RICHMOND, CALIFORNIA,

December 19, 2023, 4:30 p.m.
Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

A. OPEN SESSION TO HEAR PUBLIC COMMENT BEFORE CLOSED SESSION

The Open Session was called to order at 4:33 p.m. by Mayor Eduardo Martinez.

B. ROLL CALL

Present: Councilmembers Soheila Bana, Claudia Jimenez, Doria Robinson, Cesar Zepeda, Vice Mayor Gayle McLaughlin, and Mayor Eduardo Martinez. **Absent**: Councilmember Willis arrived after the Council adjourned to Closed Session.

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
- Pena v. City of Richmond, et al.
- Farmers Insurance Exchange v. City of Richmond, et al.
- State of Texas, et al. v. United States of America, et al.

C.2 CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)

- Property: 222 Marina Way (Nystrom Village)Agency Negotiators: Nannette Beacham, Gabino Arredondo, Susan Bloch Negotiating Parties: McCormack Baron Salazar (MBS) and Richmond Neighborhood Housing Services (RNHS)Under negotiation: Price and terms of payment

C.3 CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

- City Designated Representative: Dave Aleshire, City Attorney
- Unrepresented employee: City Manager

C.4 CONFERENCEWITH 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)

None.

E. ADJOURN TO CLOSED SESSION

There being no further business, the meeting adjourned at 4:35 p.m. Closed Session adjourned at 6:15 p.m.

F. SPECIAL MEETING OF THE RICHMOND HOUSING AUTHORITY

The Special Housing Authority meeting was called to order at 6:24 p.m. by Chair Eduardo Martinez.

G. PLEDGE OF ALLEGIANCE

Chair Eduardo Martinez led the Pledge of Allegiance to the Flag.

H. ROLL CALL

Present: Commissioners Soheila Bana, Claudia Jimenez, Doria Robinson, Melvin Willis, Cesar Zepeda, and Chair Eduardo Martinez. **Absent**: Commissioner Jaycine Scott and Vice Chair Gayle McLaughlin were absent the entire meeting.

I. STATEMENT OF CONFLICT OF INTEREST

None.

J. REPORT FROM THE EXECUTIVE DIRECTOR

Interim Executive Director Gabino Arredondo reported that the Richmond Housing Authority Holiday Closure would be from December 26th through December 29, 2023 and that maintenance staff would be on standby duty.

K. AGENDA REVIEW

None.

L. HOUSING AUTHORITY PUBLIC HEARINGS

L.1 United States Department of Housing and Urban Development (HUD) Housing Authority Annual Plan

HOLD a public hearing; ADOPT a resolution approving the Richmond Housing Authority (RHA) Annual Plan; and AUTHORIZE submission of the proposed Annual Plan to the US Department of Housing and Urban Development (HUD) - Richmond Housing Authority (Gabino Arredondo 510-620-6606).

Interim Executive Director Gabino Arredondo presented a PowerPoint which highlighted main activities and community feedback. Discussion ensued. Chair

Martinez opened the public hearing. There were no public speakers. Chair Martinez closed the public hearing.

A motion by Commissioner Bana, seconded by Commissioner Zepeda, adopted **Resolution No. 2193**, by the following vote: **Ayes**: Commissioners Bana, Jimenez, Robinson, Willis, Zepeda, and Chair Martinez. **Noes**: None. **Absent**: Commissioner Scott and Vice Chair McLaughlin. **Abstain**: None.

M. ADJOURNMENT

There being no further business, the meeting adjourned at 6:31 p.m.

N. SPECIAL MEETING OF THE RICHMOND CITY COUNCIL/SUCCESSOR AGENCY TO THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY

The Special Meeting of the Richmond City Council/Successor Agency was called to order at 6:32 p.m. by Mayor Eduardo Martinez.

O. ROLL CALL

Present: Councilmembers Soheila Bana, Claudia Jimenez, Doria Robinson, Melvin Willis, Cesar Zepeda, and Mayor Eduardo Martinez. **Absent**: Vice Mayor Gayle McLaughlin was absent the entire meeting.

P. STATEMENT OF CONFLICT OF INTEREST

None.

Q. AGENDA REVIEW

None.

R. SUCCESSOR AGENCY TO THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY CONSENT CALENDAR

Motion by Councilmember Melvin Willis
Seconded by Councilmember Cesar Zepeda

Ayes (6): Councilmember Soheila Bana, Councilmember Claudia Jimenez, Councilmember Doria Robinson, Councilmember Melvin Willis, Councilmember Cesar Zepeda, and Mayor Eduardo Martinez

Absent (1): Vice Mayor Gayle McLaughlin

Passed (6 to 0)

R.1 Approval of the Recognized Obligation Payment Schedule (ROPS 24-25) and the Administrative Budget for the Period July 1, 2024 through June 30, 2025

ADOPT a resolution approving the Recognized Obligation Payment Schedule (ROPS 24-25) and the Administrative Budget for the Period July 1, 2024, through June 30, 2025 – Community Development Department (Lina Velasco 510-620-6841).

Adopted **Resolution No. 23-2**.

S. ADJOURNMENT

There being no further business, the meeting adjourned at 6:33 p.m.

T. REGULAR MEETING OF THE RICHMOND CITY COUNCIL

The Regular meeting of the Richmond City Council was called to order at 6:33 p.m. by Mayor Eduardo Martinez.

U. ROLL CALL

Present: Councilmembers Soheila Bana, Claudia Jimenez, Doria Robinson, Melvin Willis, Cesar Zepeda, and Mayor Eduardo Martinez. **Absent**: Vice Mayor Gayle McLaughlin was absent the entire meeting.

V. STATEMENT OF CONFLICT OF INTEREST

None.

W. AGENDA REVIEW

None.

X. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE DURING 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 - **No reportable action.**

Guidiville Rancheria of California, et al. v. United States of America, et al. - **No reportable action.**

North Coast Rivers Alliance et al./Point Molate Alliance et al. v. City of Richmond - **No reportable action.**

Pena v. City of Richmond, et al. -**No reportable action.**

Farmers Insurance Exchange v. City of Richmond, et al. - **No reportable action.**

State of Texas, et al. v. United States of America, et al. - **Discussed - The city was not a party. Council voted to allow joining amicus brief.**

C.2 CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)

Property: 222 Marina Way (Nystrom Village)
Agency Negotiators: Nannette Beacham, Gabino Arredondo, Susan Bloch
Negotiating Parties: McCormack Baron Salazar (MBS) and Richmond Neighborhood Housing Services (RNHS)
Under negotiation: Price and terms of payment

No reportable action.

C.3 CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

City Designated Representative: Dave Aleshire, City Attorney
Unrepresented employee: City Manager

No reportable action.

C.4 CONFERENCEWITH 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

No reportable action.

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

City Manager Shasa Curl reported the following: Police and Fire Toy Program was held on December 16, 2023; Richmond's 2nd Annual Snow Day was scheduled on Thursday, December 21, 2023, from 11:00 a.m. to 4:00 p.m., at Nicholl Park; Richmond Community Survey was open to Richmond residents at https://tinyurl.com/RichmondSurvey2023, and the deadline was December 31, 2023; "How to Do Business in Richmond" Vendor Workshop was scheduled to take place at the City Council Chamber on Thursday, January 18, 2023, from 9:30 a.m. to 12:00 p.m.; and Lifeguard Boot Camp Class was scheduled to take place at the Richmond Swim Center on Tuesdays and Thursdays from January 9 through January 25, 2024, from 5:00 p.m. to 5:40 p.m.

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)

Councilmember Jimenez reported that she was out for eight weeks due to thyroid cancer and was happy to be back.

Councilmember Zepeda reported that there would be art displayed in the council chambers. Councilmember Zepeda also reported that he attended the police and fire toy program and thanked everyone who participated.

Councilmember Willis reported that he attended the West Contra Costa Unified School District Richmond High Special Olympics of Northern California.

Councilmember Bana thanked the Richmond Police Activities League for organizing the Shop with a Cop Program. Councilmember Bana also reported that the Celebration of Winter Solstice was scheduled for December 21, 2023.

Councilmember Robinson reported that she attended the Parks & Recreation Commission meeting, and they discussed efforts to improve and repair lights and prevent flooding at parks.

Mayor Martinez stated that he attended a holiday brunch with Congressman John Garamendi and California Secretary of Transportation Toks Omishakin at the Riggers Loft. Mayor Martinez also announced that Katrinka Ruk had stepped down as executive director of the Council of Industries and Raulin (Rauly) Butler was the new director.

AA. 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)

Silray Garcia gave comments regarding the carpenter's apprenticeship program and the California Carpenters Union.

Mark Wassberg gave comments regarding crime in the City of Richmond.

Philip Rosenthal, read a letter from Point Richmond Neighborhood Council in support of the Keller Beach Sewer Project.

Jamin Pursell stated that Councilmember Jimenez was named Woman of the Year by John Garamendi. Mr. Pursell also expressed support for dedicated resiliency centers for the unhoused.

Katrinka Ruk stated that Rauley Butler would be the Executive Director of the Council of Industries starting January 2024. Ms. Ruk also welcomed Councilmember Jimenez back after her recent surgery.

AB. 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.)

Motion by Councilmember Cesar Zepeda
Seconded by Councilmember Melvin Willis

Ayes (6): Councilmember Soheila Bana, Councilmember Claudia Jimenez, Councilmember Doria Robinson, Councilmember Melvin Willis, Councilmember Cesar Zepeda, and Mayor Eduardo Martinez

Absent (1): Vice Mayor Gayle McLaughlin

Passed (6 to 0)

AB.1 City Attorney's Office

AB.1.a Legal Services Agreement with Maloney Employment Law

APPROVE a Legal Services Agreement with Maloney Employment Law for a total amount not to exceed $350,000, with a term beginning July 1,

2023, through June 30, 2025 – City Attorney's Office (Shannon Moore 510-620-6505).

AB.2 City Clerk's Office

AB.2.a Cancellation of January 9, 2024, Regular City Council Meeting

APPROVE the cancellation of the January 9, 2024, Regular City Council meeting and hold regular meetings on January 16 and 30, 2024 - City Clerk's Office (Pamela Christian 510-620-6513).

AB.3 City Council

AB.3.a Amendment to Chapter 3.54 of the Richmond Municipal Code to match the state definition of "serious bodily injury" under Penal Code Section 243(f)(4).

DIRECT the city attorney to amend Ordinance 3.54 Community Police Review Commission of the Richmond Municipal Code to match the State's definition of "serious bodily injury" under Penal Code Section 243(f)(4) – Councilmember Jimenez (510-620-6565).

AB.3.b Provide Guidance to Staff Regarding the Keller Beach Sewer Project

DIRECT staff to (1) use every available option provided by the Baykeeper Settlement Agreement, including replacing or repairing existing sewer pipes, with the last option to move up into the street level; and (2) hire a new contractor to provide a second opinion/peer review on work performed by Coastland and to assess all options provided by the Baykeeper Settlement Agreement – Councilmember Cesar Zepeda (510-620-6593).

AB.3.c Richmond-Shimada Friendship Commission Year-end Report

RECEIVE the Richmond-Shimada Friendship Commission Annual Report – Councilmember Zepeda (510-620-6593)

AB.3.d Feasibility Study of Dynamic Personal Micro Transit System to Connect West County Cities to Local Transportation Hubs

DIRECT staff to conduct a Feasibility Study for implementation of a Dynamic Personal Micro Transit (DPMT) system to connect the Richmond Ferry Terminal, BART, and Hilltop Mall – Councilmember Zepeda (510-620-6593) and Councilmember Jimenez (510-620-6565).

AB.3.e Proposed Council Chamber Art Exhibit Pilot Program

DIRECT staff to facilitate public art in the Council Chambers in an amount not to exceed $5,000; and AUTHORIZE the city manager or her designee to negotiate and enter into any required agreements or contracts - Councilmember Cesar Zepeda (510-620-6593), Councilmember Claudia Jimenez (510-620-6565), and Councilmember Soheila Bana (510-620-6743).

AB.4 City Manager's Office

AB.4.a Contract with Public Works LLC to Support the Development of a Community Needs Assessment and Strategic Investment Plan

APPROVE a contract with Public Works LLC in the amount of $215,500, with a $14,500 contingency, for a not-to-exceed total contract amount of $230,000, to support the Department of Children and Youth in the development of a Community Needs Assessment and Strategic Investment Plan, with a contract term from December 20, 2023, through December 31, 2024 – City Manager's Office (LaShonda White 510-620-6828/Patrick Seals 510-307-8016).

AB.4.b Proposed FY 2024-2025 Environmental Community and Investment Agreement (ECIA) Competitive Grant Program

APPROVE the Fiscal Year 2024-2025 Environmental and Community Investment Agreement (ECIA) competitive grant program annual allocation of $606,000; and AUTHORIZE the release of the Request for Application and Guidelines – City Manager's Office (LaShonda White/Shané Johnson/Patrick Seals/Guadalupe Morales 620-6512).

AB.5 Community Development

AB.5.a Amendment No. 1 to Contract with Housing Consortium of the East Bay (HCEB) for Rapid Rehousing and Housing Navigation Services for the Castro Encampment Resolution Funding Round 1 Project

APPROVE an Amendment No. 1 to the contract with Housing Consortium of the East Bay to increase the contract amount by $934,263, for a total not to exceed contract amount of $2,198,686, for a term through June 30, 2024, to be funded using the City's Encampment Resolution Funds – Community Development Department (Lina Velasco/Jesus Morales 510-620-6649).

AB.5.b Written Report of Draft Equitable Public Land Disposition Policy

i

RECEIVE a written report regarding the Draft Equitable Public Land Disposition Policy that will be presented for discussion in January - Community Development Department (Lina Velasco/Kaitlyn Quackenbush 510-620-6841).

AB.5.c Sole-Source Contract with NELB Consultants, LLC for On-Call Economic and Financial Analysis Services

APPROVE a sole-source contract with NELB Consultants LLC, for an 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 beginning December 19, 2023, and ending December 31, 2025 – Community Development Department (Lina Velasco 510-620-6706/Jesus Morales 510-621-1220).

AB.5.d Way2Love Contract Amendment

APPROVE a contract amendment No. 2 with Way2Love, Inc., to increase the contract amount by $2,774,543.26, for a new total contract amount not to exceed $3,019,543.26, to provide project management, housing navigation, case management, and employment support services for the City's Encampment Resolution Funding (ERF) Round 2 project, for a term extended through June 30, 2025, to be funded by the City's ERF Round 2 award – Community Development Department (Lina Velasco 510-620-6841/Jesus Morales 510-621-1220).

City Manager Shasa Curl gave an overview. Director of Community Development Lina Velasco, Crime Prevention Manager Michele Milam, and Housing Manager Jesus Morales presented a PowerPoint, which highlighted the following: Point in Time Count - 487 Unsheltered individuals; who was experiencing homelessness in Richmond; Homelessness Strategic Plan; Homelessness Strategic Plan Goals: Homelessness Resources; Planned Expenditures for ARPA and ERF-R-2; Emergency Shelter; Camping Ordinance; Current Shelter; City Capacity; Planned Resources; Way2Love scope of work; Proposed Way2Love Subcontractors; and Outcomes & Evaluation.

Discussion ensued.

Raymond Landry, Leon Roberts, and Damon Cooke gave comments in person.

(At 10:57 p.m. a motion by Councilmember Willis, seconded by Councilmember Zepeda, extended the meeting until the completion of Item AB.10.e. - (Richmond Police Department Assigned Vehicle Program), passed by the following vote: Ayes: Councilmembers Bana, Jimenez, Robinson, Willis, Zepeda, and Mayor Martinez. Noes: None. Absent: Vice Mayor McLaughlin. Abstain: None.).

Further discussion ensued. The city council requested a demographic report on who was receiving support, and an to be provided at a later date with how funds were expended and allocated based on the sources of funding. Way2Love, Executive Director, Vanessa Calloway gave comments.

Motion by Councilmember Melvin Willis
Seconded by Councilmember Soheila Bana

Ayes (6): Councilmember Soheila Bana, Councilmember Claudia Jimenez, Councilmember Doria Robinson, Councilmember Melvin Willis, Councilmember Cesar Zepeda, and Mayor Eduardo Martinez

Absent (1): Vice Mayor Gayle McLaughlin

Passed (6 to 0)

AB.5.e Contract Amendment No. 3 with RCF Connects for Emergency Shelter Services

AUTHORIZE the city manager to negotiate and execute a contract amendment no. 3, for up to $700,000, with RCF Connects to provide emergency shelter services, including leasing motel rooms or other appropriate housing for emergency shelter purposes, until June 30, 2024, for a total contract amount not to exceed $2,961,717 – Community Development Department (Lina Velasco/Jesus Morales 510-620-6706).

AB.5.f Short-term Rental Assistance Provider Contract

AUTHORIZE the city manager to negotiate and execute a contract with RCF Connects to administer a rental assistance program, to be funded using American Rescue Plan Act (ARPA) funds, for a not-to-exceed amount of $250,000, through June 30, 2024 - Community Development (Lina Velasco/Jesus Morales 510-620-6841).

AB.6 Economic Development

AB.6.a Communities Local Energy Action Program (C-LEAP) Pilot Richmond Report

RECEIVE the Communities Local Energy Action Program (C-LEAP) written research report – Economic Development Department (Nannette Beacham/Samantha Carr 510-620-5407).

AB.6.b Processing Building Window Repair – Rejection of Bids

APPROVE the rejection of the bids received for the Processing Building Window Repair – Economic Development Department, Port (Charles Gerard 510-620-6792).

AB.6.c CivicSpark AmeriCorps Fellows Second Contract Amendment

APPROVE a second amendment to the contract with CivicWell (formally Local Government Commission) for two fellows during the Fiscal Year (FY) 2023-2024 CivicSpark service year, increasing the contract amount by $15,000, for a new total contract amount not to exceed $135,000, with an extended term through December 31, 2024 – Economic Development (Nannette Beacham/Samantha Carr 510-620-5407).

AB.6.d Annual Solid Waste Rate Adjustment

ADOPT a resolution to update the 2024 Solid Waste Collection Rates – Economic Development (Nannette Beacham/Samantha Carr 510-620-5407).

Adopted **Resolution No. 140-23**.

AB.7 Finance Department

AB.7.a Investment and Cash Balance Report and Monthly Overtime Reports for the Month of October 2023

RECEIVE the City's Investment and Cash Balance Report and Monthly Overtime Reports for the month of October 2023 – Finance Department (Andrea Miller 510-620-6740).

AB.8 Information Technology

AB.8.a OMNIA Cooperative Purchase Agreement for City-wide Goods and Services from Ring Central

ADOPT a resolution approving the use of OMNIA Cooperative Purchasing Agreements with Ring Central, in an amount not to exceed $500,000 per year, for a term beginning December 19, 2023, and ending September 30, 2025 – Information Technology Department (Sue Hartman 510-620-6874).

Adopted **Resolution No. 141-23**.

AB.8.b iMS

ADOPT a resolution authorizing a contract with Intuitive Municipal Solutions (iMS) for an Enterprise Community Development and Land Management System; and APPROVE a five-year contract with iMS to acquire, install, implement, and receive ongoing technical support for the iMS Suite Software as a Service (SaaS), ePermitHub, Selectron, and CORE Business Technologies, in the amount of $1,529,213.17, plus an approximate fifteen percent contingency of $229,382.83 to pay for integrations with the Enterprise Resource Planning System, for a total amount not to exceed $1,758,596 - Information Technology Department (Sue Hartman 510-620-6874/Sandi Wong 510-620-6745).

Adopted **Resolution No. 142-23**.

AB.9 Library and Community Services

AB.9.a Love Your Block (LYB) Mini-Grant Program Fiscal Years 2023-2025

APPROVE the Fiscal Years (FY) 2023-2025 Love Your Block Mini-Grant (LYB Mini-Grant) program guidelines, application, final report, and grant award agreement; and AUTHORIZE the city manager or their designee to administer grant award agreements and disburse grant funds up to a total amount not to exceed $80,000, upon selection of recipients – Community Services Department, Recreation Division (LaShonda White 510-620-6828/Stephanie Ny 510-620-6563).

AB.9.b Sole-Source Contract with Oakland Private Industry Council to Serve as the RichmondWORKS Program Contracting/Vendor Pay Agent

APPROVE a sole-source contract with the Oakland Private Industry Council, in an amount not to exceed $579,909.38, to provide additional services as the Contracting/Vendor Pay Agent for RichmondWORKS, Workforce Innovation and Opportunity Act (WIOA), and other grant-funded program participants in the form of Individual Training Accounts (ITAs) and On-the-Job Training (OJT) contracts, through June 30, 2025 – Community Services Department, Employment and Training Division – (LaShonda White 510-620-6828/ Tamara Walker 510-307-8006).

AB.10 Police Department

AB.10.a Memorandum of Understanding (MOU) with the Richmond Police Activities League (RPAL)

APPROVE and AUTHORIZE the city manager to sign a Memorandum of Understanding (MOU) between the City of Richmond and the Richmond Police Activities League (RPAL) to subsidize RPAL staff and programs, ensuring that academic, athletic, and life-skills services offered by RPAL will continue for the period July 1, 2023, through June 30, 2025, in an amount not to exceed $650,000 ($325,000 annually for two years) – Police Department (Chief Bisa French 510-621-1802).

AB.10.b Contract Amendment No. 1 with Rahul Maharaj for Dispatch Call Center 911 Quality Assurance

APPROVE a first contract amendment with Rahul Maharaj in the amount of $50,000, for a new total contract not to exceed $109,400, with an extended term through June 30, 2026, for the quality assurance of emergency medical calls – Police Department (Chief Bisa French 510-621-6913).

AB.10.c Fifth Contract Amendment with Universal Protection Service LLC, dba Allied Universal Security Services

APPROVE the fifth contract amendment with Universal Protection Service LLC dba, Allied Universal Security Services in the amount of $698,246.55, for a total contract amount not to exceed $2,716,499.95, and to extend the contract expiration to December 31, 2024 – Police Department (Chief Bisa French 510-621-1802).

AB.10.d Crime Report from Police Chief

Receive a written crime report from the police chief - Police Department (Chief Bisa French 510-621-1802).

AB.10.e Richmond Police Department Assigned Vehicle Program (AVP)

APPROVE the immediate implementation of the Richmond Police Department's Assigned Vehicle Program for an amount of $141,790 annually – Police Department (Chief Bisa French 510-621-1802).

City council raised concerns regarding any liabilities or risks associated with the use of police vehicles used off duty or on duty. City Administrative Policies 107 and 108 cover take home vehicles. There are also police department policies pertaining to the use of take-home vehicles.

Ben Therriault and Jamin Pursell gave comments in person.

Motion by Councilmember Soheila Bana
Seconded by Councilmember Melvin Willis

Ayes (6): Councilmember Soheila Bana, Councilmember Claudia Jimenez, Councilmember Doria Robinson, Councilmember Melvin Willis, Councilmember Cesar Zepeda, and Mayor Eduardo Martinez

Absent (1): Vice Mayor Gayle McLaughlin

Passed (6 to 0)

Motion by Councilmember Soheila Bana
Seconded by Councilmember Melvin Willis

Ayes (6): Councilmember Soheila Bana, Councilmember Claudia Jimenez, Councilmember Doria Robinson, Councilmember Melvin Willis, Councilmember Cesar Zepeda, and Mayor Eduardo Martinez

Absent (1): Vice Mayor Gayle McLaughlin

Passed (6 to 0)

AB.11 Public Works

AB.11.a Abatement Report from the Public Works Director

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

AB.11.b Accept and appropriate CTC State Transportation Improvement Program (STIP) fund and award Right-of-Way Acquisition and Appraisal Professional Services contract for the Interstate 80 (I-80)/Central Avenue Interchange Improvements Phase II Project STPL-5137

ADOPT a resolution to (1) ACCEPT and APPROPRIATE the California Transportation Commission (CTC) State Transportation Improvement Program (STIP) Fund of $4,500,000 for Interstate 80 (I-80)/Central Avenue Interchange Improvements Phase II Project STPL-5137 for the right of way phase; and (2) AUTHORIZE the city manager or their designee to execute a contract with Monument ROW Services in an amount not to exceed $601,050.49, which includes a contract amount of $500,875.41 plus twenty-percent contingency in the amount up to $100,175.08, from December 19, 2023, through June 30, 2026, for right of way acquisition and appraisal services for the Interstate 80 (I-80)/Central Avenue Interchange Improvements Phase II Project STPL-5137(50) – Public Works Department (Daniel Chavarria/Ken Cheng 510-621-1612).

Adopted **Resolution No. 143-23**.

AB.11.c Award Engineering and Design Professional Services Contract for Harbour & Wright Section 130 Rail Crossing Federal Project No. STPLR-7500(0282)

ADOPT a resolution authorizing the execution of an engineering and design professional services contract with CSW|ST2 for the Harbour & Wright Section 130 Rail Crossing Federal Project No. STPLR-7500(0282), in an amount not to exceed $255,056; and AUTHORIZE the director of public works to approve change orders, if necessary, and a contingency amount of up to $20,944 - Public Works Department (Daniel Chavarria 510-620-5478/ Ken Cheng 510-621-1612)

Adopted **Resolution No. 144-23**.

AB.11.d Resolution to approve the Sole Source contract for CSW|ST2 for the Richmond Art and Lighting Project

APPROVE a sole-source contract with CSW|ST2 to provide professional design services to implement the scope of work described in the Clean California Enhancement Proposal for the Richmond Art and Light Project, in an amount of $485,526, for a term from November 1, 2023 to December 31, 2025 – Public Works Department (Daniel Chavarria 510-620-6639/Josef Munoz 510-620-6671/ Jene Levine-Snipes 510-307-8132).

AC. STATE OF THE CITY

AC.1 State of the City Address by Mayor Eduardo Martinez

RECEIVE the Annual State of the City Address from Mayor Eduardo Martinez – Mayor Eduardo Martinez (510-620-6503).

Mayor Martinez presented the State of the City Address. The video and slides could be accessed at State of the City | Richmond, CA - Official Website

https://www.ci.richmond.ca.us/3539/State-of-the-City

Jamin Pursell, Emily Ross, BK Williams, Jane Courant, and Michael Gliksohn gave comments via Zoom.

AD. NEW BUSINESS

AD.1 Presentation on AB-617 guided Community Emission Reduction Plan

RECEIVE a presentation from the Community Emission Reduction Plan (CERP) steering committee (guided by AB-617) to explain the oversight and new rules pertaining to Bay Area Air Quality Management District (BAAQMD) - Mayor's Office (Mayor Eduardo Martinez 510-620-6503)

Bay Area Air Quality Management District (BAAQMD), Director of Public Affairs, Marisol Cantu, BAAQMD Deputy Executive Officer of Public Affairs Via Tran, and Mayor's Office Policy Director BK White, presented a PowerPoint which highlighted the following: Path to Clean Air; Community Air Protection Program (AB 617); Community Emission Reduction Plan; Race within the CERP Community; Plan Process; Community Concerns; Community Emissions Reduction Plan Goals; Strategy 1 Actions - Just Transition; Strategy 2 Actions - Flaring and Major Incidents; Strategy 3 - Actions - Compliance and Enforcement; Legal and Penalties. Discussion ensued. The city council asked how the city could further enforce the industrial safety ordinance and change the boundaries to include all of Richmond on the map. The Toxic Reduction Plan would be distributed to city council for review.

Jamin Pursell gave comments in person. Tarnel Abbott gave comments via Zoom.

AD.2 Ordinance Creating New Business Activity Classification, Class P – Wholesale, and the corresponding rates.

INTRODUCE an ordinance (first reading) amending Chapter 7.04.103 of the Richmond Municipal Code by creating a new Business Activity Classification, Class P – Wholesale, and the corresponding rates – City Attorney's Office (Dave Aleshire 510-620-6509; Finance Department (Nickie Mastay/Andrea Miller/Mubeen Qader/Antonio Banuelos 510-620-6741).

Item continued to a future city council meeting.

AD.3 Amendments to Richmond Municipal Code Chapter 6.48 Gas Shut-Off Devices

INTRODUCE an ordinance (first reading) amending Richmond Municipal Code Chapter 6.48 adding a point-of-sale trigger to add a gas shut off device, in addition to the current construction trigger – Community Development Department (Lina Velasco/Chris Castanchoa 510-620-6764).

Item moved to the Consent Calendar.

AE. ADJOURNMENT

There being no further business, the meeting adjourned at 11:26 p.m., to meet again on January 16, 2024, at 6:30 p.m.

Clerk of the City of Richmond	Mayor

From: Cordell Hindler
To: City Clerk Dept User
Subject: Public Comments-Open Forum
Date: Friday, December 15, 2023 2:47:46 PM

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Hello Mayor Martinez, Council Members and Staff,

I AM submitting the Following Comments into the Record:

1. For a Future Agenda, The Council Should Invite Danny Wan to Present on the Port of Oakland

2. Also to Direct Staff to Work with Chancellor Christ's Office to Schedule a Joint Meeting with UC Berkeley in Spring of 2024

3. Also to Reinstate the Standing Committees to Address the Financial Impact

Sincerely
Cordell

From: Carolina Vieira de Barros
To: City Clerk Dept User
Subject: Support for Item AB.3.B
Date: Tuesday, December 19, 2023 12:53:12 PM

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Hello,

I would like to express my support for Agenda Item AB.3.B in tonight's city Council Meeting.

The City has hired Coastland to undertake the feasibility of a project that by Coastland's own estimates will cost over $200 million. If undertaking this project, which would move the Keller Beach Sewer line inland, is the only feasible option to prevent an environmental disaster, so be it, but the City owns it to its residents and taxpayers to assess the feasibility of all possible options before coming to that conclusion. The City should assess the feasibility of repairing and replacing the Keller Beach sewer line where it currently runs, along the coast.

This project will not just impact the residents that live in Point Richmond but the entire city, given the cost and risk of litigation that it entails. Please vote to explore all alternatives and support Agenda item AB.3.B.

Thank you!

Carolina de Barros
534 Grandview Ct.

From:	Douglas E Williams
To:	City Clerk Dept User
Cc:	Lulu Williams; RichmondD2Councilmember@gmail.com
Subject:	Public comments agenda item AB.3.b Re: Keller Beach Sewer Project
Date:	Monday, December 18, 2023 10:46:21 AM

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Please pass this resolution to ensure that ongoing work on the Keller Beach Sewer Project proceeds in a more rational and realistic manner.

The Public Information Meeting for the Keller Beach Sanitary Sewer Relocation Feasibility (KBSS) Study that took place April 3, 2023 established that the project suffered from inadequate guidance and an insufficiently experienced vendor. Conclusions from that meeting are clearly reflected in Council member Zepeda's resolution in this agenda item, so this is an important next step.

The KBSS study results reported in that meeting presented two recommended options:

1. Repair the existing beach pipeline, or
2. Replace the beach pipeline with a new pipeline above the waterline, e.g., along Western and Ocean Avenues.

These are not practical alternatives, but superficial, simplistic conclusions that do not take into consideration a number of critical issues such as:

- The majority of the pipeline has no known leaks and is adequately accessible for improvements such as the CIPP lining suggested in the report.
- Other areas of the pipeline that were not accessible and/or that are problematic for improvements can and should be explicitly delineated and addressed separately.
- The Recommended Option 2 has enormous hidden litigation, construction and maintenance costs that were not clearly identified or quantified.
- Option 2 assumes that (~72) individual homeowners must build and maintain sewer sumps and pumping facilities when the sewer is the city's responsibility.
- A cost analysis of the more feasible hybrid solution is not possible based on the existing Report because it does not identify a hybrid solution.

Hiring another firm to clarify practical alternatives, as stated in the resolution, is the necessary next step. Please pass this resolution.

Respectfully,

Doug & Louise Williams
Douglas E. Williams
721 Ocean Ave., Richmond, CA 94801

510.235.9353
doug@weldengineers.com
Business: weldengineers.com
Personal: DouglasEWilliams.com

From: gdperrett@aol.com
To: City Clerk Dept User
Subject: Public Comment -Agenda Item AB.3.b
Date: Sunday, December 17, 2023 4:42:00 PM

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I'm writing in support of Councilperson Zepeda's request regarding the Keller Beach Sanitary Sewerage System.

We residents have heard nothing about the proposed rebuilding of the system since the public meeting was held in Point Richmond in 4/3/2023. The original flyer circulated amongst us said that there would be three public meetings. When will the next meetings be held? Or, does the City feel that we don't deserve to be kept informed?

We would like to know what, if anything, City Staff propose as next steps in any potential replacement or upgrade of the existing system. So far we haven't heard anything in eight months.

We would like to know when the Coastland Report will be completed. Is it proposed that the report will be reviewed by an independent expert prior to any acceptance thereof? Given the extremely low quality of the initial version of the report, and its poorly thought out conclusions and recommendations, this must be a mandatory requirement.

Has Coastland been paid for their report?

A list of questions raised by residents regarding the sewerage system has been sent to the City and we have not been graced with a response. When can we expect one?

This lack of communication, and possibly action, by City Staff has dragged on for far too long.

We demand and expect an update by City Staff early in the new year.

Sincerely,

Graham Perrett

From:	Philip Rosenthal
To:	Soheila Bana; Claudia Jimenez; Eduardo Martinez; Gayle McLaughlin; Doria Robinson; Melvin Willis; Cesar Zepeda; City Clerk Dept User; City Attorney"s Office
Subject:	Public Comment Agenda Item AB.3.B
Date:	Monday, December 18, 2023 9:40:17 AM

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Please wholeheartedly support AB.3,B and review the insufficient (perhaps fraudulent) actions of Coastland in their half-million dollar contact, which I understand was "no-bid,"

Coastland has OBVIOUSLY only explored the options that are financially beneficial to them, and certified experts have identified that Coastland is not the most, or even in the ballpark, qualified company to assess this situation.

In addition to the need to have the best solution in place if the system fails, so we don't spend tens or hundreds of millions foolishly on the only ridiculous solution proposed.

Further, the solutions Coastland is suggesting would eliminate the escape route in case of emergency in a HIGH FIRE zone.

Don't know how we got here, but let's remember:

"When you've dug yourself into a hole, stop digging"

Thanks and KRGDS,
Philip Rosenthal

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From:	Philip Rosenthal
To:	Soheila Bana; Claudia Jimenez; Eduardo Martinez; Gayle McLaughlin; Doria Robinson; Melvin Willis; Cesar Zepeda; City Clerk Dept User; Dave Aleshire; Shasa Curl; City Attorney"s Office
Cc:	Leisa Johnson; Peter Thelin; margi sullivan; Charmain Tyler; Rod Satre; kbsewerresidents@gmail.com; Graham Perrett; Carolina Vieira de Barros; Eric Napracca
Subject:	Re: AGENDA ITEM AB.3.B , Neighborhood Council Comments ATTACHMENT
Date:	Sunday, December 17, 2023 7:51:59 PM
Attachments:	Keller Beach Letter for 121923 Council Meeting Agenda Item AB.3.B.docx Keller Beach Letter for 121923 Council Meeting Agenda Item AB.3.B.docx

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I have added the attachment referenced in the previous email.

Dear City Clerk, Staf, City Attorney, and Councilmembers:

Attached please find a letter on behalf of the Point Richmond Neighborhood Council.

Please confirm receipt.

Safe and happy holidays to all and a wish for a peaceful 2024.

--

On Sun, Dec 17, 2023 at 6:04 PM Philip Rosenthal <prnc.pres@gmail.com> wrote:

> Dear City Clerk, Staf, City Attorney, and Councilmembers:
>
> Attached please find a letter on behalf of the Point Richmond Neighborhood Council.
>
> Please confirm receipt.
>
> Safe and happy holidays to all and a wish for a peaceful 2024.
>
> --
> ***Philip Rosenthal***
> PRNC President
>
> ***prnc.pres@gmail.com***
> ***(510)593-9017***

--
Philip Rosenthal
PRNC President

prnc.pres@gmail.com
(510)593-9017

December 17, 2023

City of Richmond
Shasa Curl, City Manager
Pamela Christian, City Clerk
Council Members
450 Civic Center Plaza
Richmond CA

RE: Agenda Item Agenda Item AB.3.B, Keller Beach Sewer Project

Dear City Staff and Council:

This letter comes from the PRNC board on behalf of the community of approximately 4,000 taxpayers and residents.

We stand in support of Agenda Item AB.3.B and implore the council to instruct staff to use every available option provided by the Baykeeper Settlement Agreement. We urge the City to provide a second opinion on the work of Coastland, a company with limited expertise in assessing the options, and review Coastland's actions.

The community's understanding is that the nearly half-million-dollar contract was handed to Coastland with no competitive bidding, despite the availability of competitive companies that are well more qualified to look at the project.

These competitive companies could provide better environmentally sound and way-more financially viable options.

Should the system fail, the City needs to be ready with the *BEST* options to address this project (not the only option explored) as the project will cost taxpayers tens or hundreds of millions of dollars.

Sincerely,

Philip Rosenthal

Philip Rosenthal, PRNC President

(510) 593-9017

prnc.pres@gmail.com

pointrichmond.org

From: Richard Johnson
To: City Clerk Dept User
Subject: Keller Beach Sanitary Sewer Relocation Project (Agenda Item AB.3.b)
Date: Tuesday, December 19, 2023 12:58:01 PM

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All,

I write regarding agenda item AB.3.b, which relates to the Keller Beach Sewer Project. Since learning about this project, the community has had great concern about the lack of a plan to consider all options, including repairing or replacing the existing line. We have also been deeply concerned about how the City did not solicit bids for the existing contract, which resulted in one company receiving a large contract. This company admitted to having basically no experience repairing or replacing sewer lines along a coastline. So when this company tells the community that the only feasible option is to relocate the line, that is a seemingly (and perhaps, admittedly) uninformed opinion.

At the end of the day, the City should do what is best for the community, which includes doing what is best for the environment. That might be relocation. But right now, the City has yet to implement a process to gather the necessary information to make an informed choice.

Best,
Richard

From:	Vivien Feyer
To:	City Clerk Dept User
Cc:	Vivien Feyer; Jeff Ritterman
Subject:	PUBLIC COMMENT: AGENDA ITEM AB.3.b
Date:	Tuesday, December 19, 2023 12:59:01 PM

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Thank you, Richmond City Council Members, for providing guidance to Staff as suggested regarding the Keller Beach Sewer Line.

Residents are concerned about the ongoing maintenance, inspection and repair of the line, and the prevention of any outflow of sewage into the bay.

We are aware that there are many possibilities for repairing the existing pipes and / or reconstructing them in place - and are eager to learn about options that will allow for thoughtful approaches to maintenance, in lieu of a tremendously expensive and questionable project that may only begin many years in the future.

With much appreciation,
Vivien Feyer,
Richmond resident

AB.3.b Provide Guidance to Staff Regarding the Keller Beach Sewer

Project

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DIRECT staff to (1) use every available option provided by the Baykeeper Settlement Agreement, including replacing or repairing existing sewer pipes, with the last option to move up into the street level; and (2) hire a new contractor to provide a second opinion/peer review on work performed by Coastland and to assess all options provided by the Baykeeper Settlement Agreement – Councilmember Cesar Zepeda (510-620-6593).
--

Vivien Feyer, EdM, CAS

PPE For All - Founder / Project Manager

vivfeyer@gmail.com

From:	Katrinka Ruk
To:	Eduardo Martinez; Gayle McLaughlin; Melvin Willis; Cesar Zepeda; Doria Robinson; Soheila Bana; Claudia Jimenez; City Clerk Dept User
Cc:	Shasa Curl; Dave Aleshire; Barbara O"Neill; Scott Sexton; Fred Glueck; Melissa Macho; Scott Sexton; Aaron Winer; Hakim Johnson; Julie Abate; Barbara O"Neill; Aimee Henry; Aimee Henry; Fred Glueck; Desiree Heveroh; David Schoenthal; Rauly Butler; Fred Glueck; Bob Connolly; Stan Teaderman; Jill Rodby; Bielle Moore; James Lee; raulybuter@gmail.com
Subject:	Public Comments [12/19/23 Council Meeting]: AD.2 Ordinance Creating New Business Activity Classification, Class P – Wholesale, and the corresponding rates.
Date:	Tuesday, December 19, 2023 11:38:01 AM
Attachments:	12.19.23 Bus Lic Tax, Wholesale Class added.docx

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COUNCIL OF INDUSTRIES

P.O. BOX 70088, PT. RICHMOND, CA 94807

(510)215-9325

501(C)(6) FED ID# 94-0672760

December 19, 2023

To:

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
City Clerk

Re: Agenda Item AD.2 Ordinance Creating New Business Activity Classification, Class P – Wholesale, and the corresponding rates. [12/19/23 Council Meeting]

I am submitting this letter on behalf of the Council of Business and Industries. We appreciate the City acknowledging that a separate classification for wholesale businesses should be established and that placing them under retail was not

appropriate. However, we have concerns about the proposed changes to the business license tax ordinance, as outlined in the recent agenda. My apprehensions stem from the lack of transparency in communication and potential implications for businesses, particularly those engaged in wholesale activities.

Firstly, I subscribed to receive email notifications regarding proposed changes to the ordinance, but regrettably, I have not received any notices thus far. Discovering the proposed changes only through the agenda posting raises concerns about the transparency of the process and the consideration given to businesses affected by these amendments.

Secondly, the introduction of a new classification without prior notice to voters is a significant change that warrants clarification. I would appreciate confirmation on whether this alteration requires voter approval. Given the impact on businesses engaged in wholesale activities, understanding the legal implications is crucial.

Thirdly, regarding administrative changes to the ordinance – the City is 1) not in compliance with the requirements for issuing administrative decisions; and 2) has not property delegated authority for any of the administrative decisions already made.

Fourthly, I am curious to know if the city has considered the implications for businesses that operate both retail and wholesale on-site within Richmond. Understanding how the proposed changes will affect businesses with diverse operations is essential for comprehensive decision-making.

Fifthly, is this tax retroactive? If a business has been reclassified and their tax is lowered, how will the city implement refunds for the businesses that have since overpaid their business license taxes?

I am perplexed as to why the city did not engage in discussions with businesses beforehand to understand potential impacts and provide an opportunity for input. This lack of proactive communication is counterproductive to supporting and attracting businesses to our city.

In light of these concerns, I respectfully request that the proposed item be temporarily withdrawn from consideration. I propose that meetings be scheduled with the local business community to facilitate open discussions, allowing businesses to express their concerns and provide valuable input. In addition, I request that the city attorney review and comment on the compliance issues regarding making administrative changes.

I believe that such collaborative efforts will contribute to a more informed decision-making process and ensure that the interests of the business community are adequately considered.

Thank you for your consideration to these matters. I look forward to hearing from you

and participating in a constructive dialogue on this important issue.

With regards,

Katrinka Ruk, Executive Director

Cc: COI Board, Richmond Chamber of Commerce

Katrinka Ruk
Executive Director
Council of Business & Industries
510)260-4820 cell
Office Hours: Monday/Tuesday/Thursday
http://www.councilofindustries.com

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