



Agenda

PLEASE NOTE: HYBRID MEETING FORMAT

AMENDED AGENDA(s):

- SPECIAL JOINT MEETING OF THE RICHMOND HOUSING AUTHORITY/RICHMOND CITY COUNCIL
- REGULAR MEETING OF THE RICHMOND CITY COUNCIL

Tuesday, April 16, 2024, 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, Councilmember District 5

Claudia Jimenez, Vice Mayor, District 6

Jaycine Scott, Housing Authority Tenant Commissioner

**THE RICHMOND CITY COUNCIL MEMBERS ARE ALSO COMMISSIONERS OF THE SURPLUS
PROPERTY AUTHORITY**

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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

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Webinar ID: 993 1220 5643

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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

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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 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.

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agenda item at hand, and may not cause immediate threats to public safety.

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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.

A. OPEN SESSION TO HEAR PUBLIC COMMENT BEFORE CLOSED SESSION

4:30 p.m.

B. ROLL CALL

C. CLOSED SESSION

C.1 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (paragraph (1) of Subdivision [d] of Government Code Section 54956.9)

- Winehaven v. City of Richmond
- Guidiville Rancheria of California, et al. v. United States of America, et al.
- North Coast Rivers Alliance et al./Point Molate Alliance et al. v. City of Richmond
- Hanlees Hilltop Buick et al. v. City of Richmond

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 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.4 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)

- Title: City Attorney

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

E. ADJOURN TO CLOSED SESSION

F. SPECIAL JOINT MEETING OF THE RICHMOND HOUSING AUTHORITY/RICHMOND CITY COUNCIL

6:25 p.m.

G. PLEDGE OF ALLEGIANCE

H. ROLL CALL

I. STATEMENT OF CONFLICT OF INTEREST

J. AGENDA REVIEW

K. HOUSING AUTHORITY CONSENT CALENDAR

K.1 Housing Authority Meeting Minutes

13

APPROVE the minutes of the February 6, 2024, regular meeting of the Richmond Housing Authority - City Clerk's Office (Pamela Christian 510-620-6513).

L. JOINT RICHMOND HOUSING AUTHORITY / RICHMOND CITY COUNCIL BUDGET SESSION

L.1 Fiscal Year (FY) 2023-2024 Amended Budget Adjustments

15

ADOPT a joint resolution approving the proposed Fiscal Year (FY) 2023-2024 Richmond Housing Authority (RHA) amended budget adjustments with revised estimated revenues of \$5,614,495 and total expenditures of \$5,614,495, with no increases to the general fund subsidy amount which will provide sufficient revenue to match anticipated expenditures – Richmond Housing Authority/Finance Department (Gabino Arredondo/Rita Martinez 510-621-1300).

M. ADJOURNMENT

N. REGULAR MEETING OF THE RICHMOND CITY COUNCIL

6:30 p.m.

O. ROLL CALL

P. STATEMENT OF CONFLICT OF INTEREST

Q. AGENDA REVIEW

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

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

T. 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)

U. 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)

V. 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.)

V.1 City Attorney's Office

V.1.a Second Amendment to the Legal Services Agreement with Liebert Cassidy Whitmore for Labor and Employment Issues

24

APPROVE a second amendment to the legal services agreement with Liebert Cassidy Whitmore to extend the time to June 30, 2026, and increase the compensation by \$750,000, for an amount not to exceed \$1,165,000 – City Attorney's Office (Dave Aleshire 510-620-6509/Shannon Moore 510-620-6505).

V.2 City Clerk's Office

V.2.a City Council Meeting Minutes

54

APPROVE the minutes of the March 5, 2024, regular City Council meeting - City Clerk's Office (Pamela Christian 510-620-6513).

V.3	Economic Development	
V.3.a	Authorization to Apply for Environmental Protection Agency Grants	63
	ADOPT a resolution AUTHORIZING the city manager or their designee to submit grant applications for any and all United States Environmental Protection Agency grants for which the Port of Richmond is eligible, and to execute all necessary and related agreements; and to ACCEPT and APPROPRIATE grant awards into the Port Fund – Economic Development Department (Charles Gerard/Nannette Beacham/Lizeht Zepeda/510-215-4600).	
V.4	Finance Department	
V.4.a	Update on Cost Recovery and Revenue Enhancement	81
	RECEIVE a written report on the City’s Cost Recovery and Revenue Enhancement efforts - Finance Department (Shasa Curl/Andrea Miller 510-620-6790/Mubeen Qader 510-412-2077/Antonio Banuelos 510-620-6741).	
V.4.b	Investment and Cash Balance Report and Monthly Overtime Reports for the Month of February 2024	88
	RECEIVE the City’s Investment and Cash Balance Report and Monthly Overtime Reports for the month of February 2024 – Finance Department (Andrea Miller 510-620-6740).	
V.4.c	Sanctuary City Contracting and Investment Policy Ordinance Update	104
	RECEIVE a written update regarding the steps taken to ensure compliance with the Sanctuary City Contracting and Investment Policy Ordinance; and APPROVE a waiver for Motorola as the only reasonable option – Finance Department (Andrea Miller/Mubeen Qader/ Ofelia Alvarez 510-620-6699).	
V.4.d	State Auditor’s Recommendations Corrective Action Plan May 2024 Update	113
	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).	
V.5	Human Resources	
V.5.a	Employee Recognition Program Expenditure Approval	148
	APPROVE expenditure of up to \$30,000 for the sole-source purchase of lapel pins for employee service awards – Human Resources Department (Nickie Mastay/Sharrone Taylor 510-620-6602).	

V.5.b	Amend Contracts with Temporary Employment Staffing Agencies	154
	APPROVE first amendments to contracts with temporary employment staffing agencies, TemPositions and AppleOne, to increase the contract limit by \$100,000 each, for a total amount not to exceed \$200,000 for each contract, and extending the terms of both agreements to June 30, 2025 – Human Resources Department (Nickie Mastay/Sharrone Taylor - 510-620-6602).	
V.6	Library and Community Services	
V.6.a	Resolution to Accept and Appropriate the Local Government: Connecting Neighbors to Neighbors Grant from the State of California, Governor’s Office of Planning and Research	223
	ADOPT a resolution to ACCEPT and APPROPRIATE grant funds in the amount of \$750,000 from the State of California, Governor’s Office of Planning and Research to support neighborhood engagement – Community Services Department (LaShonda White 510-620-6828/Stephanie Ny 510-620-6563).	
V.7	Mayor’s Office	
V.7.a	Abhijeet Babu Prasad Youth Council Appointment	228
	APPOINT Abhijeet Babu Prasad to the Youth Council, with a term expiring on October 1, 2024 – Mayor’s Office (Mayor Eduardo Martinez 510-620-6503).	
V.7.b	Reappoint Gloria Jean Sewell-Murphy to the Economic Development Commission (EDC)	230
	REAPPOINT Gloria Jean Sewell-Murphy to the Economic Development Commission with a term that expires on March 30, 2027 – Mayor’s Office (Mayor Eduardo Martinez 510-620-6503).	
V.7.c	Scarlett Perez Youth Council Appointment	232
	REAPPOINT Scarlett Perez to the Youth Council with a term that expires on October 1, 2024 – Mayor’s Office (Mayor Eduardo Martinez 510-620-6503).	
V.7.d	Valeria Serrano Youth Council Appointment	234
	APPOINT Valeria Serrano to the Youth Council, term expires October 1, 2024 – Mayor’s Office (Mayor Eduardo Martinez 510-620-6503).	
V.8	Police Department	
V.8.a	Crime Report from Police Chief	236
	RECEIVE a written crime report from the Police Chief - Police Department (Chief Bisa French 510-621-1802).	

V.8.b	CAL ID Remote Access Network and County Law Enforcement Training Center Annual Expense Increases	240
	APPROVE the purchase order amounts of \$178,353 for the cost of maintaining the CAL-ID program mandated by the State of California, and \$69,000 for the Law Enforcement Training Center for Fiscal Year 2023-2024 – Police Department (Chief Bisa French 510-621-1802).	
V.8.c	Sole-Source Contract with Serological Research Institute for Forensic DNA Testing and Analysis	249
	APPROVE a one-year sole-source contract with Serological Research Institute, in an amount not to exceed \$49,000, for the term April 17, 2024, through April 16, 2025, with two mutually agreed upon one-year extensions, for an additional amount not to exceed \$49,000 per fiscal year – Police Department (Chief Bisa French 510-621-1802).	
V.8.d	Special Weapons and Tactics (SWAT) Communication Headsets for Richmond Police Department Officers	280
	APPROVE the purchase of communication headsets from Pack-n-Tape, in an amount not to exceed \$30,500, which includes a contingency to account for taxes and shipping costs – Police Department (Chief Bisa French 510-621-1802).	
V.9	Public Works	
V.9.a	Award Construction Contract for the Lincoln Elementary School Safe Route to School Improvement Project (SRT)- CML -5137(055)	289
	ADOPT a resolution to ACCEPT and APPROPRIATE the One Bay Area Grant 2 (OBAG2) in the amount of \$497,000 for Lincoln Elementary School Safe Route to School Improvement Project CML-5137(055); AUTHORIZE the city manager or their designee to execute a contract with Corcus Construction, Inc in an amount of \$599,831; and AUTHORIZE the Director of Public Works to approve change orders, if necessary, for an additional contingency amount of \$67,000 – Public Works Department (Robert Armijo 510-620-5477/Ken Cheng 510-621-1612).	

V.9.b Award Construction Contract for an As-Needed Concrete Contractor and Request for Funds Transfer 674

ADOPT a resolution to AUTHORIZE the city manager or their designee to execute a contract with Calico California Constructores Inc. in an amount of \$1,500,000, for a term ending December 31, 2025, with an option to extend the contract for one year and add additional capacity in the amount of \$500,000; and APPROVE the transfer of American Rescue Plan Act (ARPA) funds in the amount of \$461,717 from street improvement project (13636031-400645-01A05) to sidewalk improvement project (13636031-400644-01A04) – Public Works Department (Daniel Chavarria 510-620-5478/Ken Cheng 510-621-1612).

V.9.c Amendment #1 Arntz Builders, Inc. Construction Contract for Booker T. Anderson Community Center 946

ADOPT a resolution authorizing an amendment to the construction contract with Arntz Builders, Inc. for the Booker T. Anderson Infrastructure Projects (#23008, #AR247 and #23045), in an amount of \$676,537, for an amended total contract amount not to exceed \$3,978,715; and AUTHORIZE the Director of Public Works to approve additional project budget and contingency usage, if necessary, for an amount of \$397,871 that may increase the total contract not-to-exceed amount to \$4,376,586 – Public Works Department (Robert Armijo 510-620-5477/Josef Munoz 510-672-2407).

V.9.d Ghilotti Bros., Inc. Contract Amendment #1 for The Yellow Brick Road Project 985

ADOPT a resolution amending the construction contract with Ghilotti Bros., Inc. for the Yellow Brick Road Project in the amount of \$134,439.32, for an amended total contract amount not to exceed \$7,677,134.37, which includes \$54,439.32 for project-related work and a contingency amount of \$80,000 for potential additional change order work; and AUTHORIZE the Director of Public Works to approve construction change orders, if necessary, for the contingency amount of \$80,000 – Public Works Department (Robert Armijo 510-620-5477/Wendy Wellbrock 510-307-8108).

W. BUDGET SESSION

W.1 Capital Improvement Plan Projects Update 1063

RECEIVE an update regarding the prioritization and status of the Capital Improvement Plan Projects; and ADOPT a resolution to APPROPRIATE \$4,058,438 of unspent funds from Fiscal Year 2022-23 – Finance Department (Andrea Miller 510-620-6790).

X. NEW BUSINESS

X.1 Temporary Moratorium on New Tobacco Retailers 1082

ADOPT an urgency ordinance placing a temporary 45-day moratorium on the issuance of any new permit, license, or other entitlement for any new tobacco retailer in the City of Richmond - (Mayor Martinez 510-620-6503/Vice Mayor Jimenez 510-620-6565/Councilmember Willis 510-412-2050). **This item was continued from the April 2, 2024, meeting. (PUBLIC COMMENT SESSION CLOSED. THIS ITEM IS FOR COUNCIL DELIBERATION AND VOTING ONLY)**

X.2 Presentation of Management and Performance Audit of the Port of Richmond 1090

RECEIVE a presentation from Government Performance & Policy (GPP) Analytics Inc. on the Management and Performance Audit of the Port of Richmond – Finance Department (Nickie Mastay 510-620-6602/ Andrea Miller 510-620-6790/ Nannette Beacham 510-621-1306/ Charles Gerard 510-620-6792).

Y. ADJOURNMENT
