



Agenda

PLEASE NOTE: HYBRID MEETING FORMAT

AGENDA(s)

-REGULAR MEETING OF THE RICHMOND CITY COUNCIL

Tuesday, November 28, 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: MASKS ARE STRONGLY ENCOURAGED!!

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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#

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Webinar ID: 993 1220 5643

International numbers available: <https://zoom.us/u/aehrwCglSx>

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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.

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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>

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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.

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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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).

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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)

- Hanlees Hilltop Buick et al. v. City of Richmond
- Riggers Loft Wine Company v. City of Richmond et al.

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)

- Two cases

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 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

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. COMMENDATIONS, PRESENTATIONS, AND PROCLAMATIONS

N.1 Proclamation Recognizing Diane Richwine for Leadership and Service in Emergency Preparedness

13

PROCLAMATION recognizing Diane Richwine for Exceptional Leadership and Service to the City of Richmond Community Emergency Response Team – Councilmember Soheila Bana (510-620-6743).

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 Clerk's Office

P.1.a City Council Meeting Minutes

16

APPROVE the minutes of the October 3, 2023, regular City Council meeting - City Clerk's Office (Pamela Christian 510-620-6513).

P.2 City Council

P.2.a Annual Payment of the Shuumi Land Tax

27

ADOPT a resolution to make an annual contribution to Shuumi Land Tax to support the work of the Sogorea Te' Land Trust; and DIRECT the city manager and director of Finance to include this annual contribution in the City's budget for the upcoming fiscal year and to continue this commitment as a line item in all future budgets – Councilmember Soheila Bana (510-620-6743).

P.2.b	Diwali Festival of Lights	32
	<p>PROCLAMATION recognizing the Diwali Festival of Lights holiday, on November 12th, and its significance to the City of Richmond's Hindu populations – Councilmember Cesar Zepeda (510-620-6593) and Mayor Eduardo Martinez (510-620-6503).</p>	
P.2.c	Letter requesting that Heritage Park at Hilltop not move forward with its current December 1, 2023, rent increase and to reevaluate rent increases in the future.	35
	<p>APPROVE a letter to Heritage Park at Hilltop Apartments requesting that it not move forward with its current rent increase and to reevaluate future rent increases and DIRECT staff to work with the Rent Program staff to develop strategies to assist with housing for seniors - Councilmembers Melvin Willis (510) 412-2050) and Cesar Zepeda (510) 620-6593.</p>	
P.3	Community Development	
P.3.a	Motel Leases	43
	<p>AUTHORIZE City staff to identify motel properties suitable for use for interim housing pending implementation of plans to address homeless encampments; and AUTHORIZE the city manager to negotiate and execute leases of motel properties for such purposes subject to City Council approval of terms – Community Development Department (Lina Velasco 510-620-6841).</p>	
P.3.b	Contract Amendment No. 2 with RCF Connects for Housing First and Emergency Housing Assistance Programs	46
	<p>APPROVE a contract amendment No. 2 with RCF Connects to add \$1,111,633.15 in additional funding for the Richmond Housing First and Emergency Housing Assistance Programs, for total contract amount not to exceed \$2,261,717.95, for a term extending through June 30, 2025 – Community Development Department (Lina Velasco/Jesus Morales 510-620-6706).</p>	
P.4	Finance Department	
P.4.a	Investment and Cash Balance Report and Overtime Reports for the Month of September 2023	107
	<p>RECEIVE the City's Investment and Cash Balance Report for the month of September 2023 – Finance Department (Andrea Miller 510-620-6740).</p>	

P.4.b	Contract for Business Tax Audit Services and Analysis	123
	APPROVE a contract with BRI Consultants, Inc. in an amount not to exceed \$250,000, to provide Business Tax Audit Services and provide as-needed analysis, with a term beginning November 29, 2023, and ending December 31, 2026, with two one-year options to renew at the amount of \$50,000 per year, for a total contract amount not to exceed \$350,000 – Finance Department (Andrea Miller/ Mubeen Qader 510-412-2077/ Antonio Banuelos 510-620-6741).	
P.4.c	Ordinance changing the due date of the Business Tax for businesses (excluding rental businesses) from July 1st to April 1st and adding a section allowing for a thirty-day grace period before late fees are assessed.	246
	INTRODUCE an ordinance (first reading) changing the due date for the business tax (excluding those due from rental businesses) from July 1 to April 1, and add a section allowing for a thirty-day grace period before late fees are assessed – Finance Department (Nickie Mastay/Andrea Miller/Mubeen Qader/Antonio Banuelos 510-620-6741).	
P.4.d	Compliance with Developer Fees Reporting Requirements of Sections 66006 and 66001 of the Government Code	252
	RECEIVE the annual year-end developer fee report as required pursuant to Section 66006 of Government Code – Finance Department (Andrea Miller/Mubeen Qader/Vrenesia Ward 510-621-1211).	
P.4.e	Fiscal Year 2023-24 Quarter 1 Budget Review	257
	RECEIVE the Fiscal Year 2023-24 Quarter 1 budget report for the period of July 1, 2023, through September 30, 2023; and APPROVE proposed budget adjustments – Finance Department (Andrea Miller 510-620-6790/Mubeen Qader 510-412-2077).	
P.5	Human Resources	
P.5.a	Amend Staffing (Position Control) and the Salary Schedule, and Appropriate Funds as Required	317
	ADOPT a resolution to amend staffing (position control) for the Finance, Community Development-Planning, and Fire Departments; and APPROPRIATE associated salaries, wages, and benefits as required – Human Resources Department (Nickie Mastay/ Sharrone Taylor 510-620-6602).	

P.6	Information Technology	
P.6.a	Resolution Confirming Standing Orders and Outline Agreements for Technology Related Services from Cal Coast Telecom and Red Cloud	322
	ADOPT a resolution authorizing standing orders/outline agreements for technology related goods and services from Cal Coast Telecom and Red Cloud to support critical public safety communications for City infrastructure and emergency services including the Emergency Operations Center, in an amount not to exceed \$250,000 per year for fiscal years 2023-2024 through 2026-2027 - Information Technology Department (Sue Hartman 510-620-6874).	
P.6.b	First Contract Amendment with David Carroll Associates	331
	APPROVE a first amendment to the contract with David Carroll Associates, in the amount of \$70,000, for a new total contract amount not to exceed \$520,000, to provide support and maintenance services for the audio/video technology located in the City Council Chambers, with an extended term through December 8, 2024 – Information Technology Department (Sue Hartman 510-620-6874).	
P.7	Library and Community Services	
P.7.a	Community Crisis Response Program Development Update	368
	RECEIVE a draft report and presentation from Urban Strategies Council regarding Community Crisis Response Program model options – Community Services Department (LaShonda White 510-620-6828/Sam Vaughn 510-620-5404).	
P.7.b	California Department of Parks and Recreation Outdoor Equity Grant Program Cycle 2 Grant Application Submission	391
	ADOPT a resolution authorizing the Recreation Division to submit a grant application for the California Department of Parks and Recreation Outdoor Equity Grant Program Cycle 2 Grant and approving its proposed, potential partnership list in said grant - Community Services Department (LaShonda White 510-620-6828/Jene Levine-Snipes 510-307-8132).	
P.7.c	Pacific Gas and Electric – Electric Vehicle Fleet Electrification Program	397
	ADOPT a resolution authorizing the City to execute a letter of commitment and other related contracts necessary to participate in the Pacific Gas and Electric Company Electrical Fleet Program to upgrade electrical utility infrastructure that will enable electric vehicle service equipment installations at various City facilities to support the City’s active transition to electric fleets – Community Services Department (LaShonda White 510-620-6828/Denée Evans 621-1718).	

P.7.d	North Richmond Mitigation Plan Second Amended Fiscal Year 2022-23	425
	<p>APPROVE the 2022-2023 Second Amended North Richmond Waste and Recovery Mitigation Fee Expenditure Plan, identifying the activities authorized to be funded with Mitigation Fee revenue and respective funding allocations for the period of July 1, 2022 to June 30, 2023, as recommended by the North Richmond Waste and Recovery Mitigation Fee Joint Expenditure Planning Committee – Community Services Department (LaShonda White 510-620-6828/Lori Reese-Brown 510-620-6869).</p>	
P.8	Mayor's Office	
P.8.a	Urban Forest Advisory Committee	453
	<p>APPOINT Melissa Garvey to the Urban Forest Advisory Committee with a term that expires on November 17, 2026 – Mayor's Office (Mayor Eduardo Martinez 510-620-6503).</p>	
P.9	Police Department	
P.9.a	Contract Amendment No. 1 with Cellebrite for Law Enforcement Investigations Software and Hardware	455
	<p>APPROVE a first contract amendment with Cellebrite in the amount of \$36,374.01, for a new total contract amount not to exceed \$70,654.74, to allow the Police Department to continue using the cellular phone analyzer tool to extract evidence from cellular phones, and to extend the contract term end date to November 28, 2026 - Police Department (Chief Bisa French 510-621-1802).</p>	
P.9.b	Proposed Contract with International Business Information Technologies, Inc., d.b.a. LEFTA Systems.	619
	<p>APPROVE a three-year contract with International Business Information Technologies, Inc., d.b.a. LEFTA Systems, in an amount not to exceed \$25,000, including a \$1,000 contingency, for software that will store, track, and submit paperwork to Police Officer Standards and Training (POST), for the contract term November 28, 2023, through November 27, 2026 – Police Department (Chief Bisa French 510-621-1802).</p>	
P.9.c	Purchase of a Dual-Purpose Police Canine to Fill Vacant Team Position	656
	<p>APPROVE the purchase of a police canine and the associated eight-week training class from Top Dog Police K9 Training & Consulting, LLC. in an amount not to exceed \$18,231.87 - Police Department (Chief Bisa French 510-621-1802).</p>	

P.9.d County Amendment to the Agreement for City of Richmond Animal Services 662

APPROVE and ACCEPT the Contra Costa Animal Services revisions to the agreement originally approved by City Council on July 19, 2022 – Police Department (Chief Bisa French 510-621-1802).

P.10 Public Works

P.10.a Abatement Report from the Public Works Director 674

Receive a written abatement report from the Public Works Director - Public Works Department (Daniel Chavarria 510-620-5478).

P.10.b Dump Day Event Agreement 689

APPROVE the Dump Day Event Agreement with Caltrans; and ACCEPT and APPROPRIATE \$50,000 of funds to be reimbursed to the City of Richmond’s Public Works Department, Abatement Division – Public Works Department (Daniel Chavarria/Hugo Mendoza 510-231-3030).

Q. BUDGET SESSION

Q.1 Update and Funding Options Using American Rescue Plan Act (ARPA) and Environmental and Community Agreement (ECIA) 696

RECEIVE an update regarding the American Rescue Plan Act (ARPA), and Environmental Community Investment Agreement (ECIA); DISCUSS recommendations to utilize ARPA and ECIA funds to offset identified shortfalls in Capital Projects and programs/projects aligned with the City Council Strategic Goals; and ADOPT a resolution appropriating ARPA and ECIA to fund proposed expenditures – Finance Department/City Manager’s Office (Andrea Miller 510-620-6790/Mubeen Qader 510-412-2077/LaShonda White 510-620-6828).

R. PUBLIC HEARINGS

R.1 CONTINUED TO DECEMBER 5, 2023 - Cannabis Ordinance Amendments

HOLD a Public Hearing; and INTRODUCE (first reading) an ordinance making certain amendments to Richmond Municipal Code (RMC) Section 15.04.610.270 Marijuana/Cannabis Commercial Uses, that includes, but is not limited to, increasing the number of storefront retail permits and adding new non-storefront retail (delivery only) permits, with a certain amount of the new retailer licenses to be reserved for equity applicants – Community Development Department (Lina Velasco 510-620-6841).

S. STUDY AND ACTION SESSION

S.1 Realign Draft Service Scenarios

796

RECEIVE a presentation Ryan Lau, AC Transit External Affairs Representative on the redesign of their services – Mayor’s Office (Mayor Eduardo Martinez 510-620-6503).

T. ADJOURNMENT
