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# Agenda

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**PLEASE NOTE: HYBRID MEETING FORMAT**

**AGENDA(s):**

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

Tuesday, February 20, 2024, 4:00 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, Councilmember, District 5**

**Claudia Jimenez, Vice Mayor, District 6**

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

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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**

**By iPhone one-tap:** US: +16699006833,,99312205643# or +13462487799,,99312205643#

**By Telephone:** Dial (for higher quality, dial a number based on your current location): US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592

**Webinar ID: 993 1220 5643**

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

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\*\*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](mailto:cityclerkdept@ci.richmond.ca.us) should you have difficulty submitting an eComment during a meeting.

**Via email:** to [cityclerkdept@ci.richmond.ca.us](mailto:cityclerkdept@ci.richmond.ca.us) by 1:00 p.m. the day of the meeting.

Emails **MUST** contain in the subject line 1) public comments – Open Session prior to Closed Session; 2) public comments – Open Forum; or 3) public comments agenda item # \_\_\_\_ [include the agenda item number].

Properly labeled public comments will be considered a public record, put into the official meeting record, available after the meeting as supplemental materials, and will be posted as an attachment to the meeting minutes when the minutes are posted: <http://www.ci.richmond.ca.us/Archive.aspx?AMID=31>

***The City cannot guarantee that its network and/or the site will be uninterrupted. To ensure that the City Council receives your comments, you are strongly encouraged to submit your comments in writing in advance of the meeting.***

**Procedures for Removing Items from the Consent Calendar:** Members of the public who request to remove an item from the consent calendar must first discuss the item with a staff member by phone or a back-and-forth email discussion, and state the name of the staff member when requesting removal of the item from the consent calendar **(by 2 p.m. the day of the meeting)**.

Any member of the City Council who would like to remove an item from the consent calendar must notify the appropriate staff person and the City Clerk's Office prior to the meeting. Although members of the City Council are encouraged to ask questions and share concerns with staff ahead of the meeting, they are not required to do so.

The Clerk's Office must be informed of any requests to remove items from the Consent Calendar. Items removed from the Consent Calendar shall be placed at the end of the agenda for consideration.

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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).**

Disclaimer: The City Clerk's Office translates agendas to enhance public access. Translated agendas are provided as a courtesy and do not constitute legal notice of the meeting or items to be discussed. In case of discrepancy, the English agenda will prevail.

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**Pages**

**A. OPEN SESSION TO HEAR PUBLIC COMMENT BEFORE CLOSED SESSION**

4:00 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 LEGAL COUNSEL - ANTICIPATED LITIGATION (initiation of litigation pursuant to paragraph (4) of Subdivision (d) of Government Code Section 54956.9)**

- One case

**C.3 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)**

- Title: City Attorney

**C.4 CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)**

- Agency Representatives: Sharrone Taylor and Jack Hughes  
Employee organization: IAFF Local 188

**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. 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)

**O. 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.)

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

**O.1.a Approve a Seventh Amendment to the Legal Services Agreement with Downey Brand LLP 10**

APPROVE the seventh amendment to the legal services agreement with Downey Brand LLP, in the amount of \$100,000, to represent the City in pending appeals and any further proceedings in the current *Point Molate Alliance, et al. v. City of Richmond* litigation involving the Point Molate property and the City's prior CEQA and land use entitlement process(es), for a total contract amount of \$1,325,000 – City Attorney's Office (Dave Aleshire 510-620-6509).

**O.2 City Clerk's Office**

**O.2.a City Council Meeting Minutes 63**

APPROVE the minutes of the January 23, 2024, regular City Council meeting - City Clerk's Office (Pamela Christian 510-620-6513).

**O.3 City Manager's Office**

**O.3.a Development of Richmond Legislative Platform 72**

DIRECT City staff members to develop a Richmond Legislative Platform – City Manager's Office (Shasa Curl/ 510-620-6512).

O.3.b	<b>Calendar Year 2023 City-Wide Accomplishments</b>	125
	RECEIVE an update on the 2023 calendar year City-wide accomplishments – City Manager’s Office (Shasa Curl 510-620-6512).	
O.4	<b>Economic Development</b>	
O.4.a	<b>Construction Agreement with Rosendin Electric, Inc. for the Installation of a Shore Power System at the Point Potrero Marine Terminal</b>	190
	APPROVE a construction agreement with Rosendin Electric, Inc. in the amount of \$3,320,747, for the installation of a shore power system at the Point Potrero Marine Terminal, for a term beginning February 21, 2024, and ending June 30, 2026 – Economic Development Department (Charles Gerard 510- 620-6792).	
O.4.b	<b>Painting of 1322 and 1325 Canal Blvd.</b>	225
	APPROVE a construction agreement with Fresh Start Painting, Co. in the amount of \$107,500, for painting of 1322 and 1325 Canal Blvd., with a term ending June 30, 2024 - Economic Development Department (Charles Gerard 510-620-6792).	
O.5	<b>Finance Department</b>	
O.5.a	<b>Investment and Cash Balance Report and Monthly Overtime Reports for the Month of December 2023</b>	258
	RECEIVE the City’s Investment and Cash Balance Report and Monthly Overtime Reports for the month of December 2023 – Finance Department (Andrea Miller 510-620-6740).	
O.6	<b>Human Resources</b>	
O.6.a	<b>Raftelis Workforce Analysis Update</b>	276
	RECEIVE a report from Raftelis regarding an update on the Workforce Analysis – Human Resources Department (Nickie Mastay/Sharrone Taylor 510-620-6606). <b>This item was continued from the February 6, 2024, meeting.</b>	
O.6.b	<b>Amend Staffing (Position Control) and Appropriate Funds as Required</b>	307
	ADOPT a resolution to amend staffing (position control) for the City Attorney, City Manager’s Office, Community Development-Planning, Economic Development, Finance Department, Human Resources, and Public Works; APPROPRIATE associated salaries, wages, and benefits as required – Human Resources Department (Nickie Mastay/ Sharrone Taylor 510-620-6602). <b>This item was continued from the February 6, 2024, meeting.</b>	

<b>O.7</b>	<b>Library and Community Services</b>	
<b>O.7.a</b>	<b>Land Use Agreement for Weekly Farmers' Market at Marina Bay Park</b>	<b>315</b>
	APPROVE a temporary Land Use Agreement between the City of Richmond and the Richmond Certified Farmers' Market Association for the free use of a section of the City-owned parking lot located near the Marina Bay Park to host a weekly farmer's market on Sundays, effective March 17, 2024, and ending December 31, 2026, with two-one year extension options – Community Services Department (LaShonda White 510-620-6828).	
<b>O.7.b</b>	<b>Funding from the Alameda County Workforce Development Board to Support the Prison to Employment 2.0 Regional Partnership Initiative</b>	<b>340</b>
	ACCEPT and APPROPRIATE \$81,934.17 in grant funds received from the Alameda County Workforce Development Board to provide pre-release and post-release workforce services for justice-involved job seekers in Richmond – Community Services Department (LaShonda White 510-620-6828/Tamara Walker 510-307-8006).	
<b>O.8</b>	<b>Mayor's Office</b>	
<b>O.8.a</b>	<b>Planning Commission Appointments</b>	<b>403</b>
	APPOINT Gay Timmons to the Planning Commission with a term expiring on June 30, 2024; and APPOINT Alexander Golovets to the Richmond Planning Commission with a term expiring on June 30, 2026 – Mayor's Office (Mayor Eduardo Martinez 510-620-6503).	
<b>O.8.b</b>	<b>Workforce Development Board Appointments</b>	<b>407</b>
	REAPPOINT Sarah Wally and Evan Decker to the Workplace Development Board with terms expiring on March 1, 2028 - Mayor's Office (Mayor Eduardo Martinez 510-620-6503).	
<b>O.8.c</b>	<b>Richmond Youth Council Appointment</b>	<b>411</b>
	APPOINT JannVenus Espadera Monreal to the Richmond Youth Council with a term expiring on October 1, 2025 – Mayor's Office (Mayor Eduardo Martinez 510-620-6503).	
<b>O.8.d</b>	<b>Proclamation Acknowledging the 2024 Lunar New Year</b>	<b>414</b>
	PROCLAMATION recognizing the 2024 Lunar New Year in the City of Richmond, which began on February 10 <sup>th</sup> – Mayor's Office (Mayor Eduardo Martinez 510-620-6503).	

<b>O.9</b>	<b>Police Department</b>	
<b>O.9.a</b>	<b>Sole-Source Contract with Tactical K-9, LLC to Train and Maintain Richmond Police Department’s K-9 Unit</b>	<b>417</b>

APPROVE a sole-source contract with Tactical K9, LLC, in the amount of \$41,500, to provide continued K-9 maintenance training, for the term February 21, 2024, through February 20, 2025, with two additional one-year mutually agreed upon extension options at a cost not to exceed \$41,500 per extension year – Police Department (Chief Bisa French 510-621-1802).

<b>O.10</b>	<b>Public Works</b>	
<b>O.10.a</b>	<b>Abatement Report from the Public Works Director</b>	<b>448</b>

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

<b>O.10.b</b>	<b>6th Street and Macdonald Avenue Traffic Signal Improvement Project Fund Allocation</b>	<b>465</b>
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ADOPT a resolution to allocate and appropriate Measure J funds (Fund 2002) in the amount of \$241,000 for the completion of the design and construction of the 6th Street and Macdonald Avenue Traffic Signal Improvement Project – Public Works Department (Robert Armijo 510-620-5477/Ken Cheng 510-621-1612).

**P. NEW BUSINESS**

<b>P.1</b>	<b>City Manager’s Amended and Restated Employment Agreement</b>	<b>469</b>
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APPROVE the amended and restated City Manager Employment Agreement that extends the term of the agreement for two years to April 5, 2027, amends the compensation provisions by providing at least five percent increases, and provides detail on the performance evaluation process – City Attorney’s Office (Dave Aleshire 510-620-6509/ Heather McLaughlin 510-620-6509/Nickie Mastay 510-620-6609).

<b>P.2</b>	<b>Drone Light Shows as an alternative to Independence Day Fireworks</b>	<b>524</b>
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DISCUSS and PROVIDE DIRECTION to staff regarding alternate technology such as drone lighting technology in lieu of fireworks to celebrate Independence Day to improve the environmental impacts, cost implications, and safety – Councilmember Bana (510-620-6473).

<b>P.3</b>	<b>Regional Hospital Update Presentation for Alta Bates Summit Medical Center</b>	<b>526</b>
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RECEIVE a presentation from Sophie Hanh of City of Berkeley and Berkeley Health Department on the regional impacts of a hospital closure – Councilmember Cesar Zepeda (510-620-6593).

**Q. ADJOURNMENT**

