

**RICHMOND, CALIFORNIA, October 17, 2023**

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 4:37 p.m. by Mayor Eduardo Martinez.

**B. ROLL CALL**

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

**C. CLOSED SESSION**

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

- Alonzo Shelton v. City of Richmond et al.
- Winehaven Legacy LLC v. City of Richmond et al.
- Point Molate Alliance v. City of Richmond
- Guidiville Rancheria of California, et al. v. City of Richmond et al.

**C.2 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.3 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.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)**

- One case

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

There were no public speakers.

**E. ADJOURN TO CLOSED SESSION**

The Open Session adjourned to Closed Session at 4:40 p.m. Closed Session adjourned at 6:31 p.m.

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

The Regular Meeting of the Richmond City Council was called to order at 6:36 p.m. by Mayor Martinez.

**G. PLEDGE OF ALLEGIANCE**

Mayor Martinez led the Pledge of Allegiance to the Flag.

**H. ROLL CALL**

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

**I. STATEMENT OF CONFLICT OF INTEREST**

Councilmember Robinson stated a conflict of interest for Item P.9.a (sole-source contract with The Watershed Project).

**J. AGENDA REVIEW**

Item M (reports of officers) was moved before Item L (report from the city manager).

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

City Attorney Dave Aleshire reported the following:

Item C.1 (existing litigation) a status report was given for the Alonzo Shelton matter and the council unanimously directed the city attorney to proceed with a settlement. Status reports were given for the Winehaven and Point Molate Alliance matters and no reportable actions were taken. The settlement of the Guidiville Rancheria matter was discussed and the council gave direction for the matter to be placed on a future agenda for public action.

Item C.2 (labor negotiations) status reports were given for all organizations and the council directed further negotiations. The items would be coming forward at a future meeting for public action.

Item C.3 (anticipated litigation-initiation) a status report was given and there was no reportable action taken.

Item C.4 (anticipated litigation-significant exposure) was not discussed.

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

City Manager Shasa Curl presented a PowerPoint that highlighted the following events for the month of October 2023: Virtual Public Art Technical Assistance Workshop via Zoom; Annual Fall Festival at Nicholl Park; Career Fair at the Richmond Memorial Auditorium; Author Book Reading of the "Skinny Woman in a Straw Hat" at the Annex Senior Center; Storytime Strolls at the Wildcat Regional Park; and the Floating Pumpkin Patch at the Richmond Plunge.

**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)**

Councilmember Willis reported that he attended a meeting with the 23rd Street Merchants Association and city staff on October 11, 2023, regarding negative activity such as shootings that happened. Councilmember Willis reported that he attended the Richmond Main Street Spirit & Soul Festival in Downtown Richmond on October 14, 2023.

Councilmember Bana reported on the National Fire Safety Week event at Richmond Fire Station No. 63. Councilmember Bana acknowledged Fire Chief Angel Montoya, Battalion Chief Anthony Woodards, the Richmond Youth Academy, all the organizations, and volunteers who participated in the event. Councilmember Bana reported that the Pinole Fire Department was presenting a proclamation to the West Contra Costa County Fire Safe Council.

Vice Mayor McLaughlin reported that she attended the Richmond Main Street Spirit & Soul Festival. Vice Mayor McLaughlin announced a Town Hall Meeting on homelessness was scheduled for October 21, 2023, at the El Sobrante United Methodist Church. Vice Mayor McLaughlin gave comments regarding the Israel-Hamas war and called for an immediate cease-fire and humanitarian aid. Vice Mayor McLaughlin urged the community to contact President Joe Biden, members of Congress and the Senate, and join rallies to speak out on the war.

Councilmember Zepeda acknowledged the various Fire Departments for extinguishing the fire on Steinmark Drive in Point Molate. Councilmember Zepeda announced that the Richmond Firefighters Local 188 was hosting a fundraiser by selling t-shirts to raise awareness of breast cancer. Councilmember Zepeda reported that he visited China with the mayor and others to celebrate the 30th year anniversary of the sister-city relationship.

Mayor Martinez gave comments regarding the accomplishments of Zhoushan, China, and his recent visit. Mayor Martinez reported there were discussions with the sister-city regarding the maritime industry and that included a tour of a maritime college. Mayor Martinez announced that there would be future discussions to potentially have a maritime college at Contra Costa College. Mayor Martinez reported there were also discussions with the sister-city regarding the offshore wind industry. Mayor Martinez commended the sister-city for its outstanding hospitality. Mayor Martinez gave closing remarks in support of peace, compassion, and humanitarian aid for the Israel-Hamas war.

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

Reimagining Public Safety Community Task Force Member Jamin Pursell reported on the following: the Safe Organized Spaces (SOS) organization was hosting fundraisers, community outreach, and providing services directly to unhoused residents; SOS was seeking to work with neighboring cities to establish a larger expansion of its work; and the task force had started conversations on establishing a board to oversee the city's Community Crisis Response Program.

**O. OPEN FORUM FOR PUBLIC COMMENT**

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

The following individuals gave comments in person:

Hakim Johnson announced that Chevron sponsored both the Main Street Spirit & Soul and the fire station open house events mentioned during the reports of officers. Mr. Johnson invited the council and community to the Richmond Chevron Refinery's Community Tour Day on October 28, 2023.

Genika Powell expressed concerns regarding homeless encampments near her home. Ms. Powell reported that her daughter was attacked by an unhoused individual. Ms. Powell stated that her calls for police service did not address the issue or remove the individual. Ms. Powell urged the council to show compassion and peace for the Richmond community.

Mark Wassberg gave comments regarding the Israel-Hamas war in comparison to past world wars. Mr. Wassberg expressed concerns regarding terrorism.

Rick Perez announced that California Governor Gavin Newsom signed a legislative bill disqualifying excited delirium. Mr. Perez advised that some other police jurisdictions were under watch; however, the community wanted to see indictments and charges filed. Mr. Perez objected to how the city handled the police shooting case involving his son.

Patricia Perez gave comments regarding the Richard "Pedie" Perez police shooting case. Ms. Perez advised that the advocacy of the Perez Family and other victims families had gained new legislative police reforms.

Elsa Stevens, Dorian Reiv, and Susan Singh gave comments against a proposed rent increase for the Heritage Senior Apartments in Richmond. Ms. Stevens expressed concerns that the increase would lead to homelessness and how the city would support the newly unhoused seniors. Ms. Stevens urged the council to keep the senior community housed. Ms. Reiv advised that the continuous rent increases were causing financial hardship.

Jamin Pursell thanked the council members who attended the Richmond Spirit & Soul Festival. Mr. Pursell also acknowledged the council for its support against hate speech. Mr. Pursell suggested a single city calendar with all city events that was easier for the community to navigate and access.

James Foreman gave comments via teleconference to advise that he was homeless, his health was failing, and he had been unable to receive assistance. Mr. Foreman urged the council to provide better treatment for the unhoused community.

**P. CITY COUNCIL CONSENT CALENDAR**

**(All items placed under the Consent Calendar were considered to be routine and noncontroversial. The 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** Mayor Martinez

**Seconded by** Councilmember Willis

To approve all items on the Consent Calendar. Councilmember Robinson was recused from the vote on Item P.9.a due to a conflict of interest.

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

Absent (2): Councilmember Bana and Councilmember Jimenez

Passed (5 to 2)

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

P.1.a First Amendment to the Legal Services Agreement with Jackson Lewis PC

APPROVE the First Amendment to the Legal Services Agreement with employment law firm Jackson Lewis PC increasing the compensation by an amount not to exceed \$75,000, for a total contract payment limit of \$84,990, and extending the term one year to June 30, 2025 – City Attorney's Office (Alan M. Cohen 510-620-6709).

P.1.b Legal Services Agreement with Nevers, Palazoo, Packard, Wildermuth & Wynner, PC.

APPROVE a legal services agreement (LSA) with Nevers, Palazoo, Packard, Wildermuth & Wynner, PC in an amount of \$175,000, which is proposed to be funded from the \$1.6 million LSA for City Attorney services, with a term from October 1, 2023, to June 30, 2025 – City Attorney's Office (Dave Aleshire 510-620-6509).

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

P.2.a City Council Meeting Minutes

APPROVE the minutes of the September 12, 2023, regular City Council meeting - City Clerk's Office (Pamela Christian 510-620-6513).

P.2.b Request for Leave of Absence for Councilmember Claudia Jimenez

APPROVE a request by Councilmember Claudia Jimenez for a medical leave of absence from City Council Meetings during the period of October 4, 2023, through December 18, 2023 – City Clerk's Office (Pamela Christian 510-620-6513).

**P.3 City Council**

P.3.a Proclaim September 16, 2023, retroactively, as Masha Amini Day

Proclamation to proclaim (retroactively) September 16, 2023, as Masha Amini Day - Vice Mayor Gayle McLaughlin (510-620-6636) and Councilmember Soheila Bana (510-620-6743).

**P.4 City Manager's Office**

P.4.a Public Art Master Plan (PAMP) Review and Approval

RECEIVE and APPROVE the Public Art Master Plan (PAMP) – Economic Development Department (Winifred Day 510-620-6952).

**P.5 Finance Department**

P.5.a Investment and Cash Balance Report for the Month of August 2023

RECEIVE the City's Investment and Cash Balance Report for the month of August 2023 – Finance Department (Andrea Miller 510-620-6740).

P.5.b Amendment of Authorized Signatures on the Local Agency Investment Fund

ADOPT a resolution revising the authorization list on the Local Agency Investment Fund (LAIF) account to reflect the current staff assignments in the Finance Department – Finance Department (Andrea Miller 510-620-6740).

**Adopted Resolution No. 102-23**

P.5.c Annual Review and Adoption of the Resolutions to approve the Financial Policies (Debt, Investment, and Pension Funding policies)

REVIEW the City’s Debt, Pension Funding, and Investment policies; and ADOPT resolutions to approve the updated policies – Finance Department (Andrea Miller 510-620-6790/ Mubeen Qader 510-412-2077). This item was continued from the October 3, 2023, meeting.

**Adopted Resolution Nos. 103-23, 104-23, and 105-23**

P.5.d OMNIA Cooperative Purchase Agreements for Citywide Goods and Services for Fiscal Year 2023-24 to 2026-27

ADOPT a resolution approving the use of OMNIA Cooperative Purchasing Agreements with Ari Phoenix, Epic Business, Grainger, HD Supply, Herc Rentals, Kimball Midwest, Ricoh, and The Home Depot in an amount not to exceed \$250,000 per year per vendor for Fiscal Years 2023-24 to 2026-27 – Finance Department (Antonio Banuelos 510-620-6741/ Ofelia Alvarez 510-620-6699). This item was continued from the October 3, 2023, meeting.

**Adopted Resolution No. 106-23**

P.5.e State Auditor’s Recommendations Corrective Action Plan November 2023 Update

RECEIVE a report regarding the City’s Corrective Action Plan update to State Audit No. 2021-806 – Finance Department (Andrea Miller 510-620-6790/Mubeen Qader 510-412-2077).

**P.6 Human Resources**

P.6.a Resolution Approving Tentative Agreements with Richmond Police Management Association

ADOPT a resolution approving the Tentative Agreements between the City of Richmond and the Richmond Police Management Association to establish a new Memorandum of Understanding (MOU) for the term of January 1, 2023, through December 31, 2025; and DIRECT the city manager or her designee to update the publicly available salary schedule with the adopted wage increases during the term of the MOU – Human Resources Department/City Attorney’s Office (Sharrone Taylor/Nickie Mastay/ Dave Aleshire 510-620-6602).

**Adopted Resolution No. 107-23**

P.6.b Resolution Approving Tentative Agreements with Richmond Fire Management Association

ADOPT a resolution approving the Tentative Agreements between the City of Richmond and the Richmond Fire Management Association for the

establishment of a new Memorandum of Understanding for the term of July 1, 2022, through June 30, 2025; and DIRECT the city manager or designee to update the publicly available salary schedule with the adopted wage increases during the term of the MOU – Human Resources Department/City Attorney’s Office (Sharrone Taylor/Nickie Mastay/ Dave Aleshire 510-620-6602).

**Adopted Resolution No. 108-23**

- P.6.c Resolution to Approve Salary Schedules in Accordance with California Code of Regulations 570.5(a) (2 CCR § 570.5)

ADOPT a resolution amending the salary schedules for all unions to comply with California Code of Regulations, Subchapter 1, Employees’ Retirement System Regulations section 570.5 (a) (2 CCR § 570.5) as required by CalPERS – Human Resources Department (Nickie Mastay/Sharrone Taylor 510-620-6602).

**Adopted Resolution No. 109-23**

- P.6.d Amend Staffing (Position Control) and the Salary Schedule, and Appropriate Funds as Required

ADOPT a resolution amending staffing (position control) for the Department of Children and Youth, Grants Division, Engineering, Parks Division, and Police Department; and APPROPRIATE associated salaries, wages, and benefits as required – Human Resources Department (Nickie Mastay/ Sharrone Taylor 510-620-6602).

**Adopted Resolution No. 110-23**

**P.7 Library and Community Services**

- P.7.a Contract with Bay Area Tutoring Association for Homework Help Services

APPROVE a contract with the Bay Area Tutoring Association for homework help services for an amount not to exceed \$200,000, for a term beginning October 17, 2023, and ending June 30, 2024 – Community Services Department (Kate Eppler 510-620-5452/Christopher Larsen 510-620-5524).

- P.7.b Lease Agreement Between the City and the YWCA of Contra Costa County for Use of Space at the Richmond Recreation Complex

APPROVE a lease agreement between the City of Richmond and the YWCA of Contra Costa County for the use of space for a day care program at the west wing of the Richmond Recreation Complex at 3230 Macdonald Avenue, with a lease term from October 1, 2023, through September 30, 2024, and a lease rate of \$2,700 per month – Community Services Department (LaShonda White 510-620-6828 / Ranjana Maharaj 510-620-6972).

- P.7.c Approval to Receive Grant Award from the Chevron Community Engagement Foundation

ADOPT a resolution to ACCEPT and APPROPRIATE a grant award from the Chevron Community Engagement Foundation in the amount of \$35,000 for the Office of Neighborhood Safety Operation Peacemaker

Fellowship program – Community Services Department (LaShonda White 510-620-6828/Sam Vaughn 510-620-6512).

**Adopted Resolution No. 111-23**

**P.7.d Resolution to Accept and Appropriate California State Transportation Agency Funds**

ADOPT a resolution authorizing the city manager or their designee to enter a master funding agreement with the California State Transportation Agency and fulfill all related grant requirements; ACCEPT and APPROPRIATE \$3,117,500 in grant funds awarded by the Transit and Intercity Rail Capital Program; AUTHORIZE and APPROPRIATE a grant match in the amount of \$3,117,500 from the Environmental and Community Investment Agreement (ECIA) transportation budget; and APPROVE a sole-source fourth contract amendment with Nomad Transit, LLC (Via) to increase the contract limit by \$6,235,000, for a new total contract limit not to exceed \$8,335,731, and extend the term through July 7, 2027 – Community Services Department (LaShonda White 510-620-6828/ Denée Evans 510-621-1718).

**Adopted Resolution No. 112-23**

**P.8 Mayor's Office**

**P.8.a Appointment to Reimagine Public Safety Community Safety Task Force**

APPROVE the appointment of Michael Gliksohn to the Reimagine Public Safety Community Safety Task Force - Mayor's Office (Mayor Eduardo Martinez 510-620-6503).

**P.8.b November 1st as Extra Mile Day in the City of Richmond**

PROCLAMATION recognizing November 1<sup>st</sup> as Extra Mile Day in the City of Richmond - Mayor's Office (Mayor Eduardo Martinez 510-620-6503).

**P.9 Public Works**

**P.9.a Sole-Source Contract with The Watershed Project for the Flood Risk Reduction in the Rheem Creek Watershed Project**

APPROVE a sole-source professional services contract with The Watershed Project in an amount not to exceed \$364,183 to support the City in implementing the tasks for the grant-funded Flood Risk Reduction in the Rheem Creek Watershed Project, for a term beginning August 1, 2023, through November 15, 2026 – Public Works Department (Daniel Chavarria/Wendy Wellbrock 510-307-8108).

Absent (3): Councilmember Bana, Councilmember Jimenez, and Councilmember Robinson

**Adopted Resolution No. 112-23(A)**

**Councilmember Robinson was recused from the vote on this matter.**

**P.9.b Contract with Noll & Tam Architects for Architectural Design Services for the Revitalization of the Historic Richmond Main Library Project.**

APPROVE a contract in the amount of \$2,987,156, and any amendments, if necessary, for up to a 10 percent contingency in the amount of \$298,716, with Noll & Tam Architects for architectural design services for the



seismic retrofit and Revitalization of the Historic Richmond Main Library located at 325 Civic Center Plaza in Richmond, with a term from October 17, 2023, through June 30, 2027; and ADOPT a resolution awarding a contract to Noll & Tam Architects and authorizing the city manager or designee to execute the contract and any related documents – Public Works Department/Community Services Department (Daniel Chavarria 510-620-6639/ LaShonda White 510-620-6828).

**Adopted Resolution No. 113-23**

**Q. BUDGET SESSION**

**Q.1 State Audit Corrective Action Plan, OPEB Funding Analysis, GovInvest**

RECEIVE a presentation from GovInvest on a comprehensive analysis regarding the approved funding policy impact on the Other Post-Employment Benefits (OPEB) Unfunded Actuarial Accrued Liability (UAAL) – Finance Department (Nickie Mastay 510-620-6609/ Mubeen Qader 510-412-2077).

Deputy Director of Finance Mubeen Qader introduced the matter. Senior Consultant Ira Summer of GovInvest presented a PowerPoint that highlighted the following: background; current funding projections; and additional contributions. Discussion ensued. The council requested staff to provide what-if scenarios with potential strategies, including if a future council rescinded the current policy.

**R. NEW BUSINESS**

**R.1 Presentation from the Bay Area Metro Group on Local Government Services - Metropolitan Transportation Commission and the Association of Bay Area Government.**

RECEIVE a presentation from Bay Area Metro Group on Local Governments Services through Metropolitan Transportation Commission (MTC) and the Association of Bay Area Government (ABAG) - Councilmember Soheila Bana (510-672-3490). This item was continued from the September 19, 2023, meeting.

**Continued to a future meeting to be determined.**

**S. ADJOURNMENT**

There being no further business, the meeting adjourned at 8:21 p.m., to meet again on October 24, 2023, at 6:30 p.m.

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Pamela Christian, Clerk of the City of  
Richmond

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Eduardo Martinez, Mayor