

## **RICHMOND, CALIFORNIA, November 15, 2022**

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 2:00 p.m. by Mayor Thomas K. Butt via teleconference.

### **B. ROLL CALL**

**Present:** Councilmembers Nathaniel Bates, Claudia Jimenez, Demnlus Johnson III, Gayle McLaughlin, Vice Mayor Eduardo Martinez, and Mayor Thomas K. Butt. **Absent:** Councilmember Melvin Willis arrived after the roll was called.

### **C. CLOSED SESSION**

#### **C.1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)**

- Title: City Attorney

#### **C.2 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

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

- Property: Terminal One  
Agency negotiators: Lina Velasco and Dave Aleshire  
Negotiating parties: Terminal One Development LLC  
Under negotiation: Price and terms of payment
- Property: Nevin Plaza - 2400 Nevin Plaza  
Agency negotiators: Nannette Beacham and Susan Bloch  
Negotiating parties: EAH Housing  
Under negotiations: Price and Terms of Payment
- Property: Richmond Bay Marina  
Agency negotiators: Craig Murray and Dave Aleshire  
Negotiating parties: Richmond Bay Marina, LLC and SHM MBYH, LLC  
Under negotiations: Price and terms of payment
- 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 negotiators: Anita Luck, Lina Velasco, and Jesus Morales  
Negotiating parties: Miraflores Community Devco, LLC  
Under negotiation: Price and terms of payment

**C.4 CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)**

- Agency Representatives: Sharrone Taylor and Jack Hughes

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.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**

The following individuals gave comments via teleconference regarding Item C.4., labor negotiations: Ofelia Alvarez, John Hill, Dee Karnes, John Varga, and Yvette Williams-Barr.

**E. ADJOURN TO CLOSED SESSION**

The Open Session adjourned to Closed Session at 2:12 p.m. Closed Session adjourned at 6:28 p.m.

**F. SPECIAL MEETING OF THE RICHMOND HOUSING AUTHORITY**

The Special Meeting of the Richmond Housing Authority was called to order at 6:31 p.m. by Chair Thomas K. Butt via teleconference.

**G. ROLL CALL**

**Present:** Commissioners Nathaniel Bates, Demnlus Johnson III, Melvin Willis, Chair Thomas K. Butt, and Housing Authority Tenant Commissioner Jaycine Scott. **Absent:** Commissioners Claudia Jimenez, Gayle McLaughlin, and Vice Chair Eduardo Martinez arrived after the roll was called.

**H. PUBLIC COMMENT INSTRUCTIONAL VIDEO**

The public comment instructional video was shown.

**I. STATEMENT OF CONFLICT OF INTEREST**

None.

**J. AGENDA REVIEW**

None.

**K. HOUSING AUTHORITY CONSENT CALENDAR**

**Motion by** Commissioner Johnson III

**Seconded by** Housing Authority Tenant Commissioner Scott

To approve all items on the Housing Authority Consent Calendar.

Ayes (8): Commissioners Bates, Jimenez, Johnson III, McLaughlin, Willis, Vice Chair Martinez, Chair Butt, and Housing Authority Tenant Commissioner Scott

Passed (8 to 0)

**K.1 Continued use of teleconference technology**

ADOPT a resolution requiring the continued use of teleconferencing for the meetings of the Board of Commissioners of the Richmond Housing Authority pursuant to the provisions of AB 361 – City Clerk’s Office (Pamela Christian 510-620-6513).

**Adopted Resolution No. 2171**

**K.2 Housing Authority Meeting Minutes**

APPROVE the minutes of the Special October 18, 2022, Housing Authority meeting - City Clerk's Office (Pamela Christian 510-620-6513).

**L. ADJOURNMENT**

There being no further business, the meeting adjourned at 6:39 p.m.

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

The Regular Meeting of the Richmond City Council was called to order at 6:40 p.m. by Mayor Thomas K. Butt via teleconference.

**N. ROLL CALL**

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

**O. STATEMENT OF CONFLICT OF INTEREST**

None.

**P. AGENDA REVIEW**

Items U.3.a regarding Port noise issues, U.4.a a contract extension for Rebuilding Together East Bay/SOS, U.8.b a grant award, U.9.b Design Review Board appointments, and U.9.e Planning Commission appointment were removed from the Consent Calendar for discussion at the end of the agenda. Item S a report from the Reimagining Taskforce was withdrawn from the agenda.

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

Item C.1 city attorney performance evaluation was discussed, and no reportable action was taken.

Item. C.2 existing litigation, Winehaven, The Guidiville Rancheria, and North Coast Rivers Alliance, a status report was given, and no reportable action was taken.

Item C.3 real property negotiations, Terminal One, the direction was given for further negotiations. Nevin Plaza was discussed, deferred for further action, and no reportable action was taken. For Richmond Bay Marina, no reportable action was taken. Miraflores was discussed and there was no reportable action taken.

Item C.4 labor negotiations, the matter was discussed, directions were given for further negotiations, and no reportable action was taken.

Item C.5 anticipated litigation, the case was discussed and no reportable action was taken.

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

City Manager Shasa Curl reminded the community that the City of Richmond was working on the sixth cycle of its Housing Element and the draft was available for public review on the city's website. Ms. Curl welcomed public comments on the draft during the public comment period that commenced on October 21 through November 21, 2022. Ms. Curl advised the community to call (510) 620-6706 to submit a comment on the draft Housing Element. Ms. Curl announced that the City of Richmond offered adult fitness programs and urged the community to call (510) 620-6793 for enrollment.

**S. REPORT FROM THE REIMAGINING TASK FORCE - 3rd Tuesday (public comment allowed under Open Forum)**

Withdrawn from the agenda.

**T. OPEN FORUM FOR PUBLIC COMMENT**

The following individuals gave comments via teleconference:

Mark Wassberg expressed concerns regarding corruption and criminals. Mr. Wassberg gave comments regarding constitutional rights.

Jessi Taran expressed concerns regarding the Rydin Road encampment transition and its residents that were impacted. Ms. Taran gave comments regarding funding for encampments and urged the council to take responsibility for its actions.

Eli Moore expressed concerns regarding the increasing political polarization and violence in the United States. Mr. Moore urged city leaders and staff to take the matter more seriously. Mr. Moore suggested the community needed to be cognizant of the dynamics to ensure safety.

Deborah Small requested city officials and staff to no longer allow disrespectful and hateful language by public speakers during City Council meetings.

Lea Murray gave comments defending the outcome of the Rydin Road encampment transition and the services provided to encampment residents.

Tiffany Powell gave comments in support of Item U.4.a, regarding the extension of a contract with SOS. Ms. Powell urged the council to approve the matter.

**U. CITY COUNCIL CONSENT CALENDAR**

**Motion by** Councilmember Johnson III

**Seconded by** Vice Mayor Martinez

To approve all items on the City Council Consent Calendar except Items U.3.a, U.4.a, U.8.b, U.9.b, and U.9.e.

Ayes (7): Councilmember Bates, Councilmember Jimenez, Councilmember Johnson III, Councilmember Willis, Councilmember McLaughlin, Vice Mayor Martinez, and Mayor Butt

Passed (7 to 0)

**U.1 City Attorney's Office**

U.1.a Legal Services Agreement with Sher Edling LLP

ADOPT a resolution authorizing the city manager to execute a legal services agreement with Sher Edling LLP to represent the City of Richmond on a contingency fee basis in litigation over PCB contamination – City Attorney's Office (Dave Aleshire 510-620-6509).

## **Adopted Resolution No. 163-22**

### **U.2 City Clerk's Office**

#### **U.2.a Continued Use of Teleconferencing**

ADOPT a resolution requiring the continued use of teleconferencing for the meetings of all City legislative bodies pursuant to the provisions of Assembly Bill 361 – City Clerk’s Office (Pamela Christian 510-620-6513).

## **Adopted Resolution No. 164-22**

#### **U.2.b City Council Meeting Minutes**

APPROVE the minutes of the October 25 and November 1, 2022, Regular City Council meetings - City Clerk's Office (Pamela Christian 510-620-6513).

### **U.3 City Council**

#### **U.3.a Noise Issues Coming from Port Industries**

DIRECT staff to bring a report to the City Council in December that addresses ways to regulate the major noise issues coming from Port Industries - Councilmember Gayle McLaughlin (510-620-6636).

Councilmember McLaughlin introduced the matter. Discussion ensued. Mark Wassberg gave comments via teleconference.

**Motion by** Councilmember McLaughlin

**Seconded by** Councilmember Jimenez

To approve said direction to staff.

Ayes (7): Councilmember Bates, Councilmember Jimenez, Councilmember Johnson III, Councilmember Willis, Councilmember McLaughlin, Vice Mayor Martinez, and Mayor Butt

Passed (7 to 0)

### **U.4 Community Development**

#### **U.4.a Two-month Extension of Rebuilding Together East Bay North/SOS Contract**

APPROVE an Amendment No. 2 of the Rebuilding Together East Bay-North (RTEBN) contract to extend the term to January 31, 2023, and increase the contract limit by \$166,504.72, for a new total contract limit not to exceed 1,150,479.72, to continue providing encampment services and job opportunities for the unhoused – Community Development (Lina Velasco/Jesus Morales 510-620-6649).

Director of Community Development Lina Velasco introduced the matter. Housing Manager Jesus Morales presented a PowerPoint that highlighted the contract services and summary. Discussion ensued. The following individuals gave comments via teleconference: Amanda Jenkins, Jessi Taran, Mark Wassberg, O'Neill Fernandez, Randy Scott, Deborah Small, Goretha Johnson, Daniel Barth, and Lea Murray. Further discussion ensued.

**Motion by** Councilmember Johnson III

**Seconded by** Councilmember Jimenez

To approved said contract amendment.

Ayes (6): Councilmember Bates, Councilmember Jimenez, Councilmember Johnson III, Councilmember Willis, Councilmember McLaughlin, and Vice Mayor Martinez

Noes (1): Mayor Butt

Passed (6 to 1)

## **U.5 Economic Development**

### **U.5.a Grant Funding from the Bay Area Air Quality Management District (BAAQMD)**

ACCEPT and APPROPRIATE the \$1,003,250 grant award from the Bay Area Air Quality Management District (BAAQMD) to the City of Richmond's Port Division - City Manager's Office, Economic Development (Shasa Curl/Lizeht Zepeda 510-620-6653).

## **U.6 Finance Department**

### **U.6.a Cost of Living Increase for Recipients of the General Pension Fund for 2023**

ADOPT a resolution approving a three percent annual cost of living increase, in addition to the two percent minimum cost of living increase, for the recipients of the General Pension Fund, for a total annual cost of living increase of five percent for these recipients – Finance Department (Delmy Cuellar 510-620-6740).

**Adopted Resolution No. 165-22**

## **U.7 Human Resources**

### **U.7.a Third Contract Amendment with George Hills Company**

APPROVE a third amendment extending the contract with George Hills Company through June 30, 2024, and adding an additional \$270,108, to continue providing third-party administration of general liability claims received by the City, for a new total contract amount not to exceed \$868,668 – Human Resources Department (Sharrone Taylor/Laura Marquez 510-620-6974).

### **U.7.b Amending the City of Richmond Salary Schedule**

ADOPT a resolution amending the salary schedule to retitle Payroll Supervisor to Payroll Manager and amending the salary ranges for Payroll Manager and Deputy Director of Public Works City Engineer – Human Resources Department (Sharrone Taylor/Nickie Mastay 510-620-6602).

**Adopted Resolution No. 166-22**

## **U.8 Library and Community Services**

### **U.8.a Contract with Specialty Vehicle Services**

APPROVE the sole-source contract with Specialty Vehicle Services, LLC, for consulting services for the design and procurement of a new Bookmobile, for a total amount of \$20,300, for a term beginning November 16, 2022, and ending November 15, 2023 – Library and Community Services Department (Diana Lopez 510-620-5452 and Christopher Larsen 510-620-5524).

U.8.b Approval of the Expenditures Associated with the 2022-2025 California Violence Intervention and Prevention (CALVIP) Grant Award

ADOPT a resolution to ACCEPT and APPROPRIATE the expenditure plan associated with the 2022-2025 California Violence Intervention and Prevention Program (CalVIP) grant award in the amount of \$6,000,000; and AUTHORIZE the city manager or their designee to negotiate and execute multi-year contracts, with termination dates ranging from June 30, 2025, through December 31, 2025, with RYSE Center (\$1,000,000), Richmond Police Activities League (RPAL) (\$1,150,000), Safe Return Project (\$1,000,000), Evident Change (\$300,000), Literacy for Every Adult Program (LEAP) (\$120,000), and for financial audit services (\$25,000); and AUTHORIZE the city manager or their designee to execute all budgetary and program amendments approved by the Board of State and Community Corrections, and any associated City contract amendments – Library and Community Services Department (LaShonda White/Sam Vaughn 510-620-5404).

Interim Director of Library and Community Services LaShonda White introduced the matter. Deputy Director of Office of Neighborhood Safety Sam Vaughn provided an oral report. Discussion ensued. Councilmember Jimenez announced her recusal from the vote on this matter because her spouse was a volunteer boardmember of the Safe Return Project. The following individuals gave comments via teleconference: Mark Wassberg, Jessi Taran, and Deborah Small. Further discussion ensued.

**Motion by** Councilmember Johnson III

**Seconded by** Councilmember McLaughlin

To adopt said resolution.

Ayes (5): Councilmember Johnson III, Councilmember Willis, Councilmember McLaughlin, Vice Mayor Martinez, and Mayor Butt

Absent (2): Councilmember Bates and Councilmember Jimenez

Passed (5 to 2)

**Adopted Resolution No. 167-22**

**U.9 Mayor's Office**

U.9.a Small Business Saturday – November 26, 2022

PROCLAMATION declaring November 26, 2022, as Small Business Saturday in the City of Richmond – Mayor's Office (Mayor Tom Butt 510-620-6503).

U.9.b Design Review Board Appointments

APPOINT Umoja Akbar, Design Review Board, Seat #4, Term Expires March 17, 2024; David Plotkin, Design Review Board, Seat #5, Term Expires March 17, 2023 - Mayor's Office (Mayor Tom Butt 510-620-6503).

Mayor Butt introduced the matter and provided an overview of the applicants qualifications. Deborah Bayer gave comments via teleconference.

**Motion by** Mayor Butt

**Seconded by** Councilmember Johnson III

To approve said appointments.

Ayes (3): Councilmember Bates, Councilmember Johnson III, and Mayor Butt

Noes (3): Councilmember Jimenez, Councilmember McLaughlin, and Vice Mayor Martinez

Abstentions (1): Councilmember Willis

Failed (3 to 3)

**U.9.c Contra Costa County Advisory Council on Aging Appointment**

APPOINT Cate Burkhardt, Contra Costa County Advisory Council on Aging, City of Richmond's Seat, Term Expires September 30, 2024 - Mayor's Office (Mayor Tom Butt 510-620-6503).

**U.9.d Transgender Day of Remembrance – November 20, 2022**

PROCLAMATION declaring November 20, 2022, as Transgender Day of Remembrance in the City of Richmond – Mayor's Office (Mayor Tom Butt 510-620-6503).

**U.9.e Planning Commission Appointment**

APPOINT Bhavin Khatri, Planning Commission, Seat #5, Term Expires June 30, 2024 - Mayor's Office (Mayor Tom Butt 510-620-6503).

Mayor Butt introduced the matter and provided an overview of the applicant's qualifications. Deborah Bayer gave comments via teleconference.

**Motion by Mayor Butt**

**Seconded by Councilmember Bates**

To approve said appointment.

Ayes (3): Councilmember Bates, Councilmember Johnson III, and Mayor Butt

Noes (3): Councilmember Jimenez, Councilmember McLaughlin, and Vice Mayor Martinez

Abstentions (1): Councilmember Willis

Failed (3 to 3)

**U.10 Police Department**

**U.10.a Three-Year Contract with Data Ticket**

APPROVE a three-year contract with Data Ticket, Inc., from January 1, 2023, through December 31, 2026, to provide parking citation software and payment collection services, in an amount not to exceed \$30,000, with two one-year options to renew the contract based on the same terms if approved by both parties - Police Department (Chief Bisa French 510-621-1802).

**U.10.b Contract Amendment with Allied Universal Security Services**

APPROVE a fourth amendment to the contract with Allied Universal in the total amount of \$834,555, including \$495,000 for services provided at the Civic Center and Library campuses, as well as \$339,555 for services provided to Booker T. Anderson Community Center, for a new contract



total amount not to exceed \$2,018,253, and an extended term through December 31, 2023, utilizing the first one-year additional time extension - Police Department (Chief Bisa French 510-621-1802).

## **V. PUBLIC HEARINGS**

### **V.1 Amendments to Richmond Municipal Code Article VI Chapter 6.02**

INTRODUCE an ordinance (first reading) with an effective date of January 1, 2023, amending Richmond Municipal Code (RMC) Article VI, Building Regulations, Chapter 6.02 by adopting the 2022 California Building Standards Code with noted local amendments – Community Development Department (Lina Velasco/Chris Castanchoa 510-620-6764).

City Clerk Pamela Christian announced that it was time, pursuant to public notice, to hold a public hearing. Mayor Butt declared the public hearing opened. There were no public speakers via teleconference. Mayor Butt closed the public hearing.

**Motion by** Councilmember Jimenez

**Seconded by** Councilmember Johnson III

To introduce said ordinance for the first reading and lay over for one week for the second reading.

Ayes (7): Councilmember Bates, Councilmember Jimenez, Councilmember Johnson III, Councilmember Willis, Councilmember McLaughlin, Vice Mayor Martinez, and Mayor Butt

Passed (7 to 0)

## **W. NEW BUSINESS**

### **W.1 Marina Lease Amendment and Assignment**

APPROVE an assignment of Marina Lease to Safe Harbors Marinas (SHM MBYH, LLC); and APPROVE an amended and restated Marina Lease between the City of Richmond and Safe Harbors Marinas (SHM MBYH, LLC) for the balance of the 55-year original lease term ending June 30, 2055 – City Manager's Office (Craig Murray 510-307-8188). This item was continued from the November 1, 2022, meeting.

Project Development Manager Craig Murray presented a PowerPoint that highlighted the following: background; tenant's right to sublet and assign; review; and changes.

**Motion by** Councilmember McLaughlin

**Seconded by** Councilmember Johnson III

To approve said lease assignment and the amended and restated lease.

Ayes (7): Councilmember Bates, Councilmember Jimenez, Councilmember Johnson III, Councilmember Willis, Councilmember McLaughlin, Vice Mayor Martinez, and Mayor Butt

Passed (7 to 0)

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

Councilmember Bates congratulated the hosts of the Richmond Music Legends Award Gala held on November 12, 2022, for recognizing Richmond native Dorothy Combs Morrison, the legendary singer of "Oh Happy Day". Councilmember Bates

recommended that Ms. Morrison be given the 'Key to the City' for recognition of her contributions.

**Y.     ADJOURNMENT**

There being no further business, the meeting adjourned at 8:35 p.m., to meet again on November 22, 2022, at 6:30 p.m.

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Clerk of the City of Richmond

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Mayor