

**RICHMOND, CALIFORNIA, March 19, 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 4:33 p.m. by Mayor Eduardo Martinez.

**B. ROLL CALL**

**Present:** Councilmembers Gayle McLaughlin, Doria Robinson, Cesar Zepeda, Vice Mayor Claudia Jimenez, and Mayor Eduardo Martinez. **Absent:** Councilmembers Soheila Bana and Melvin Willis were absent for the entire meeting.

**C. CLOSED SESSION**

**C.1 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.2 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)**

- Title: City Clerk
- Title: City Attorney

**C.3 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)**

- Two cases

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

There were no public comments.

**E. ADJOURN TO CLOSED SESSION**

The Open Session adjourned to Closed Session at 4:35 p.m. Closed Session adjourned at 6:38 p.m.

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

The Regular Meeting of the Richmond City Council was called to order at 6:45 p.m. by Mayor Martinez.

**G. PLEDGE OF ALLEGIANCE**

Chairperson Martinez led the Pledge of Allegiance to the Flag.

**H. ROLL CALL**

**Present:** Councilmembers McLaughlin, Robinson, Zepeda, Vice Mayor Jimenez, and Mayor Martinez. **Absent:** Councilmembers Bana and Willis were absent for the entire meeting.

**I. STATEMENT OF CONFLICT OF INTEREST**

Councilmember Robinson recused herself from the vote on Item O.4.b. (Transformative Climate Communities grant).

**J. AGENDA REVIEW**

Items O.4.d (Safe Organized Spaces contract amendment) and O.7.a (position control) were continued to the March 26, 2024, City Council meeting.

Item O.3.a (nepotism policy) was removed from the Consent Calendar for discussion at the end of the agenda.

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

City Attorney Dave Aleshire reported the following:

Item C.1 (labor negotiations), a matter was discussed and direction was given for further negotiations.

Item C.2 (performance evaluations), was not discussed.

Item C.3 (anticipated litigation, significant for two cases), a report was given for one case and no reportable action was taken. Mr. Aleshire reported there was a matter of controversy concerning pickleball and the Richmond Craneway Pavilion. Mr. Aleshire announced there would be a presentation on the matter at the March 26, 2024, City Council open session meeting to inform the public. Mr. Aleshire advised that the city sent a letter to the developer concerning its pickleball project. The State Lands Commission previously determined that the project proposed was not consistent with the trust agreement. There were modifications made to the project; however, the city was not satisfied all the issues raised previously were addressed. The city intended to send a follow-up letter to the State Lands Commission concerning the modified use.

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

City Manager Shasa Curl reported the following events and activities; 17th Annual Sisters in Solidarity International Women's Day held on March 16, 2024; Richmond Fire Department Badge Pinning Ceremony held on March 1, 2024; Love Your Block Lucas Park Gardening Party held on March 2, 2024; Fire Recruit Academy Behavioral Health Class held on March 12, 2024; Neighbor-to-Neighbor Grant period was scheduled for June 2024 to January 2026; Plumbers and Steamfitters UA Local 159 2024 Apprenticeship application process scheduled for March 25 to April 1, 2024; and Community Budget Meetings were scheduled for April 8, 11, and 24, 2024.

**M. 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)**

Vice Mayor Jimenez acknowledged the organizers of the Sisters in Solidarity event held on March 16, 2024, and the 23rd Street Merchants Association members in the audience.

Councilmember Zepeda announced, "Happy Nowruz", a Persian holiday for the beginning of spring. Councilmember Zepeda reported that he attended the Point Richmond Dumpster Day neighborhood clean-up event. Councilmember Zepeda invited the community to his second Annual District 2 Strategy Meeting scheduled for April 6, 2024, at the Bridge Art Space. Councilmember Zepeda also invited the community to the Richmond-Shimada Friendship Commission Meet and Greet with visitors from Japan scheduled for March 20, 2024. Councilmember Zepeda expressed his appreciation for recent appointments to the city's Environmental and Community Investment Agreement Transportation Oversight Committee. Councilmember Zepeda invited the community to the Point Richmond Spring Fling event scheduled for March 23, 2024.

Councilmember Robinson reported on the RecycleMore (waste management authority) board meeting discussion regarding the relationship between the city's solid waste contract and illegal dumping. Councilmember Robinson announced a Dumpster Day neighborhood cleanup event scheduled for March 23, 2024, in the Nystrom and Coronado neighborhoods.

Councilmember McLaughlin reported on the RecycleMore board meeting discussions regarding various potential waste reuse programs. Councilmember McLaughlin acknowledged the organizers of the Sisters in Solidarity event. Councilmember McLaughlin announced that the Marina Bay Farmers Market launch date was scheduled for April 7, 2024. Councilmember McLaughlin advised that Item O.8.b was a land use agreement to move the Barrett Avenue Farmers Market to the parking lot across from the Richmond Main Library. Councilmember McLaughlin invited the community to the Literacy Festival in the Richmond Memorial Auditorium scheduled for April 13, 2024.

Mayor Martinez reported that he attended the CivicWell Policymakers Conference held March 14-17, 2024. Mayor Martinez requested feedback from the community regarding a potential city Railroad Commission. Mayor Martinez announced the city's various boards and commissions vacancies and encouraged residents to submit applications to the City Clerk's Office for consideration of appointment.

**N. 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:

Diana Wear gave comments commending the Richmond Rent Program, Building Regulations Division, the Mayor's Office, and Councilmember Willis for assistance with resolving a tenant petition.

Vanessa Calloway provided a list of services provided to the unhoused and partnerships created in her role as the project manager for the Encampment Resolution Funding Program (ERFP). Ms. Calloway invited the council to attend an ERFP event.

Rick Perez and Patricia Perez gave comments regarding the police shooting of Richard "Pedie" Perez.

Mark Wassberg gave comments regarding immigration laws.

Rocio Martinez, Rigo Mendoza, Gonzalo Ochoa, Angelica Gomez, Carol Lopez, Pablo Perez, Joaquin Rodriguez, Juan Nunez, Nancy Lu, Daniela Perez, Daniel Navarro, Juan Carrillo, Mirna Peraza, and Cesar Segura gave comments against the numerous unpermitted street vendors along 23rd Street affecting their small businesses. The group recommended the city implement sidewalk vendor regulations similar to other cities such as Walnut Creek.

Salvador Rodriguez expressed concerns regarding repeat violence at the smoke shop next to Bionicos Yahualica juice shop on 23rd Street and the opening of other smoke shops in the area.

Jamin Pursell acknowledged the city for street paving in his neighborhood. Mr. Pursell gave comments in support of the Way to Love organization for its unhoused support services and Item O.4.c (Equitable Public Land Disposition Policy). Mr. Pursell expressed concerns regarding the proposed pickleball use at the Richmond Craneway Pavilion. Mr. Pursell announced there was a protest scheduled for March 23 and 24, 2024, at the Craneway.

Jannet Perez, Veronica Medina, Suilma Navarete, and David Sharples gave comments in support of Item O.4.c for clean safe homes and affordable rent.

Leisa Johnson gave comments via teleconference concerning the Craneway pickleball opening event scheduled for March 23, 2024. Ms. Johnson requested clarification on whether a conditional use permit was required or if there was a cease and desist.

## **O. CITY COUNCIL CONSENT CALENDAR**

**(All items placed under the Consent Calendar were considered to be routine and noncontroversial. These 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 McLaughlin

**Seconded by** Vice Mayor Jimenez

To approve all items on the Consent Calendar except items O.4.d (Safe Organized Spaces contract amendment), O.7.a (staffing position control), and O.3.a (nepotism policy).

Ayes (5): Councilmember McLaughlin, Councilmember Robinson, Councilmember Zepeda, Vice Mayor Jimenez, and Mayor Martinez

Absent (2): Councilmember Bana and Councilmember Willis

Passed (5 to 2)

**Councilmember Robinson was recused from the vote on Item O.4.b (grant agreement).**

### **O.1 City Attorney's Office**

O.1.a 4th Amendment to the Legal Services Agreement with Orbach Huff & Henderson, LLP

APPROVE a fourth amendment to the Orbach Huff & Henderson, LLP Legal Services Agreement (LSA) in the amount of \$100,000, for a total contract amount of \$570,000, to continue representing the City in police/tort cases with a term ending on June 30, 2025 – City Attorney's Office (Dave Aleshire/Shannon Moore 510-620-6509).

- O.1.b Legal Services Agreement with McNamara, Ambacher, Wheeler, Hirsig & Gray, LLP

APPROVE a Legal Services Agreement with McNamara, Ambacher, Wheeler, Hirsig & Gray, LLP for a total amount not to exceed of \$100,000, for a term beginning July 1, 2023, to June 30, 2025 – City Attorney’s Office (Shannon Moore 510-620-6505).

**O.2 City Clerk's Office**

- O.2.a City Council Meeting Minutes

APPROVE the minutes of the February 20 and February 27, 2024, regular City Council meetings - City Clerk's Office (Pamela Christian 510-620-6513).

**O.3 City Council**

- O.3.a Prevent Nepotism During the Appointment Process for Richmond Boards, Commissions, Committees, and Task Forces, and City Hiring and Employment.

DIRECT the City Attorney’s Office to draft and for staff to implement a City policy preventing City Council Members from appointing family members to Richmond boards, commissions, committees, and task forces - Councilmember Cesar Zepeda (510-620-6593) and Vice Mayor Claudia Jimenez (510-620-6565).

**Continued to the March 26, 2024, City Council meeting.**

**O.4 Community Development**

- O.4.a Metrowalk Phase 2 AHSC Resolution - Round 7

ADOPT a resolution authorizing final receipt of State Department of Housing and Community Development (HCD) Affordable Housing and Sustainable Communities Program (AHSC) funds for the Metrowalk Phase 2 Housing Project and designating the city manager or designee to execute the necessary agreements with HCD and BART to complete the project components with grant funds – Community Development Department (Lina Velasco 510-620-6841).

**Adopted Resolution No. 18-24**

- O.4.b TCC Implementation Technical Assistance Grant Agreement with the State of California and Sole Source Contract with Placeworks, Inc

AUTHORIZE the mayor to execute the Implementation Technical Assistance Grant Agreement with the State of California - Office of Planning and Research (OPR) and the California Strategic Growth Council (SGC) to provide the City of Richmond with funding to retain technical assistance providers; APPROPRIATE \$150,000 in Transformative Climate Communities (TCC) grant funds; and APPROVE a sole-source contract with Placeworks, Inc., for a total amount of \$150,000, to provide technical assistance support to advance the implementation of TCC Richmond Rising Project, with a term beginning April 1, 2024, through June 30, 2025 – Community Development Department (Lina Velasco/Beatriz Guerrero 510-620-5450).

**Councilmember Robinson was recused from the vote on Item O.4.b.**

O.4.c Equitable Public Land Disposition Policy

ADOPT a resolution establishing the Equitable Public Land Disposition Policy - Community Development Department (Lina Velasco/Kaitlyn Quackenbush 510-620-6841). This item was continued from the March 5, 2024, meeting.

**Adopted Resolution No. 19-24**

O.4.d Amendment No. 1 to Contract with Safe Organized Spaces (SOS)

APPROVE an Amendment No. 1 to the contract with Safe Organized Spaces to extend the contract term through June 30, 2025, and increasing the contract amount by \$1,463,415.23, for a total contact amount not to exceed \$2,202,108.82, to provide encampment support services, including outreach, showers, laundry services, and job opportunities for unhoused residents – Community Development Department (Lina Velasco/Jesus Morales 510-620-6649).

**Continued to the March 26, 2024, City Council meeting.**

**O.5 Finance Department**

O.5.a Quarterly Garbage Liens

ADOPT a resolution authorizing placement of liens and special assessments for unpaid garbage collection service fees on Contra Costa County's property tax records – Finance Department (Andrea Miller/Mubeen Qader 510-620-6740/Antonio Banuelos 510-620-6741).

**Adopted Resolution No. 20-24**

O.5.b Investment and Cash Balance Report and Monthly Overtime Reports for the Month of January 2024

RECEIVE the City's Investment and Cash Balance Report and Monthly Overtime Reports for the month of January 2024 – Finance Department (Andrea Miller 510-620-6740).

O.5.c American Rescue Plan Act (ARPA) Allocation Amendment

APPROVE a transfer of expenses in the amount of \$731,847.85 between American Rescue Plan Act (ARPA) funds and Wastewater funds to correct an inadvertent allocation of ARPA funds for the North Richmond Pump Station emergency repair project made prior to the allowable ARPA project reimbursement date of March 3, 2021 – Finance Department (Andrea Miller 510-620-6790/Mubeen Qader 510-412-2077).

**O.6 Fire Department**

O.6.a Approve a Standing Purchase Order with Municipal Emergency Services (MES) to Purchase Firefighting Equipment and Personal Protective Equipment

APPROVE two standing purchase orders with Municipal Emergency Services (MES) in a total amount not to exceed \$400,000 using: (a) RFP 1910/Contract # PS20040 Master Price Agreement publicly solicited by National Purchasing Partners, Government Division, to purchase firefighting equipment in an amount not to exceed \$200,000, for a two-year term ending March 23, 2026, with a two-year extension option not to exceed an additional \$200,000 for the extended term; and (b) using RFP

1915/Contract # PS20070 Master Price Agreement to purchase firefighter personal protective equipment in an amount not to exceed \$200,000, for a two-year term ending March 23, 2026, with a two-year extension option not to exceed an additional \$200,000 for the extended term – Fire Department (Interim Fire Chief Michael E. Smith 510-307-8041/Aaron Osorio 510-307-8021).

## **O.7 Human Resources**

### **O.7.a Amend Staffing (Position Control) and Appropriate Funds as Required**

ADOPT a resolution amending position control to add a Finance Manager II to the Finance Department, a Senior Planner for the Community Development Department, and an Office Assistant for the Human Resources Department; and APPROPRIATE associated salaries, wages, and benefits as required – Human Resources Department (Nickie Mastay/Sharrone Taylor 510-620-6602).

**Continued to the March 26, 2024, City Council meeting.**

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

### **O.8.a Accept and Appropriate \$139,204 in Grant Funds from the California State Library to Provide English as a Second Language Services**

ADOPT a resolution to ACCEPT and APPROPRIATE the California State Library grant award of \$139,204 for English as a Second Language educational services; and AUTHORIZE the city manager or their designee to execute the grant agreement – Community Services Department (Kate Eppler 510-620-5452/Abigail Sims-Evelyn 510-307-8082).

#### **Adopted Resolution No. 21-24**

### **O.8.b Land Use Agreement for Weekly Farmer’s Market on Civic Center Plaza**

APPROVE a temporary Land Use Agreement between the City of Richmond and the Richmond Certified Farmers’ Market Association for the free use of Civic Center Plaza between Macdonald Avenue and Nevin Avenue in front of the Richmond Main Library to host a weekly farmers’ market on Fridays, effective April 5, 2024, and ending March 31, 2026, or earlier if the market must move due to the Richmond Main Library renovation project – Community Services Department (LaShonda White 510-620-6828).

## **O.9 Mayor's Office**

### **O.9.a Community Police Review Commission Appointment**

APPOINT Carmen Martinez to the Community Police Review Commission with a term that expires November 1, 2027 - Mayor’s Office (Mayor Eduardo Martinez 510-620-6502)

### **O.9.b Reducing the Reimaging Public Safety Community Task Force from 21 to 14 members**

APPROVE the reduction of Reimaging Public Safety Task Force from 21 to 14 members.

**O.10 Public Works**

O.10.a Amendment to NEMA Construction On-Call Construction Contract

APPROVE Amendment 2 to the construction agreement with NEMA Construction in the amount of \$150,000, for a new total not to exceed amount of \$1,650,000, and for a term ending September 30, 2025 – Public Works Department (Daniel Chavarria 510-620-5478).

O.10.b Contract Award to Stommel, Inc., dba LEHR, for Outfitting of Emergency Vehicles

APPROVE a contract with Stommel, Inc., dba LEHR, for the outfitting of emergency vehicles, for a term from March 1, 2024, to June 30, 2027, in an amount not to exceed \$1,500,000 – Public Works Department/Police Department (Daniel Chavarria 510-620-5478/Captain Eric Smith 510-621-1802).

**P. NEW BUSINESS**

**P.1 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 – City Attorney's Office/Finance Department (Dave Aleshire 510-620-6509/Andrea Miller, Mubeen Qader, Antonio Banuelos 510-620-6741). This item was continued from the February 27, 2024, and March 5, 2024, meetings.

City Attorney Dave Aleshire introduced the matter. Accounting Manager Antonio Banuelos presented a PowerPoint that highlighted the following: Measure U and wholesale background; business tax classifications; current and proposed rates; and examples of business tax. Rauly Butler gave comments in person. Leisa Johnson gave comments via teleconference. Discussion ensued.

**Motion by** Councilmember McLaughlin

**Seconded by** Vice Mayor Jimenez

To introduce said ordinance for first reading and lay over for two weeks for the second reading.

Ayes (5): Councilmember McLaughlin, Councilmember Robinson, Councilmember Zepeda, Vice Mayor Jimenez, and Mayor Martinez

Absent (2): Councilmember Bana and Councilmember Willis

Passed (5 to 2)

**P.2 Proposed Developer Impact Fees Adjustments for a Revised Master Fee Schedule**

RECEIVE a presentation from the Finance Department and Willdan Financial Services on the proposed updates to the Developer Impact Fees in the Master Fee Schedule – Finance Department (Andrea Miller/Mubeen Qader/Antonio Banuelos 510-620-6741). This item was continued from the March 5, 2024, meeting.

Director of Finance Andrea Miller introduced the matter. Carlos Villarreal of Willdan Financial Services presented a PowerPoint that highlighted the following: development impact fee; Mitigation Fee Act findings and Assembly Bill 602; impact fees basic methodology and categories; changes and growth projections;



cost allocation and fee program methodologies; planned facilities; projected impact fee revenue; standards and other methodologies; planned facilities; impact fee projected revenue and maximum justified fee schedule; staff recommendation for residential four-year phase-in, non-residential two-year phase-in, and comparison; credit policy; responses to council questions; parks master plan projects; and next steps. Jessi Taran gave comments via teleconference. Discussion ensued. The council requested the following: codify language in the ordinance to prevent developers from constructing shell buildings at the lower impact fee before tenant improvements; and provide information regarding a commercial truck impact fee and fiscal analysis.

**P.3 Richmond Parks Assessment of Soccer Fields**

RECEIVE a presentation on the draft Soccer Field and Park Amenities Assessment prepared by CSW|ST2 – Public Works (Daniel Chavarria/Tawfic Halaby 510-620-5482). This item was continued from March 5, 2024.

Director of Public Works Daniel Chavarria introduced Deputy Public Works Director Operations and Maintenance Tawfic Halaby, Parks and Landscape Superintendent Greg Hardesty, President and Chief Executive Officer Robert Stevens, and Senior Landscape Architect Marcia Vallier of CSW|ST2 Engineering Group. Ms. Vallier presented a PowerPoint that highlighted the following: project purpose; council recommended actions; background; current conditions and needs; Richmond soccer teams, field sports, and basketball court needs; findings; Richmond parks, recommendations, and maintenance; joint use agreements; facility upgrades; and next steps. Santiago Mendoza and Sam Torres gave comments in person. Jessi Taran gave comments via teleconference. Discussion ensued. The council requested the following: number of budgeted staff and vacancies for the Parks and Landscape Division; consider utilizing remaining Capital Improvement Project funds for parks improvements; provide a parks maintenance schedule plan (including opening and closing facilities); distinguish District 2 regional parks from city parks; put more time and effort into the parks deficit in Districts 1 and 6; consider multi-use parks; consider turf health concerns; utilize Hilltop Park for other sports; add the matter of additional soccer fields to the list of prioritized projects; consider parks in Parchester Village and the condition of the basketball courts; consider cork infill opposed to rubber; and provide the contribution amounts from special districts for parks maintenance. *(At 10:56 p.m. - a motion by Vice Mayor Jimenez, seconded by Councilmember McLaughlin, to extend the meeting to complete Item P.3 passed by the unanimous vote of the City Council).* Further discussion ensued.

**Q. ADJOURNMENT**

There being no further business, the meeting adjourned at 11:03 p.m., to meet again on March 26, 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