

**RICHMOND, CALIFORNIA,**

January 11, 2022, 5:00 p.m.  
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 5:00 p.m. by Mayor Thomas K. Butt via teleconference.

**B. ROLL CALL**

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

**C. CLOSED SESSION**

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

Paragraph (1) of Subdivision [d] of Government Code Section 54956.9

C.1.a Richmond Shoreline Alliance,SPRAWLDEF, Citizens for East Shore  
Parks, Sunflower Alliance, and GreenActionfor Health and Environmental  
Justice v. City of Richmond

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

C.2.a Title: City Attorney

**C.3 PUBLIC EMPLOYEE APPOINTMENT (Government Code Section  
54957.6)**

C.3.a Title: City Attorney

**D. PUBLIC COMMENT BEFORE CLOSED SESSION**

Tarnell Abbott gave comments regarding Item C1.a. and encouraged the city to settle the lawsuit.

Mayor Butt gave comments regarding Assistant City Attorney Heather McLaughlin preventing him from participating in a recent Closed Session discussion and requested a public apology from Ms. McLaughlin.

**E. ADJOURN TO CLOSED SESSION**

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The Open Session adjourned to Closed Session at 5:04 p.m. Closed Session adjourned at 6:05 p.m.

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

6:30 p.m.

**G. ROLL CALL**

**Present:** Councilmembers Nathaniel Bates, Eduardo Martinez, Mayor Demnlus Johnson III, and Mayor Thomas K. Butt. **Absent:** Councilmembers Claudia Jimenez, Gayle McLaughlin, and Melvin Willis 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**

Items Q-6, O.4.F, and P-1 were continued to the January 18, 2022, City Council meeting. Item Q-2 was continued to the February 22, 2022, City Council meeting.

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

City Attorney Dave Aleshire stated there were no reportable actions taken.

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

Interim City Manager Shasa Curl reported on the increase in Covid-19 cases throughout the area. Ms. Curl also stated there would be a Covid-19 employee booster policy, which would be implemented in the near future; Community workshop #3 for the potential Vacant Property Parcel Tax would be on January 12, 2022, at 6 p.m. via Zoom; and the Martin Luther King Day of Service was scheduled for Monday, January 17, 2022, from 10 a.m. to 2 p.m. at 16th Street and Ohio Avenue.

**M. ABATEMENT REPORT FROM THE PUBLIC WORKS DIRECTOR (public comment allowed under Open Forum)**

Public Works Director Joe Leach presented a PowerPoint, which highlighted the following: 7th Street Clean-up; Nevin Avenue Resurfacing; Illegal Dumping; Encampment Abatement of six encampments; City Lot Abatement; and Graffiti Removal.

**N. OPEN FORUM FOR PUBLIC COMMENT**

Attorney Heather McLaughlin apologized to Mayor Butt for having unintentionally locked him out from attending a recent closed session, which was due to technical error. Mayor Butt accepted her apology.

Mark Wassberg gave comments regarding Vice Mayor Johnson III's support for Congresswoman Maxine Waters.

Naomi Williams stated the city should keep the current Interim City Manager in the permanent position. Ms. Williams also thanked Public Works Director Joe Leach for his work and asked the city to hire additional abatement crew.

Jeff Ritterman spoke in support of Item O-2 regarding the events of the January 6, 2021, attack on the U.S. Capitol.

Katrinka Ruk stated concerns for the city moving forward with the Business License Tax and that discussions have not occurred with the business community and how they would be impacted.

Jessi Taran suggested that all the various task forces should work together to come up with ideas such as the use of vacant land for homeless sites, job training grants, and job training programs in alternative energy.

Councilmember McLaughlin gave comments regarding Item O-2 Condemning the acts of January 6, 2021.

Mayor Butt gave comments regarding the city spending taxpayer money on frivolous lawsuits including the investigation launched against him that cost the city \$50,000, in which he was ultimately exonerated.

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

Moved: Vice Mayor Demnlus Johnson II

Seconded: Councilmember Eduardo Martinez

Result: Passed by unanimous vote of the City Council

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

#### **O.1.a City Council Minutes**

APPROVE the minutes of the November 23 and December 7 and 14, 2021, regular City Council meetings - City Clerk's Office (Pamela Christian 510-620-6513).

### **O.2 City Council**

#### **O.2.a Condemning the horrific events of January 6, 2021, and defending democracy and the sacred right of voting.**

Adopted **Resolution No. 1-22.**

### **O.3 City Manager's Office**

#### **O.3.a Contract with Social & Public Art Resource Center (SPARC)**

### **O.4 Finance Department**

#### **O.4.a Annual review and adoption of debt policy for fiscal year 2021-2022**

Adopted **Resolution No. 2-22.**

#### **O.4.b Compliance with developer fees**

#### **O.4.c Resolution approving investment policy**

Adopted **Resolution No. 3-22.**

#### **O.4.d Investment and Cash Balance report for the month of November 2021**

#### **O.4.e Resolution approving Other Post-Employment Benefits (OPEB) funding policy**

Adopted **Resolution No. 4-22.**

#### **O.4.f Annual review and adoption of swap policy for fiscal year 2021-2022**

**Continued to the January 18, 2022, City Council meeting,**

### **O.5 Human Resources**

#### **O.5.a Adopt resolution amending the salary schedule**

Adopted **Resolution No. 5-22.**

### **O.6 Police Department**

#### **O.6.a Justice Assistance Grant-funded Purchase Approval**

**O.7 Public Works**

O.7.a Veolia's October 2021 Monthly Operating Report

**P. PUBLIC HEARINGS**

**P.1 Appeal of Planning Commission's approval of a conditional use permit and design review (PLN20-043)**

**Continued to the January 18, 2022, City Council meeting.**

**Q. NEW BUSINESS**

**Q.1 Police Staffing Presentation**

Acting Chief Louie Tirona presented a PowerPoint which highlighted the following: Historical Staffing Comparison; Current Staffing Situation; Sworn Positions Budgeted vs. Actual; 2021 Sworn Separations; Retirement Analysis; 2022 Priorities; 2021 Sworn Personnel Allocation; 2022 Sworn Personnel Allocation; Retention, Recruiting and Hiring; National Climate; Regional Challenges; Testing Process; and Recruiting Efforts. Discussion ensued. The following individuals gave comments via teleconference: Mark Wassberg, Steve Bischoff, Naomi Williams, Shawn Dunning, Don Gosney, Jan Mignone, Leisa Johnson, Katrinka Ruk, Deborah Bayer, Madalyn Law, and Jamin Pursell. City Council requested analysis of police M.O.U's, and further information and discussion on the police department dog bite policy.

**Q.2 Update from Chevron Refinery**

**Continued to the February 22, 2022, City Council meeting.**

**Q.3 Amendment to legal services agreement with Ellis Investigations, L.C.**

Moved: Vice Mayor Demnlus Johnson III

Seconded: Councilmember Gayle McLaughlin

Result: Passed by the following vote: Ayes: Councilmembers Jimenez, Martinez, Willis, McLaughlin, and Vice Mayor Johnson III. Noes: Mayor Butt. Absent:

Abstain: Councilmember Bates.

APPROVE a first amendment to an existing legal services agreement with Ellis Investigations, L.C., to conduct personnel investigations for the City in the amount of \$90,000, for a total contract amount of \$100,000, for a term of December 21, 2021, through June 30, 2023. Interim Deputy City Manager, Anil Comelo gave an overview of the matter.

**Q.4 Legal services agreements in amount of \$350,000 per firm**

Attorney Heather McLaughlin gave an overview of the matter. City Council requested additional information on costs associated with the use of outside legal firms over the past ten years and the possibility of placing a cap on the total amount spend over the term of the contracts. **The matter was held over to the February 1, 2022, City Council meeting.**

**Q.5 Approval of a legal services agreement and amendments to six existing legal services agreements for municipal law litigation**

City Council requested information on what cases would be handled by each firm. **The matter was held over to the February 1, 2022, City Council meeting.**

**Q.6 Amendment to legal services contract with Downey Brand law firm**

**Continued to the January 18, 2022, City Council meeting.**

**Q.7    2021 Community Survey Results**

LaShonda White presented a PowerPoint, which highlighted the following: Uses of Survey Results; Outreach; Survey Respondent Demographics; Positive Trends; Richmond as a Place to Live, Work, and Play; Safety; Economy; Government; Participation; Top Issues to Address in the Next 2 Years; NCS Report on Tableau; Comparison Information; and Geographic Area. Discussion ensued. The following individuals gave comments via teleconference: Shawn Dunning, Leisa Johnson, and Naomi Williams. The community survey is open to anyone who would like to provide input and information regarding Richmond regardless of if they live in the city or not.

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

City Clerk Pamela Christian invited the public to the 3rd City Council Redistricting Public Hearing during the January 18, 2022, City Council meeting, at 7 p.m.

Mayor Butt stated he would not attend the January 18, 2022, City Council meeting because he would be at the U.S. Conference of Mayor’s in Washington D.C.

Councilmember Martinez announced the Martin King Jr. Day of Service would be held on Monday, January 17, 2022, at 10 a.m., on the Richmond Greenway.

**S.    ADJOURNMENT**

There being no further business, the meeting adjourned at 10:23 p.m., in memory of Vice Mayor Johnson III’s great aunt Ora Givens, actor Sidney Poitier, and Paul Dees to meet again on January 18, 2022, at 6:30 p.m.

Clerk of the City of Richmond  
(SEAL)

Approved:  
  
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Mayor

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Clerk of the City of Richmond

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Mayor