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# Agenda

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**PLEASE NOTE: HYBRID MEETING FORMAT**

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

Tuesday, May 16, 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**

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

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**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.**

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**Webinar ID: 993 1220 5643**

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

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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.

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**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).**

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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 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.2 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.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)**

- One case

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

- Property: Terminal One  
Agency negotiators: Lina Velasco and Dave Aleshire  
Negotiating parties: Terminal One Development LLC  
Under negotiation: Price and terms of payment

**D. PUBLIC COMMENT BEFORE CLOSED SESSION (limited to items on the Closed Session agenda only)**

**E. ADJOURN TO CLOSED SESSION**

**F. SPECIAL MEETING OF THE RICHMOND CITY COUNCIL**

5:30 p.m.

**G. PLEDGE OF ALLEGIANCE**

**H. ROLL CALL**

**I. STATEMENT OF CONFLICT OF INTEREST**

**J. AGENDA REVIEW**

**K. Agenda Development for City Council Goals and Objectives**

DISCUSS and PROVIDE DIRECTION regarding the agenda to develop City Council Goals and Objectives - City Manager's Office (Shasa Curl 510-620-6512)

**L. ADJOURNMENT**

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**M. SPECIAL MEETING OF THE RICHMOND HOUSING AUTHORITY**

6:25 p.m.

**N. ROLL CALL**

**O. STATEMENT OF CONFLICT OF INTEREST**

**P. REPORT FROM THE EXECUTIVE DIRECTOR**

**Q. AGENDA REVIEW**

**R. HOUSING AUTHORITY CONSENT CALENDAR**

**R.1 Contract Amendment with Pacific Site Management for Landscaping Services**

14

ADOPT a resolution approving a contract amendment with Pacific Site Management for landscaping services at Richmond Housing Authority (RHA) properties, extending the term of the Agreement to June 30, 2025, and increasing the compensation in an amount not to exceed \$117,900, for a total contract compensation amount not to exceed \$342,900 - Richmond Housing Authority (Gabino Arredondo 510-620-6606).

**R.2 First Amendment to the Emergency Contract with Legacy for Boiler Pump Replacement**

56

ADOPT a resolution authorizing a First Amendment to the Emergency Contract with Legacy Mechanical and Energy Services for \$30,825 plus a revised 10 percent contingency of \$3,083, for a total contract amendment amount not to exceed \$33,908, to complete the replacement of the two heat pumps at Nevin Plaza, and authorize the payment of City permit fees in the revised amount of \$3,200, for a total project cost amount not to exceed \$55,698 - Richmond Housing Authority (Gabino Arredondo 510-620-6606).

**S. ADJOURNMENT**

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T. REGULAR MEETING OF THE RICHMOND CITY COUNCIL

6:30 p.m.

U. ROLL CALL

V. STATEMENT OF CONFLICT OF INTEREST

W. AGENDA REVIEW

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

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

Z. REPORTS OF OFFICERS: REFERRALS TO STAFF, AND GENERAL REPORTS (INCLUDING AB 1234 REPORTS)(limited to two minutes per Councilmember) (public comments allowed under Open Forum)

AA. REPORT FROM THE REIMAGINING TASK FORCE - 3rd Tuesday (public comment allowed under Open Forum)

AB. 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)*

AC. 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.)*

AC.1 City Council

AC.1.a Support for SB567 (Durazo) Homelessness Prevention Act 108

ADOPT a resolution in support of Senate Bill 567 (Durazo) Homelessness Prevention Act - Councilmember Melvin Willis (510-412-2050). This item was continued from the May 2, 2023, meeting.

AC.1.b Recognize the 35th Anniversary of the Marinda Family Daycare 129

PROCLAMATION recognizing Ms. Marinda Elaine Keith for providing 35 years of daycare services to Richmond residents and for creating a familial environment in which children thrive academically, socially, and emotionally - Mayor Eduardo Martinez (510-620-6503) and Vice Mayor Gayle McLaughlin (510-620-6636).

<b>AC.2</b>	<b>City Manager's Office</b>	
<b>AC.2.a</b>	<b>Amending Ordinances related to Pacific Gas and Electric (PG&amp;E)</b>	<b>133</b>
	ADOPT an ordinance (second reading) amending Ordinance 1579 which granted a franchise for the transmission and distribution of electricity within the City to PG&E to revise the franchise fee and add a franchise fee surcharge and ADOPT an ordinance (second reading) amending Ordinance 1580 which granted a franchise for the transmission and distribution of gas within the City to PG&E to add a franchise fee surcharge - City Manager's Office/City Attorney's Office (Shasa Curl 510-620-6512/Samantha Carr 510-620-5407/Dave Aleshire 510-620-6509).	
<b>AC.3</b>	<b>Community Development</b>	
<b>AC.3.a</b>	<b>Contract with Nichols Consulting Engineers, CHTD (NCE) for on-call Professional Environmental Consulting Services Including CEQA and NEPA.</b>	<b>197</b>
	APPROVE a contract with Nichols Consulting Engineers, CHTD (NCE) for as needed professional environmental consulting services related to California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) compliance, for an amount not to exceed \$984,296.48, for a term beginning July 1, 2022, through June 30, 2024 – Community Development Department (Lina Velasco 510-620-6841/Hector Rojas 510-620-1220).	
<b>AC.3.b</b>	<b>Contract Amendment No. 1 with David Paul Rosen and Associates</b>	<b>232</b>
	APPROVE amendment No. 1 to the contract with David Paul Rosen & Associates to increase the contract limit by \$150,000, for a total contract amount not to exceed \$200,000, to continue to support the City in financial and economic analyses related to real property negotiations and project evaluation, with a term extending through October 31, 2024 – Community Development Department (Lina Velasco/Jesus M. Morales 510-620-6706).	
<b>AC.4</b>	<b>Economic Development</b>	
<b>AC.4.a</b>	<b>Point San Pablo Harbor Lease Amendment</b>	<b>320</b>
	APPROVE a Lease Amendment with Point San Pablo Harbor, Inc., a California Corporation, to lease a portion of Terminal 4 through May 31, 2024, with five additional one-year extension options to potentially extend the lease through May 31, 2029 – Economic Development Department (Lizeht Zepeda 510-620-6653/Nannette Beacham 510-621-1306).	

<b>AC.5</b>	<b>Finance Department</b>	
<b>AC.5.a</b>	<b>Revision to Richmond Municipal Code Chapter 13.45 to Update Procedures Regarding Adoption of City of Richmond Fees</b>	<b>358</b>
	ADOPT an ordinance (second reading) amending Chapter 13.45 [Tax, Fee, and Charge Adjustments] of the Richmond Municipal Code to change the frequency of the fee updates from quarterly to yearly – Finance Department (Nickie Mastay/Mubeen Qader/Antonio Banuelos 510-620-6741).	
<b>AC.5.b</b>	<b>Contract with David Wellhouse &amp; Associates to Prepare and File Claims for State Mandated Cost Reimbursement</b>	<b>413</b>
	APPROVE a contract with David Wellhouse & Associates in an amount not to exceed \$30,000, to prepare and file claims for State Mandated Cost Reimbursement, with a term beginning July 1, 2023, and ending June 30, 2026, with a \$20,000 two-year option to renew – Finance Department (Nickie Mastay/Mubeen Qader 510-412-2077/Antonio Banuelos 510-620-6741).	
<b>AC.6</b>	<b>Human Resources</b>	
<b>AC.6.a</b>	<b>Resolution Amending Staffing (Position Control)</b>	<b>464</b>
	ADOPT a resolution amending staffing (position control) to correct job titles, add a grant-funded position, and reallocate an existing position; and APPROPRIATE the associated wages, salaries, and benefits as required – Human Resources Department (Nickie Mastay/Sharrone Taylor 510-620-6602).	
<b>AC.7</b>	<b>Library and Community Services</b>	
<b>AC.7.a</b>	<b>\$500,000 grant from the United States Environmental Protection Agency for RichmondBUILD</b>	<b>470</b>
	ADOPT a resolution to ACCEPT and APPROPRIATE \$500,000 in federal funds awarded to Employment & Training from the Environmental Protection Agency to provide opportunities for unemployed Richmond residents through certification classes at RichmondBUILD – Community Services Department (Tamara Walker 510-307-8006/Fred Lucero 510-621-1562).	
<b>AC.7.b</b>	<b>Contract with the Youth Finance Institute of America to Provide Workforce Training and Work Experience Opportunities</b>	<b>480</b>
	APPROVE a contract with the Youth Finance Institute of America to provide workforce training and employment services to youth funded under the California for All Youth grant, for a total amount not to exceed \$53,353, and a term from May 17, 2023, through September 1, 2024 – Community Services Department (LaShonda White 510-620-6828/Tamara Walker 510-307-8006).	

<b>AC.8</b>	<b>Mayor's Office</b>	
	<b>AC.8.a</b>	<b>Improvements to Residential Rental Inspection Program</b>
		539
		DIRECT the City Attorney's Office to work with the Community Development Department and community stakeholders to update the Residential Rental Dwelling Unit Inspection and Maintenance Ordinance, including developing a Tenant Habitability Plan and overall improvements to the Residential Rental Inspection Program - Mayor Eduardo Martinez (510-620-6502) and Councilmember Doria Robinson (510-620- 6568).
<b>AC.9</b>	<b>Police Department</b>	
	<b>AC.9.a</b>	<b>First Contract Amendment with Data Ticket, Inc.</b>
		575
		APPROVE a First Amendment to the Agreement with Data Ticket, Inc. to expand the scope of services to include on-line payment, permitting, and collection services for the City's False Alarm Reduction and Enforcement Program, and to increase the payment limit by \$30,000, to include a contingency of \$2,100, for a total payment limit not to exceed \$60,000, with a term of January 1, 2023, to December 31, 2026 – Police Department (Chief Bisa French 510-621-1802).
<b>AC.10</b>	<b>Public Works</b>	
	<b>AC.10.a</b>	<b>Adopt a resolution Authorizing the City to execute the Stipulated Order with the Water Board and to pay a \$69,000 Mandatory Minimum Penalty</b>
		642
		ADOPT a resolution authorizing the City to execute the Stipulated Order between the Water Board and the City on behalf of West County Agency, and to allocate funds in the Fiscal Year 2022-23 budget in the amount of \$69,000 to pay the Mandatory Minimum Penalties – Public Works Department (Daniel Chavarria/Mary Phelps 510-621-1269).
<b>AD.</b>	<b>BUDGET SESSION</b>	
	<b>AD.1</b>	<b>State Audit Corrective Action Plan, Pension Funding Policies</b>
		678
		RECEIVE a presentation regarding pension (CalPERS) funding policies per the California State Auditor's 2021-806-Audit Corrective Action Plan – Finance Department (Nickie Mastay 510-620-6609/ Mubeen Qadar 510-412-2077).

**AD.2 Fiscal Year 2022-2023 Quarter 3 Budget Report and American Rescue Plan Act (ARPA) Update 681**

RECEIVE the Fiscal Year 2022-23 Quarter 3 budget report for the period of July 1, 2022, through March 31, 2023; ADOPT a resolution to APPROPRIATE \$15 million for the Main Library Upgrade project via a transfer in from the General Fund to the Capital Fund; RECEIVE a report regarding the City's American Rescue Plan Act (ARPA) budget, Community Needs Assessment and Strategic Investment Plan; and APPROPRIATE \$1 million in ARPA funds to complete the 13th Complete Street project – Finance Department (Shasa Curl/LaShonda White 510-620-6828/Nickie Mastay 510-620-6609/Mubeen Qader 510-412-2077).

**AE. PUBLIC HEARINGS**

**AE.1 Raven Bioenergy Project Appeal Consideration 841**

HOLD a public hearing on an appeal filed objecting to the Planning Commission's conditional approval to adopt a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) and approval of a Conditional Use Permit and Design Review (PLN21-282) to construct and operate a bioenergy facility that converts food and green waste into transportation-grade hydrogen for various renewable energy products; and EITHER: (a.) Adopt the Resolution in Attachment 1, denying the appeal and approving the Raven project with changes to conditions of approval as represented in Exhibit C of the Resolution, (b.) Refer the matter back to the Planning Commission to consider the significant new evidence presented after its decision, identifying the evidence used as a basis for this decision, or (c.) Grant the appeal, deny the project, and direct staff to return with a resolution containing written findings consistent with this motion for final approval by the City Council - Community Development Department (Lina Velasco 510-620-6841).

**AE.2 Approval of New Fees for a Revised Master Fee Schedule 1687**

INTRODUCE an ordinance (first reading) establishing certain fees for the proposed Master Fee Schedule - Finance Department (Mubeen Qader/Antonio Banuelos 510-620- 6741).

**AF. NEW BUSINESS**

**AF.1 Contract with the Richmond Police Activities League to Provide Workforce Training and Work Experience Opportunities 1797**

APPROVE a contract with the Richmond Police Activities League (RPAL) to provide workforce training and employment services to 20 youth, for a term commencing April 5, 2023, and ending March 31, 2024, for a total amount not to exceed \$73,700 funded by the California for All Youth grant – Community Services Department/Employment and Training (Tamara Walker 510-307-8006). **This item was continued from the April 4, 2023, April 18, 2023, and May 2, 2023, meetings.**

- AF.2 Purchase of Four Police Motorcycles** 1858
- APPROVE the purchase of four 2023 BMW R 1250 RT motorcycles from Long Beach BMW, in an aggregate amount not to exceed \$160,000, including a contingency of \$10,158.44 – Public Works Department (Daniel Chavarria 510-620-5478/Dee Karnes 510-231-3044). **This item was continued from the April 18, 2023, and May 2, 2023, meetings.**
- AF.3 Purchase of One Crosswind Street Sweeper** 1872
- APPROVE the purchase of a new Elgin Crosswind 1 Regenerative Air Street Sweeper from Owen Equipment in an amount not to exceed \$430,000, including a contingency of \$38,708.32 – Public Works Department (Daniel Chavarria 510-620-5478/Dee Karnes 510-231-3044). **This item was continued from the April 18, 2023, and May 2, 2023, meetings.**
- AF.4 Contract with Raftelis to Provide a Workforce Analysis** 1912
- APPROVE a contract with Raftelis Financial Consultants, Inc. to provide a workforce analysis, in alignment with a state audit recommendation, in an amount not to exceed \$200,000, with a term beginning June 1, 2023, and ending March 31, 2024; and APPROPRIATE the necessary funding – Human Resources Department (Nickie Mastay 510-620-6609/Sharrone Taylor 510-620-6803). **This item was continued from the May 2, 2023, meeting.**
- AF.5 Contract With Wiss, Janney, Elstner Associates, Inc.** 2083
- APPROVE a sole-source contract with Wiss, Janney, Elstner Associates, Inc. (WJE), in an amount not to exceed \$247,000 (approximately \$180,000 for Pt. Molate and the remaining \$67,000 for the Cafeteria building), for a term beginning May 24, 2023, through June 30, 2024, to provide architectural and structural consulting services for evaluation and stabilization of certain buildings that are part of the Winehaven and Shipyard No. 3 Historic Districts – Public Works Department (Dave Aleshire 510-620-6509/Daniel Chavarria 510-620-5478/Lina Velasco 510-620-6841).
- AF.6 Appointment of a Retired Annuitant to Perform Critically Needed Special Project Work in the Finance Department** 2187
- APPROVE the appointment of Delmy Cuellar as extra help/special project retired annuitant for a limited term, special project role not to exceed one year; and ADOPT the resolution approving the 180-day wait period exception – Human Resources Department (Nickie Mastay/Sharrone Taylor 510-620-6602).

**AG. ADJOURNMENT**

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