

**RICHMOND, CALIFORNIA, February 27, 2024**

Community Services Building  
440 Civic Center Plaza  
Richmond, CA 94804

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

The Richmond City Council Evening Open Session was called to order at 4:35 p.m. by Mayor Eduardo Martinez.

**B. ROLL CALL**

**Present:** Councilmembers Soheila Bana, Gayle McLaughlin, Doria Robinson, Melvin Willis, Cesar Zepeda, Vice Mayor Claudia Jimenez, and Mayor Eduardo Martinez.

**Absent:** None.

**C. CLOSED SESSION - SURPLUS PROPERTY AUTHORITY/RICHMOND CITY COUNCIL**

**SURPLUS PROPERTY AUTHORITY**

**C.1 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

**CITY COUNCIL**

**C.2 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (paragraph (1) of Subdivision [d] of Government Code Section 54956.9)**

- Winehaven v. City of Richmond
- Guidiville Rancheria of California, et al. v. United States of America, et al.
- North Coast Rivers Alliance et al./Point Molate Alliance et al. v. City of Richmond

**C.3 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)**

- Title: City Clerk
- Title: City Attorney

**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)**

- One case

**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

**D. PUBLIC COMMENT BEFORE CLOSED SESSION (Limited to items on the Surplus Property Authority Closed Session or City Council Closed Session agenda only.)**

Debbie Bayer gave comments via teleconference regarding Item C.2, the Guidiville Tribe representative, Michael Derry, and his involvement with litigation in the state of Indiana.

**E. ADJOURN TO JOINT CLOSED SESSION**

The Open Session adjourned to Closed Session at 4:39 p.m. Closed Session adjourned at 6:23 p.m.

**F. SPECIAL MEETING OF THE SURPLUS PROPERTY AUTHORITY**

The Special Meeting of the Surplus Property Authority was called to order at 6:25 p.m. by Chairperson Eduardo Martinez.

**G. PLEDGE OF ALLEGIANCE**

Chairperson Martinez led the Pledge of Allegiance to the Flag.

**H. ROLL CALL**

**Present:** Commissioners Soheila Bana, Gayle McLaughlin, Doria Robinson, Melvin Willis, Cesar Zepeda, Vice Chairperson Claudia Jimenez, and Chairperson Eduardo Martinez. **Absent:** None.

**I. STATEMENT OF CONFLICT OF INTEREST**

None.

**J. AGENDA REVIEW**

None.

**K. PUBLIC COMMENT**

There were no public comments.

City Attorney Dave Aleshire stated that a report was received for Closed Session Item C.1, one exposure to litigation case for the Surplus Property Authority. There was a discussion on the matter and no action was taken.

**L. JOINT SURPLUS PROPERTY AUTHORITY/RICHMOND CITY COUNCIL CONSENT CALENDAR**

**Motion by** Commissioner McLaughlin

**Seconded by** Commissioner Willis

To approve both items on the Joint Surplus Property Authority/Richmond City Council Consent Calendar.

Ayes (7): Commissioner Bana, Commissioner McLaughlin, Commissioner Robinson, Commissioner Willis, Commissioner Zepeda, Vice Chairperson Jimenez, and Chairperson Martinez.

Absent (0): None.

Passed (7 to 0)

**L.1 Basin 1 Lease**

APPROVE a Lease Agreement between the Surplus Property Authority for the City of Richmond and The Dutra Group, a California Corporation, in the amount of \$150,000 annually, to terminate on May 31, 2027, with two (2) five-year

extension options to potentially extend the lease through January 31, 2037 – Port of Richmond (Charles Gerard 510-620-6792).

**L.2 Ratification of SPA leases at PPMT**

ADOPT a resolution ratifying and approving lease agreements of certain property owned by the Surplus Property Authority that were previously approved by the City Council of the City of Richmond - City Attorney's Office (Dave Aleshire 510-620-6509).

**Adopted Resolution No. 24-1**

**M. ADJOURNMENT**

There being no further business, the meeting adjourned at 6:29 p.m.

**N. REGULAR MEETING OF THE RICHMOND CITY COUNCIL**

The Regular Meeting of the Richmond City Council was called to order at 6:31 p.m. by Mayor Martinez.

**O. ROLL CALL**

**Present:** Councilmembers Bana, McLaughlin, Robinson, Willis, Zepeda, Vice Mayor Jimenez, and Mayor Martinez. **Absent:** None.

**P. STATEMENT OF CONFLICT OF INTEREST**

None.

**Q. AGENDA REVIEW**

Item V.6.a (Fehr & Peers contract amendment) was removed from the Consent Calendar for discussion at the end of the agenda.

Item X.3 (new business activity classification ordinance) was continued to the March 5, 2024, City Council meeting.

The following items were reordered for discussion immediately after the approval of the Consent Calendar as follows: Item X.2. (Richmond Clean Energy and Healthy Homes Campaign presentation); Item X.1 (Bay Area Air Quality Management District Rule 6-5 agreement with Chevron); Item W.1 (budget session); and Item V.6.a.

**R. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE DURING CLOSED SESSION**

City Attorney Dave Aleshire reported the following:

Item C.2 (existing litigation) a status report was given and no reportable action was taken.

Item C.3 (performance evaluations) the city clerk's evaluation was discussed and no reportable action was taken. The city attorney's evaluation was not discussed.

Item C.4 (anticipated litigation, significant) was not discussed.

Item C.5 (anticipated litigation, initiation) was discussed and no reportable action was taken.

**S. REPORT FROM THE CITY MANAGER (public comment allowed under Open Forum)**

City Manager Shasa Curl presented a PowerPoint that highlighted the following: Recreation Clean-Up and Black History Celebration on February 24, 2024; Celebration of Life for Mayor Irma Anderson and Memorial on February 29, 2024; Accessory Dwelling Unit Workshop on February 28, 2024; Rent Relief Program available at

[www.ci.richmond.ca.us/rentrelief](http://www.ci.richmond.ca.us/rentrelief); and Virtual Block Captain Training on February 28, 2024.

**T. REPORTS OF OFFICERS: REFERRALS TO STAFF, AND GENERAL REPORTS (INCLUDING AB 1234 REPORTS)(limited to two minutes per Councilmember)(public comments allowed under Open Forum)**

Councilmember Willis reported that he participated in the Recreation clean-up event on February 24, 2024. Councilmember Willis gave an update to his last report regarding St. John's apartments, stating that the property management sent a letter reassuring no tenants would be evicted. Councilmember Willis announced that *40 Voices 4 Wellness for People of African Descent in Contra Costa County* was hosting a community conversation regarding an African American Holistic Wellness and Resource Hub scheduled for February 28, 2024, at the Bethlehem Missionary Baptist Church in Richmond.

Councilmember Robinson reported that the Urban Forest Advisory Committee was working to present a comprehensive recommendation to the council regarding city trees. Councilmember Robinson provided an update on the existing Farmers Market and plans to move it back to the Richmond Main Library.

Councilmember Bana reported that the city's Historic Preservation Commission (HPC) received a California Governor's Historic Preservation Award on February 27, 2024, for its *Rooted In Richmond Historical Walking/Biking Tour* app. Councilmember Bana urged the council to support a budget allocation for HPC staffing. Councilmember Bana also reported that she was grateful that city staff met with the West Contra Costa Unified School District Superintendent Kenneth Hurst and Facilities Manager Ellen Hooper to discuss affordable housing for teachers.

Vice Mayor Jimenez acknowledged members in the audience of the Alliance of Californians for Community Empowerment (ACCE) and Safe Organized Spaces (SOS) for speaking out on issues important to the community. Vice Mayor Jimenez advised that she and others had conversations with the 23rd Street Merchants Association and small businesses expressing their happiness with the city's work on their issues. Vice Mayor Jimenez reported that she and others worked with Contra Costa County (CCC) Supervisor John Gioia's Office, CCC Health Department, and Richmond Community Development Department regarding alternatives for street vendors and small business opportunities. Vice Mayor Jimenez also reported on discussions regarding an art corridor near Macdonald and 23rd streets to improve conditions there.

Councilmember McLaughlin reported that the new Marina Bay Farmers Market was scheduled to launch on March 24, 2024, or soon thereafter every Sunday.

Councilmember McLaughlin announced that the Literacy Festival was scheduled for April 13, 2024, and the Sisters in Solidarity annual event was scheduled for March 16, 2024. Councilmember McLaughlin reported that the Tiny House Village for unhoused youth was planning to open in December 2024. Councilmember McLaughlin acknowledged SOS for providing services to the unhoused and ACCE for Item X.2 (clean energy and health homes campaign).

Councilmember Zepeda reported that he attended a Richmond Youth Council meeting to discuss the Contra Costa NASA National Community College Aerospace Scholar Program. Councilmember Zepeda announced that the Richmond Yacht Club Small Boat Day was scheduled for March 2, 2024. Councilmember Zepeda also announced that the Santa Fe Neighborhood Council hosted an appreciation lunch for the Public Works Department.

Mayor Martinez announced that the opening day of Little League at Nicholl Park was scheduled for March 2, 2024. Mayor Martinez reminded the council to adhere to the two-minute time limit when giving their reports.

**U. OPEN FORUM FOR PUBLIC COMMENT**

**(public comment on items that remained on the Consent Calendar or items that were not on the agenda was limited to 2 minutes unless otherwise specified - Back and forth dialogue with the Council was prohibited)**

The following individuals gave comments in person:

Mark Wassberg gave comments against the suspect accused of murdering an Augusta University nursing student, Lakin Riley. Mr. Wassberg also gave comments regarding immigration policies and the right to bear arms.

Mernard Washington, Tomi Nagai-Rothe, Daniel Barth, O'Neill Fernandez, Angie Pena, Jarod Soto, Moses Barreras, Tshombe Perkins, Hernan Martinez, Leyla Williams, Jewel Morse, and Buddy Bennett gave comments in support of the unhoused services provided by Safe Organized Spaces (SOS). The group urged the council to appropriate funding for SOS to continue its work and expand services.

Nana Johnson expressed concerns regarding equality and keeping one's word. Mr. Johnson advised he had not received a response from the city regarding relocation assistance in exchange for vacating an encampment.

Saiid Mbarki informed the council there were no stop signs at the intersections of Lassen, Clinton, Esmond, and Kern streets. Mr. Mbarki urged the council to install stop signs to improve bicycle safety.

The following individuals gave comments via teleconference:

Oscar Garcia expressed concerns regarding the number of smoke shops along the 23rd Street corridor and the increased crime in neighborhoods. Mr. Garcia urged the council to focus on the two issues.

Tanya Ruscigno gave comments in support of the unhoused services provided by SOS and urged the council to appropriate funding for SOS to continue its work and expand services.

**V. CITY COUNCIL CONSENT CALENDAR**

**(All items placed under the Consent Calendar were considered to be routine and noncontroversial. The items were enacted upon together with a motion and second, without discussion, of any member of the City Council, and each item was deemed to have received the action recommended.)**

**Motion by** Councilmember Willis  
**Seconded by** Vice Mayor Jimenez

To approve all items on the Consent Calendar except Item V.6.a (Fehr & Peers contract amendment).

Ayes (7): Councilmember Bana, Councilmember McLaughlin, Councilmember Robinson, Councilmember Willis, Councilmember Zepeda, Vice Mayor Jimenez, and Mayor Martinez

Passed (7 to 0)

**V.1 City Council**

V.1.a Traffic Calming Program

DIRECT the Public Works Director and staff to present on the 18 approved Traffic Calming Projects at the March 5, 2024, City Council Meeting. The presentation must include for each project: the project's current phase and anticipated timeline for project completion – Vice Mayor Claudia Jimenez (510-620-6565) and Councilmember Gayle McLaughlin (510-620-6636).

## **V.2 Community Development**

### **V.2.a Amendment No. 1 with Housing Consortium of the East Bay (HCEB)**

APPROVE Contract Amendment No. 1 with Housing Consortium of the East Bay (HCEB) to increase the contract by \$172,000 to add two additional case managers and two housing navigators to support former Castro Encampment residents, for a total not-to-exceed contract amount of \$451,890, for a term through June 30, 2024, to be funded using the City's Encampment Resolution Funding Round 1 – Community Development Department (Lina Velasco/Jesus Morales 510-620-6649).

## **V.3 Human Resources**

### **V.3.a Salary Schedule Amendment**

ADOPT a resolution amending the salary schedule to add the Water Resource Division Manager effective February 27, 2024, and allocate wages, salaries, and benefits costs as required, and amending the salary range for the City Manager effective October 1, 2023, and January 1, 2024 – Human Resources Department (Nickie Mastay/ Sharrone Taylor 510-620-6602).

#### **Adopted Resolution No. 11-24**

### **V.3.b Resolution Approving a Side Letter to the Memorandum of Understanding with International Association of Firefighters Local 188 Bargaining Unit (Local 188)**

ADOPT a resolution approving a side letter to the Memorandum of Understanding between the City of Richmond and the International Association of Firefighters Local 188 Bargaining Unit, regarding eligibility for overtime assignments – Human Resources Department (Interim Fire Chief Michael Smith/Nickie Mastay/Sharrone Taylor 510-620-6602).

#### **Adopted Resolution 12-24**

## **V.4 Mayor's Office**

### **V.4.a Library Commission**

APPOINT Evelyn J. Santos to an unexpired term in the Library Commission, unexpired term ends on July 1, 2024 – Mayor's Office (Mayor Eduardo Martinez 510-620-6503).

### **V.4.b Proclamation Recognizing March 2024 as Red Cross Month in Richmond**

PROCLAMATION declaring March 2024 as Red Cross Month in the City of Richmond – Mayor's Office (Mayor Eduardo Martinez 510-620-6503).

## **V.5 Police Department**

### **V.5.a Crime Report from Police Chief**

RECEIVE a written crime report from the Police Chief - Police Department (Chief Bisa French 510-621-1802).

V.5.b One Year Extension of Piggybacked Enterprise Holdings Incorporated Agreement

AUTHORIZE the Richmond Police Department to utilize its first, of two, one-year extensions with the State of California rental vehicle program to continue securing unmarked police vehicles with Enterprise Holdings Incorporated, extending the agreement from July 1, 2024, to June 30, 2025; and APPROVE additional funding in an amount not to exceed \$180,000, in accordance with the State of California's Department of General Services Standard Agreement — Police Department (Chief Bisa French 510-621-1802).

V.5.c Sole-Source Contract with Napa-Solano SANE/SART for Sexual Assault Investigations.

APPROVE a sole-source contract with Napa-Solano SANE/SART, in an amount not to exceed \$48,000, to have their Sexual Assault Nurse Examiners (SANE) complete Sexual Assault Response Team (SART) kits, for the term March 1, 2024, through February 28, 2027 – Police Department (Chief Bisa French 510-621-1802).

**V.6 Public Works**

V.6.a Second Contract Amendment with Fehr & Peers for On-Call Design Services

APPROVE a second contract amendment with Fehr & Peers in the amount of \$450,000, for a new total not-to-exceed amount of \$900,000, to continue providing on-call professional design services for a variety of capital projects – Public Works Department (Daniel Chavarria 510-620-5478/Josef Munoz 510-620-6671).

**Continued to the March 5, 2024, City Council meeting.**

**W. BUDGET SESSION**

**W.1 Mid-Year Report on Fiscal Year (FY) 2023-24 Operating and Capital Improvement Budgets**

RECEIVE the Fiscal Year 2023-24 Mid-Year budget presentation and report for the period of July 1, 2023, through December 31, 2023; and PROVIDE direction to staff – Finance Department (Andrea Miller 510-620-6790/Mubeen Qader 510-412-2077).

**Continued to the March 5, 2024, City Council meeting.**

**X. STUDY AND ACTION SESSION**

**X.1 BAAQMD Rule 6-5 Agreement with Chevron Richmond**

RECEIVE a presentation from the Bay Area Air Quality Management District (BAAQMD), explaining the recent settlement of Regulation 6 Rule 5 – Mayor Eduardo Martinez (510-620-6503) and Vice Mayor Claudia Jimenez (510-620-6565).

Mayor Martinez introduced the matter. Contra Costa County Supervisor John Gioia and Bay Area Air Quality Management District (BAAQMD) representatives, Executive Officer/Air Pollution Control Officer Philip Fine, Deputy Executive Officer of Science and Policy Greg Nudd, Deputy Executive

Officer of Public Affairs Viet Tran, District Counsel Alexander Crockett, Deputy Executive Officer of Engineering and Compliance Meredith Bauer, and Director of Permitting Pamela Leong, presented a PowerPoint that highlighted the following: Rule 6-5 key highlights; health effects; Rule 6-5 exposure benefits; and the Chevron and Martinez refining companies lawsuits and settlements. Discussion ensued. The council requested the following considerations: displaying the accumulative health impacts, categorized, with complete information for flaring events on the transparency website, such as the event that occurred on November 1, 2024; following up on Chevron wet gas scrubber installation; ensuring Proposition 65 (significant exposure warning) signage compliance; reaching out to Chevron for a timely application; and holding a future study session to discuss technical details. Alice LoCicero and Leisa Johnson gave comments via teleconference. Further discussion ensued. The council requested the following: information on how the impact funds were filling resource gaps for those impacted by particulate matter and a safe harbor for the undocumented population; improving communication; including Kaiser Permanente and LifeLong medical facilities in community discussions; ensuring BAAQMD enforcement; seeking the root cause of flaring events; and tying permitting to feed rates to lower production. The council suggested the task to reduce flaring was accomplished by the following elements of source control (in order of effectiveness): design and engineering at the plant (wet scrubber); reduction in feed rate; and training and procedures.

## **X.2 Richmond Clean Energy and Healthy Homes Campaign of 2024 – A Neighborhood Decarbonization Program Presentation**

RECEIVE a presentation from the Alliance of Californians for Community Empowerment (ACCE) on their Richmond Clean Energy and Healthy Homes Campaign of 2024; and DIRECT staff 1) to consult with PG&E on an appropriate low-income neighborhood as a pilot project to transition that neighborhood off the gas system by providing free electrical appliances and 2) to contract with an Inflation Reduction Act (IRA) Coordinator to make sure the City accesses and manages as much federal and state funding as possible to help our community cut carbon emissions and transition to clean energy – Councilmember McLaughlin (510-620-6636), Vice Mayor Jimenez (510-620-6565) and Mayor Martinez (510-620-6503).

Councilmember McLaughlin introduced the matter. Discussion ensued. The Alliance of Californians for Community Empowerment (ACCE) representatives, David Sharples, Blanca Retano, and Becky Menten of the Building Decarbonization Coalition presented a PowerPoint that highlighted the following: ACCE overview; fossil fuel pollution; impacts on health, climate, and equity; managing clean energy transition; new climate tool; and campaign goals. Discussion ensued. The council requested the following: consider applying for the Community Change Grants Program by the grant application deadline of November 21, 2024; consider the creation of microgrids and writing a joint letter to Pacific Gas and Electric (PG&E) requesting help with that endeavor, commencing with the Nevin Community Center and surrounding homes to set a model; requesting PG&E to engage with Richmond as it had with the City of Albany; consider the development of a regional public energy system; and provide the number of homes existing funds would cover. Mark Wassberg and Gwendolyn Trotter gave comments in person. Further discussion ensued.

**Motion by Councilmember McLaughlin**

**Seconded by Councilmember Bana**

To direct staff to work with PG&E and ACCE on a pilot project for decarbonizing a low-income neighborhood, and at the appropriate time when staffing was increased, contract with an Inflation Reduction Act coordinator to access and manage grants to fund the program. **Councilmember Willis recused himself from the vote on this matter due to a potential conflict of interest.**

Ayes (6): Councilmember Bana, Councilmember McLaughlin, Councilmember Robinson, Councilmember Zepeda, Vice Mayor Jimenez, and Mayor Martinez

Recused (1): Councilmember Willis

Passed (6 to 1)

**X.3 Ordinance Creating New Business Activity Classification, Class P – Wholesale, and the Corresponding Rates**

INTRODUCE an ordinance (first reading) amending Chapter 7.04.103 of the Richmond Municipal Code by creating a new Business Activity Classification, Class P – Wholesale, and the corresponding rates – Finance Department (Nickie Mastay/Andrea Miller/Mubeen Qader/Antonio Banuelos 510-620-6741).

**Continued to the March 5, 2024, City Council meeting.**

**Y. ADJOURNMENT**

There being no further business, the meeting adjourned at 10:44 p.m., to meet again on March 5, 2024, at 6:30 p.m.

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Pamela Christian, Clerk of the City of  
Richmond

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Eduardo Martinez, Mayor