

RICHMOND, CALIFORNIA,

January 18, 2022, 5:00 p.m.
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, 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

- a. Richmond Shoreline Alliance, SPRAWLDEF, Citizens for East Shore Parks, Sunflower Alliance, and GreenActionfor Health and Environmental Justice v. City of Richmond
- b. Quincy Peoples v. Zaidan et al.
- c. Hernandez v. Hodges

**C.2 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 - Veolia Mediation

D. PUBLIC COMMENT BEFORE CLOSED SESSION

Janet Johnson, Tarnel Abbott, Jeanne Kortz, Andres Soto, Sally Tobin, Judith Piper, and Deborah Bayer, urged the city not to develop the Astra Zenter Site due to it being a Superfund Site, toxic, and detrimental to public health.

E. ADJOURN TO CLOSED SESSION

The Open Session adjourned at 5:17 p.m. Closed Session adjourned at 6:49 p.m.

F. SPECIAL MEETING OF THE RICHMOND HOUSING AUTHORITY

The Special Meeting of the Richmond Housing Authority was called to order at 8:17 p.m. by Chairperson Butt.

G. ROLL CALL

Present: Commissioners Nathaniel Bates, Claudia Jimenez, Eduardo Martinez, Gayle McLaughlin, Melvin Willis, Vice Chairperson Demnlus Johnson III, Chairperson Thomas K. Butt, and Tenant Commissioner Jaycine Scott. **Absent:** None.

H. PUBLIC COMMENT INSTRUCTIONAL VIDEO

The Public Comment Instructional Video was shown.

I. STATEMENT OF CONFLICT OF INTEREST

None.

J. REPORT FROM THE EXECUTIVE DIRECTOR

None.

K. AGENDA REVIEW

None.

L. HOUSING AUTHORITY CONSENT CALENDAR

On motion of Commissioner Martinez, seconded by Vice Chairperson Johnson III, the item marked with an (*) were approved by the unanimous vote of the Housing Authority Board of Commissioners.

L.1 Continued use of teleconference technology for meetings of the Board of Commissioners of the Richmond Housing Authority pursuant to the provisions of AB 361

Adopted **Resolution No. 2152.**

M. ADJOURNMENT

There being no further business, the meeting adjourned at 8:19 p.m.

N. REGULAR MEETING OF THE RICHMOND CITY COUNCIL

The Regular Meeting of the Richmond City Council was called to order at 6:55 p.m. by Mayor Butt via teleconference.

O. ROLL CALL

Present: Councilmembers Claudia Jimenez, Gayle McLaughlin, Melvin Willis, Vice Mayor Demnlus Johnson III, and Mayor Tom Butt. **Absent:** Councilmembers Nathaniel Bates and Eduardo Martinez arrived after roll call.

P. STATEMENT OF CONFLICT OF INTEREST

None.

Q. AGENDA REVIEW

Item V-7 was removed from the Consent Calendar. City Clerk, Pamela Christian stated Item V.1.a. was corrected as follows: Section 4 Order of Business was amended to read: *Open Forum for Public Comment for items that remain on the Consent Calendar and Items F, G, and I listed above would be heard under Open Forum.*

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

City Attorney Dave Aleshire reported that staff was authorized to discuss settlement issues in the matter of Quincy Peoples v. Zaidan, et al. Mr. Aleshire also reported that mediation was scheduled regarding the Veolia matter.

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

Interim City Manager Shasa Curl announced that Free Covid tests were available to all and could be ordered through the mail. Ms. Curl also thanked Urban Tilth for organizing the Martin Luther King Day of Service and activities. The Food Bank of Contra Costa and Solano would have a drive through food giveaway on January 27, 2022, from 12:00 p.m.- 4 p.m. at the Civic Center/Barrett Avenue parking lot.

T. REPORT FROM THE IMPLEMENTATION SUB-COMMITTEE FOR REIMAGINING TASK FORCE (public comment allowed under Open Forum)

Marisol Cantu provided a report, which highlighted the following: Unhoused Intervention; Office of Neighborhood Safety; Youthworks, and Bridge Kitchen.

U. OPEN FORUM FOR PUBLIC COMMENT

Mark Wassberg, gave comments regarding rights under the U.S. Constitution.

Tarnel Abbott gave comments regarding rising tides that would affect the proposed Zeneca project. Ms. Abbott also expressed condolences on the death of Mike Parker.

Bobbi Lopez gave comments in support of Consent Calendar Item V.2, regarding the City-Wide Community Benefits Ordinance.

Deborah Small thanked the City Council for supporting the efforts of the Reimagining Public Safety Committee.

Anna Ortiz gave comments regarding the encroachment agreement on Western Drive.

Randy Joseph stated that the Youthworks program had been instrumental in assisting youth and expressed condolences over the death of Mike Parker.

Deborah Bayer and Councilmember Willis gave comments and condolences regarding the passing of Mike Parker.

V. CITY COUNCIL CONSENT CALENDAR

On motion of Councilmember Willis, seconded by Vice Mayor Johnson III, the items marked with an (*) were approved by unanimous vote of the City Council.

V.1 City Clerk's Office

- a. Continued use of teleconferencing for the meetings of all City legislative bodies pursuant to the provisions of Assembly Bill (Ab) 361

Adopted **Resolution No. 6-22.**

- b. Amendments, Updates, and Corrections to the Council Rules and Procedures

(Mayor Butt voted no).

V.2 Economic Development

- a. City-Wide Community Benefits Policy (Ordinance)

V.3 Finance Department

- a. Annual review and adoption of swap policy for fiscal year 2021-2022

V.4 Human Resources

- a. Contract amendment with The Segal Group Inc. (Western States) dba Segal to provide supplemental classification and compensation services

V.5 Library and Community Services

- a. Love Your Block (LYB) Mini-Grant Program Fiscal Years 2021-2023

V.6 Mayor's Office

- a. Appointment(s) to the Richmond-Zhoushan Friendship Commission
- b. Appointment(s) to the Economic Development Commission
- c. Appointment(s) to the Human Rights and Human Relations Commission
- d. Appointment(s) to the Workforce Development Board
- e. Appointment(s) to the Housing Advisory Commission

V.7 Public Works

- a. Contract Amendment No. 2 to legal services contract with Downey Brand law firm

The City Council expressed concern over the amount of money that had been spent on Veolia matters. A motion made by Vice Mayor Johnson III, seconded by Councilmember Willis, approved the contract by the following vote: **Ayes:** Councilmembers Jimenez, Martinez, McLaughlin,

Willis, and Vice Mayor Johnson III. **Noes:** Mayor Butt. Absent: None.
Abstain: Councilmember Bates.

- b. Keller Beach sewer line closed-circuit television evaluation

Adopted **Resolution No. 8-22.**

- c. Resolution ordering the preparation of the annual engineer's report for Fiscal Year 2022-2023 regarding improvements and costs for the Marina Bay Landscape and Lighting Maintenance District

Adopted **Resolution No. 9-22.**

- d. Resolution ordering the preparation of the annual engineer's report for fiscal year 2022-2023 regarding improvements and costs for the Hilltop Landscape Maintenance District

Adopted **Resolution No. 10-22.**

W. PUBLIC HEARINGS

W.1 Redistricting Public Hearing

City Clerk Pamela Christian announced that it was time, pursuant to public notice, to hold a public hearing to receive public input on draft maps of voting district boundaries as part of the City's requirement to redistrict the city after the release of the 2020 census data. National Demographics Corporation (NDC) would lead the process. City Clerk Pamela Christian and Chalice Tilton of NDC gave an overview, which highlighted the following: Redistricting Rules and Goals; Demographic Summary of Existing Districts; Draft Maps Summary; and Proposed Sequencing. Discussion ensued. Mayor Butt declared the public hearing open. The following individuals gave comments via teleconference: Jan Mignone, Don Gosney, Linda Whitmore, Michele Rappaport, Linda Whitmore, Katrinka Ruk, Madalyn Law, Mark Wassberg, Leisa Johnson, Naomi Williams, Marena Brown, Oscar Garcia, Lori Hart, Garland Ellis, Michele Rappaport, Kim Hanson, Rita Barouch, Bhavin Khatri, Arto Rentila, Randy Joseph, Norma, and Shawn Dunning. Mayor Butt closed the public hearing. Further discussion ensued and the City Council expressed support for maps 102, 106b, 201, and 202. The City Council also requested demographics on all the draft maps in order to evaluate them before making a decision. The next public hearing was scheduled on February 1, 2022.

W.2 Amendments to Richmond Municipal Code (RMC) Article 15.04.615 to extend amortization period for nonconforming land uses related to the storage and handling of coal and petroleum coke to December 31, 2026 (PLN21-427)

Pursuant to public notice, it was time to hold a public hearing to Introduce an ordinance (first reading). amending Richmond Municipal Code Sections 15.04.615.050.C and 15.04.615.010.B to extend the amortization period for existing nonconforming land uses related to coal and petroleum coke storage and handling and require the discontinuation of all such uses by December 31, 2026; and; determine that the ordinance is exempt from the California Environmental Quality Act ("CEQA") because it is not a Project under CEQA (CEQA Guidelines section 15378) and because it is exempt from CEQA pursuant to CEQA Guidelines sections 15301 (existing facilities exemption), 15307 (action to protect natural resources), 15308 (action to protect the environment), and/or 15061(b)(3) ("Common Sense" exemption where there is no reasonable possibility of a significant effect on the environment).

Planning Director, Lina Velasco gave an overview, which highlighted the following: Settlement Agreement; Dust Control Measures; Proposed Amendments; Environmental Review; and Planning Commission Recommendation. Mayor Butt declared the public hearing open. The following individuals gave comments via teleconference: Igor Tregub, Jacob Klein, Mark Wassberg, and Jamin Pursell. Mayor Butt closed the public hearing. A motion by Councilmember Willis, seconded by Councilmember Jimenez, introduced first reading of said ordinance by the unanimous vote of the city council.

W.3 Temporary (45-day) Moratorium on certain building permits related to sewer connections to the Keller Beach Sanitary Sewer

ADOPT an urgency ordinance, pursuant to Government Code Section 65858, establishing a temporary moratorium (45 days) on the issuance of certain building permits for development requiring new sewer connections to the Keller Beach Sanitary Sewer – Public Works Department (Joe Leach 510-620-5478).

Public Works Director Joe Leach gave an overview. Discussion ensued. Mayor Butt declared the public hearing open. Bred Gunkel gave comments via teleconference. Mayor Butt closed the public hearing. A motion was made by Councilmember Willis, seconded by Councilmember Martinez, adopted Urgency **Ordinance No. 01-22 N.S.**, by the unanimous vote of the City Council.

W.4 Appeal of Planning Commission's approval of a conditional use permit and design review (PLN20-043)

CONTINUED TO FEBRUARY 1, 2022 – ADOPT a Resolution Denying the Appeal and Affirming the Planning Commission’s conditional approval of a Conditional Use Permit and Design Review, to construct a single-family residence on a vacant parcel located within the -S, Shoreline Overlay district at 357 Western Avenue.

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

Mayor Butt and Councilmember Bates stated they would no longer participate in the homelessness ad-hoc committees. Mayor Butt requested volunteers to be appointed to the committees.

Y. ADJOURNMENT

There being no further business, the meeting adjourned in memory of Mike Parker, Neil Shultz, and Alicia Rapco, at 9:51 p.m., to meet again on January 25, 2022.

Clerk of the City of Richmond

Mayor