement Application for a private landowner encroachment into the unimproved public right-of-way at 8 Western Drive.	687
	ADOPT a resolution to approve an Encroachment Agreement Application for private landowner fence encroachment into the unimproved public right-of-way at 8 Western Drive; 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).	

P.	BUDGET SESSION	
P.1	Fiscal Year 2022-2023 Mid-Year Review	710
	REVIEW the FY 2022-2023 mid-year budget which includes proposed budget adjustments increasing General Fund revenue by \$8,260,793 and expenditures by \$7,726,484, and increasing Non-General Fund revenue by \$4,179,075 and expenditures by \$1,358,660; and PROVIDE DIRECTION to staff – City Manager’s Office/Finance Department (Shasa Curl/Nickie Mastay/Delmy Cuellar 510-620-6740).	
Q.	NEW BUSINESS	
Q.1	Legal Services Agreement with Aleshire & Wynder, LLP for legal services in connection with proposed Chevron Hydrogen Fuel project and Reimbursement Agreement with Chevron	777
	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 and APPROVE a Reimbursement Agreement between the City and the project applicant (Chevron) such that project applicant reimburses for City staff and the City’s environmental consultants’ costs and expenses - City Attorney’s Office (James Atencio 510-620-6509). This item was continued from the February 21, 2023, and February 28, 2023 meetings.	
Q.2	Contract with The Pivotal Group Consultants, Inc.	813
	APPROVE a contract and draft scope of work with The Pivotal Group Consultants, Inc. to host a City Council teambuilding retreat, and assist in developing and implementing a City-wide strategic plan, in an amount not to exceed \$288,796, with a term expiration of June 30, 2025. City staff will return on March 28, 2023, with an updated scope of work for review and consideration – City Manager’s Office (Shasa Curl 510-620-6512). This item was continued from the February 28, 2023, meeting.	
Q.3	Report by the West Contra Costa Fire Safe Council	875
	RECEIVE a presentation from West Contra Costa Fire Safe Council (WCCFSC) regarding its mission, objectives, and achievements – Fire Department (Chief Angel Montoya 510-307-8041). This item was continued from the December 20, 2022, January 24, 2023, and February 28, 2023, meetings.	
R.	REPORTS OF OFFICERS: REFERRALS TO STAFF, AND GENERAL REPORTS (INCLUDING AB 1234 REPORTS)	
S.	ADJOURNMENT	