



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, May 5, 2020

Link to City Council Agendas/Packets
<http://sireweb.ci.richmond.ca.us/sirepub/meet.aspx>
Register to receive notification of new agendas, etc.
<http://www.ci.richmond.ca.us/list.aspx>

Mayor
Thomas Butt

Vice Mayor
Nathaniel Bates

Councilmembers
Ben Choi
Demnlus Johnson III
Eduardo Martinez
Jael Myrick
Melvin Willis

ALL CITY COUNCIL MEMBERS WILL PARTICIPATE VIA TELECONFERENCE

Housing Authority Tenant Commissioners
Jaycine Scott
Vacant

.....
The Richmond City Council also serves as Board Members and Commission Members for the following:

Housing Authority
Joint Powers Financing Authority
Surplus Property Authority
Local Reuse Authority

.....
CORONAVIRUS DISEASE (COVID-19) ADVISORY

Due to the coronavirus (COVID-19) pandemic, Contra Costa County and Governor Gavin Newsom have issued multiple orders requiring sheltering in place, social distancing, and

reduction of person-to-person contact. (See, for example, March 31, 2020 County Order extending the shelter-in-place order until May 3, 2020 & March 19, 2020 statewide shelter-in-place order.) Accordingly, Governor Gavin Newsom has issued executive orders that allow cities to hold public meetings via teleconferencing (Executive Order N-29-20). Both <https://www.coronavirus.cchealth.org/> and <http://www.ci.richmond.ca.us/3914/Richmond-Coronavirus-Info> provide updated coronavirus information.

DUE TO THE SHELTER IN PLACE ORDERS, attendance at the City of Richmond City Council meeting will be limited to Council members, essential City of Richmond staff, and members of the news media. Public comment will be confined to items appearing on the agenda and will be limited to the methods provided below. Consistent with Executive Order N-29-20, this meeting will utilize teleconferencing only. The following provides information on how the public can participate in this meeting.

How to watch the meeting from home:

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

Public comments may be submitted in multiple ways:

1. Via email to cityclerkdept@ci.richmond.ca.us by 3:00 p.m. or during the meeting as set forth below. Email must contain in the subject line **public comments – not on the agenda or public comments – agenda item #**.
2. Via mail received by 3:00 p.m. sent to 450 Civic Center Plaza, 3rd Floor, Office of the Clerk, Richmond, CA 94804.
3. Via eComment. To leave a comment, click eComment on the City's Meeting & Agenda Center webpage at <https://richmond.granicusideas.com/meetings>, select the item you wish to comment on and submit your written comment. The comment period will begin after the agenda is published and will close at 3:00 p.m. the day of the meeting.
4. Via Telephone. If you would like to give your public comment via telephone, please email your telephone number with area code to cityclerkdept@ci.richmond.ca.us during the public comment period. You will be called during the public comment period and you will be given the opportunity to verbally submit public comment (not to exceed the allotted time – one, two or three minutes – for such comments as provided below).

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.

For future meetings, the City is working on additional ways for the public to submit comments.

Comments received by 3:00 p.m. during the day of the meeting will be handled as follows:

Comments received via eComment will be exported into a report, distributed to the City Council and staff and published on the City's Meeting & Agenda Center under Documents Received After Published Agenda.

All email and mail comments received **by 3:00 p.m. the day of the meeting** will be provided to the City Council via e-mail or report.

Comments received via email or telephone during the meeting (after the meeting is called to order) will be handled as follows:

Comments received via email during the meeting and up until the public comment period on the relevant agenda item is closed, will be read into the record and will be limited to a maximum of one to two minutes, depending on the number of commenters, as more fully described in the City Council meeting procedures below. For public hearing items, the time will be limited to a maximum of three minutes. The Clerk will stop reading comments into the record after the allotted time for such comments.

Comments received by telephone during the public comment period shall not exceed the allotted time – one, two or three minutes – for such comments as provided above.

Record of all public comments:

All public comments will be considered a public record, put into the official meeting record, and considered before Council action. All public comments will be available after the meeting as supplemental materials and will be posted as an attachment to the meeting minutes when the minutes are posted.

Procedures for Removing Consent Calendar Items from the Consent Calendar

Councilmembers and members of the public who wish to remove an item from the consent calendar must comply with the following procedures in order to remove an item from the consent calendar:

1. Telephone or email a City staff member who has knowledge of the subject matter by 2:00 p.m. on the day of meeting.
2. Inform the City Clerk's Office by email at cityclerkdept@ci.richmond.ca.us or by phone at 510-620-6513, ext. 9, by 3:00 p.m. that they discussed the matter with staff with knowledge of the subject matter and that such Councilmember or member of the public, nonetheless, desires the item to be removed from the consent calendar for discussion.

Staff will be informed by the City Clerk's Office as soon as reasonably practicable after notice of the request to remove the item from the consent calendar. Staff may attend the meeting remotely.

Accessibility for Individuals with Disabilities

Upon request, the City will provide for written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services and sign language interpreters, to enable individuals with disabilities to participate in and provide comments at/related to public meetings. Please submit a request, including your name, phone 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.

Effect of Advisory on In-person public participation

During the pendency of the Executive Order N-29-20, the language in this Advisory portion of the agenda supersedes any language below in the meeting procedures contemplating in-person public comment.

MEETING PROCEDURES

The City of Richmond encourages community participation at its City Council meetings and has established procedures that are intended to accommodate public input in a timely and time-sensitive way. As a courtesy to all members of the public who wish to participate in City Council meetings, please observe the following procedures:

PUBLIC COMMENT ON AGENDA ITEMS: Anyone who desires to address the City Council on items appearing on the agenda 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. Your name will be called when the item is announced for discussion.

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.

OPEN FORUM FOR PUBLIC COMMENT: Individuals who would like to address the City Council on matters not listed on the agenda or on items remaining on the consent calendar may do so under Open Forum. All speakers must complete and file a pink speaker's card with the City Clerk **prior** to the commencement of Open Forum. The amount of time allotted to individual speakers shall be determined based on the number of persons requesting to speak during this item. **The time allocation for each speaker will be as follows:** 15 or fewer speakers, a maximum of 2 minutes; 16 to 24 speakers, a maximum of 1 and one-half minutes; and 25 or more speakers, a maximum of 1 minute.

SPEAKERS ARE REQUESTED TO OCCUPY THE RESERVED SEATS IN THE FRONT ROW BEHIND THE SPEAKER'S PODIUM AS THEIR NAME IS ANNOUNCED BY THE CITY CLERK.

CONSENT CALENDAR: Consent Calendar items are considered routine and will be enacted, approved or adopted by one motion unless a request for removal for discussion or explanation is received from the audience or the City Council. A member of the audience requesting to remove an item from the consent calendar that is sponsored by City staff must first complete a speaker's card and discuss the item with a City staff person who has knowledge of the subject material **prior** to filing the card with the City Clerk and **prior** to the City Council's consideration of Agenda Review. Councilmembers who request to remove an item from the consent calendar must do so during Agenda Review. An item removed from the Consent Calendar may be placed anywhere on the agenda following the City Council's agenda review.

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.

CITY HARASSMENT POLICY: The City invites public comment and critique about its operations, including comment about the performance of its public officials and employees, at the public meetings of the City Council and boards and commissions. However, discriminatory or harassing comments about or in the presence of City employees, even comments by third parties, may create a hostile work environment, if severe or pervasive. The City prohibits harassment against an applicant, employee, or contractor on the basis of race, religious creed, color, national origin, ancestry, physical disability, medical condition, mental disability, marital status, sex (including pregnancy, childbirth, and related medical conditions), sexual orientation, gender identity, age or veteran status, or any other characteristic protected by federal, state or local law. In order to acknowledge the public's right to comment on City operations at public meetings, which could include comments that violate the City's harassment policy if such comments do not cause an actual disruption under the Council Rules and Procedures, while taking reasonable steps to protect City employees from discrimination and harassment, City Boards and Commissions shall adhere to the following procedures. If any person makes a harassing remark at a public meeting that violates the above City policy prohibiting harassment, the presiding officer of the meeting may, at the conclusion of the speaker's remarks and allotted time: (a) remind the public that the City's Policy Regarding Harassment of its Employees is contained in the written posted agenda; and (b) state that comments in violation of City policy are not condoned by the City and will play no role in City decisions. If any person makes a harassing remark at a public meeting that violates the above City policy, any City employee in the room who is offended by remarks violating the City's policy is excused from attendance at the meeting. No City employee is compelled to remain in attendance where it appears likely that speakers will make further harassing comments. If an employee leaves a City meeting for this reason, the presiding officer may send a designee to notify any offended employee who has left the meeting when those comments are likely concluded so that the employee may return to the meeting. The presiding officer may remind an employee or any council or board or commission member that he or she may leave the meeting if a remark violating the City's harassment policy is made. These procedures supplement the Council Rules and Procedures relating to disruption of orderly conduct at Council meetings.

Any law enforcement officer on duty or whose service is commanded by the presiding officer shall be Sergeant-at-Arms of the Council meetings. He/she, or they, shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Council meetings (City Council Rules of Procedure and Order Section III F, RMC Section 2.12.030).

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

5:30 p.m.

- A. **ROLL CALL**
- B. **PUBLIC COMMENT BEFORE CLOSED SESSION**
- C. **ADJOURN TO CLOSED SESSION**

CLOSED SESSION

Shimada Room of the Community Services Building

CITY COUNCIL

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Significant exposure to litigation pursuant to paragraph (2) or (3) of Subdivision
(d) [as applicable] of Government Code Section 54956.9):

One case. In light of the California Court of Appeals' decision in Fowler v. City of Lafayette, the City Attorney's Office is attaching to this agenda a Right to Sue letter regarding a complaint by Lisa Stephenson to the Department of Fair Employment and Housing. The Right to Sue letter is attached. This provides the existing facts and circumstances for going into closed session on this item pursuant to California Government Code Section 54956.9(d)(2).

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code
Section 54956.8):

Property: Port of Richmond (Terminal 3)
Agency negotiators: Jim Matzorkis
Negotiating party: Richmond Terminal 3 Partners (Bobby Winston, Orton
Development and Tom Lockard)
Under negotiations: Price and terms of payment

**REGULAR MEETING OF
THE RICHMOND HOUSING AUTHORITY**

6:25 p.m.

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. REPORT FROM THE EXECUTIVE DIRECTOR

D. OPEN FORUM FOR PUBLIC COMMENT

E. AGENDA REVIEW

F. HOUSING AUTHORITY CONSENT CALENDAR

F-1. ADOPT a resolution approving a contract with Universal Protection Service for security services provided at Nevin Plaza and Hacienda, for a total amount not to exceed \$87,080 - Richmond Housing Authority (Nannette J. Beacham 621-1300).

F-2. ADOPT a resolution approving a contract amendment with David Paul Rosen & Associates to assist the Richmond Housing Authority in asset repositioning efforts of the public housing portfolio, in the amount of \$92,300 for Fiscal Year 19-20 and \$151,300 for Fiscal Year 20-21, for a new total not to exceed the amount of \$393,600 ending June 30, 2021 - Richmond Housing Authority (Nannette Beacham/Shasa Curl 621-1309).

F-3. ADOPT a resolution authorizing a contract amendment with Express Professionals for as-needed staffing services to support unit turn over activities in an amount of \$150,000, for a new total not to exceed amount of \$300,000 and extending the term to June 30, 2021 – Richmond Housing Authority (Nannette Beacham/Sharrone Taylor 621-1300).

F-4. APPROVE the minutes of the special April 21, 2020, Richmond Housing Authority Meeting - City Clerk's Office (Pamela Christian 620-6513).

G. ADJOURNMENT

REGULAR MEETING OF THE RICHMOND CITY COUNCIL

6:30 p.m.

- A. **ROLL CALL**
- B. **STATEMENT OF CONFLICT OF INTEREST**
- C. **AGENDA REVIEW**
- D. **REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE DURING CLOSED SESSION**
- E. **REPORT FROM THE CITY MANAGER**
- F. **OPEN FORUM FOR PUBLIC COMMENT**
- G. **CITY COUNCIL CONSENT CALENDAR**
 - G-1. APPROVE an agreement with Magdave Associates to remove an old unit and support placing a portable building at the Port Potrero Marine Terminal for a total value of \$39,000 - Port Department (Jim Matzorkis 215-4600).
 - G-2. ADOPT a resolution approving the Engineer's Report for Fiscal Year 2020-2021 for the Hilltop Landscape Maintenance District ("HLMD"), declaring the Council's intention to increase the annual assessment in the HLMD, and announcing a public hearing about the proposed increased assessment on June 2, 2020, at 6:30 PM in the City Council Chambers at 440 Civic Center Plaza in the City of Richmond - Public Works Department (Yader A. Bermudez 774-6300).
 - G-3. ADOPT a resolution approving the Engineer's Report for Fiscal Year 2020-2021 for the Marina Bay Landscaping and Lighting Maintenance District, declaring the Council's intention to increase the annual assessment in the Marina Bay Landscaping and Lighting Maintenance District, and announcing a public hearing about the proposed increased assessment on June 2, 2020, at 6:30 PM in City Council Chambers at 440 Civic Center Plaza in the City of Richmond - Public Works Department (Yader A. Bermudez 774-6300).
 - G-4. ADOPT a resolution to appropriate and authorize the use of the Park Impact Fee fund balance in an amount not to exceed \$60,017.21 for improvement costs, which exceeded the original scope of work for Martin Luther King, Jr. Park improvements; APPROVE a contract with The Trust for Public Land (TPL) in an amount not to exceed \$51,641.21; and APPROVE a contract with Landscape Structure, Inc. (LSA) in an amount not to exceed \$8,376 - Public Works Department (Yader A. Bermudez 774-6300).

- G-5.** APPROVE a contract with NIAD Art Center to support ongoing arts programs and collaborations in Richmond, in an amount not to exceed \$55,000, for a term beginning February 27, 2020, to February 28, 2021 - City Manager's Office (Laura Snideman 620-6512).
- G-6.** APPROVE a contract with East Bay Center for the Performing Arts to support ongoing arts programs and collaborations in Richmond in an amount not to exceed \$55,000, for a term beginning February 27, 2020, to February 28, 2021 - City Manager's Office (Shasa Curl 412-2091).
- G-7.** APPROVE I Heart Richmond Fiscal Year 2019-2020 budget; and APPROPRIATE revenues generated from the solid waste collection Franchise Fee increase of 7.5 percent beginning January 1, 2020 - City Manager's Office (Shasa Curl/Samantha Carr 620-6512).
- G-8.** APPROVE a purchase from LC ACTION POLICE SUPPLY for tactical safety helmets for the Police Department's SWAT Team in an amount not to exceed \$24,629.32 - Police Department (Interim Chief Bisa French 621-1802).
- G-9.** APPROVE a one-time purchase from Pacific Fitness Products LLC. for the police department's gym in an amount not to exceed \$27,224.59 - Police Department (Interim Chief Bisa French 621-1802).
- G-10.** RECEIVE the City's Investment and Cash Balance Report for the month of March 2020 – Finance Department (Belinda Brown/Delmy Cuellar 620-6740).
- G-11.** APPROVE an amendment to the contract with Alliance Graphics, Inc. to provide graphic art services and promotional products for the RichmondBUILD Academy and RichmondWORKS Workforce Development Programs. The contract term will be extended through June 30, 2022. The contract amount will be increased by \$12,000 for a total contract amount not to exceed \$20,000 - Library and Community Services Department (Sal Vaca/Rosemary Viramontes 307-8023).
- G-12.** ADOPT a resolution in support of medical collaboration between the United States and Cuba during the COVID-19 crisis and join the Richmond-Regla, Cuba Friendship Committee in urging the lifting of restrictions on Cuban medical expertise in order to be unified during this pandemic - Councilmember Eduardo Martinez (620-6593).
- G-13.** APPROVE a purchase from LC Action Police Supply for tactical safety helmets for the Police Department's SWAT Team in an amount not to exceed \$24,629.32 - Police Department (Interim Chief Bisa French 621-1802).
- G-14.** INTRODUCE an ordinance (first reading) to establish the wages, salaries, and compensation for the new Industrial Building Inspector classification (Salary Range No. 060G \$8,154 - \$9,864) - Human Resources Management Department (Allison Picard/Kate Soiseth 620-6600). **This item was continued from the April 21, 2020, meeting.**

- G-15.** ADOPT a resolution amending the City of Richmond's Position Classification Plan to add the new classification of Deputy Building Official - Human Resources Management Department (Allison Picard/Veronica Duarte de Castro 620-6600). **This item was continued from the April 21, 2020, meeting.**
- G-16.** INTRODUCE an ordinance (first reading) to establish wages, salaries and compensation for the new classification specification for Deputy Building Official (Salary Range No.073 \$8,978 - \$10,890/month) - Human Resources Management Department (Allison Picard/Veronica Duarte de Castro 620-6600). **This item was continued from the April 21, 2020, meeting.**
- G-17.** ADOPT a resolution amending the City of Richmond's Position Classification Plan to add the new Police Records and Property Manager classification and abolish the Police Records Supervisor classification - Human Resources Department (Allison Picard/Donna Newton 620-6600). **This item was continued from the April 21, 2020, meeting.**
- G-18.** INTRODUCE an ordinance (first reading) to establish wages, salary, and compensation for the new Police Records and Property Manager classification (Salary Range No. 070D \$9,535 - \$11,532/month) - Human Resources Management Department (Allison Picard/Donna Newton 620-6600). **This item was continued from the April 21, 2020, meeting.**
- G-19.** ADOPT a resolution in support of Assembly Bill 1851 (Wicks) which, if passed and signed into law, will allow for the elimination of residential parking requirements on faith-based properties for qualifying housing development projects - Office of the Mayor (Tom Butt 620-6503).
- G-20.** AUTHORIZE the city manager to negotiate and execute contracts totaling no more than \$50,000; and APPROPRIATE funds in an amount not to exceed \$50,000, to be used to hire qualified consultants, political strategists, community organizing or civic engagement management firms, for the polling and engagement needed to inform the public concerning revenue generating ballot measures as early as the November 2020 election - City Manager's Office, Economic Development (Shasa Curl/Antonio Banuelos 620-6741).
- G-21.** ADOPT a resolution ratifying the Director of Emergency Service's Second Supplemental Order adding protections for commercial properties for evictions and placing a moratorium on residential rent increases while this Order is in effect or until a date determined by the Director of Emergency Services - Community Development (Lina Velasco 620-6841).
- G-22.** APPROVE a short-term contract with Russ Branson Consulting to provide financial consulting services through July 31, 2020, in an amount not to exceed \$24,760 - Finance Department (Belinda Brown 620-6740/Markisha Guillory 620-5434).

H. BUDGET SESSION

H-1. ACKNOWLEDGE receipt of the first draft of the Fiscal Year 2020-21 Annual Operating and Capital Improvement Budget, and establish the review process and schedule for City Council review and adoption – Finance Department (Belinda Brown 620-6740/Markisha Guillory 620-5434).

I. REPORTS OF OFFICERS: REFERRALS TO STAFF, AND GENERAL REPORTS (INCLUDING AB 1234 REPORTS)

J. ADJOURNMENT

This agenda may be previewed on KCRT – Channel 28, Richmond Television, City website www.ci.richmond.ca.us. Any documents produced by the City and distributed to a majority of the City Council regarding any item on this agenda will be made available at the Main Counter at City Hall located at 450 Civic Center Plaza.