



Agenda

MEETING(S) - (Meetings are virtual)

REGULAR RICHMOND HOUSING AUTHORITY
REGULAR RICHMOND CITY COUNCIL AGENDA

Tuesday, September 13, 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

Jaycine Scott, Housing Authority Tenant Commissioner

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/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.

Pages

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)

- Terry Ellis
- Evette Frevele
- GEICO/Cortez

C.2. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

Agency Representatives: Jaclyn Gross and Sharrone Taylor

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

- Winehaven 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
- SPRAWLDEF et al. v. City of Richmond

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

- One Case:

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 1 memo regarding the Measure U and a meeting where litigation was threatened. This memo provides 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 REAL PROPERTY NEGOTIATOR (Government Code
Section 54956.8)**

- Property: South 45th Street to the west, Wall Avenue to the south, Interstate 80 to the east, and the BART tracks to the north
Agency negotiator: Anita Luck, Lina Velasco, Jesus Morales
Negotiating parties: Miraflores Community Devco, LLC
Under negotiation: Price and terms of payment
- Property: 12th and Macdonald
Agency Negotiators: Dave Aleshire, Lina Velasco, Jesus Morales
Negotiating parties: SAA-EVI Richmond Partners, LLC
Under negotiation: Price and terms of payment

D. PUBLIC COMMENT BEFORE CLOSED SESSION

E. ADJOURN TO CLOSED SESSION

F. REGULAR MEETING OF THE RICHMOND HOUSING AUTHORITY

6:25 p.m.

G. ROLL CALL**H. PUBLIC COMMENT INSTRUCTIONAL VIDEO****I. STATEMENT OF CONFLICT OF INTEREST****J. REPORT FROM THE EXECUTIVE DIRECTOR****K. AGENDA REVIEW****L. HOUSING AUTHORITY OPEN FORUM****M. HOUSING AUTHORITY CONSENT CALENDAR****M.1. Richmond Village Memorandum of Understanding (MOU)**

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ADOPT a resolution approving a Memorandum of Understanding (MOU) by and among the Richmond Housing Authority (RHA), MBA Urban Development Co., a Missouri corporation, Community Housing Development Corporation of North Richmond (CHDC), and MBS Easter Hill Acquisition Partner, LLC, pertaining to the operation of the Easter Hill development phases I and II, and cooperation regarding potential Rental Assistance Demonstration (RAD) Conversions for the developments with a term ending December 31, 2023; and AUTHORIZE the Executive Director to execute the MOU – Richmond Housing Authority (Nannette J. Beacham 510-621-1300).

M.2. Housing Authority Minutes

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APPROVE the minutes of the July 19, 26, and August 19, 2022, Richmond Housing Authority special meetings - City Clerk's Office (Pamela Christian 510-620-6513).

M.3. Nystrom Village Exclusive Right to Negotiate Agreement (ERNA)

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ADOPT a resolution authorizing the Executive Director of the Richmond Housing Authority (RHA) to execute an Exclusive Right to Negotiate Agreement (ERNA) with McCormack Baron Salazar and Richmond Neighborhood Housing Services; and AUTHORIZE the Executive Director of the RHA to negotiate a Master Development Agreement (MDA), Ground Leases, Disposition and Development Agreements, and any other related documents and agreements necessary for the redevelopment and operation of Nystrom Village – Richmond Housing Authority (Nannette Beacham 510-621-1300).

N. ADJOURNMENT

O. REGULAR MEETING OF THE RICHMOND CITY COUNCIL

6:30 p.m.

P. ROLL CALL**Q. STATEMENT OF CONFLICT OF INTEREST****R. AGENDA REVIEW****S. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE DURING CLOSED SESSION****T. REPORT FROM THE CITY MANAGER (public comment allowed under Open Forum)****U. ABATEMENT REPORT FROM THE PUBLIC WORKS DIRECTOR - 1st Tuesday (public comment allowed under Open Forum)****V. OPEN FORUM FOR PUBLIC COMMENT****W. CITY COUNCIL CONSENT CALENDAR****W.1. City Attorney's Office**

- W.1.a. Approval of a Third Amendment to McNamara, Ambacher, Wheeler, Hirsig & Gray, LLP Legal Services Agreement for Police Tort Litigation and other Matters** 103

APPROVE the third amendment to the legal service agreement with McNamara law firm; and APPROPRIATE \$125,000 for the amendment – City Attorney's Office (Heather McLaughlin 510-620-6509).

- W.1.b. Fourth Amendment of the Downey Brand Agreement for North Coast Rivers Alliance, et al. v. City of Richmond.** 138

APPROVE the fourth amendment to the legal service agreement with Downey Brand for the NCRA litigation; and APPROPRIATE \$40,000 for the amendment – City Attorney's Office (Heather McLaughlin 510-620-6509).

W.2. City Clerk's Office

- W.2.a. City Council Meeting Minutes** 178

APPROVE the minutes of the regular July 5, 19, 26, and special July 19, August 1, and 19, 2022, Richmond City Council meetings - City Clerk's Office (Pamela Christian 510-620-6513).

W.3. City Council

- W.3.a. Acknowledgement of the Contributions of Mr. Yasuhiko Aoki to the Richmond-Shimada Friendship** 218

RECEIVE a Letter of Condolences; and ACKNOWLEDGE the contributions of Mr. Yasuhiko Aoki to the Richmond-Shimada Friendship and commission - Councilmember Nathaniel Bates (510-620-6743).

- W.4. Economic Development**
- W.4.a. Thomas Swan Company – Ookwe Park Signage Contract** 221
- APPROVE a contract with Thomas Swan Sign Company to fabricate and install signage and markers at 'Ookwe Park in an amount not to exceed \$15,000, for a term beginning October 1, 2022, and ending June 30, 2023 - City Manager's Office, Economic Development (Shasa Curl/Winifred Day 510-620-6592).
- W.4.b. Neighborhood Public Art (NPA) Mini Grant Awards Selection** 258
- APPROVE the Richmond Arts and Culture Commission (RACC) grant awards to nine selected artists for Fiscal Year (FY) 2022-2023, for a total combined amount not to exceed \$71,759, for a term beginning November 1, 2022, and ending June 30, 2023; and AUTHORIZE the city manager to negotiate and execute agreements with approved grantees - City Manager's Office, Economic Development (Shasa Curl/Winifred Day 510-620-6592).
- W.5. Finance Department**
- W.5.a. Investment and Cash Balance Report, and Monthly Overtime Reports for the Month of June 2022** 266
- RECEIVE the City's Investment and Cash Balance Report and monthly Overtime Reports for the month of June 2022 – Finance Department (Delmy Cuellar 510-620-6740).
- W.5.b. Investment and Cash Balance Report, and Monthly Overtime Reports for the Month of July 2022** 281
- RECEIVE the City's Investment and Cash Balance Report and monthly Overtime Reports for the month of July 2022 – Finance Department (Delmy Cuellar 510-620-6740).
- W.6. Human Resources**
- W.6.a. First amendment to the Cooperative Personnel Services HR Consulting (CPS) contract for Sworn Personnel Recruitments** 296
- APPROVE a first amendment to the Cooperative Personnel Services HR Consulting (CPS) contract to extend the term date through June 30, 2025, change the scope of services to include the Fire Promotional Vacancy and Police Officer recruitments, and increase the payment limit from \$50,000 by \$189,080, for a total contract amount not to exceed \$239,080; and APPROPRIATE funds from the General Fund – Human Resources Department (Sharrone Taylor 510-620-6602).

W.7. Library and Community Services**W.7.a. City Council Ad Hoc Committee's Fiscal Year 2022-2023 Category 3 ECIA Grant Award Recommendations (\$100,000) 396**

APPROVE a recommendation from the City Council Ad Hoc Committee to award \$100,000 in Fiscal Year 2022-2023 Environmental Community Investment Agreement (ECIA) Grant funds (Category 3 - City Council Approved Award) to six (6) Richmond-serving non-profit organizations; ADOPT a resolution; and AUTHORIZE the city manager to negotiate and execute Grant Service Agreements with approved grantees – City Manager's Office (LaShonda White/Patrick Seals/Shane Johnson 510-620-6512).

W.8. Mayor's Office**W.8.a. Commission on Aging Reappointments 408**

REAPPOINT Beverly Wallace, Commission on Aging, Seat #2, Term Expires May 19, 2026; Kiran Agarwal, Commission on Aging, Seat #5, Term Expires May 19, 2026 - Mayor's Office (Mayor Tom Butt 510-620-6503).

W.8.b. Design Review Board Reappointment 411

REAPPOINT Brian Carter, Design Review Board, Seat #7, Term Expires March 17, 2024 - Mayor's Office (Mayor Tom Butt 510-620-6503).

W.8.c. ECIA Grant Review Ad Hoc Committee Reappointments 413

REAPPOINT Lily Rahnema, ECIA Grant Review Ad Hoc Committee, Seat #3, Term Expires March 31, 2024; James Becker, ECIA Grant Review Ad Hoc Committee, Seat #5, Term Expires March 31, 2024 - Mayor's Office (Mayor Tom Butt 510-620-6503).

W.8.d. Economic Development Commission Reappointments 417

REAPPOINT James Lee, Economic Development Commission, Seat #11, Term Expires March 30, 2025; Brandon Evans, Economic Development Commission, Seat #12, Term Expires March 30, 2025 - Mayor's Office (Mayor Tom Butt 510-620-6503).

W.8.e. Historic Preservation Commission Reappointments 420

REAPPOINT Gretchen Stromberg, Historic Preservation Commission, Seat #1, Term Expires July 31, 2026; Fatema Crane, Historic Preservation Commission, Seat #6, Term Expires July 31, 2026 - Mayor's Office (Mayor Tom Butt 510-620-6503).

- W.8.f. Urban Forest Advisory Committee Reappointment** 424
- REAPPOINT Paula Urtecho, Urban Forest Advisory Committee, Seat #5, Term Expires November 17, 2024 - Mayor's Office (Mayor Tom Butt 510-620-6503).
- W.8.g. Human Rights and Relations Commission Appointment** 426
- APPOINT Sofia Victoria Lopez, Human Rights and Human Relations Commission, Seat #7, Term Expires March 30, 2025 - Mayor's Office (Mayor Tom Butt 510-620-6503).
- W.8.h. Library Commission Appointment** 428
- APPOINT Thomas Harrison Jr., Library Commission, Seat #5, Term Expires July 1, 2024 - Mayor's Office (Mayor Tom Butt 510-620-6503).
- W.8.i. Urban Forest Advisory Committee** 430
- APPOINT Shannon Hilsey Choy, Urban Forest Advisory Committee, Seat #1, Term Expires November 17, 2024; Anita Pereira, Urban Forest Advisory Committee, Seat #7, Term Expires November 17, 2024; Kyanna Williams, Urban Forest Advisory Committee, Seat #9, Term Expires November 17, 2024 - Mayor's Office (Mayor Tom Butt 510-620-6503).
- W.8.j. Overdose Awareness Day** 435
- PROCLAMATION declaring August 31, 2022, as Overdose Awareness Day in the City of Richmond – Mayor's Office (Mayor Tom Butt 510-620-6503).
- W.8.k. Planning Commission Reappointment** 438
- REAPPOINT Jen Loy, Planning Commission, Seat #2, Term Expires June 30, 2024 - Mayor's Office (Mayor Tom Butt 510-620-6503).
- W.8.l. Travel Authorization – 2022 Obi Matsuri Festival** 440
- APPROVE international travel request from Mayor Tom Butt, Councilmember Demnlus Johnson III, Chief of Staff Vernon Whitmore, and Council Liaison Trina Jackson-Lincoln to Shimada, Japan to attend the Obi Matsuri Festival and to discuss the continuance of the sister city exchange program – Mayor's Office (Mayor Tom Butt 510-620-6503).

W.9. Police Department

- W.9.a. Purchase of up to \$250,000 with Duratech, Inc. for Police Mobile Data Computers (MDCs) and Related Hardware** 443

APPROVE the purchase of police Mobile Data Computers (MDCs) and related hardware from Duratech, Inc., in an amount not to exceed \$250,000, over a five-year period beginning September 1, 2022, through August 31, 2027 – Police Department (Chief Bisa French 510-621-1802).

- W.9.b. Resolution to Accept and Appropriate the State of California Office of Traffic Safety (OTS) Grant Funds** 459

ADOPT a resolution to accept and appropriate \$235,000 in grant funding awarded by the California Office of Traffic Safety (OTS) to fund efforts to reduce deaths and injuries from motor vehicle crashes – Police Department (Bisa French 510-621-1802).

W.10. Public Works

- W.10.a. List of Projects for Fiscal Year 2022-23 Road Maintenance and Rehabilitation Funding Under Senate Bill 1** 481

ADOPT a resolution approving the project list for Senate Bill 1 Road Maintenance and Rehabilitation Account funding for Fiscal Year 2022-2023 – Public Works Department (Joe Leach 510-620-5478).

- W.10.b. Unity Park Trash Enclosure** 485

APPROVE a contract with Radman Electric in the amount of \$300,000 for the Unity Park trash enclosure. The contract term will be from September 14, 2022, to June 30, 2023 – Public Works Department (Joe Leach 510-620-5478/Greg Hardesty 510-620-6920).

X. NEW BUSINESS

- X.1. Maintenance and Security at Point Molate** 762

DIRECT the city manager, or designee, to prepare, execute, and fund a plan to provide effective maintenance and security at Point Molate – Office of the Mayor (Mayor Tom Butt 510-620-6502).

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