



Agenda

MEETING(S) - (Meetings are virtual)

RICHMOND CITY COUNCIL

Tuesday, April 26, 2022, 4:00 p.m.

Community Services Building

440 Civic Center Plaza

Richmond, CA 94804

Members:

Thomas K. Butt, Mayor

Demnlus Johnson III, Councilmember at Large

Nathaniel Bates, Councilmember at Large

Claudia Jimenez, Councilmember District 6

Eduardo Martinez, Vice Mayor at Large

Melvin Willis, Councilmember District 1

Gayle McLaughlin, Councilmember District 5

Link to City Council Agendas/Packets

<http://www.ci.richmond.ca.us/4157/City-ofRichmond-Council-Meetings>

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<http://www.ci.richmond.ca.us/list.aspx>

CORONAVIRUS DISEASE (COVID-19) ADVISORY

PURSUANT to the Governor of the State of California's Assembly Bill 361 and in the interest of the public health and safety, 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.

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 comment may be submitted by mail, eComment, email and/or Zoom video conference in the manner that follows, provided that no member of the public may submit more than one verbal comment per agenda item.

Via mail: received by 1:00 p.m. the day of the meeting, sent to 450 Civic Center Plaza, 3rd Floor, Office of the Clerk, Richmond, CA 94804.

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. eComments can be viewed by the City Council and members of the public as they are submitted. 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]. **All such email with correctly labeled subject lines will be posted on-line and emailed to the City Council before the meeting is called to order. Email received after 1:00 p.m. will be posted on-line following the meeting as part of the supplemental materials attached to the meeting minutes.**

Via Zoom by video conference: for 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>

To comment by video conference: click on the Participants button at the bottom of your screen and select the "Raise Your Hand" button to request to speak when Public Comment is being asked for. **When called upon, press the unmute button. After the allotted time, you will then be re-muted. ****

To comment by phone: you will be prompted to "Raise Your Hand" by pressing "*9" to request to speak when Public Comment is asked for. **When called upon, you will be asked to unmuted by pressing *6.** After the allotted time, you will then be re-muted. Instructions of how to raise your hand by phone are available

at:

[https://support.zoom.us/hc/en-us/articles/201362663 -Joining-a-meeting-by-phone.](https://support.zoom.us/hc/en-us/articles/201362663-joining-a-meeting-by-phone) **

**The mayor will announce the agenda item number and open public comment when appropriate.

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.

AB 361 Procedures in the Event of Technical Difficulties: In the event the meeting broadcast is disrupted, or if a technical issue on the agency's end disrupts public participation, the legislative body board cannot take any further action on the agenda until the technical issue is resolved.

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>.

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.

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 Assembly Bill 361, the language in this Advisory portion of the agenda supersedes any language contemplating in-person public comment.

A. OPEN SESSION TO HEAR PUBLIC COMMENT BEFORE CLOSED SESSION

4:00 p.m.

B. ROLL CALL**C. CLOSED SESSION****C.1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)**

- Title: City Clerk
- Title: City Manager

C.2. LIABILITY CLAIMS (Government Code Section 54956.9)

- Rodney Williams
- Evette Feigel

C.3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (paragraph (1) of Subdivision [d] of Government Code Section 54956.9)

- SPRAWLDEF et al. v. City of Richmond
- The Guidiville Rancheria of California, et al. v. The United States of America, et. al.
- North Coast Rivers Alliance et al./Point Molate Alliance et al. v. City of Richmond
- City of Richmond v. Thomas K. Butt

C.4. 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)

- **Three cases:**

In light of the California Court of Appeal's decision in Fowler v. City of Lafayette, the City Attorney's Office is attaching to this agenda four communications regarding the amended judgment and various agreements related to Point Molate. These letters provide the existing facts and circumstances for going into closed session on these items pursuant to California Government Code Section 54956.9(d)(2) and (e)(3).

**C.5. 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.6. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section
54957.6)**

- Agency Representatives: Jaclyn Gross and Anil Comelo

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

E. ADJOURN TO CLOSED SESSION

F. REGULAR MEETING OF THE RICHMOND CITY COUNCIL

6:30 p.m.

G. ROLL CALL

H. PUBLIC COMMENT INSTRUCTIONAL VIDEO

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. CRIME REPORT FROM POLICE CHIEF - 4th Tuesday (public comment allowed under Open Forum)

N. OPEN FORUM FOR PUBLIC COMMENT

O. ITEMS CONTINUED FROM APRIL 19, 2022

O.1. Ordinance Adjusting the Boundaries of Council Districts 10

ADOPT an ordinance (second reading) of the City Council of the City of Richmond adjusting the boundaries of the six City Council Districts and adopting a new official Council District Map No. 201, for the City of Richmond based on the results of the 2020 decennial census and amending RMC section 2.16.050 – City Clerk’s Office (Pamela Christian 510-620-6513). **This item was continued from the April 19, 2022, meeting.**

O.2. Ordinance to Approve a Military Equipment Funding Acquisition and Use Policy. 25

INTRODUCE an ordinance (first reading) pursuant to state law (Assembly Bill 481), to approve a Military Equipment Funding, Acquisition, and Use Policy - City Attorney’s Office/Police Department (Dave Aleshire 510-620-6509/Louie Tirona 510-620-6655). **This item was continued from the April 19, 2022, meeting.**

P. CITY COUNCIL CONSENT CALENDAR

P.1. City Clerk’s Office

P.1.a. City Council Meeting Minutes 44

APPROVE the minutes of the regular April 5, 2022, Richmond City Council meeting - City Clerk's Office (Pamela Christian 510-620-6513).

P.2. Finance Department

P.2.a. Contract with Charles River Associates 56

AUTHORIZE first amendment to the contract with Charles River Associates in an amount not to exceed \$90,000 for a new total of \$130,000 for expert financial advice and analysis as it relates to the City’s Pension Obligation Bonds (POBs), and an independent review of its swaps, derivatives, and bonds - Finance Department. (Anil Comelo/Delmy Cuellar 510-620-6600).

P.2.b. Approve Contracts to Provide Underwriter, Swap Advisor, Bond Counsel, and Disclosure Counsel Services for the Pension Obligation Bonds. 144

APPROVE contracts with Loop Capital Markets and Hilltop Securities to provide Co-underwriter Services in an amount of 0.30 percent of the principal amount (approximately\$480,000), and Legal Service Agreements in an amount not to exceed \$75,000 each with Jones Hall for Bond Counsel and \$55,000 with Best Best & Krieger for Disclosure Counsel services - Finance Department (Anil Comelo/Delmy Cuellar 510-620-6600).

P.3. Human Resources

P.3.a. Compensation Adjustment for the City Clerk 239

APPROVE a salary adjustment for the City Clerk effective March 1, 2022, from \$12,201.20/month to \$13,421.32/month (a 10 percent increase) – Human Resources Department (Anil Comelo 510-620-6600).

Q. BUDGET SESSION

Q.1. Budget Presentations 241

RECEIVE budget presentation from City Attorney, City Clerk, City Manager, and Economic Development Departments – Finance Department (Delmy Cuellar/Mubeen Qader 510-412-2077).

Q.2. Receive Update on the Refinancing of the Pension Obligation Bonds (Pobs), and Peer Review Findings of Charles Rivers Associates. 303

RECEIVE update on the refinancing of the 2005 Pension Obligation Bonds (POBs) and Peer Review Findings - Finance Department (Anil Comelo/Delmy Cuellar 510-620-6600).

R. PUBLIC HEARINGS

CONTINUED TO MAY 3, 2022, a public hearing to approve fees for the Master Fee Schedule - Finance Department (Delmy Cuellar 510-620-6740).

S. STUDY AND ACTION SESSION

- S.1. Improve Staff Morale** 316
- RECEIVE a presentation on ideas to maximize communication, raise employee morale, and to acknowledge the dedication of staff; and provide direction to staff. Councilmember Melvin Willis (510-412-2050) and Councilmember Claudia Jiménez (510) 620-6565. **This item was continued from the March 22, 2022, meeting.**
- S.2. Recognition of National Poetry Month** 334
- RECEIVE poetry reading from Poet Laureates David Flores and Adriana Avalos in honor of National Poetry Month – Councilmember Melvin Willis (510-412-2050).
- S.3. The Safe Return Project Celebrates its 10th Anniversary** 340
- PROCLAMATION recognizing the Safe Return Project for Ten Years of Service to Empowering the Formerly Incarcerated - Councilmember Claudia Jiménez (510-629-6565)
- S.4. Commemorating 50 Years of Service by Sojourner Truth Presbyterian Church** 366
- PROCLAMATION recognizing Sojourner Truth Presbyterian Church for 50 Years of Service to the Community – Councilmember Claudia Jimenez (510-620-6565).
- S.5. Update on the Contra Costa County Animal and Sheltering Services** 369
- RECEIVE a report from the Animal Rights Coalition on the animal and sheltering services by the Contra Costa County Animal Services Department – Councilmember Nathaniel Bates (510-620-6743).
- S.6. Update on Cost Recovery and Revenue Enhancement** 373
- RECEIVE an update on the Cost Recovery and Revenue Enhancement tracking document and Options for Long-term Fiscal Sustainability; and PROVIDE input to City staff – City Manager’s Office (Shasa Curl/LaShonda White 620-6512).
- S.7. Update on the Transportation Division** 384
- RECEIVE a presentation from the Transportation Division to update the City Council and the community on the status of current and upcoming projects - City Council Office (Councilmember Demnlus Johnson III 510-620-6568).
- S.8. Process to clean up the City** 386
- RECEIVE a report and provide direction to staff for a process and procedure to clean up and maintain the cleanliness of the city - Councilmember Nathaniel Bates (510-620-6743).

- T. REPORTS OF OFFICERS: REFERRALS TO STAFF, AND GENERAL REPORTS
(INCLUDING AB 1234 REPORTS)
- U. ADJOURNMENT