



Agenda

MEETING(S) - (Meetings are virtual)

REGULAR RICHMOND CITY COUNCIL

Tuesday, May 24, 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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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/aehrwCgISx>

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.

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

4:00 p.m.

B. ROLL CALL**C. CLOSED SESSION****C.1. LIABILITY CLAIMS (Government Code Section 54956.9)**

- 221B, 225, 229 & 235 Tunnel Avenue
- 12200 San Pablo Avenue

C.2. 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

C.3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)

- Property: 1324 Canal Boulevard (General Warehouse, Port of Richmond)
Agency negotiator: Alan Wolken
Negotiating parties: Richmond Grown
Under negotiation: Price and terms of payment

C.4. 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

C.5. 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).

D. PUBLIC COMMENT BEFORE CLOSED SESSION (public comment on Closed Session items only)

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. CITY COUNCIL CONSENT CALENDAR****O.1. City Council****O.1.a. Resolution Declaring a Climate Emergency and Opposing the Expansion of Fossil Fuels 11**

ADOPT a resolution reaffirming a climate emergency, committing to policies opposing fossil fuel expansion and accelerating the clean energy transition as part of the safe cities movement, and endorsing the call for a global fossil fuel non-proliferation treaty – Vice Mayor Eduardo Martinez (510-620-6593).

O.1.b. Resolution Declaring the First Friday in June as Gun Violence Awareness Day 16

ADOPT a resolution declaring the first Friday in the month of June as Gun Violence Awareness Day in the City of Richmond – Councilmember Demnlus Johnson III (510-620-6568).

O.2. Human Resources**O.2.a. Proposed Employment Severance Package Agreement with Belinda Brown, Director of Finance 21**

APPROVE proposed severance package agreement with Belinda Brown, Director of Finance – Human Resources Department/City Attorney's Office (Anil Comelo 510-620-6602/Dave Aleshire 510-620-6509).

O.3. Mayor's Office**O.3.a. Vacant Seats on Richmond Boards, Commissions and Committees 27**

ANNOUNCE recent resignations from City of Richmond boards, commissions, and committees, and vacancies as of May 18, 2022, and ask that interested individuals send applications to the City Clerk – Mayor's Office (Mayor Tom Butt 510-620-6503).

P. PUBLIC HEARINGS**P.1. Quarry Residential Project Redesign 31**

HOLD a public hearing; and ADOPT a Resolution certifying the Addendum to the Quarry Residential Project Environmental Impact Report (EIR) and adopting a Mitigation Monitoring and Reporting Program (MMRP) and approving a Major Amendment to a previously approved Planned Area Plan; a Density Bonus for the purpose of requesting waivers of certain development standards; a Vesting Tentative Map; and Design Review for the Quarry Residential Project Redesign, subject to conditions of approval – Community Development Department (Lina Velasco/Roberta Feliciano 510-620-6662). **This item was continued from the May 17, 2022, meeting.**

Q. STUDY AND ACTION SESSION**Q.1. Recognition of National Poetry Month 180**

RECEIVE poetry reading from Poet Laureates David Flores and Adriana Avalos in honor of National Poetry Month – Councilmember Melvin Willis (510-412-2050). **This item was continued from the April 26, 2022, meeting.**

Q.2. PROCLAMATION Honoring the Children’s Book Loujain Dreams of Sunflowers and its Co-Author Richmond Resident Uma Mishra-Newbery 186

PROCLAMATION Honoring the Children’s Book Loujain Dreams of Sunflowers and its Co-Author Richmond Resident Uma Mishra-Newbery and Proclaiming it a City-Wide Reading Book - Councilmember Gayle McLaughlin (510-620-6636).

Q.3. Improve Staff Morale 191

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, and April 26, 2022, meetings.**

Q.4. Private Landowner Encroachments 209

RECEIVE a report from the City Attorney regarding the legality of staff awarding and transferring city property without approval from the City Council - Councilmember Nathaniel Bates (510-620-6743). **This item was continued from the May 17, 2022, meeting.**

Q.5. The Segal Group Inc., Classification and Compensation Study 211

DIRECT the city manager to release the Class and Compensation Study to the City Council – Mayor’s Office (Mayor Tom Butt 510-620-6503). **This item was continued from the May 17, 2022, meeting.**

Q.6. Contra Costa County Increasing Per Capita Cost for Animal Services in County Cities 292

RECEIVE a presentation from the Contra Costa County Animal Control Department on the proposed new agreement and increase in fees for service – Councilmember Nathaniel Bates (510-620-6743).

Q.7. A3 Miles Hall Crisis Hub Program 293

RECEIVE a report from the Contra Costa Health Services on the A3 Miles Hall Crisis Hub Program (A3) and Measure X – Councilmember Claudia Jimenez (510-620-6565) and Councilmember Melvin Willis (510-412-2050).

Q.8. Point Molate DDA closing issues - Resolution finding closing conditions not satisfied 309

ADOPT a resolution determining that closing conditions have not been satisfied and the sale of property to Winehaven Legacy LLC should not close, and giving notice to Winehaven Legacy LLC and Upstream/Tribe – City Attorney’s Office (Dave Aleshire 510-620-6509).

Q.9. Presentation of Draft Local Roadway Safety Plan 338

RECEIVE presentation of draft Local Roadway Safety Plan; and PROVIDE feedback – Public Works Department (Joe Leach/Patrick Phelan 510-307-8111).

Q.10. Street Sweeping 521

DIRECT the city manager to incorporate into the 2022-23 budget funding to provide: new street sweeping signage in neighborhoods that have not previously been signed; repairs/replace existing deteriorated signage in neighborhoods that have previously been signed; sufficient staff and equipment to perform scheduled street sweeping operations in all neighborhoods; sufficient enforcement staff to issue citations for vehicles not moved on designated street sweeping days and times. AUTHORIZE vehicle towing operations in areas where citations have not provided sufficient motivation for residents to move vehicles – Mayor’s Office (Mayor Tom Butt 510-620-6503).

R. BUDGET SESSION

R.1. Receive Update on the Refinancing of the Pension Obligation Bonds (POBs) 562

RECEIVE update on the refinancing of the 2005 POBs – Finance Department (Anil Comelo/Delmy Cuellar 510-620-6600).

R.2. Budget Presentation 566

RECEIVE budget presentations from the city manager and the Police and Fire Departments – City Manager’s Office/Finance Department (Shasa Curl 510-620-6512/ Delmy Cuellar 510-620-6790/ Mubeen Qader 510-412-2077).

R.3. Budget Presentation

606

RECEIVE budget presentations from the city manager and the Community Development and Community Services Departments – City Manager’s Office/Finance Department (Shasa Curl 620-6512/ Delmy Cuellar 620-6790/ Mubeen Qader 412-2077). **This item was continued from the May 17, 2022, meeting.**

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

T. ADJOURNMENT
