

RICHMOND, CALIFORNIA, November 22, 2022

Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

A. OPEN SESSION TO HEAR PUBLIC COMMENT BEFORE CLOSED SESSION

The Richmond City Council Evening Open Session was called to order at 5:00 p.m. by Mayor Thomas K. Butt via teleconference.

B. ROLL CALL

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

C. CLOSED SESSION

City Clerk Pamela Christian clarified that there was only one workers' compensation claim for Item C.1 and the other claim listed was a duplicate.

C.1 CONFERENCE WITH LEGAL COUNSEL - WORKERS' COMPENSATION CLAIM (Pursuant to Government Code § 54956.95)

- Claimant: Employee - Fire Department
Claim: 16000077COR
Agency Claimed Against: City of Richmond
- Claimant: Employee - Fire Department
Claim: 16000077COR
Agency Claimed Against: City of Richmond

C.2 CONFERENCE WITH LEGAL COUNSEL - LIABILITY CLAIM: (Pursuant to Government Code § 54956.95)

- Claimant: Ofelia Gutierrez
Agency Claimed Against: City Richmond

C.3 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.4 CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)

- Property: Nevin Plaza - 2400 Nevin Plaza
Agency negotiators: Nannette Beacham and David Rosen (DRA & Associates)
Negotiating parties: EAH Housing
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 negotiations: Price and Terms of Payment
- Property: Terminal One
Agency negotiators: Lina Velasco and Dave Aleshire
Negotiating parties: Terminal One Development LLC
Under negotiation: Price and terms of payment

C.5 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (initiation of litigation pursuant to paragraph (4) of Subdivision (d) of Government Code Section 54956.9)

- Two Cases

D. PUBLIC COMMENT BEFORE CLOSED SESSION (public comment limited to items on the Closed Session agenda only)

There were no public speakers via teleconference.

E. ADJOURN TO CLOSED SESSION

The Open Session adjourned to Closed Session at 5:03 p.m. Closed Session adjourned at 6:45 p.m.

F. REGULAR MEETING OF THE RICHMOND CITY COUNCIL

The Regular Meeting of the Richmond City Council was called to order at 6:47 p.m. by Mayor Butt via teleconference.

G. ROLL CALL

Present: Councilmembers Jimenez, Johnson III, McLaughlin, Willis, and Mayor Butt.

Absent: Councilmember Bates and Vice Mayor 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

Item Q.3 regarding the Terminal One Project disposition was moved for discussion immediately following the Consent Calendar.

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

Items C.1 and C.2, workers' compensation and liability claims, were not discussed.

Item C.3, labor negotiations, a status report was provided and direction was given for continued negotiations.

Item C.4, property negotiations, there was a discussion regarding Nevin Plaza of potential assistance to that project. There was a vote to provide funding for some items involving the project. The motion made by Councilmember Willis, seconded by Councilmember Jimenez, passed by a vote of five to one with one abstention and one no vote. The Miraflores matter was continued for a future meeting. There were legal issues discussed regarding Terminal One potential claims with no reportable action taken.

Item C.5, anticipated litigation, there was no reportable action taken and both cases were continued to the December 6, 2022, City Council meeting.

L. REPORT FROM CONGRESSMAN MARK DESAULNIER (public comment allowed under Open Forum)

Congressman Desaulnier expressed his gratefulness for the opportunity to have represented Richmond through the years. The congressman gave an overview of past and present legislative policies he worked on.

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

City Manager Shasa Curl deferred her report to a future meeting.

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

Chief of Police Bisa French provided the following crime report from October 25 through November 20, 2022: Nineteen aggravated assaults; twenty-two robberies; seven sexual assaults; forty-six burglaries; seventy-seven thefts including catalytic converters; seventy-six auto thefts; fifty-six shot spotter reports; and eighty-two calls for shots fired. Chief French reported that police beat seven in the northern district continued to be the area with the highest incidents. Chief French advised challenges with vehicle side shows and that Richmond police were working with other jurisdictions to develop a regional task force. Discussion ensued. The council requested the following: more information regarding the City of Vallejo's proposed ordinance concerning catalytic converter theft; consider developing recycling center agreements not to accept catalytic converters; and a crime analysis comparison report from January to November 2022.

O. OPEN FORUM FOR PUBLIC COMMENT

The following individuals gave comments via teleconference:

Phillip Rosenthal expressed concerns regarding late City Council hearings of urgent agenda items. Mr. Rosenthal urged the council to make it easier for the public to give public comment earlier in the meeting and locate the Zoom teleconference information.

Steve Bishoff advised that San Mateo County was considering branding catalytic converters and the use of vehicle markings to deter theft.

Mark Wassberg gave comments regarding immigration and political corruption.

Bruce Beyaert gave comments regarding the Richmond-San Rafael Bridge trail and Rich City Ride's celebratory event held on November 20, 2022. Mr. Beyaert advised that a study by the University of California, Berkeley found that the trail had not contributed to increased traffic congestion.

P. CITY COUNCIL CONSENT CALENDAR

Motion by Councilmember Johnson III
Seconded by Councilmember Jimenez

To approve the Consent Calendar.

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

Passed (7 to 0)

P.1 Community Development

P.1.a Amendments to Richmond Municipal Code Article VI Chapter 6.02

ADOPT an ordinance (second 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).

Adopted Ordinance No. 14-22 N.S.

Q. STUDY AND ACTION SESSION

Q.1 Impact of Richmond Rapid Response Fund (R3F) in the Community and Update on Guaranteed Income and Strategic Planning Process

RECEIVE a report from the Richmond Rapid Response Fund Program (R3F) including updates on funds disbursed, residents served, and current and future programming – Councilmembers Demnlus Johnson III and Claudia Jimenez (510-620-6861).

Councilmembers Johnson III and Jimenez introduced the matter. Interim Director of Community Services LaShonda White, Director of Community Development Lina Velasco, Jim Becker of Richmond Community Foundation, and Jessica Travenia of Richmond Rapid Response Fund/edFUND presented a PowerPoint that highlighted the following: overview and success; direct disbursements; rent relief; guaranteed income, and next steps. Discussion ensued. The council suggested the following: raising the \$5,000 cap on the rental assistance funds to accelerate distribution; utilizing data from the Richmond Rent Program to expedite documentation; establishing a deadline or providing a report to the council in six months regarding funds disbursement; and for the Richmond Rent Board to discuss the creation of a rental assistance program administered by the Richmond Rent Program.

Motion by Councilmember Johnson III

Seconded by Councilmember Jimenez

To allow the rent relief program flexibility in the dollar amount disbursed to applicants as well as requesting that quarterly reports be made in regards to the progress with the first report being made in February or March 2023. A friendly amendment made by Councilmember Jimenez, recommending that the Richmond Rent Program present to the Rent Board at its December 2022 meeting how a rental assistance program could be administered by Richmond Rent Program and return to the council in January 2023 with such recommendations, was accepted.

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

Absent (1): Mayor Butt

Passed (6 to 1)

Q.2 Emergency Security Services for the Castro Encampment, Contract with Ascend Professional Services, LLC

APPROVE an emergency contract with Ascend Professional Services, LLC, to provide security guard services, for up to three guards, 24 hours a day, seven days a week, including holidays, for term ending on January 31, 2023, in an amount not to exceed \$200,000 – Community Development (Lina Velasco/Jesus M. Morales 510-620-6706).

Director of Community Development Lina Velasco and Housing Manager Jesus Morales introduced the matter. Discussion ensued.

Motion by Councilmember Johnson III

Seconded by Councilmember McLaughlin

To approve said contract.

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

Absent (1): Mayor Butt

Passed (6 to 1)

Q.3 Terminal One Disposition: Notice to California Department of Housing and Community Development (HCD) and of Community Benefits

APPROVE (1) Terms of Amendment to Land Disposition Agreement for Terminal One Project with Developer; (2) Authorize the city manager and city attorney to finalize the Amendment incorporating the approved terms; (3) ADOPT a resolution Declaring Terminal One Property Exempt From Surplus Land Act; and RECEIVE INPUT on Community Benefits proposed as part of the Project – City Attorney’s Office/Community Development Department (Dave Aleshire/Lina Velasco/James Atencio 510-620-6509). RESOLUTION TO FOLLOW

City Attorney Dave Aleshire introduced the matter. Mr. Aleshire provided project background information, proposed changes to the developer purchase price, and other aspects of the development agreement. Mr. Aleshire highlighted the findings in the proposed resolution. Discussion ensued. The following individuals gave comments via teleconference: Bruce Beyaert, Kathryn Dienst, Robert Bunce, Anthony Kleppe, Don (last name not stated), Chris Cook, Phillip Rosenthal, Brian Lewis, Thomas Knowles, Mark Wassberg, and Mark Hathaway. Further discussion ensued. The council requested additional information regarding \$2.6 million received by the developer in the year 2016; and to resolve property maintenance concerns. Mr. Aleshire advised that there was a finding in the proposed resolution concerning the number of affordable housing units as 559 which should have been 3,923. *(At approximately 9:16 p.m., Mayor Butt departed the meeting and appointed Vice Mayor Martinez to chair the remainder of the meeting).* Further discussion ensued.

Motion by Councilmember McLaughlin

Seconded by Councilmember Jimenez

To approve the resolution that includes the Terms of Amendment to Land Disposition Agreement for Terminal One Project with Developer; authorize the city manager and city attorney to finalize the Amendment incorporating the approved terms; and declare Terminal One Property Exempt From Surplus Land Act.

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

Absent (1): Mayor Butt

Passed (6 to 1)

Q.4 Electric Vehicle Fleet

RECEIVE a presentation from MOTIV PS on the benefits of transitioning to an electric fleet – Vice Mayor Martinez (510-620-6593).

Continued to the December 6, 2022, City Council meeting.

Q.5 Present Traffic Safety Implementation Strategy Based Upon a Number of Stakeholder Requests

Director of Public Works Daniel Chavarria introduced the matter. Infrastructure Administrator Patrick Phelan and Ryan McClain of Fehr & Peers presented a PowerPoint that highlighted the following: program introduction; sample projects by category; and project prioritization and program costs. Discussion ensued. The council requested the following: review the timing of the street signal lights and traffic circulation near the intersections at Hilltop Drive, San Pablo Avenue, Richmond Parkway, Blume Drive, and at the Canal Boulevard freeway offramp; consider traffic calming measures at 29th Street and Vale Road near Salesian High School, Ohio Avenue near the southside of downtown, and other areas included in the recent petition submitted by the Belding Woods neighborhood; increase communication for neighborhood petitions for traffic safety measures; ensure the goals of the Pavement Equity Plan were met and historically neglected roadways received attention; improve the lighting and pedestrian safety at 6th Street and Macdonald Avenue and in the Iron Triangle area; increase left-turn signals especially at 22nd Street and Barrett Avenue; consider installing speedbumps on 44th Street leading from the Target Store; consider the installation and use of smart-technology for pedestrian and lighting systems to collect real-time data on intersection usage; include in the program the Barrett Avenue and Key Boulevard intersection; and for the council and staff to tour the streets to determine priority areas. *(At approximately 10:58 p.m., a motion made by Councilmember Willis, seconded by Councilmember Johnson III, to extend the meeting to finish Item Q.5 and Reports of Officers passed by the following vote: Ayes: Councilmembers Bates, Jimenez, Johnson III, McLaughlin, Willis, and Vice Mayor Martinez. Noes: None. Abstentions: None. Absent: Mayor Butt).* The following individuals gave comments via teleconference: Garland Ellis, Alfredo Angulo, Jim Hanson, and Emily Ross gave comments via teleconference.

Motion by Councilmember Jimenez
Seconded by Councilmember Johnson III

To approve the seventeen projects recommended by staff and add the Barrett Avenue and Key Boulevard intersection as the eighteenth project; and add to the \$750,000 the funds that were in the Capital Improvement Projects (CIP) budget for \$300,000, and the \$150,000 that was allocated in the CIP budget for the

American Rescue Plan Act needs assessment that was no longer needed, for a total of \$1.2 million for staff to start working on the plan. A friendly amendment made by Councilmember McLaughlin to expand the \$750,000 to \$1.2 million and have that amount come forward in the mid-year budget review was accepted.

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

Absent (1): Mayor Butt

Passed (6 to 1)

Q.6 Council Direction on Requested Changes to Cannabis License Ordinance

PROVIDE direction to City staff on whether amendments to the Cannabis Ordinance should be prepared increasing the number of cannabis retailer licenses – City Attorney’s Office (Dave Aleshire 510-620-6509).

Continued to the December 6, 2022, City Council meeting.

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

None.

S. ADJOURNMENT

There being no further business, the meeting adjourned at 11:25 p.m., in memory of Clara Rae Genser, Bob Dabney, Barbara Martin, and Jim DeWitt, to meet again on December 6, 2022, at 6:30 p.m.

Clerk of the City of Richmond

Mayor