

**RICHMOND, CALIFORNIA,**

April 26, 2022, 4:00 p.m.  
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 Open Session was called to order at 4:00 by Mayor Thomas K. Butt via teleconference.

**B. ROLL CALL**

**Present:** Councilmembers Demnlus Johnson III, Gayle McLaughlin, Vice Mayor Eduardo Martinez, and Mayor Thomas K. Butt. **Absent:** Councilmembers Nathaniel Bates, Claudia Jimenez, and Melvin Willis.

**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**

None.

**E. ADJOURN TO CLOSED SESSION**

Open Session adjourned to Closed Session at 4:02 p.m. Closed Session adjourned at 6:25 p.m.

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

The Regular Meeting of the Richmond City Council was called to order at 6:30 p.m. by Mayor Thomas K. Butt via teleconference.

**G. ROLL CALL**

**Present:** Councilmembers Nathaniel Bates, Claudia Jimenez, Demnlus Johnson III, Gayle McLaughlin, Melvin Willis, Vice Mayor Eduardo Martinez, and Mayor Thomas K. Butt. **Absent:** None.

**H. PUBLIC COMMENT INSTRUCTIONAL VIDEO**

The Public Comment Instructional Video was shown.

**I. STATEMENT OF CONFLICT OF INTEREST**

None.

**J. AGENDA REVIEW**

None.

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

Interim City Attorney Dave Aleshire stated that there was a unanimous vote to proceed with settlement negotiations regarding the liability claims for Rodney Williams and Evette Feigel and direction was given to continue negotiations with labor negotiators.

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

City Manager Shasa Curl announced that the Solano and Contra Costa County Food Banks would continue to provide Bi-monthly food box distribution at Civic Center parking lot drive through on Thursday, April 28, 2022, from 12 p.m. to 1 p.m. For more information, please contact Denee Evans at 510- 621-1718. Ms. Curl also announced the availability of the Sewer Lateral Grant Program. More information could be obtained by contacting 510-620-6594.

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

Captain Al Walle reported that between March 22, 2022, and March 25, 2022, officers responded to 7,062 calls for service; two homicides; 29 aggravated assaults; 29 robberies; eight sexual assaults; 54 burglaries; three arsons; and 47 shots fired calls.

**N. OPEN FORUM FOR PUBLIC COMMENT**

Mark Wassberg spoke against policies and decisions made by the current city council.

Genie Stowers gave comments against agenda Item O.2. to approve a Military Equipment Funding Acquisition.

Naomi Williams gave comments regarding the recent naming of the Juneteenth Underpass in honor of Jerold Hatchett.

Jan Mignone thanked the police department for its assistance in the relocation of a homeless person who lived near the Richmond Veteran's Hall.

Shawn Dunning stated that people would not call the police because they may not respond to the call and suggested a study be conducted to determine how many crimes go unreported.

**O. ITEMS CONTINUED FROM APRIL 19, 2022**

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

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.

City Clerk Pamela Christian gave an overview. Jan Mignone, Mark Wassberg, Doris Mason, Madeline Law, Karla Perez, Naomi Williams, Norma gave comments via teleconference. Discussion ensued.

**Motion by** Councilmember Claudia Jimenez  
**Seconded by** Councilmember Gayle McLaughlin

Ayes (4): Councilmember Claudia Jimenez, Councilmember Gayle McLaughlin, Councilmember Melvin Willis, and Vice Mayor Eduardo Martinez

Noes (3): Councilmember Nathaniel Bates, Councilmember Demnlus Johnson III, and Mayor Thomas K. Butt

Passed (4 to 3)

**Substitute:**

**Motion by** Councilmember Nathaniel Bates  
**Seconded by** Councilmember Demnlus Johnson III

Substitute Motion to approve Map 102C.

Ayes (3): Councilmember Nathaniel Bates, Councilmember Demnlus Johnson III, and Mayor Thomas K. Butt

Noes (4): Councilmember Claudia Jimenez, Councilmember Gayle McLaughlin, Councilmember Melvin Willis, and Vice Mayor Eduardo Martinez

Failed (3 to 4)

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

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.

Senior Assistant City Attorney Shannon Moore gave an overview. Discussion ensued. Mark Wassberg, Don Gosney, Emily Ross, and Marisol Cantu gave comments via teleconference. A motion was made by Councilmember Bates to introduce the ordinance. The motion failed for lack of a second.

**Motion by** Councilmember Demnlus Johnson III

**Seconded by** Councilmember Nathaniel Bates

The item was continued to allow staff to incorporate and study suggestions made and return at a future time with a draft ordinance for consideration.

Ayes (4): Councilmember Nathaniel Bates, Councilmember Demnlus Johnson III, Councilmember Melvin Willis, and Mayor Thomas K. Butt

Noes (1): Vice Mayor Eduardo Martinez

Abstentions (2): Councilmember Claudia Jimenez, and Councilmember Gayle McLaughlin

Passed (4 to 1)

## **P. CITY COUNCIL CONSENT CALENDAR**

**Motion by** Councilmember Nathaniel Bates

**Seconded by** Councilmember Demnlus Johnson III

Ayes (7): Councilmember Nathaniel Bates, Councilmember Claudia Jimenez, Councilmember Demnlus Johnson III, Councilmember Gayle McLaughlin, Councilmember Melvin Willis, Vice Mayor Eduardo Martinez, and Mayor Thomas K. Butt

Passed (7 to 0)

### **P.1 City Clerk's Office**

P.1.a City Council Meeting Minutes

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

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.

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

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**

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

The City Council received budget presentations from the City Attorney, City Clerk, City Manager, and Economic Development Departments.

Councilmembers requested the following information and follow-up: a report regarding the actuarial study related to the budget Cost Pool calculations; obtain outreach and community input on how the remaining \$17.1M American Rescue Plan Act (ARPA) funds and how they would be spent; identify where funds would come from for the public bank; and reinstatement of the LEAP Literacy Fair.

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

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).

Interim Deputy City Manager Anil Comelo gave an overview. Bradley Wendt of Charles Rivers Associates presented a PowerPoint which highlighted the following: Independent Peer Review; Financing Snapshot; City's Bond Issue; City's Interest Rate Swap; Financing Options; Market Outreach; and Issue New Pension Bonds. Discussion ensued.

**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**

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.

**Continued** to the May 24, 2022, City Council meeting.

**S.2 Recognition of National Poetry Month**

RECEIVE poetry reading from Poet Laureates David Flores and Adriana Avalos in honor of National Poetry Month – Councilmember Melvin Willis (510-412-2050).

**Continued** to the May 24, 2022, City Council meeting.

**S.3 The Safe Return Project Celebrates its 10th Anniversary**

PROCLAMATION recognizing the Safe Return Project for Ten Years of Service to Empowering the Formerly Incarcerated - Councilmember Claudia Jiménez (510-629-6565).

Councilmember Jimenez gave an overview.

*(10:54 p.m. - A motion by Councilmember Willis to extend the meeting until the conclusion of Item S.3. died for lack of a second. A motion by Councilmember Jimenez, seconded by Councilmember Johnson III, to extend the meeting to discuss items S.3, S.4, and S.5 or until 11:30, passed by the following vote: Ayes: Councilmembers Bates, Johnson III, Jimenez, McLaughlin, and Vice Mayor Martinez. Noes: Councilmember Willis and Mayor Butt. Absent: None. Abstain: None.*

Safe return Project members Carlos Fernandez Adey Teshager, and Aaron Williams received the proclamation and presented a PowerPoint, which highlighted the following: Recidivism; Prison Admissions; Realignment Legislation (AB109); Civic Engagement; Setting People Free; Contra Costa Racial Justice Coalition; Policy Change; Collective Impact; Richard B. Empowerment Pathways Fellowship 2018; Grass Roots Organizing; and Safe Return Research.

**S.4 Commemorating 50 Years of Service by Sojourner Truth Presbyterian Church**

PROCLAMATION recognizing Sojourner Truth Presbyterian Church for 50 Years of Service to the Community – Councilmember Claudia Jimenez (510-620-6565).

Councilmember Jimenez gave an overview. Pastor Kamal Hassan received the proclamation.

**S.5 Update on the Contra Costa County Animal and Sheltering Services**

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).

**Continued** to the May 3, 2022, City Council meeting.

**S.6 Update on Cost Recovery and Revenue Enhancement**

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).

**Continued** to the May 3, 2022, City Council meeting.

**S.7 Update on the Transportation Division**

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).

**Continued** to the May 3, 2022, City Council meeting.

**S.8 Process to clean up the City**

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).

**Continued** to the May 17, 2022, City Council meeting.

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

**U. ADJOURNMENT**

There being no further business, the meeting adjourned at 11:24 p.m. to meet again on May 3, 2022.

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Clerk of the City of Richmond

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Mayor