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# Agenda

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**PLEASE NOTE: HYBRID MEETING FORMAT**

**AGENDA(s)**

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

Tuesday, October 17, 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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**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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Open Session and City Council: **Please click the link below to join the webinar:**  
<https://zoom.us/j/99312205643?pwd=MDdqNnRmS2k4ZkRTOWhiUldQOUF1Zz09>

**Passcode: ccmeeting**

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

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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>

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**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.

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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)**

- Alonzo Shelton v. City of Richmond et al.
- Winehaven Legacy LLC v. City of Richmond et al.
- Point Molate Alliance v. City of Richmond
- Guidiville Rancheria of California, et al. v. City of Richmond et al.

**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 (initiation of litigation pursuant to paragraph (4) of Subdivision (d) of Government Code Section 54956.9)**

- One Case

**C.4 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

**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. PLEDGE OF ALLEGIANCE**

**H. ROLL CALL**

**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. 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)**

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

**O. 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)

**P. 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.)

**P.1 City Attorney's Office**

**P.1.a First Amendment to the Legal Services Agreement with Jackson Lewis PC**

12

APPROVE the First Amendment to the Legal Services Agreement with employment law firm Jackson Lewis PC increasing the compensation by an amount not to exceed \$75,000, for a total contract payment limit of \$84,990, and extending the term one year to June 30, 2025 – City Attorney's Office (Alan M. Cohen 510-620-6709).

**P.1.b Legal Services Agreement with Nevers, Palazoo, Packard, Wildermuth & Wynner, PC.**

39

APPROVE a legal services agreement (LSA) with Nevers, Palazoo, Packard, Wildermuth & Wynner, PC in an amount of \$175,000, which is proposed to be funded from the \$1.6 million LSA for City Attorney services, with a term from October 1, 2023, to June 30, 2025 – City Attorney's Office (Dave Aleshire 510-620-6509).

<b>P.2</b>	<b>City Clerk's Office</b>	
<b>P.2.a</b>	<b>City Council Meeting Minutes</b>	<b>63</b>
	APPROVE the minutes of the September 12, 2023, regular City Council meeting - City Clerk's Office (Pamela Christian 510-620-6513).	
<b>P.2.b</b>	<b>Request for Leave of Absence for Councilmember Claudia Jimenez</b>	<b>76</b>
	APPROVE a request by Councilmember Claudia Jimenez for a medical leave of absence from City Council Meetings during the period of October 4, 2023, through December 18, 2023 – City Clerk's Office (Pamela Christian 510-620-6513).	
<b>P.3</b>	<b>City Council</b>	
<b>P.3.a</b>	<b>Proclaim September 16, 2023, retroactively, as Masha Amini Day</b>	<b>134</b>
	Proclamation to proclaim (retroactively) September 16, 2023, as Masha Amini Day - Vice Mayor Gayle McLaughlin (510-620-6636) and Councilmember Soheila Bana (510-620-6743).	
<b>P.4</b>	<b>City Manager's Office</b>	
<b>P.4.a</b>	<b>Public Art Master Plan (PAMP) Review and Approval</b>	<b>137</b>
	RECEIVE and APPROVE the Public Art Master Plan (PAMP) – Economic Development Department (Winifred Day 510-620-6952).	
<b>P.5</b>	<b>Finance Department</b>	
<b>P.5.a</b>	<b>Investment and Cash Balance Report for the Month of August 2023</b>	<b>235</b>
	RECEIVE the City's Investment and Cash Balance Report for the month of August 2023 – Finance Department (Andrea Miller 510-620-6740).	
<b>P.5.b</b>	<b>Amendment of Authorized Signatures on the Local Agency Investment Fund</b>	<b>247</b>
	ADOPT a resolution revising the authorization list on the Local Agency Investment Fund (LAIF) account to reflect the current staff assignments in the Finance Department – Finance Department (Andrea Miller 510-620-6740).	
<b>P.5.c</b>	<b>Annual Review and Adoption of the Resolutions to approve the Financial Policies (Debt, Investment, and Pension Funding policies)</b>	<b>251</b>
	REVIEW the City's Debt, Pension Funding, and Investment policies; and ADOPT resolutions to approve the updated policies – Finance Department (Andrea Miller 510-620-6790/ Mubeen Qader 510-412-2077). <b>This item was continued from the October 3, 2023, meeting.</b>	

P.5.d	<b>OMNIA Cooperative Purchase Agreements for Citywide Goods and Services for Fiscal Year 2023-24 to 2026-27</b>	296
	ADOPT a resolution approving the use of OMNIA Cooperative Purchasing Agreements with Ari Phoenix, Epic Business, Grainger, HD Supply, Herc Rentals, Kimball Midwest, Ricoh, and The Home Depot in an amount not to exceed \$250,000 per year per vendor for Fiscal Years 2023-24 to 2026-27 – Finance Department (Antonio Banuelos 510-620-6741/ Ofelia Alvarez 510-620-6699). <b>This item was continued from the October 3, 2023, meeting.</b>	
P.5.e	<b>State Auditor’s Recommendations Corrective Action Plan November 2023 Update</b>	3821
	RECEIVE a report regarding the City’s Corrective Action Plan update to State Audit No. 2021-806 – Finance Department (Andrea Miller 510-620-6790/Mubeen Qader 510-412-2077).	
P.6	<b>Human Resources</b>	
P.6.a	<b>Resolution Approving Tentative Agreements with Richmond Police Management Association</b>	3825
	ADOPT a resolution approving the Tentative Agreements between the City of Richmond and the Richmond Police Management Association to establish a new Memorandum of Understanding (MOU) for the term of January 1, 2023, through December 31, 2025; and DIRECT the city manager or her designee to update the publicly available salary schedule with the adopted wage increases during the term of the MOU – Human Resources Department/City Attorney’s Office (Sharrone Taylor/Nickie Mastay/ Dave Aleshire 510-620-6602).	
P.6.b	<b>Resolution Approving Tentative Agreements with Richmond Fire Management Association</b>	3831
	ADOPT a resolution approving the Tentative Agreements between the City of Richmond and the Richmond Fire Management Association for the establishment of a new Memorandum of Understanding for the term of July 1, 2022, through June 30, 2025; and DIRECT the city manager or designee to update the publicly available salary schedule with the adopted wage increases during the term of the MOU – Human Resources Department/City Attorney’s Office (Sharrone Taylor/Nickie Mastay/ Dave Aleshire 510-620-6602).	
P.6.c	<b>Resolution to Approve Salary Schedules in Accordance with California Code of Regulations 570.5(a) (2 CCR § 570.5)</b>	3844
	ADOPT a resolution amending the salary schedules for all unions to comply with California Code of Regulations, Subchapter 1, Employees’ Retirement System Regulations section 570.5 (a) (2 CCR § 570.5) as required by CalPERS – Human Resources Department (Nickie Mastay/Sharrone Taylor 510-620-6602).	

P.6.d	<b>Amend Staffing (Position Control) and the Salary Schedule, and Appropriate Funds as Required</b>	4104
	ADOPT a resolution amending staffing (position control) for the Department of Children and Youth, Grants Division, Engineering, Parks Division, and Police Department; and APPROPRIATE associated salaries, wages, and benefits as required – Human Resources Department (Nickie Mastay/ Sharrone Taylor 510-620-6602).	
P.7	<b>Library and Community Services</b>	
P.7.a	<b>Contract with Bay Area Tutoring Association for Homework Help Services</b>	4111
	APPROVE a contract with the Bay Area Tutoring Association for homework help services for an amount not to exceed \$200,000, for a term beginning October 17, 2023, and ending June 30, 2024 – Community Services Department (Kate Eppler 510-620-5452/Christopher Larsen 510-620-5524).	
P.7.b	<b>Lease Agreement Between the City and the YWCA of Contra Costa County for Use of Space at the Richmond Recreation Complex</b>	4143
	APPROVE a lease agreement between the City of Richmond and the YWCA of Contra Costa County for the use of space for a day care program at the west wing of the Richmond Recreation Complex at 3230 Macdonald Avenue, with a lease term from October 1, 2023, through September 30, 2024, and a lease rate of \$2,700 per month – Community Services Department (LaShonda White 510-620-6828 / Ranjana Maharaj 510-620-6972).	
P.7.c	<b>Approval to Receive Grant Award from the Chevron Community Engagement Foundation</b>	4167
	ADOPT a resolution to ACCEPT and APPROPRIATE a grant award from the Chevron Community Engagement Foundation in the amount of \$35,000 for the Office of Neighborhood Safety Operation Peacemaker Fellowship program – Community Services Department (LaShonda White 510-620-6828/Sam Vaughn 510-620-6512).	

<b>P.7.d</b>	<b>Resolution to Accept and Appropriate California State Transportation Agency Funds</b>	4171
	<p>ADOPT a resolution authorizing the city manager or their designee to enter a master funding agreement with the California State Transportation Agency and fulfill all related grant requirements; ACCEPT and APPROPRIATE \$3,117,500 in grant funds awarded by the Transit and Intercity Rail Capital Program; AUTHORIZE and APPROPRIATE a grant match in the amount of \$3,117,500 from the Environmental and Community Investment Agreement (ECIA) transportation budget; and APPROVE a sole-source fourth contract amendment with Nomad Transit, LLC (Via) to increase the contract limit by \$6,235,000, for a new total contract limit not to exceed \$8,335,731, and extend the term through July 7, 2027 – Community Services Department (LaShonda White 510-620-6828/ Denée Evans 510-621-1718).</p>	
<b>P.8</b>	<b>Mayor's Office</b>	
<b>P.8.a</b>	<b>Appointment to Reimagine Public Safety Community Safety Task Force</b>	4344
	<p>APPROVE the appointment of Michael Gliksohn to the Reimagine Public Safety Community Safety Task Force - Mayor's Office (Mayor Eduardo Martinez 510-620-6503).</p>	
<b>P.8.b</b>	<b>November 1st as Extra Mile Day in the City of Richmond</b>	4346
	<p>PROCLAMATION recognizing November 1<sup>st</sup> as Extra Mile Day in the City of Richmond - Mayor's Office (Mayor Eduardo Martinez 510-620-6503).</p>	
<b>P.9</b>	<b>Public Works</b>	
<b>P.9.a</b>	<b>Sole-Source Contract with The Watershed Project for the Flood Risk Reduction in the Rheem Creek Watershed Project</b>	4349
	<p>APPROVE a sole-source professional services contract with The Watershed Project in an amount not to exceed \$364,183 to support the City in implementing the tasks for the grant-funded Flood Risk Reduction in the Rheem Creek Watershed Project, for a term beginning August 1, 2023, through November 15, 2026 – Public Works Department (Daniel Chavarria/Wendy Wellbrock 510-307-8108).</p>	

**P.9.b Contract with Noll & Tam Architects for Architectural Design Services for the Revitalization of the Historic Richmond Main Library Project.** 4393

APPROVE a contract in the amount of \$2,987,156, and any amendments, if necessary, for up to a 10 percent contingency in the amount of \$298,716, with Noll & Tam Architects for architectural design services for the seismic retrofit and Revitalization of the Historic Richmond Main Library located at 325 Civic Center Plaza in Richmond, with a term from October 17, 2023, through June 30, 2027; and ADOPT a resolution awarding a contract to Noll & Tam Architects and authorizing the city manager or designee to execute the contract and any related documents – Public Works Department/Community Services Department (Daniel Chavarria 510-620-6639/ LaShonda White 510-620-6828).

**Q. BUDGET SESSION**

**Q.1 State Audit Corrective Action Plan, OPEB Funding Analysis, GovInvest** 4442

RECEIVE a presentation from GovInvest on a comprehensive analysis regarding the approved funding policy impact on the Other Post-Employment Benefits (OPEB) Unfunded Actuarial Accrued Liability (UAAL) – Finance Department (Nickie Mastay 510-620-6609/ Mubeen Qader 510-412-2077).

**R. NEW BUSINESS**

**R.1 Presentation from the Bay Area Metro Group on Local Government Services - Metropolitan Transportation Commission and the Association of Bay Area Government.** 4445

RECEIVE a presentation from Bay Area Metro Group on Local Governments Services through Metropolitan Transportation Commission (MTC) and the Association of Bay Area Government (ABAG) - Councilmember Soheila Bana (510-672-3490). **This item was continued from the September 19, 2023, meeting.**

**S. ADJOURNMENT**

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