

RICHMOND, CALIFORNIA,

April 2, 2024, 4:30 p.m.
Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

A. OPEN SESSION TO HEAR PUBLIC COMMENT BEFORE CLOSED SESSION

The Open Session was called to order at 5:00 p.m. by Mayor Eduardo Martinez.

B. ROLL CALL

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

C. CLOSED SESSION

A motion made by Vice Mayor Jimenez, seconded by Councilmember Willis, added an emergency item to **C-3 Conference with Legal Council - Anticipated Litigation**, by the following vote: **Ayes:** Councilmembers Zepeda, Willis, Vice Mayor Jimenez, and Mayor Martinez. **Absent:** Councilmembers Bana, McLaughlin, and Robinson.

C.1 LIABILITY CLAIMS (Government Code Section 54956.9)

- Claimant: Tara McGirr
Agency claimed against: City of Richmond
- Claimant: Nicole Abetkov
Agency claimed against: City of Richmond
- Claimant: Sauncie Quillen
Agency claimed against: City of Richmond

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

- Peterson v. City of Richmond, et al.
- 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 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.4 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)

- Title: City Attorney

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

None.

E. ADJOURN TO CLOSED SESSION

Open Session adjourned to Closed Session at 5:03 p.m. Closed Session adjourned at 6:30 p.m.

F. SPECIAL MEETING OF THE SURPLUS PROPERTY AUTHORITY

The Special meeting of the Surplus Property Authority was called to order at 6:33 p.m. by Chairperson Eduardo Martinez.

G. PLEDGE OF ALLEGIANCE

Chairperson Eduardo Martinez led the Pledge of Allegiance to the Flag.

H. ROLL CALL

Present: Commissioners Melvin Willis, Cesar Zepeda, Vice Chairperson Claudia Jimenez, and Chairperson Eduardo Martinez. **Absent:** Commissioner Soheila Bana was absent the entire meeting due to illness. Commissioners Gayle McLaughlin, and Doria Robinson were absent the entire meeting.

I. STATEMENT OF CONFLICT OF INTEREST

None.

J. AGENDA REVIEW

None.

K. PUBLIC COMMENT

None.

L. SURPLUS PROPERTY AUTHORITY CONSENT CALENDAR

Motion by Commissioner Melvin Willis
Seconded by Commissioner Cesar Zepeda

Ayes (4): Commissioners Melvin Willis, Cesar Zepeda, Vice Chairperson Claudia Jimenez, and Chairperson Eduardo Martinez

Absent (3): Commissioners Doria Robinson, Soheila Bana, and Gayle McLaughlin

Passed (4 to 0)

L.1 Minutes of the Surplus Property Authority

APPROVE the minutes of the February 27, 2024, Joint Surplus Property Authority/City Council meeting - City Clerk's Office (Pamela Christian 510-620-6513).

L.2 Second Contract Amendment with Flock Group, Inc. to Add Additional Cameras at the Point Potrero Marine Terminal.

APPROVE a second contract amendment with Flock Group, Inc. in the amount of \$39,300, for a new total contract amount not to exceed \$1,037,400, for additional cameras to be installed at the Point Potrero Marine Terminal, for the term ending February 28, 2026 – Police Department/Port of Richmond (Chief Bisa French 510-621-1802/Charles Gerard 510-829-2253).

M. ADJOURNMENT

The meeting adjourned at 6:37 p.m.

N. REGULAR MEETING OF THE RICHMOND CITY COUNCIL

The meeting was called to order at 6:37 p.m. by Mayor Eduardo Martinez.

O. PLEDGE OF ALLEGIANCE

P. ROLL CALL

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

Q. STATEMENT OF CONFLICT OF INTEREST

None.

R. AGENDA REVIEW

Item **W.3.a. - (*Temporary Moratorium on New Tobacco Retailers*)** was removed from the Consent Calendar for discussion.

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

C.1 LIABILITY CLAIMS (Government Code Section 54956.9)

- Claimant: Tara McGirr
Agency claimed against: City of Richmond
- Claimant: Nicole Abetkov
Agency claimed against: City of Richmond
- Claimant: Sauncie Quillen
Agency claimed against: City of Richmond

Status report was given. No reportable action was taken.

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

- Peterson v. City of Richmond, et al.
- 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

Status report was given. No reportable action was taken.

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)

- One case

Status report was given. No reportable action was taken.

C.4 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)

- Title: City Attorney

Not discussed.

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

City Manager Shasa Curl presented the report as follows: All City Staff Meeting was held on March 27, 2024, in the City Council Chambers and via Zoom; Richmond Fire recognized by the Richmond Kiwanis Club at Public Safety Awards Dinner on March 22, 2024; the Marina Bay Farmer's Market Kick-Off was on Sunday, April 7, 2024; MCE offered no cost home upgrades for qualified Richmond residents. More information can be obtained at <https://mcecleanenergy.org/home-savings/> or by calling 888-632-3674; and Love Your Block In-Kind Sponsorship Program was accepting applications at www.loveyourblock.org.

T.1 NEW EMPLOYEE REPORT - 1st Tuesday

Human Resources Director Sharrone Taylor provided the New Employee Report as follows: Jennifer Dang, Administrative Assistant, Konyae Miller, Jailer; Leah Eric, Payroll Coordinator; Abdul Black, Administrative Student Intern; Pedro Barragan, Maintenance Aide; Eduardo Zacarias, Maintenance Aide II; Neisha Moore, Communications Dispatcher I; Brandon Grate, Police Officer Trainee; Esteban Tirado-Rodriguez, Lifeguard, Allison Tong, Lifeguard; Adam Chaffee, Administrative Student Intern; Stephanie Munoz, Police Officer Trainee; Adam Gonzalez, Police Officer Trainee; Adan Rodriguez, Maintenance Aide II; and Angelica Howay was promoted to Administrative Services Coordinator.

U. 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 announced that the Bay Area Girl's Club would host the "Men Who Cook Event" on Sunday, April 14, 2024, from 2 p.m. to 5 p.m. at Cobiz at 1503 Macdonald Avenue.

Councilmember Zepeda reported the following: attended the Shimada Sayonara event on March 27, 2024; attended the raising of the Trans Flag on Friday, March 29, 2024; the District 2 Community meeting would be on April 6, 2024, from 10 a.m. to 12 p.m. at Bridge Arts; and attended the Police & Fire event honoring service to the community.

Vice Mayor Jimenez invited everyone to the ACCE event regarding decarbonizing at Grace Lutheran Church, at 2369 Barrett Avenue, on Thursday, April 4, 2024, from 6 p.m. to 8 p.m.

V. OPEN FORUM FOR PUBLIC COMMENT

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

Don Gosney invited interested people to join the Plumbers & Steamfitters Local 342. For more information Mr. Gosney could be contacted at dongosney@comcast.net or by calling (510) 685-2403.

Mark Wassberg gave comments regarding transgenders.

Rick Perez showed his sweatshirt with the Pedie Perez Proclamation on the front and a photo of the cultural training he attended on the back.

Patricia Perez gave comments regarding the death of her grandson Pedie Perez.

Samiyah Tillman requested support for the resident physicians at LifeLong Urgent Care Center to receive fair compensation.

W. CITY COUNCIL CONSENT CALENDAR

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

Motion by Councilmember Melvin Willis

Seconded by Vice Mayor Claudia Jimenez

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

Absent (3): Councilmember Soheila Bana, Councilmember Gayle McLaughlin, and Councilmember Doria Robinson

Passed (4 to 0)

W.1 City Attorney's Office

W.1.a Legal Services Agreement with Manning & Kass, Ellrod, Ramirez & Trester, LLP

APPROVE a new legal services agreement with Manning & Kass, Ellrod, Ramirez & Trester LLP for a total amount not to exceed \$75,000 for a term beginning July 1, 2022, to June 30, 2025 – City Attorney's Office (Dave Aleshire 510-620-6509).

W.1.b Approve a 6th Amendment for Allen, Glaessner, Hazelwood & Werth LLP

APPROVE a Sixth Amendment to a legal services agreement with Allen, Glaessner, Hazelwood & Werth LLP increasing the compensation by an amount not to exceed \$150,000, for a total new contract amount of \$1,260,000, and extending the term through June 30, 2025 – City Attorney's Office (Dave Aleshire/Shannon Moore 510-620-6509).

W.2 City Clerk's Office

W.2.a Cancellation of April 23, 2024, Regular City Council meeting to hold a special in-person meeting called by the Mayor to be held in the Bermuda Room

APPROVE the cancellation of the April 23, 2024, Regular City Council meeting to hold a special in-person meeting on April 23, 2024, from 4:00 p.m. to 7:00 p.m. called by Mayor Martinez as a follow-up and conclusion to the special meeting held in the Bermuda Room on November 14, 2023; Henry Gardner will facilitate a discussion with the City Council regarding “Working Relations and Expectations” - City Clerk’s Office (Pamela Christian 510-620-6513).

W.3 City Council

W.3.a Temporary Moratorium on New Tobacco Retailers

ADOPT an urgency ordinance placing a temporary 45-day moratorium on the issuance of any new permit, license, or other entitlement for any new tobacco retailer in the City of Richmond - (Mayor Martinez 510-620-6503/Vice Mayor Jimenez 510-620-6565/Councilmember Willis 510-412-2050).

Councilmembers Jimenez and Willis gave an overview of the matter. Hector Rojas presented a PowerPoint which highlighted the existing regulations, and details of the proposed moratorium.

Guadalupe Enllana and Mayra Lopez gave comments. Discussion ensued. Three smoke shops were not licensed as tobacco retailers and were subject to closure.

There was not a supermajority of the councilmembers present in order to act on the temporary moratorium, therefore this matter was continued to the April 16, 2024, City Council meeting for consideration.

W.4 Economic Development

W.4.a Second Contract Amendment with Flock Group, Inc. to Add Additional Cameras at the Point Potrero Marine Terminal.

APPROVE a second contract amendment with Flock Group, Inc. in the amount of \$39,300, for a new total contract amount not to exceed \$1,037,400, for additional cameras to be installed at the Point Potrero Marine Terminal, for the term ending February 28, 2026 – Police Department/Port of Richmond (Chief Bisa French 510-621-1802/Charles Gerard 510-829-2253).

W.5 Library and Community Services

W.5.a Contract for Installation of Window Coverings in the Madeline F. Whittlesey Community Room

APPROVE a contract with Hauser Shade & Sons, Inc., in an amount not to exceed \$19,339.35, for installation of window treatments in the Richmond Main Library’s Madeline F. Whittlesey Community Room, for a term beginning March 1, 2024, through March 1, 2025 — Community Services Department (Kate Eppler 510-620-5452/Leah J. Clark 510-621-1557).

W.5.b Accept and Appropriate an \$8,363 Grant from the Bay Area Library and Information System to Support Library Membership in Professional Associations

ADOPT a resolution to ACCEPT and APPROPRIATE into the Fiscal Year 2023-2024 budget a Bay Area Library and Information System grant for

institutional membership fees in the amount of \$8,363 – Community Services Department (LaShonda White 510-620-6828/Kate Eppler 510-620-5452).

Adopted **Resolution No. 23-24**.

W.6 Police Department

W.6.a Sole-Source Contract with Motorrad LLC for Police Motorcycle Maintenance and Repair

APPROVE a three-year sole-source contract with Motorrad LLC to provide ongoing maintenance and repair services for the police department's motorcycle fleet, at a cost not to exceed \$90,000, for the contract term July 1, 2024, to June 30, 2027, with the option of two, mutually agreed upon, one-year extension terms for an additional cost not to exceed \$30,000 per fiscal year – Police Department (Chief Bisa French 510-621-1802).

W.6.b Purchase of Three Speed Trailers and SafePace Cloud Access from Traffic Logix.

APPROVE the purchase of three speed radar trailers and SafePace Cloud Access from Traffic Logix at a cost of \$28,842.30 – Police Department (Chief Bisa French 510-621-1802).

W.6.c Second Contract Amendment to add \$15,000 in funds to contract with Du-All Safety, LLC.

APPROVE a second contract amendment with Du-All Safety, LLC for additional funding of \$15,000, for a total amount not to exceed \$775,206, for the contract term ending June 30, 2024 – Police Department (Chief Bisa French 510-621-1802).

W.7 Public Works

W.7.a Abatement Report from the Public Works Director

RECEIVE a written abatement report from the Public Works Director - Public Works Department (Daniel Chavarria 510-620-5478).

X. NEW BUSINESS

X.1 Prevent Nepotism During the Appointment Process for Richmond Boards, Commissions, Committees, and Task Forces, and City Hiring and Employment.

DISCUSS and PROVIDE direction to 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). **This item was continued from the March 19, 2024, and March 26, 2024, meetings.**

City Attorney Dave Aleshire gave an overview of the matter.

Don Gosney gave comments in person. Eli Moore, and Jessi Taran gave comments via Zoom.

Discussion ensued. The city council recommended the following: Committees or commissions that have decision making power should be stricter; applies to

directors and staff who had hiring power; ask on the board and commission application if person applying is related to a member of the city council; those with business relationships or associations would not be appointed; and that members would serve out their term and would not be reappointed. This matter was continued for further discussion to the April 16, 2024, City Council meeting.

Motion by Vice Mayor Claudia Jimenez

Seconded by Councilmember Cesar Zepeda

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

Absent (3): Councilmember Soheila Bana, Councilmember Gayle McLaughlin, and Councilmember Doria Robinson

Passed (4 to 0)

X.2 Race Forward Training Series

APPROVE a sole-source two-year contract with Race Forward to conduct a series of race equity trainings for employees, public officials, and community partners not to exceed \$55,000, for a term beginning April 2024 through December 2026 – City Council Office (Trina Jackson-Lincoln 510-620-6581).

City Council Liaison and Project Coordinator Trina Jackson provided an overview of the matter. Jessi Taran and Deborah Small gave comments via Zoom.

A motion was made to approve the contract.

Motion by Councilmember Melvin Willis

Seconded by Vice Mayor Claudia Jimenez

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

Absent (3): Councilmember Soheila Bana, Councilmember Gayle McLaughlin, and Councilmember Doria Robinson

Passed (4 to 0)

Y. ADJOURNMENT

There being no further business, the meeting adjourned at 8:42 p.m., to meet again on April 16, 2024, at 6:30 p.m.

Clerk of the City of Richmond

Mayor