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# *Agenda*

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**MEETING(S) - (Meetings are virtual)**

**AMENDED REGULAR RICHMOND CITY COUNCIL AGENDA**

Tuesday, June 28, 2022, 4:30 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**

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#### **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.

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**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]. **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/j/99312205643>

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[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.

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***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](mailto: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.

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**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 Legacy LLC v. City of Richmond, et al.
- The Guidiville Rancheria of California et al. v. USA et al.
- City of Long Beach v. Monsanto Co.

**C.2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (initiation of litigation pursuant to paragraph (4) of Subdivision (d) of Government Code Section 54956.9)**

- Riggers Loft Wine Company

**C.3. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)**

- Agency Representatives: Jaclyn Gross, Teresa Fairbanks, 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.4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)**

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

D. PUBLIC COMMENT BEFORE CLOSED SESSION

E. ADJOURN TO CLOSED SESSION

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F. AMENDED REGULAR MEETING OF THE RICHMOND CITY COUNCIL AGENDA

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 Attorney's Office

- O.1.a. **Approval of Fourth Amendment to Liebert Cassidy Whitmore Legal Services Agreement** 12

APPROVE the Fourth Amendment to the legal services agreement with Liebert Cassidy Whitmore for the continuation of labor negotiations and other legal services, in the amount of \$50,000, for a new total contract amount not to exceed \$1,085,000, and extending the term six months through December 31, 2022 – City Attorney's Office (Jaclyn Gross 510-620-6709)

- O.1.b. **Approval of two Legal Services Agreement amendments with the law firms of (1) Holland & Knight and (2) Maloney Employment Law for a total amount of \$200,000** 69

APPROVE amendments to two legal service agreements with the law firms of (1) Holland & Knight and (2) Maloney Employment Law, for a total amount of \$200,000, for a term from June 28, 2022 to June 30, 2023– City Attorney's Office (Dave Aleshire 510-620-6509).

- O.1.c. **Ordinance to Revise and Amend Richmond Municipal Code Chapter 12.30** 123

ADOPT an ordinance (second reading) amending Richmond Municipal Code Chapter 12.30 ("Video Service Provider, Utility and Special District Encroachments") by incorporating Chapter 12.29 ("Street Opening and Pavement Restoration Regulations"); adding provisions that address private landowner encroachments into the public Right-of-Way (ROW); easements; and street vacations; retitling Chapter 12.30 "Encroachments and Easements," and rescinding Chapter 12.29 in its entirety - City Attorney's Office/Public Works Department (Dave Aleshire 510-620-6509/Joe Leach 510-620-3008).

<b>O.2.</b>	<b>City Clerk's Office</b>	
<b>O.2.a.</b>	<b>City Council Minutes</b>	291
	APPROVE the minutes of the June 14, 2022, Richmond City Council Special Closed Session - City Clerk's Office (Pamela Christian 510-620-6513).	
<b>O.3.</b>	<b>Community Development</b>	
<b>O.3.a.</b>	<b>Surplus Land Act Resolution for OBAG funding</b>	292
	ADOPT a resolution to affirm compliance with the Surplus Land Act (as amended by Assembly Bill 2135) to satisfy requirements of the Metropolitan Transportation Commission (MTC) for its One Bay Area Grant (OBAG) program – Community Development Department (Lina Velasco 510-620-6841).	
<b>O.4.</b>	<b>Human Resources</b>	
<b>O.4.a.</b>	<b>Proposed 6-Month Extension Contract with Acclamation Insurance Management Services, Inc. to Continue Serving as the City's Third-Party Administrator of Workers' Compensation Claims.</b>	383
	APPROVE a third contract amendment with Acclamation Insurance Management Services, Inc. to continue serving as the City's third-party administrator of workers' compensation claims, for a total payment limit not to exceed \$314,386, and extending the term six-months through December 31, 2022 – Human Resources Department (Laura Marquez 510-620-6974).	
<b>O.4.b.</b>	<b>Contract Amendment with George Hills Company, Inc. to Continue to Provide Third-Party Administration (TPA) of General Liability Claims Received by the City</b>	518
	APPROVE a six-month contract amendment with George Hills Company, increasing the amount of the contract by \$88,560, for a total amount not to exceed \$598,560 to continue to provide third party administration of general liability claims received by the City, with an extended term ending December 31, 2022 - Human Resources Department (Laura Marquez 510-620-6974).	
<b>O.5.</b>	<b>Mayor's Office</b>	
<b>O.5.a.</b>	<b>Appointment(s) to the Economic Development Commission</b>	593
	APPROVE appointment(s) to the Economic Development Commission: APPOINT Daniel Heiss, new appointment, seat #2, filing an unexpired term with an expiration date of March 30, 2024; Andrea Portillo- Knowles, re-appointment, seat #15, term expiration date of March 30, 2025 – Mayor's Office (Mayor Tom Butt 510-620-6503).	



<b>O.5.b.</b>	<b>Appointment(s) to the Human Rights and Human Relations Commission</b>	597
	APPROVE appointment(s) to the Human Rights and Human Relations Commission; APPOINT Reza Yazdi, re-appointment, seat #4, term expiration date March 30, 2025; Rabia Watson, new appointment, seat #5, filing an unexpired term with an expiration date of March 30, 2025 – Mayor’s Office (Mayor Tom Butt 510-620-6503).	
<b>O.5.c.</b>	<b>Appointment(s) to the Commission on Aging</b>	601
	APPROVE appointment(s) to the Commission on Aging: APPOINT Michelle Hayes, re-appointment, seat #13, term expiration date May 19, 2026 – Mayor’s Office (Mayor Tom Butt 510-620-6503).	
<b>O.5.d.</b>	<b>Appointment(s) to the Recreation and Parks Commission</b>	604
	APPROVE appointment(s) to the Recreation and Parks Commission: APPOINT Eleanor Thompson, re-appointment, seat #5, term expiration date October 26, 2024 – Mayor’s Office (Mayor Tom Butt 510-620-6503).	
<b>O.5.e.</b>	<b>Vacant Seats on Richmond Boards, Commissions and Committees</b>	606
	ANNOUNCE recent resignation from City of Richmond boards, commissions, and committees; and ANNOUNCE vacancies as of, June 21, 2022, and ask that interested individuals send applications to the City Clerk – Mayor’s Office (Tom Butt 510-620-6503).	
<b>O.6.</b>	<b>Police Department</b>	
<b>O.6.a.</b>	<b>Proposed Agreement for the Provision of Communication Services by the City of Richmond to the City of El Cerrito.</b>	610
	ADOPT a resolution authorizing the city manager to execute an agreement for the provision of communication services by the City of Richmond to the City of El Cerrito from July 1, 2022, to June 30, 2027, with revenue to the City of Richmond as follows: \$812,461 in Fiscal Year (FY) 2022-2023, \$828,710 in FY 2023-2024, \$845,285 in FY 2024-2025, \$862,190 in FY 2025-2026, and \$879,434 in FY 2026-2027 – Police Department (Acting Chief Louie Tirona 621-1802).	
<b>O.7.</b>	<b>Public Works</b>	
<b>O.7.a.</b>	<b>Request to Temporarily Display a Plaque at Shimada Friendship Park</b>	622
	APPROVE a request to temporarily display a plaque at Shimada Friendship Park until it can be permanently installed at its formal location at Miraflores Sustainable Greenbelt – Public Works Department (Joe Leach 620-5478/Greg Hardesty 620-6920).	

**P. ITEMS CONTINUED FROM PREVIOUS MEETINGS**

- P.1. The Contra Costa County is Increasing the Per Capita Cost for Animal Services in the County Cities** 662

RECEIVE a presentation from the Contra Costa County Animal Control Department on the proposed new agreement and increase in fees for service – Councilmember Bates (510-620-6743). **This item was continued from the May 24, 2022, meeting.**

- P.2. Expand The Terms of Appropriated ARPA Flex Funds for Rydin Road Residents** 664

AMEND direction provided by City Council on December 21, 2021, which appropriated \$50,000 for flex funds for vehicle repair and servicing, to expand the terms under which these funds can be spent, to be overseen by the Community Development Department - Vice Mayor Eduardo Martinez (510-620-6593). **This item was continued from the June 7, 2022, and June 21, 2022, meetings.**

- P.3. FY 2022-2023 Richmond Department and Fund for Children and Youth Grant Awardee Recommendation** 667

APPROVE a recommendation from the Richmond Fund for Children and Youth (RFCY) Oversight Board for Fiscal Year 2022-2023 to award 19 grants in an amount not to exceed \$1,434,317; ADOPT a resolution; and AUTHORIZE the city manager to negotiate and execute Grant Service Agreements with the approved grantees – Richmond Department of Children & Youth (LaShonda White/Patrick Seals 620-6512). **This item was continued from the June 21, 2022, meeting.**

- P.4. Contract With Ed Fund to Provide Youth Programs to Camp Achieve Youth In Partnership With Community Services-Recreation** 759

APPROVE a contract with West Contra Costa Public Education Fund to provide free youth programs in partnership with Community Services-Recreation to 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> graders through Camp Achieve’s 8-week summer camp program. The term of the contract is July 1, 2021 through June 30, 2025, in an amount not to exceed \$54,000 - Community Services Department -Recreation Division (LaShonda White/Ranjana Maharaj/Troy Porter 510-620-6822). **This item was continued from the June 21, 2022, meeting.**

**Q. STUDY AND ACTION SESSION**

- Q.1. East Bay Center for Performing Arts Update 2020-2022 Presentation** 941

RECEIVE a presentation from East Bay Center for Performing Arts related to their program growth and meaningful contributions to residents and the City of Richmond – Economic Development, Arts & Culture (Shasa Curl/Winifred Day 620-6512).

- Q.2. Update from HR&A Advisors, Inc. regarding the American Rescue Plan Act Community Needs Assessment and Strategic Investment Plan Development. 957**

RECEIVE an update from HR&A Advisors, Inc. and Contigo on the status of the American Rescue Plan Act (ARPA) Community Needs Assessment and Strategic Investment Plan to provide guidance on spending the City's remaining \$17.2 million ARPA allocation – Library and Community Services (LaShonda White 510-620-6512).

- Q.3. RECEIVE Presentation of San Pablo Avenue Multimodal Corridor Study Phase 2 985**

RECEIVE a presentation of the San Pablo Avenue Multimodal Corridor Study Phase 2 and provide feedback – Public Works (Joe Leach/Patrick Phelan 307-8111).

- Q.4. Richmond Community Foundation has Established an Equity for Black Women & Girls Initiative. 1031**

RECEIVE a report from the Richmond Community Foundation (RCF) on the Equity for Black Women and Girls Initiative - Councilmember Demnlus Johnson (510-620-6861).

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

**S. ADJOURNMENT**

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