

RICHMOND, CALIFORNIA, October 20, 2020

The Richmond City Council Evening Open Session was called to order at 5:34 p.m. by Mayor Thomas K. Butt via teleconference.

Due to the coronavirus (COVID-19) pandemic, Contra Costa County and Governor Gavin Newsom issued multiple orders requiring sheltering in place, social distancing, and reduction of person-to-person contact. Accordingly, Governor Gavin Newsom issued executive orders that allowed cities to hold public meetings via teleconferencing (Executive Order N-29-20).

DUE TO THE SHELTER IN PLACE ORDERS, attendance at the City of Richmond City Council meeting was limited to Councilmembers, essential City of Richmond staff, and members of the news media. Public comment was confined to items appearing on the agenda and was limited to the methods provided below. Consistent with Executive Order N-29-20, this meeting utilized teleconferencing only. The following provides information on how the public participated in the meeting.

The public was able to view the meeting from home on KCRT Comcast Channel 28 or AT&T Uverse Channel 99 and livestream online at <http://www.ci.richmond.ca.us/3178/KCRT-Live>.

*Written public comments were received via email to cityclerkdept@ci.richmond.ca.us. Comments received by 1:00 p.m. on October 20, 2020, were summarized at the meeting, put into the record, and considered before Council action. Comments received via email after 1:00 p.m. and up until the public comment period on the relevant agenda item closed, were put into the record. Public comments were also received via teleconference during the meeting. **Attached herewith all written public comments received.***

ROLL CALL

Present: Councilmembers Ben Choi, Demnlus Johnson III, Eduardo Martinez, Jael Myrick, and Mayor Thomas K. Butt.
Absent: Councilmember Melvin Willis and Vice Mayor Nathaniel Bates arrived after roll call.

PUBLIC COMMENT

The city clerk announced the public comment procedures and that the purpose of the Open Session was for the City Council to hear public comments on the following items to be discussed in Closed Session:

CITY COUNCIL

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

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6):

Agency Representatives: Jack Hughes

Employee organizations:

1. SEIU Local 1021 Full-Time Unit
2. SEIU Local 1021 Part-Time Unit
3. IFPTE Local 21 Mid-Level Management Unit
4. IFPTE Local 21 Executive Management Unit
5. Richmond Police Officers Association RPOA
6. Richmond Police Management Association RPMA
7. IAFF Local 188
8. Richmond Fire Management Association RFMA

CONFERENCE WITH REAL PROPERTY
NEGOTIATOR (Government Code Section 54956.8):

Property: Terminal 3

Agency negotiators: Laura Snideman and Jim Matzorkis

Negotiating parties: Terminal 3 Partners

Under negotiations: price and terms of payment

Jim Hanson gave comments regarding Terminal 3 and Tom Lyons gave comments in opposition to Fire Department service cuts via teleconference.

The Open Session adjourned to Closed Session at 5:37 p.m.
Closed Session adjourned at 6:56 p.m.

The Regular Meeting of the Richmond City Council was called to order at 6:59 p.m. by Mayor Butt via teleconference.

ROLL CALL

Present: Councilmembers Choi, Johnson, Martinez, Myrick, Willis, and Mayor Butt. **Absent:** Vice Mayor Bates.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Items G-7 and G-10 were removed from the Consent Calendar for discussion at the end of the agenda. Item G-19 was continued to the November 10, 2020, City Council meeting.

The city clerk announced the public comment procedure published in the agenda.

REPORT FROM THE CITY ATTORNEY ON FINAL DECISIONS MADE DURING CLOSED SESSION

Interim City Attorney Rachel Sommovilla stated there were no final actions to report.

REPORT FROM THE CITY MANAGER

Interim City Manager Steven Falk stated there were no items to report.

OPEN FORUM FOR PUBLIC COMMENT

The following individuals gave comments via teleconference:

Caroline Conry, Luis Padilla, Josh Tate, Zack Jensen, Marcus Faumui, Tom Phelps, Mark Cisneros, Nicholas Bartsch, and Vinay Pimplé gave comments in opposition to service cuts to the Richmond Fire Department.

Deborah Bayer expressed concerns regarding the public comment procedures for City Council meetings. Ms. Bayer requested that public comments be read into the record during the meeting.

Leisa Johnson expressed concerns regarding Veolia's prequalified subcontractors, Bay Hawk and W.R. Forde. Ms. Johnson reported that the community was being subjected to dysfunction at Veolia, unpleasant orders, and black water at its plant. Ms. Johnson requested the City of Richmond to initiate a request for proposals to find a different vendor for water management.

Mike Parker gave comments regarding service cuts to the City of Richmond due to the budget crisis. Mr. Parker encouraged support for California Proposition 15 and the City of Richmond's Measure U to increase revenues and maintain services.

CITY COUNCIL CONSENT CALENDAR

On motion of Councilmember Johnson, seconded by Councilmember Martinez, the items marked with an (*) were approved by the following vote: **Ayes:** Councilmembers Choi, Johnson, Martinez, Myrick, Willis, and Mayor Butt. **Noes:** None. **Absent:** Vice Mayor Bates. **Abstained:** None.

***G-1.** Approved a contract between Unity Courier Service, Inc. and the Richmond Public Library for the period of July 1, 2020, to June 30, 2025, to provide courier services for Link+, the Library's interlibrary loan service.

***G-2.** Approved a sole-source agreement with Hyland Software, Inc., to provide maintenance for the SIRE Agenda Management and City Council Meeting Voting Systems, in an amount not to exceed \$30,000 for Fiscal Year (FY) 2020-21.

***G-3.** Approved proposed contracts with two existing vendors currently used by the Police Department to conduct polygraph examinations (Shannon Layer Polygraphs and Mercedes Orozco dba Get Polygraphed!) for a total combined contract amount not to exceed \$30,000 (\$15,000 per vendor) with the term of each contract for three-years November 1, 2020, to November 1, 2023.

***G-4.** Approved an interagency agreement with the Contra Costa County Health Services Department to provide mental health outreach services from July 1, 2020, through June 30, 2021; and accepted and appropriated \$153,175 in AB109 Realignment funds.

***G-5.** Adopted **Resolution No. 108-20** to accept and appropriate \$15,000 in funding from the United States Department of Homeland Security; and approve a contract with Cellbrite for a cellular phone analyzing tool in the amount of \$15,000 and for the software annual licensing fee of \$4,700 for the duration of the contract (November 1, 2020, to November 1, 2024) in an amount not to exceed \$23,500.

***G-6.** Approved a purchase from LC Action Police Supply for tactical safety helmets, upper body protection, and batons for the Police Department's patrol and investigative units in an amount not to exceed \$38,832.91.

G-7. The matter to approve a sole-source agreement with the Contra Costa County District Attorney's Office for the continued and dedicated services of a deputy district attorney who would be specifically assigned as Richmond's Community Based Prosecutor, in an amount not to exceed \$100,000 from July 1, 2020, through June 30, 2021, was introduced by Police Chief Bisa French. Discussion ensued. The council requested the monthly Crime Accountability Meeting status reports. The following individuals gave comments via teleconference: Mike Parker, Leisa Johnson, and Ben Therriault. Further discussion ensued. A motion was made by Councilmember Choi, seconded by Councilmember Johnson, to approve said sole-source agreement. A friendly amendment was made by Councilmember Martinez requesting City of Richmond representatives to meet with Contra Costa County officials to discuss county services that should be provided to every city and the continuation of county services to the City of Richmond free of charge. The friendly amendment was accepted. The motion passed by the following vote: **Ayes:** Councilmembers Choi, Johnson, Martinez, Myrick, Willis, and Mayor Butt. **Noes:** Vice Mayor Bates. **Absent:** None. **Abstained:** None.

***G-8.** Approved the purchase of one "GrayKey" device and a three-year (November 1, 2020, to November 1, 2023) corresponding software license, in an amount not to exceed \$50,475, which will allow Richmond Police Department investigators to access cellular telephones for Human Trafficking and criminal evidence retrieval in a lawful, timely, and fiscal manner.

***G-9.** Adopted **Resolution No. 108-20(A) and Resolution No. 108-20(B)** Accepting and appropriating CARES Act and FEMA Public Assistance grants related to City of Richmond's COVID-19 Emergency Response; approving the draft CARES Act expenditure plan allocating \$1,356,676 million in funding to support City-related costs, including \$150,000 in support to Richmond residents impacted by COVID-19 through the Richmond Rapid Response Fund (R3F); authorizing the city manager or her designee to enter into a contract with EdFund West for the management of the R3F allocation; and authorizing the city manager to make adjustments to the CARES Act expenditure plan, as needed, per approved state guidelines.

G-10. The matter to approve an amendment to the standard contract with Steven Falk to serve as Acting City Manager of the City of Richmond maintaining the scope of work and term from October 7, 2020, to November 7, 2020, while increasing the contract payment limit to \$35,000 was introduced by Acting Deputy City Manager Internal Services LaShonda White.

Discussion ensued. The following individuals gave comments via teleconference: Ben Therriault, Sean Stalbaum, Eleanor Thompson, and Mike Parker. Discussion ensued. The Council requested a process for future city manager leaves of absence whereby a qualified staff person would be considered as acting city manager. The Council recommended that it should be involved with future contract negotiations of this nature. On motion of Vice Mayor Bates, seconded by Councilmember Willis, approved said contract amendment by the unanimous vote of the City Council.

***G-11.** Adopted **Resolution No. 109-20** approving the Side Letter between the Richmond Police Officers' Association (RPOA) and the City of Richmond.

***G-12.** Approved a contract amendment No. 1, increasing the contract amount by \$40,000, for a total contract amount of \$50,000, with Silver & Wright, LLP, to prepare amendments to the Richmond Municipal Code to implement a comprehensive administrative enforcement and citation program, update the City's Rental Inspection ordinance to improve enforcement mechanism for compliance, update legal notices and documents, and conduct training for City staff for new procedures.

***G-13.** Approved a grant-funded contract with Stantec Consulting Services to assist the Community Development Department with closeout reports associated with the City's Fiscal Year 2016 United States Environmental Protection Agency (EPA) Brownfields Assessment Grant and assistance in preparing the City's Fiscal Year 2021 EPA Brownfields Assessment Grant application for a total contract amount not to exceed \$71,986, with a term ending June 30, 2021.

***G-14.** Introduced an ordinance (first reading) adding Chapter 1.14 of the RMC regarding Cost Recovery, and amending Chapters 1.04, 2.62, 2.63, 6.40, 9.04, 9.22, 9.40, 9.42, 9.50, and 11.76, to create and implement a comprehensive fine and cost recovery program for all nuisance abatement actions.

***G-15.** Approved a three-year contract with Elevator Industries, Inc. for the service and repairs of all city-owned elevators in an amount not to exceed \$225,000 with an option to extend two years at \$75,000 per year.

***G-16.** Adopted **Resolution No. 110-20** to accept and appropriate \$1,903,395 in federal funds from the California Department of Transportation for the City's Bridge Preventive Maintenance Program.

***G-17.** Adopted **Resolution No. 111-20** awarding a sole-source professional services contract to Nichols Consulting Engineers, Chtd., in an amount not to exceed \$744,728, for the design of the 13th Street Complete Streets Project.

***G-18.** Adopted **Resolution No. 112-20** to authorize a contract with Willdan Financial Service Services for the mailing of the Public Outreach Information regarding the Sewer Rate Increase in the amount of \$13,070 for a total contract amount not to exceed \$41,450.

G-19. Continued to November 10, 2020, the matter to approve contract amendment number three in the amount of \$250,000 with Gordon & Rees, LLP for a total contract amount not to exceed \$775,000 for the evaluation, audit, and legal review of the City's Wastewater Operations (as contracted by Veolia Water North America).

***G-20.** Approved the purchase of two 2021 Ford Super Duty F350 XL trucks from National Auto Fleet Group in an aggregate amount not to exceed \$100,000.

***G-21.** Adopted **Resolution No. 113-20:** (1) authorizing the application for grant funds from the California Department of Housing and Community Development's (HCD) CalHome Program in an amount not to exceed \$5,000,000 to provide rehabilitation loans to low-income households for Accessory Dwelling Unit (ADU) conversions, and (2) authorizing the city manager or their designee to execute related documents to accept the grant and expend grant-funds as approved by Housing and Community Development.

***G-22.** Adopted **Resolution No. 114-20** authorizing staff to submit grant applications for any and all CalRecycle grants for which the City of Richmond is eligible.

PUBLIC HEARINGS

H-1. The city clerk announced that it was time, pursuant to public notice, to introduce an ordinance (first reading) amending section 15.04.104.020, Definitions, section 15.04.201.020, Land Use Regulations, section 15.04.201.030.A, Accessory Building Height, section 15.04.201.050.B, Accessory Building Height, section 15.04.202.020, Land Use Regulations, section 15.04.607.040, Calculation of Parking Requirements, and section 15.04.610.030, Accessory Short-Term Rentals ("Home-Shares") and repealing section 15.04.610.020, Accessory Dwelling Units, and adopting section 15.04.610.020, Accessory Dwelling Units and Junior Accessory Dwelling Units of the Richmond Municipal Code Regarding Accessory Dwelling Units and Junior Accessory Dwelling Units. Community Development Director Lina Velasco introduced the item. Planner Emily Carroll presented a Powerpoint that highlighted the following: background information; accessory dwelling units production; legal framework; proposed amendments; and the Richmond Planning Commission's recommendation. Ms. Carroll stated that staff was also proposing the following modification to Ordinance section 15.04.610.020C(5)a that was realized after the agenda packet was published: *"An accessory dwelling unit shall not be sold separately from the primary dwelling unit **unless consistent with the provisions of Government Code section 65852.26 or successor provision**".* Discussion ensued. Mayor Butt declared the public hearing open. Kieron Slaughter gave comments via teleconference. Mayor Butt closed the public hearing. On motion of Councilmember Myrick, seconded by Councilmember Johnson, said ordinance with modification received the first reading and was laid over to November 10, 2020, for the second reading by the following vote: **Ayes:** Councilmembers Choi, Martinez, Myrick, Johnson, Willis, and Mayor Butt. **Noes:** None. **Absent:** Vice Mayor Bates. **Abstained:** None.

H-2. The city clerk announced that it was time, pursuant to public notice, to: (1) introduce an ordinance amending the Richmond Municipal Code in relation to the City of Richmond's inclusionary housing program; and (2) adopt a resolution amending inclusionary housing in-lieu fees for residential developments and adopting non-residential linkage fees for non-residential developments. Community Development Director Lina Velasco presented a Powerpoint that highlighted background information and recommended changes for residential projects. David Doezema of Keyser Marston Associates (KMA) presented a financial feasibility analysis and KMA's residential project and non-residential development recommendations. Barbara Kautz of Goldfarb & Lipman LLP presented the legal framework for residential and non-residential projects; previous City Council actions; and proposed amendments. Mrs. Velasco concluded the presentation with the Richmond Planning Commission's recommendation; and staff's additional recommendation to "*require payment of fees at building permit, unless conditions allow payment at occupancy*". Discussion ensued. Mayor Butt declared the public hearing open. Leisa Johnson and Vinay Pimplé gave comments via teleconference. Mayor Butt closed the public hearing. Further discussion ensued. Staff recommended replacing the north of the Interstate 580 zone to be described as, "the area north of 580 excluding the San Pablo Peninsula", that included Point Molate. A motion was made by Vice Mayor Bates, seconded by Councilmember Choi, to receive the first reading of said ordinance and adopt said resolution. A friendly amendment was made by Mayor Butt to include the San Pablo Peninsula south of Interstate 80 and ensure there was a process for waivers based on the equivalent provision of low-cost housing or financial feasibility. The friendly amendment was accepted. The said ordinance with amendment received the first reading, and was laid over to November 10, 2020, for the second reading; and **Resolution No. 115-20** with amendment was adopted by the unanimous vote of the City Council.

COUNCIL AS A WHOLE

I-1. The matter to adopt a City Council District Residency Policy was introduced by Mayor Butt. Mayor Butt stated that he was removing the policy provision requiring the City of Richmond to verify that rental unit owners were in compliance with the City of Richmond's Rent Program. Mayor Butt further clarified that the policy would have no effect on the current election and was intended for future elections. On motion of Councilmember Myrick, seconded by Councilmember Choi, tabled the matter indefinitely by the following vote: **Ayes:** Councilmembers Choi, Johnson, Martinez, Myrick, and Willis. **Noes:** Vice Mayor Bates and Mayor Butt. **Absent:** None. **Abstained:** None.

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

Vice Mayor Bates stated that he was bombarded with complaints regarding how filthy the City of Richmond was and recommended the need for a comprehensive clean-up program. Vice Mayor Bates stressed the importance of voting and encouraged everyone to vote in the upcoming election.

Councilmember Johnson wished Senator Kamala Harris a happy birthday.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:59 p.m., in memory of Olajuwon (“O.J.”) Thornton, to meet again on Tuesday, October 27, 2020, at 6:30 p.m.

Clerk of the City of Richmond

(SEAL)

Approved:

Mayor

From: ahmad.anderson
To: [City Clerk Dept](#)
Cc: ahmad8233@gmail.com
Subject: Public Comments- Open Forum: City of Richmond has formally proposed reducing the Fire Department staffing from 8 companies to 6
Date: Tuesday, October 20, 2020 12:14:00 PM

The City of Richmond has formally proposed reducing the Fire Department staffing from 8 companies to 6, cutting the ONLY fully staffed truck* and putting an additional company on a rotating closure. The proposed station cuts will disproportionately impact disenfranchised neighborhoods- **District 5 neighborhoods**.

Here are some bullet points to consider:

- Call volume has increased by approximately 1,000 calls PER year for the last 4 years (4,000 total). Firefighters are already doing more with less. With the proposed cuts and increased calls, their response time to an emergency could be significantly delayed. When a resident call 911 they will be waiting, and that has consequences.
- City population is increasing due to numerous housing projects. You need more fire stations, not less.
- Fire seasons are worse every year. We saw record fires this year and there doesn't seem to be an end in sight.
- Firefighters worked through COVID, putting themselves and their families at risk. They have been asked to work through all of it, and are now facing deep, detrimental cuts.
- The Fire Department is being asked to take a hugely disproportionate cut compared to all other City employees and/or departments.

The safety of our residents and firefighters are at risk.

Respectfully,

Ahmad Anderson

Sent from [Mail](#) for Windows 10

From: [Annie Koruga](#)
To: [City Clerk Dept](#)
Subject: Public Comments – Open Forum
Date: Sunday, October 18, 2020 2:05:15 PM

My name is Annie. As someone whose family does not own a home, I am urging you to vote no on item I-1. This policy discriminatory against renters, who make up a significant amount of Richmond residents. City council is intended to represent all residents and placing additional hurdles in the way of certain groups is morally repugnant. Specifically, making it harder for renters to run for city council discriminates against working class people, and is frankly classist. Again, I urge a no vote. They eyes of Richmond are on you.

From: [Cordell Hindler](#)
To: [City Clerk Dept](#)
Subject: Open Forum
Date: Thursday, October 15, 2020 7:14:23 PM

hello Sabrina, i have a couple of comments for the Record

1. my projects are coming along just lovely and i will be able to share with the council real soon
2. as far as G-10 goes, i am in full support because i know Steven will do just exquisite

Sincerely
Cordell

From: [Joe Kelly](#)
To: [City Clerk Dept](#)
Cc: [Nancy Gruver](#)
Subject: Open Forum Oct 20, 2020 Council Meeting
Date: Sunday, October 18, 2020 9:32:39 AM

Dear Councilors:

We urge you to vote against the Mayor's proposed City Council District Residency Policy and/or ANY other policy that increases barriers for residents wanting to run for public office.

The rental section of Mr. Butt's proposal is simply outrageous and appalling. All of us know that Richmond is a majority-minority City. We are proud of that reality and heritage. It is a major reason why we and other members of our family moved to Richmond.

You all **should** know that Black and Brown people are more likely to be renters, and less likely to be homeowners, than white folks are. This is merely one legacy of centuries of entrenched racism in our country. (See [The Color of Law: A Forgotten History of How Our Government Segregated America](#) by Richard Rothstein, which prominently features Richmond's segregation heritage.)

At best, the proposed policy's treatment of candidates who rent ignores the realities of life as a renter and places absurdly undue burdens on them. It also encourages outright harassment of candidates who rent, by triggering City investigation of their landlords.

This policy is immoral and insulting. It should be illegal and unconstitutional, and if it is not, then shame on all of us.

It seems certain that the policy is also unnecessary. Richmond does not have a "resident imposter" problem.

For example, Council member Melvin Willis and candidate Najari Smith live and rent in Richmond, and have for years. They are deeply committed to our community. Mr. Smith created and co-owns a successful, community-oriented business. Mr. Willis is a longtime community organizer and advocate. They are also Black men.

Without a real "resident imposter" problem, what are we to make of a policy that disproportionately impacts the Brown and Black majority of our fellow Richmond residents? A majority who continue to bear the consequences of barrier after barrier?

Is it any wonder that Black and Brown Richmond residents experience this policy as writing them out of the City's government? No.

If you continue to wonder, you best stop.

This proposal--and any others like it, now or in the future--should be promptly and

soundly rejected.

We count on you to promptly and soundly reject it.

Sincerely,

Nancy Gruver and Joe Kelly
(Residents of European ancestry)
85 Lakeshore Ct
Richmond, CA 94804

PS. See relevant passage of proposed [City Council District Residency Policy](#) (pp. 3 & 4)

"If the residence is rented or leased by the candidate, the candidate must provide proof of residence by providing a signed copy of a lease or rental agreement. If a candidate is living at a residence without a lease/rental agreement and whose name otherwise does not appear in the proof of home ownership, the candidate must have landlord/property owner sign an affidavit, under penalty of perjury, verifying candidate's residency in landlord's/property owner's property.

"If a candidate is renting, the city manager or designee shall report if the property is in compliance with all City ordinances regulating residential rentals, including registration with the Rent Program, registration with the Rental Inspection Program and possession of a business license, or if one or more provisions of the foregoing include a waiver pertinent to the property."

From: [Michelle Chan](#)
To: [City Clerk Dept](#)
Subject: Public comments - open forum
Date: Tuesday, October 20, 2020 10:25:21 AM

Dear City Council,

I strongly object to Mayor Butt's proposal which would make it harder for renters to run for City Council. Half of our residents in Richmond are renters, and this proposal would especially impact lower income people, and people of color. Mayor Butt's proposal would increase barriers for populations who are already politically marginalized, and who need political representation most.

Residency policies have long been used as ways to politically disenfranchise Black voters. *Time* magazine ("[The Racist History of Voter Suppression](#)," June 18, 2020) describes how in before the Civil War, residency requirements were used to prevent urban/ Black people from voting; for example, Louisiana took people off voter rolls if they left their home parish for over 3 months. Other residency requirements were used in Virginia in the 1960s.

Mayor Butt is introducing his residency policy as an election-season attack against candidates he does not want on the City Council. It is shameful that would be willing to deepen structural racism and impact so many Richmond voters in order to do this.

Michelle Chan
Richmond North & East

From: [Robyn Mikel](#)
To: [City Clerk Dept](#)
Subject: Public Comments - Open Forum
Date: Monday, October 19, 2020 8:27:41 PM

FIREFIGHTERS ARE NOT SUPERHEROES.

Do I have your attention now? How dare I say that right? “Real life Superheroes” is the newest catchphrase making its way around media outlets as a way to honor and praise the brave men and women that knowingly run toward danger while us civilians run away. With the worsening wildfire seasons that California is experiencing it’s a phrase that we hear or see regularly and most of us would agree because we want to show our appreciation. But if you will humor me, let’s define Superhero: *(noun) a benevolent fictional character with superhuman powers, such as Superman.* Do Firefighters have superhuman powers? No, of course not! So I’d rather look at it like this, they are HUMAN BEINGS performing superheroes work.

What does this mean? It means that they are susceptible to all the same human ailments and stressors as the rest of us. They suffer from physical and mental exhaustion, depression and PTSD to name a few. They are often the first on scene for any 911 call to provide the necessary hands on, life and property saving maneuvers. They see us when we are at our absolute worst moments in life (nobody calls 911 when something good is happening right?) and then put it all behind them, return to their station or often go from one call to the next to do it all over again never seeing the food they made for dinner. They train during their off-time to keep certifications up to date and learn the newest techniques and industry advancements. Add to this worsening wildfire seasons, with numerous strike teams being sent out all over the country leaving staff back home to work overtime to backfill the positions left empty so our community remains protected.

I’m reaching out to you as a solo mother of an amazing 11yr old boy and a firefighter widow. Last year, my husband of 20 years...a 14 year member of the Alameda County Fire Dept. committed suicide after a years long battle with job related PTSD and depression. In 2018 firefighter suicides exceeded the rate of on-duty deaths by about 30% on average. A 2018 study also found that rates of depression and post-traumatic stress disorders among firefighters have been found as much as five times higher than that of the general population. Also, this same study found that firefighters die by suicide at a higher rate than their police counterparts.

Yeah, I know the common retort to this is “they signed up for it.” or “they are getting a good paycheck and pension for it.” It’s true, they did and they are. But at some level, I think they also signed up for being supported by their departments, city leaders and communities because really...how could you not, superheroes right?

I recently learned that our city leaders have proposed to brown out two fire stations leaving us with 18(!) less fire personnel to respond to our emergencies. Our communities will not only be potentially impacted with longer response times, but also by the health and well-being of those on left on-duty being compromised as they take on the extra load left by the empty stations. It honestly defies any level of common sense or common decency as far as I’m concerned. We ask them to be our superheroes and in return treat them as if they are unworthy of any sort of humanity. We push them to their limits because in our minds they are invincible. When a city is struggling financially

it's so easy to look at firefighters salaries first as an easy cut to reach the bottom line but I can assure you from personal experience, the repercussions of this type of cut far outweigh the benefits.

I am asking you, city leaders to look for ways to protect our first responders, not to further deplete them to the point of being unable to serve themselves let alone their city. In this time of heightened political and social unrest do the hard work to find budget cuts that make better sense for our community. While you all propose to cut their resources, they still show up and do their jobs, fulfilling their commitment to our city. Richmond firefighters were the ones to respond to my 911 call when I found my husband's lifeless body in our home. I can't imagine how personal it must have been for them at the time but they still reacted as true professionals and took care of us. It's time for you all to do the same.

Thank You,
Robyn Mikel

From: [Cordell Hindler](#)
To: [City Clerk Dept](#)
Subject: Open Forum
Date: Thursday, October 15, 2020 7:14:23 PM

hello Sabrina, i have a couple of comments for the Record

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Sincerely
Cordell

From: [aaron.rowden](#)
To: [City Clerk Dept](#)
Subject: Public Comments Agenda Item I-1
Date: Tuesday, October 20, 2020 11:37:09 AM

To Whom It May Concern,

I am writing in opposition to the proposed residency policy for city council candidates as proposed. While I understand the need for integrity in the candidate selection process and that it is desirable to ensure that candidates truly represent the districts that elect them, this policy is onerous and disproportionately disenfranchises the young, the economically disadvantaged, and people of color, who are more likely to rent or have alternative living arrangements. It also gives landlords a *de facto* veto over public participation by their tenants while incentivizing landlords to exercise that right by making their relationship with the City a factor in whether a person may run for office.

In addition to the moral problems with the outcomes described above, it is also not clear that some of these provisions are constitutional. While residency requirements are clearly constitutional, measures with the effect of limiting legitimate political participation are held to a higher standard of review than other enactments. As such, provisions which are ancillary to the legitimate interest of ensuring residency, such as public reporting of a landlord's good standing, are most likely not narrowly tailored to meet any legitimate objective related to the integrity of the political process to meet such a standard. To the extent that the requirements, taken as a whole, inhibit political participation by those who are otherwise qualified to participate, it is likely that such requirements do not represent the least restrictive requirements necessary to serve the vital interest at play. As such, this policy likely invites complicated and expensive litigation that the City can avoid by adopting less restrictive and more narrowly tailored methods of proving residency.

I want to thank the Council for considering these comments.

Respectfully Submitted,

Aaron B. Rowden
2601 Hilltop Drive
Richmond, CA 94806

From: [Alex G](#)
To: [City Clerk Dept](#)
Subject: Public Comments - Agenda item I-1 (City Council District Residency Policy)
Date: Monday, October 19, 2020 11:08:39 AM

Hello Council,

My name is Alex Golden and I am a resident of Point Richmond,

I have a concern about the text of the City Council District Residency Policy, specifically the below quoted section:

"If a candidate is renting, the city manager or designee shall report if the property is in compliance with all City ordinances regulating residential rentals, including registration with the Rent Program, registration with the Rental Inspection Program and possession of a business license, or if one or more provisions of the foregoing include a waiver pertinent to the property."

I understand that we want the people on council to be residents of the communities that they represent, but this section goes beyond that purpose and could result in interested citizens being unable to run for office due to landlords refusing to sign affidavits, or otherwise providing proof of residence for their tenants. This disenfranchises renters and puts them at the mercy of their landlords to determine whether they can run for office.

This policy already requires candidates to provide state issued ID to prove their residency status, renters should not be beholden to the whims of their landlord to run for public office. Requiring a landlord to essentially give permission to a resident to run for office is dangerous in itself, but i would like to know if the policy can be revised to exclude the above section so that landlords at least would not be dissuaded from providing proof of residence based on a fear of audit by the town.

Thank you very much

Alex Golden

From: [Alfred Twu](#)
To: [City Clerk Dept](#)
Subject: Public Comments - Agenda item I-1. ADOPT a City Council District Residency Policy
Date: Monday, October 19, 2020 12:11:04 AM

Vote No on Item I-1. The requirement for some renters to get a signed affidavit from their landlord in order to run for office, as well as the reporting of the status of their apartment's registration, is excessive (no other city does this) and is likely to discourage tenants from running for office.

It is also unclear how someone who is living in a vehicle or on the streets would be able to prove residency, despite having the right to run for office.

Around half of Richmond rents - it's time to drop this politically motivated and discriminatory proposal.

Thanks
Alfred Twu

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~ ~ ~ ~ ~

From: [Andrea Mullarkey](#)
To: [City Clerk Dept](#)
Subject: Public Comments - Agenda item I-1. ADOPT a City Council District Residency Policy
Date: Monday, October 19, 2020 4:58:42 PM

My name is Andrea Mullarkey. I am a Richmond home-owner and an SEIU 1021 member. I am urging you to vote NO on Item I-1.

I am disappointed that I have to take time during this incredibly important electoral season to address you about this item. I am, frankly, appalled that you are even considering a proposal that would require a signed affidavit from a landlord before renters may run for office. I am even more appalled that you are considering a proposal that calls for an investigation of the landlord when a renter runs for office. The chilling effect of such a proposal will not only make it harder for civically engaged renters to run for office, it may even make it harder for civically engaged renters to get housing! I can see no reasonable explanation for why a landlord should have any say in whether their tenant can run for office. Already it is very difficult for working people to run for office, balancing their work life, family life and civic life. This proposal would increase the structural barriers for people who rent their homes. That's half the population of Richmond who would be disenfranchised by this proposal! And it is the half of Richmond that is disproportionately black, brown, indigenous, and immigrant. These are segments of the population that have suffered systemic racism and exclusionary policies over generations. We should be tearing down these obstacles, not building new ones! As a white, home-owning Richmonder, this policy would not impact *my* ability to run for office. But it will affect many other people's and that disparity is exactly the problem with it. Please vote NO on Item I-1.

Thank you.

From: [Annie Koruga](#)
To: [City Clerk Dept](#)
Subject: Public Comment— Agenda item I-1. ADOPT a City Council District Residency Policy
Date: Sunday, October 18, 2020 2:05:41 PM

My name is Annie. As someone whose family does not own a home, I am urging you to vote no on item I-1. This policy discriminatory against renters, who make up a significant amount of Richmond residents. City council is intended to represent all residents and placing additional hurdles in the way of certain groups is morally repugnant. Specifically, making it harder for renters to run for city council discriminates against working class people, and is frankly classist. Again, I urge a no vote. They eyes of Richmond are on you.

On Sun, Oct 18, 2020 at 2:02 PM Annie Koruga <annie.koruga@gmail.com> wrote:
My name is Annie. As someone whose family does not own a home, I am urging you to vote no on item I-1. This policy discriminatory against renters, who make up a significant amount of Richmond residents. City council is intended to represent all residents and placing additional hurdles in the way of certain groups is morally repugnant. Specifically, making it harder for renters to run for city council discriminates against working class people, and is frankly classist. Again, I urge a no vote. They eyes of Richmond are on you.

From: [Cecilia Lucas](#)
To: [City Clerk Dept](#)
Subject: Public Comments - Agenda item I-1. ADOPT a City Council District Residency Policy
Date: Monday, October 19, 2020 9:50:54 AM

My name is Cecilia Cissell Lucas. I am a resident of Richmond, and on faculty at UC Berkeley.

I am appalled to have to be writing to comment on this issue, as it is such a basic infringement on democracy. But perhaps Trumpism is even more contagious than I realized.

Tom Butt's attempt to descriminate against and disenfranchise renters is despicable. And let's be clear: descrimination and disenfranchisement is what the IMPACT of this legislation will be, even if he claims this is not the intent. Obviously, this will disproportionately impact lower-income people, young people, Black people, people of color, and disabled people, given who is more likely to rent versus own their residence.

It is disappointing that the mayor of a city would employ such undemocratic tactics because he is so threatened by the popular support the community has for Melvin Willis and Najari Smith, two young Black candidates for city council. And, as if this devious legislation were not enough, he even got the fire department union involved, resulting in a request that the two candidates be criminally investigated. This resorting to criminalization is textbook white supremacy.

Making up your minds about something this undemocratic, classist, racist, ableist and ageist should be a no brainer and completely uncontroversial: Vote NO on Item I-1.

From: [Chris Sheridan](#)
To: [City Clerk Dept](#)
Cc: [Tom Butt - external](#); [Nat Bates](#); [Ben Choi](#); [Demnlus Johnson](#); eduardo_martinez@ci.richmondca.us; [Jael Myrick](#); [Melvin Willis](#)
Subject: Public Comments - Agenda item I-1. ADOPT a City Council District Residency Policy
Date: Tuesday, October 20, 2020 10:11:11 AM

I strongly urge members of the City Council to vote no on Item I-1 this Tuesday, and to denounce Mayor Butt's attempt to disenfranchise Richmond renters.

Don't get me wrong, I DO want to make sure that only Richmond residents run for City Council.

I feel we can find non-discriminatory ways to do that.

I feel we don't need to give a wealthy minority of Richmond residents gatekeeping power over other Richmond residents city council aspirations.

Item I-1, if passed, would alter the power dynamic between landlord and renter in harmful ways. As Richmond residents we need to always remember historic generational disadvantages and environmental racism suffered by minorities in Richmond, so when a proposal is introduced which will bring us backward is introduced, it needs to be quashed.

When this proposal is put in context with the Mayors' recent enlistment a law firm from a matchbook to tarnish two upstanding Richmond city council candidates is at a minimum cringeworthy. Can't we please evolve past these dirty tricks and just start treating all Richmond residents as full equals whether they rent, owner occupy or landlord?

Best Regards,

Chris Sheridan

Richmond CA

From: [David Stevens](#)
To: [City Clerk Dept](#)
Subject: Agenda Item I-1
Date: Sunday, October 18, 2020 12:38:03 PM

The proposed policy calls for any candidate who is a renter to have the City Manager to report that the property is in compliance with all rental regulations. If the candidate is a homeowner the measure should also call for the City Manager to report the the homeowner's property is in compliance with all building and property requirements.

David Stevens
Richmond Resident

From: [Deborah Hoffman-Wade](#)
To: [City Clerk Dept](#)
Subject: Public Comments - Agenda item I-1. ADOPT a City Council District Residency Policy
Date: Tuesday, October 20, 2020 12:01:49 PM

Please vote no on Item I-1 this Tuesday, and to denounce Mayor Butt's politically motivated attempt to disenfranchise Richmond renters. Do not enact Jim Crow laws in Richmond. As a former Housing Commissioner I am appalled at this proposal. If renters need to get landlord approval then homeowners must get approval from their mortgage holders.

PLEASE VOTE NO.

Deborah Hoffman-Wade
3400 Richmond Parkway, #3406
Richmond, CA 94806
510-932-1590

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"Time and trouble will tame an advanced young woman, but an advanced old woman is uncontrollable by any earthly force." Dorothy L. Sayers

"If you have any opinions at all or if you're even remotely verbal then they're going to call you fiery." Shirley Manson

From: [Debbie Perkins](#)
To: [City Clerk Dept](#)
Subject: Public Comments - Agenda item I-1. ADOPT a City Council District Residency Policy
Date: Tuesday, October 20, 2020 11:36:43 AM

As a citizen of the East Bay in the San Francisco Bay Area, I was appalled to hear that something as backwards thinking could be taking place in the city of Richmond.

Passage of Item I-1 Disenfranchises a huge portion of the population and harkens back to the 1700s when women and minorites were considered non entities and had no rights.

This kind of measure has not business being part of our 21st century world.

Item I-1 should be struck down and the mayor and his cohorts should be ashamed of themselves for having any part of such an effort. Renters should have equal rights to engage in City, County and all governance!!

NO on Item I-1

Deborah Perkins-Kalama
resident of Albany

but this affects ALL OF US.

As we say in the nursing world: YOU TAKE ON ONE OF US; YOU TAKE ON ALL OF US.

NO ON ITEM I-1



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From: [Derek Cole](#)
To: [City Clerk Dept](#)
Subject: Public Comment. Agenda item I-1
Date: Tuesday, October 20, 2020 11:16:08 AM

Dear Mayor, Council Members and Staff,

Thank you for your time this evening. I am a member and Assistant Business Manager of the International Brotherhood of Electrical Workers Local 302 serving Contra Costa County and I am in strong support of Mayor Butt's proposal under agenda item I-1. Its rather unfortunate to see candidates pull this "district jump" at all let alone so close to the election. I would love to see this issue addressed and really tighten up the requirements to run in a particular district. I feel the residents in Districts 1 and 5 will not be properly represented during this election. Let us see some legal proof that they actually live in the districts they are running in.

Sincerely,

Derek Cole Sr.

Assistant Business Manager
IBEW Local 302

1875 Arnold Drive
Martinez, CA 94553
PH: (925) 228-2302
Fax: (925) 228-0764

www.ibewlu302.com

www.norcal-jatc.com

www.norcalvdv.org



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(650) 574-4239, and delete all copies of this communication, including attachments, without reading them or saving them to disk. Thank you.

From: [Diana Wear](#)
To: [Tom Butt - external](#); [Nat Bates](#); [Demnlus Johnson](#); [Ben Choi](#); [Jael Myrick](#); [Eduardo Martinez](#); [Melvin Willis](#); [City Clerk Dept](#)
Subject: Public Comment—Agenda Item I-1
Date: Monday, October 19, 2020 5:02:53 PM

Dear Mayor and City Council,

I urge you to vote no on item I-1 on Tuesday, October 20, 2020. This very idea must be denounced in the name of prejudice and disenfranchisement of Richmond renters.

I was a renter for four decades, two of them in Richmond, and I should have had every right to run for office in the City where I resided without undue explanation or pressure.

Running for office should not be dependent on one's financial status, nor should it hinge on a landlord being willing to give any kind of affidavit. This is absurd as well as undemocratic.

Respectfully,

Diana Wear
Commissioner, EDC
Richmond resident

From: cubanela@sbcglobal.net
To: [City Clerk Dept](#)
Cc: [Tom Butt - external](#); [Nat Bates](#); [Ben Choi](#); [Demnlus Johnson](#); [Eduardo Martinez](#); [Jael Myrick](#); [Melvin Willis](#)
Subject: Public Comment - Open Forum
Date: Sunday, October 18, 2020 8:05:18 PM

I apologize for forgetting to identify myself on my original "Public Comment - Open Forum" email.

Elsa Stevens, Richmond voter

60% of Black/African American and 63% of Hispanic households in Richmond are renters compared to only 36% of White households. Though the proposed policy makes no explicit mention of race, the heightened burden imposed upon renters to verify residency will have a disparate impact on households identifying as Black/African-American or Hispanic.

Let's not pass ordinances that are blatantly racist/elitist attempts at CANDIDATE SUPPRESSION. Richmond voters deserve clean elections free from baseless Trumpish "LOCK HER UP" accusations hurled at Richmond's finest citizen- statesman and statesman-to-be.

From: [Ethan Gardner](#)
To: [City Clerk Dept](#)
Subject: Public Comments - Agenda item I-1. ADOPT a City Council District Residency Policy
Date: Sunday, October 18, 2020 8:49:31 PM

Hello,

I'm writing in opposition to item I-1. Requiring candidates for political office to prove their residency through an overly burdensome process, one which their landlord could use to prevent them from running, is a positively feudal plan. Given the history of racial discrimination in mortgage lending, it's also de facto profoundly racist. I'd like to encourage all members of the city council to vote no, and for Mayor Butt to strongly reconsider holding office ever again.

Thank you,
Ethan Gardner

From: [Glenn Moniz](#)
To: [City Clerk Dept](#)
Subject: Item 1-1 the c c needs to vote no on this nonsense butt head is proposing p.s start looking at fires budget all of them are overpaid
Date: Monday, October 19, 2020 6:39:04 PM

Sent from my iPhone

From: [ina_mason](#)
To: [Tom Butt - external](#); [Nat Bates](#); [Ben Choi](#); [Demnlus Johnson](#); [Eduardo Martinez](#); [Jael Myrick](#); [Melvin Willis](#); [City Clerk Dept](#)
Subject: Public Comments - Agenda item I-1. ADOPT a City Council District Residency Policy
Date: Monday, October 19, 2020 8:16:08 PM

Hello all,
I'm telling / asking you to **VOTE NO** ON Item I-1 this Tuesday, and to **denounce Mayor Butt's** politically motivated attempt to disenfranchise Richmond renters:

Ina,

ALL BLACK LIVES MATTER,

From: [Isabel Storey](#)
To: [City Clerk Dept](#)
Subject: Public Comments - Agenda item I-1. ADOPT a City Council District Residency Policy
Date: Sunday, October 18, 2020 11:23:55 AM

Dear Mayor and City Councilmembers,

I urge you to vote no on Item I-1 this Tuesday, and to denounce Mayor Butt's politically motivated attempt to disenfranchise Richmond renters.

Sincerely,
Isabel Storey

From: [Jeannette Kortz](#)
To: [Ben Choi](#); [Demnlus Johnson](#); [Jael Myrick](#); [Nat Bates](#); [Eduardo Martinez](#); [Melvin Willis](#)
Cc: [City Clerk Dept](#)
Subject: Agenda Item I-1
Date: Sunday, October 18, 2020 2:57:26 PM

Dear Richmond City Council,

I urge you to vote against this agenda item. It is discriminatory against renters who cannot afford to buy a home. It is racist in that a large majority of renters in Richmond are low income people of color.

If Item I-1 passes this coming Tuesday, some renters will need a signed affidavit from their landlord to be allowed to run for Richmond City Council. Any time a renter runs for office, there will be an automatic investigation of their landlord by the City Attorney, making it less likely the landlord will cooperate.

Renters, who make up 50% of our city, will have a wall put up against them if they want to run for office. This makes the landlord the only opening in that wall for their tenant to run for office. The landlords will ultimately decide who runs and who does not.

I urge you to vote no on this discriminatory item. You are men of color. Work for your constituents, not the man who holds the gavel at the council meetings. Do the right thing.

Thank you for your time,

Jeanne Kortz
Richmond Resident

From: [Cici Hyde](#)
To: [City Clerk Dept](#)
Subject: Public Comments - Agenda item I-1. ADOPT a City Council District Residency Policy
Date: Sunday, October 18, 2020 10:36:30 PM

As a Richmond resident, who has been a home owner and now a renter, I was angered to read about this grossly unfair and discriminatory attempt to try to make it difficult for renters to run for office. The majority of Richmond residents are renters, and to require them to get an affidavit signed by their landlord, who will then be investigated, in order to run for public office is an outrageous power grab. This is not the first bad thing I have read about Mayor Butt, who I feel I was tricked into voting for, since he seems to be selling Richmond out to developers who do not have the city residents best interests at heart. I read that this is an attack against Melvin Willis and Najari Smith, two Richmond City Council candidates that Mayor Butt has been campaigning against. Melvin and Najari are both long-time renters in Richmond, and are also the only two young, black men running for City Council this year, attempting to criminalize two young black men who have dedicated their lives to improving this community and 2) change the law to make it hard for people like them (renters, young people, people of color, low-income families) to hold office in the future. In my opinion we need more people like to represent us on Richmond City Council.

I am sharing this information with other Richmond neighbors.

An emphatic NO on item I-1!

Jennifer Hyde

1621 San Joaquin St

Richmond CA 94804

From: [judy herrmann](mailto:judy.herrmann)
To: [City Clerk Dept](#)
Subject: I-1
Date: Monday, October 19, 2020 3:26:04 PM

From: judy herrmann <jhappywolf@gmail.com>
Subject: Public Comments – Open Forum
Date: October 18, 2020 at 5:30:55 PM PDT
To: cityclerkdept@ci.richmond.ca.us

mayor butt's politically motivated attempt to disenfranchise renters in richmond is outrageous.

what gives a homeowner the right to decide what's right for renters? we need a mix on the city council - a group of people who stand for ALL people who want to run for office.

cannot understand why you would even consider it and i find it scary. this sounds like a trump-like thing to do.

shaking my head with disgust at the right-wing turn our city council has made.

judy herrmann
hilltop village
richmond 94806

From: [julianna dickey](#)
To: cityclerkdept@ci.richmond.ca.us
Subject: Public Comments - Agenda item I-1 Adopt a City Council District Resiliency Plan
Date: Monday, October 19, 2020 10:58:10 AM

Please vote "NO" on item I-1 which seems to be an attempt to discriminate against renters, and in particular people of color.

Thank you.

Juli Dickey

From: [Malaika Gray](#)
To: [City Clerk Dept](#)
Subject: Public Comments - Agenda item I-1. regarding City Council District Residency Policy
Date: Monday, October 19, 2020 10:53:19 AM

Hello,

We urge all Councilmembers to vote NO on item I-1.

If Item I-1 passes, *some renters will need a signed affidavit from their landlord* to be allowed to run for City Council. On top of that, anytime a renter runs for office, there will be an *automatic investigation of their landlord* by the City Attorney, making it even less likely a landlord will cooperate. Renters, who are already less likely to run for office, will have another huge barrier, and landlords will get to block people from running for office. This is a shameful attempt by Mayor Butt, and we all know who he intends to keep out of City Council.

Sincerely,

Malaika Gray and John Kaiser

(Richmond residents)



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From: [Margaret Child](#)
To: [City Clerk Dept](#)
Subject: Public Comments - Agenda item I-1. ADOPT a City Council District Residency Policy
Date: Monday, October 19, 2020 6:46:16 PM

To Richmond City Council,

My name is Margret Child and I have lived in the Richmond Annex for 20+ years.

I'm writing to ask the city council members to vote 'NO' on the mayor's agenda item I-1.

Anyone wanting to run for office should be allowed to do so without having to involve a landlord, or anyone else, in the process.

Any identification that is accepted by the DMV should be good enough to demonstrate that a person lives where they say they live – ie any kind of utility bill, a valid drivers' license, etc.

A policy like this would not only increase city government control where it is unnecessary and not wanted.

It would also put a roadblock in the way of ordinary people who want to run for office.

I think we should be encouraging people to get involved in politics, not making it harder for them.

Thank you

M Child

From: [Marie Maniscalco](#)
To: [City Clerk Dept](#); [Tom Butt - external](#); [Nat Bates](#); [Ben Choi](#); [Demnlus Johnson](#); [Eduardo Martinez](#); [Jael Myrick](#); [Melvin Willis](#)
Subject: Public Comments - Agenda item I-1. ADOPT a City Council District Residency Policy
Date: Monday, October 19, 2020 5:37:24 PM

To whom it may concern:

I am writing this email to urge a NO vote on item I-1. This item disenfranchises renters, creating truly unnecessary hoops to jump through for folks who already have been disenfranchised including young, low income folks, and Black members of your community. I hope the City Council holds inclusion, equity, and accessibility to city government as top priority, as demonstrated by a NO vote on item I-1.

Thank you,

Marie Maniscalco
Assistant Project Manager, Real Estate Development

East Bay Asian Local Development Corporation
1825 San Pablo Ave., Suite 200, Oakland, CA 94612
CELL (415) 866-0990
EMAIL mmaniscalco@ebaldc.org



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From: [Marshall Lewis](#)
To: [City Clerk Dept](#)
Subject: Public Comments - Agenda item I-1. ADOPT a City Council District Residency Policy
Date: Monday, October 19, 2020 7:32:39 AM

Hello,

One of the foundational principles of American democracy is that, if you don't like an elected official, you can remove them by voting them out of office. The proper avenue for political disagreements is the ballot box. The proposed ordinance is contrary to that basic principle, because it represents an attempt to remove a councilmember through legislation rather than through the will of the voters.

The ordinance presents itself as an attempt to verify that council members live in the district they represent, but it goes significantly beyond that by giving landlords the ability to veto their tenants' membership on city council by refusing to sign an affidavit confirming that they reside in the property they rent. It also discourages certain landlords from signing that affidavit, because receipt of the affidavit would trigger an investigation by the city clerk into the landlord's business practices (e.g. whether they have a business license). If a landlord is not in compliance with city requirements for operating a rental unit, they can avoid that investigation by refusing to sign the affidavit. In that situation, the council member would be removed from council because of someone else's wrongdoing. That is neither just, nor consistent with the basic principles of American democracy.

Per the following post on Mayor Butt's website, which I understand was also emailed to a number of people, Mayor Butt is familiar with the letter that was sent to the Contra Costa District Attorney and the Richmond City Clerk alleging certain irregularities in the residency status of Councilmember Melvin Willis and city council candidate Najari Smith:

<http://www.tombutt.com/forum/2020/20-10-7.html>

Among other things, that letter alleged that "the owner of the address claimed by Councilperson Willis does not possess a Richmond business license required to operate a rental unit." Given the aforementioned issues with the ordinance and landlords that lack business licenses, and Mayor Butt's documented knowledge of the possibility that Councilmember Willis's landlord lacks a business license, it is difficult to interpret the proposed ordinance as anything other than an attempt to remove Councilmember Willis from the city council based on his landlord's failure to obtain a business license.

This is appalling. If Mayor Butt doesn't want Councilmember Willis to remain on council, he is welcome to support his opponent in the upcoming election. If the voters decide that Councilmember Willis should remain in office, then Mayor Butt needs to respect that decision. His attempt to preemptively circumvent the will of the voters is a shameful attack on Richmond's democratic institutions.

I urge City Council to unanimously reject the proposed ordinance, and to censure Mayor Butt for even contemplating it in the first place.

The views expressed in this letter are my own, and do not represent any organization I am a part of.

Thank you,

Marshall Lewis
Political Director, Contra Costa Young Democrats
Central Committee Member, Democratic Party of Contra Costa County
Delegate, California Democratic Party

From: [Michelle Puckett](#)
To: [City Clerk Dept](#)
Subject: Public Comments - Agenda item I-1. ADOPT a City Council District Residency Policy
Date: Monday, October 19, 2020 10:48:57 AM

Council Members,

I am writing to urge you to vote against I-1 this Tuesday. It would be a travesty to put up more barriers to holding public office in Richmond, a city that is home to a great many wonderful, competent, intelligent renters. This item would disenfranchise people of color and working class and low income residents. It's a shameful attempt to consolidate power for the wealthier and whiter among us. As a white Richmond homeowner, I stand in solidarity with folks on the margins by denouncing item I-1. Vote no!

Respectfully,
Michelle Puckett
33 W. Bissell Ave
Richmond CA 94801

From: narvold@sunset.net
To: [City Clerk Dept](#)
Subject: Agenda item I-1. ADOPT a City Council District Residency Policy
Date: Monday, October 19, 2020 9:16:40 PM

Please include my message in the public comments section of the meeting tomorrow Tuesday 10/20.

My message is –

VOTE NO ON Agenda Item L1 – the “Adopt a City Council District Residency Policy

DO NOT SUPPORT Agenda Item L1 – it is a travesty to imagine requiring renters to show special documentation of where they live to run for city council. This is clearly a ploy by Butt to limit the participation of younger members of our community- a new version of Jim Crow – and particularly to prevent Mel Willis and Najari Smith from running for council. Shame on Butt – he is getting more and more regressive in his mayoral practices and ideas.

A concerned Richmond resident,
Dr. Nancy Arvold,
Atchison Village

From: [Nick Mattos](#)
To: [City Clerk Dept](#)
Subject: Public Comments - Agenda item I-1. ADOPT a City Council District Residency Policy
Date: Monday, October 19, 2020 12:52:10 AM

I'm writing in opposition to item I-1. Requiring candidates for political office to prove their residency through an overly burdensome process, one which their landlord could use to prevent them from running, adds an unfair disadvantage to the half of Richmond's residents who are renters. Given the history of racial discrimination in mortgage lending, it's also de facto profoundly racist. The United States has a long, shameful history of disenfranchising people of color and poor people, continuing to this day. By making it hard for renters to run for office, Mayor Butt's policy fits squarely into this pattern of racism and discrimination.

I strongly encourage all members of the city council to vote no and to speak out against Mayor Butt's racist and undemocratic action in raising this proposal.

— Nick Mattos

From: [Ray Wendell](#)
To: [City Clerk Dept](#)
Subject: Public Comments - Agenda item I-1. ADOPT a City Council District Residency Policy
Date: Monday, October 19, 2020 2:29:45 PM

Comment on Agenda item I-1

My name is Raymond Wendell. I am a Richmond resident and practicing attorney, and I don't support Item I-1 (ADOPT a City Council District Residency Policy). The proposal makes it harder for renters to serve on City Council as compared with property owners. There are three parts of the proposal that are especially problematic in this regard:

- It would require some renters to get a signed affidavit from their landlord to prove their residency. Landlords have no reason to cooperate with these requests.
- It would initiate an automatic investigation of rental properties where City Council candidates reside. What is the purpose of this? It seems like it would just deter renters from running for office for fear of retaliation.
- It would require a utility bill in the candidate's name. This requirement is redundant of all the others, and renters are less likely than property owners to have utilities in their own names.

Property owners are disproportionately white, wealthy, and middle-aged. City Council's demographics should reflect those of all Richmond residents, not just the most privileged.

I find it particularly distasteful that the proposal seems to imply its purpose is to comply with the National and/or California Voting Rights Act. These laws are supposed to ensure that communities of color can elect their preferred representatives to all levels of public office. I understand that transitioning to district elections serves this purpose, but Item I-1 works against it.

It doesn't strike me that there is a real problem with City Council candidates using fake addresses. But if this proposal is truly necessary, please consider amending it to require just the second and fourth types of proof (a driver's license/auto registration/other identification showing the candidate's current address and an affidavit signed by the candidate). Those two items do plenty to ensure that candidates actually live in the districts they seek to represent, without making it harder for certain constituencies to gain representation on City Council.

From: [Ronan Potage](#)
To: [City Clerk Dept](#)
Subject: Public Comments - Agenda item I-1. ADOPT a City Council District Residency Policy
Date: Sunday, October 18, 2020 10:55:55 PM

The Section III-1 of the Verification of residency policy proposal sounds really out of bounds and will definitely favor home owners over renters, as what is presented as mandatory for candidates that are renter (affidavit signature from the landlord) will be a huge deterrent to run for office as landlord will most like refuse to get involved.

Ronan

From: [Ronnie Boyd](#)
To: [City Clerk Dept](#)
Subject: Public Comments - Agenda item I-1. ADOPT a City Council District Residency Policy
Date: Monday, October 19, 2020 10:34:21 AM

Dear City Council,

I'm writing to you to urge you to vote no on Item I-1. This will in essence disenfranchise Richmond renters and keep them from running for office. Mayor Butts is only proposing Item I-1 as a politically motivated attempt to keep Melvin Willis and Nagari Smith out of the race.

If Item I-1 passes on Tuesday, *some renters will need a signed affidavit from their landlord* to be allowed to run for City Council in Richmond. On top of that, anytime a renter runs for office, there will be an *automatic investigation of their landlord* by the City Attorney, making it even less likely a landlord will cooperate. Renters, who make up 50% of our city, will have a huge barrier to running for office, and landlords will become the gatekeepers deciding who does and does not get to run.

The United States has a long, shameful history of disenfranchising people of color and poor people, continuing to this day. By making it hard for renters to run for office, Butt's policy fits squarely into that.

--

Ronnie Boyd | Community Faith and Justice Organizer
East Bay Housing Organizations
773-573-7991 (cell) | ronnie@ebho.org
538 9th St. Suite 200 | Oakland, CA 94607
Pronouns: She/Her/Hers/Ella

From: [Sara Sunstein](#)
To: [City Clerk Dept](#); [Nat Bates](#); [Jael Myrick](#); [Demnlus Johnson](#); [Melvin Willis](#); [Tom Butt - external](#); [Eduardo Martinez](#); [Ben Choi](#)
Subject: Public Comments Agenda Item #1-1
Date: Tuesday, October 20, 2020 12:54:34 PM

RE: Mayor Butt's proposal to prove district residency for those running for public office.

The policy's 4 requirements are both overkill and imply "renters' and those who don't drive, don't bother running."

Whenever I've had to establish my residency for a loan, pandemic food stamps, or any other reason, I've been required to show my CDL and maybe one other item, such as a PG&E bill. I've never been required to show my lease or mortgage statement, nor sign an affidavit re: where I live.

Some potential candidates might not have a driver's license or a state ID. They're not required to by law, and hopefully never will be. Moreover, sometimes the state photo ID of whichever sort will have PO Box address, not the residence, on it.

Some renters who want to run for office won't have both an approachable landlord and a lease. Maybe a wanna-be candidate lives in a non-registered unit, without a lease, but the rent is low. That landlord is not going to agree to the city clerk's checking him out with the rent board! Are renters now responsible for their landlord's compliance with the law?

Additionally, a renter may live in a situation with others where the utilities aren't in their name.

There are so many reasons a potential candidate for city council might not be able to meet all 4 requirements in this proposed ordinance. Do not require interested candidates, especially renters and non-drivers, i.e. working class people, to jump through hoops to participate in our democratic process, to contribute to the city with their time, energy, viewpoints, and know-how.

Just level the playing field—Require only a sworn affidavit, done at City Hall, free of charge. If a candidate turns out to have lied, then perjury laws apply. Period.

Respectfully submitted,
Sara Sunstein
5th District (do you want me to prove it in order to comment?)

From: [Sue Wilson](#)
To: [City Clerk Dept](#)
Subject: Open Forum if agenda item I-1 is removed from agenda
Date: Saturday, October 17, 2020 11:42:23 PM

If Tom Butt gets his way, *some renters will need a signed affidavit from their landlord* to be allowed to run for City Council in Richmond. On top of that, anytime a renter runs for office, there will be an *automatic investigation of their landlord* by the City Attorney, making it even less likely a landlord will cooperate. Renters, who make up 50% of our city, will have a huge barrier to running for office, and landlords will become the gatekeepers deciding who does and does not get to run.

The United States has a long, shameful history of disenfranchising people of color and poor people, continuing to this day. By making it hard for renters to run for office, Butt's policy fits squarely into that.

This proposal is part of a politically motivated attack against Melvin Willis and Najari Smith, two Richmond City Council candidates that Butt has been campaigning against. Melvin and Najari are both long-time renters in Richmond, and are also the only two young, black men running for City Council this year. Before even bringing it to the City Council and the public, Butt shared his proposal with the fire department union, who included it in a bogus complaint letter they sent to the City Clerk and District Attorney *asking for a criminal investigation against Najari and Melvin*.

This is embarrassing for Richmond. Please shut it down quickly on Tuesday. Thanks for reading.

--Sue Wilson
Richmond Annex

From: [TARNEL ABBOTT](#)
To: [City Clerk Dept](#)
Subject: Public Comments Agenda item I-1. ADOPT a City Council District Residency Policy
Date: Tuesday, October 20, 2020 9:55:40 AM

Agenda item I-1. ADOPT a City Council District Residency Policy

SEIU Local 1021 opposes this legislation that would make it harder for renters to run for office in Richmond. Specifically the legislation requires that a tenant get a signed affidavit from the landlord. It also requires an automatic investigation of the landlord by the city attorney, making it even less likely that the landlord will cooperate. Renters who make up 50 percent of Richmond will have a huge barrier to running for office making the landlords possible gatekeepers deciding who gets to and does not get to run. The timing of this, right before the election makes it clear that this is a politically motivated attempt on the part of the mayor to try and cast doubt on the qualifications of two city council candidates: Melvin Willis and Najari Smith who are renters. Richmond already has a residency policy that is in alignment with most other local jurisdictions as evidenced in the attachment "survey". This legislation will disenfranchise renters. Vote no on I1.

On behalf of Contra Costa COPE SEIU1021,
Tarnel Abbott COPE Delegate

Resubmitted for Closed Session RE: Terminal 3 10-20-20

June 2, 2020

Dear Members of the Council,

RE: Public Comments - Closed Session – Please inform the public on the competitive process for Terminal 3 and 4

This letter is in regard to the Closed Session negotiations on Richmond Terminal 3, Partners (Bobby Winston, Orton Development and Tom Lockard), and Port of Richmond (Terminal 4) Nematode Holdings, LLC/dba Bay Crossings (Bobby Winston-Owner).

Before further negotiation on terms for Terminals 3 and 4 please first fully inform Richmond residents about the following:

- 1. The City's objectives and plans for the operation or sale of these major city assets, Terminal 3 and 4, and how the public can be informed of these objectives and plans.**
- 2. What standard competitive practices been used leading up to the negotiations on the lease or purchase of these properties – including the request for qualifications, the set of specifications, how City staff actively recruited many potential businesses, and the bidding process to select a business that would return the highest and best use to the City on Terminal 3 and 4?**

Currently there is no evident information on these projects on the Richmond Port or Planning Department web pages, two sites that would normally inform the public of any plans for these major public properties. At a time when this City budget requires the maximum and best return on the rental or sale of city properties, the public needs to be fully informed about the City's transparent, competitive process and how staff is able to handle lease or sale of major city assets. Below are past examples of what appeared to be a non-standard process from the management of two major shoreline properties (they happen to involve the same businesses) that suggest the need to describe the City's current process for Terminal 3 and 4.

Non-standard process – licensing of Pt. Molate Winehaven buildings

You may recall that Nematode holdings was initially granted rights to use City property at Pt. Molate without any public process. Members of the Pt. Molate Community Advisory Committee (PMCAC) later called out a situation when sublets were being made by Nematode without any lease or sub-lease agreement with the City.

This arrangement was rationalized as Nematode simply doing a favor to the City. However, it clearly became a business relationship when a major construction equipment rental proposal subsequently came to the City for use of laydown space at Pt. Molate. Nematode was effectively given sole source rights to manage and charge overhead on the company's rental of City land (note: the City has a property manager position). This proposal was brought to the Committee. Some members were telephoned ahead of time by a Council member. The Committee believed that the City could manage

and retain all income without losing the high, over 20% overhead, Nematode proposed to receive from this \$10K per month rental contract. The PMCAC recommended to the City Council that the City instead manage the contract directly.

The Committee also subsequently recommended that the City put out a Request for Proposals for a licensed property manager since estimates developed by an experienced member of the Committee indicated that the City could potentially receive far more income from the temporary rental of space at Pt. Molate by hiring a licensed property management company using a competitive bid process.

As you know, the Pt. Molate Community Advisory Committee was discontinued after the appointing authority subsequently did not reappoint any of the citizens who volunteered to advise the Council on this complex property (a summary of the Committee's work during that time is available). To my knowledge, no follow up was made for a professional property management firm for Pt. Molate. Since there is now no citizen oversight committee to advise the City on city properties at Pt. Molate, the public needs to be fully appraised about the City's transparent, competitive staff process for handling lease or sale of major properties there, such as Terminal 4.

Non-standard process – business with fore-knowledge of Pt. Molate settlement agreement

Please recall that in the City-Upstream Settlement agreement, a council member volunteered publicly during Council that he had been approached by Orton development about the details of the closed session settlement agreement with Upstream. In sharing this with the public, the Council member expressed concern that a private business had access to discussions being held in closed session discussion. This is a large, and desirable shoreline public property. Clearly, businesses with the opportunity to benefit should not be given access nor have the opportunity to influence or receive privileged information from the City's closed session negotiations. Subsequently, the Council member asked if other Council members had also been approached by Orton development. All but one Council member responded. Despite this disclosure, this business is associated with the SunCal/Winehaven L.L.C. project that has been given an exclusive right to negotiate for development of Pt. Molate.

These reports come from direct observations and reports from public meetings. If there are any misunderstandings or new information, please let me know, but they raise a need to advise residents about the City's current process on the lease or sale of major city assets to the maximum benefit of residents.

Before proceeding with further negotiations with these major city shoreline properties, please ask staff provide the public with full information at a Council meeting on the City's process including the request for qualifications, a set of specifications, active staff recruitment of businesses, and public bidding process that would allow selection from all possible competitive vendors for uses of these valuable public assets, Terminal 3 and 4.

Thank you,

Jim Hanson, past Chair, Pt. Molate Community Advisory Committee (2017)

From: [Demetria Saunders](#)
To: [City Clerk Dept](#)
Subject: RE: 1) public comments – Open Session prior to Closed Session; 2) public comments – Open Forum;
Date: Tuesday, October 20, 2020 9:57:37 PM

Good Evening,

I was on the zoom call today prior to 5:30 and my hand was not acknowledged. I would like for this email to be added to the next city council meeting in open forum time.

Good Even Councilmembers.

My name is Demetria Saunders I am a resident of the city of Richmond and have been for several years. In Parchester Village on the back street of Jenkins way behind the homes there is extreme overgrowth of vegetation. Michelle Miliam has been extremely instrumental in helping me to make contact to have the vegetation removed by United Pacific. I contacted them several times and informed them of the overgrowth via phone and email with NO response. I don't know if you are aware but a fire took place this past Sunday 10/18/2020 behind the homes near the tracks in Parchester Village. Thanks to our amazing Fireman of Richmond they were able to hold back and distinguish the fires with out us having any loss.

The responsibility of this upkeep may not fully fall on our City Council but if our houses are lost it will be a loss for the city. It would be greatly appreciated if the Council would help support the extremely out of control vegetation be taken care by those responsible.

Thank you in advance for your support

Demetria Saunders

510 241 7244

From: [Joe Summers](#)
To: [City Clerk Dept](#)
Subject: public comments – Open Forum
Date: Tuesday, October 20, 2020 5:42:08 PM

"COVID-19 is on the rise, people are being evicted from their homes and wondering where their next meal will come from. Instead of working on these issue that matter to working people, the Richmond City Council is considering changes to make it harder for residents to run for office. We should always encourage civic participation. Vote this measure down and continue to focus on the real work. There is a time and a place for election reform and it's not two weeks before an election."

Josh Anijar,
Executive Director
Contra Costa Labor Council

From: [Brandy Khansouvang](#)
To: [City Clerk Dept](#)
Subject: Public Comment on the agenda idea H-1
Date: Tuesday, October 20, 2020 6:04:40 PM

My name is Brandy Khansouvang I am a Crescent Park resident in Richmond and I am speaking in support of item H-1 the ordinance on Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs). I am requesting that a few changes get included to the ordinance to strengthen a community project that I am a part of. I believe that the City is moving in the right direction by both updating the ordinance to comply with state standards and addressing the need of increasing housing development in our city.

I am also helping the people of Richmond figure out how to build affordable ADU's in the Building Power Fellow with Richmond LAND. I want to help low-income residents in Richmond like myself find an affordable place to live. That is why I am working on storytelling around resident displacement and migration to Richmond. My storytelling helps show how people are struggling with housing issues in Richmond. In order for that change ADU's have to be able to be built. I am excited to see the process of ADU's being built to help families that need a place to live.

I am requesting that the following changes be made to the city's amended ADU/JADU ordinance:

-

An accessory dwelling unit shall not be sold separately from the primary dwelling unit *unless sold to a land trust or nonprofit housing provider.*

We strongly urge that the city include this amendment to the Deed Restriction provision in the General Requirements Section of Attachment 1

The changes to the ordinance matter to me because it will allow us to build ADU's for low-income residents and elders. Without Richmond LAND's support we wouldn't have made it this far. I have learned a lot and want the partnership with the CLT to continue so that I have someone who can help make the project happen.

Please consider supporting my amendments

Thank You!

From: [Jennifer R.](#)
To: [City Clerk Dept](#)
Subject: Public Comment on Item H-1
Date: Tuesday, October 20, 2020 6:04:50 PM

My name is Jennifer Rougeau I am a displaced Richmond resident and I am speaking in support of item H-1 an ordinance on Accessory Dwelling Units and Junior Accessory (ADUs) Dwelling Units (JADUs) and request that a few changes get included to the ordinance to strengthen a community project that I am a part of. I am a Building Power Fellow with Richmond LAND, where I am working to allow people in the community to fight gentrification by providing different opportunities for homeowners and residents to feel empowered instead of displaced during gentrification. I am writing to request that the following changes be made to the city's amended ADU/JADU ordinance:

We believe that the City is moving in the right direction by both updating the ordinance to comply with new state standards and addressing the need of increased housing development for our city. **We strongly urge that the city include an amendment to the Deed Restriction provision in the General Requirements Section of Attachment 1 that reads as follows:**

-

An accessory dwelling unit shall not be sold separately from the primary dwelling unit ***unless sold to a land trust or nonprofit housing provider.***

The changes to the ordinance matter to me because It will allow Richmond Land as a CLT to offer opportunities to any homeowner in need, as well as offer another option for affordable housing to families in Richmond without being displaced. ADU are important because they provide hope and opportunity. If I didn't have the opportunity to stay in an ADU I would not have had the opportunity to level-up and get in a position where I could afford housing. I also believe that if my grandparents were given an opportunity for an ADU program to talk to them about the options they had as homeowners he wont have sold his home.

Gentrification is real and people are forgetting about the community that was here before the high markets started to take over. We have to be able to support the residents who make up the community and offer services like the ADU program with Richmond Land so they don't feel hopeless during a time of significant push out. I work with this organization because I have family and friends who are constantly stressed about being displaced with zero financial assistance and knowledge of how to empower themselves so they can stay in the place they grew up. The fear of being homeless can create a ripple of effect and generational curses creating more mental health, crime and death. It's important to me to take care of the village that raised and groomed me. As the Program Manager for the ADU project we have the power to help residents stay in Richmond and feel empowered to become a homeowner as

well. In summary please support the proposed amendment.

Thank You

Jennifer Rougeau

From: [sary Tatpaporn](#)
To: [City Clerk Dept](#)
Subject: Public Comment on Agenda item H-1
Date: Tuesday, October 20, 2020 6:05:03 PM

My name is Sary Tatpaporn, I am a 35 year resident of Richmond and speaking on behalf of the Laotian American community and I am in support of item H-1 introducing an ordinance on Accessory Dwelling Units and Junior Accessory (ADUs) Dwelling Units (JADUs) and request that a few changes get included to the ordinance to strengthen a community project that I am a part of.

I am a Building Power Fellow with Richmond LAND and it is a resident led project that promotes community development projects such as the building of affordable ADU units in the City.

I am writing to request that the following changes be made to the city's amended ADU/JADU ordinance:

We believe that the City is moving in the right direction by both updating the ordinance to comply with new state standards and addressing the need of increased housing development for our city. **We strongly urge that the city include an amendment to the Deed Restriction provision in the General Requirements Section of Attachment 1 that reads as follows:**

-

An accessory dwelling unit shall not be sold separately from the primary dwelling unit *unless sold to a land trust or nonprofit housing provider.*

The changes to the ordinance matter to me because allowing a Community Land Trust to maintain ownership means the cost of renting can be maintained at affordable levels for the residents who live in the City of Richmond. If we do not have this, the private housing market will make it less affordable and we will see a large displacement of long time residents of the city.

This change is also important because homeowners want to make this easier to rent out and many families that I talked to are interested and would be willing to work with a community land trust.

My personal connection to ADUs is that I have talked to 25 families in the past year who live in the City of Richmond and are currently facing displacement because of housing costs in the city. I want to make sure that our community is housed and the possibility of being able to manage ADUs through a community land trust gives people reassurance. I hope that this change can be adopted because we want to maintain long term affordability and preserve

land for the community.

That is why I am working on Promoting the ADU units in the City. I am working on coordinating and disseminating information to inform homeowners about the ADU program we are building out at Richmond LAND. Our hope is to work with homeowners and be a resource to homeowners.

In summary please support our proposed amendments

Thank You!



RichmondLAND
LOCAL ACTION IN NEIGHBORHOOD DEVELOPMENT

Dear Mayor and Council Members:

We are writing this letter in support of item H-1, an amended Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU) ordinance. We are also writing to request additional amendments to the ordinance that will allow nonprofit housing providers and community land trusts to better support ADU and JADU development and stewardship of permanently affordable housing units in Richmond.

We believe that the City is moving in the right direction by both updating the ordinance to comply with new state standards and addressing the need of increased housing development for our city. We are in support of the recommended changes to owner occupancy that include housing organizations and land trusts.¹ This will allow our organization and other local housing providers to create more affordable housing opportunities similar to other programs across the Bay Area².

We also strongly urge that the city include an amendment to the Deed Restriction provision in the General Requirements Section of Attachment 1³ that reads as follows:

- An accessory dwelling unit shall not be sold separately from the primary dwelling unit *unless sold to a land trust or nonprofit housing provider.*

Assembly Bill 68⁴ provides guidance for deed restrictions that we support for limiting the separate sale of JADU from the primary residence. However, we believe that allowing the separate sales of detached ADUs to a qualified non-profit such as a Community Development Corporation or a Community Land Trusts will support the opportunity for alternative ownership models on one parcel that leads to the increased production of affordable housing units and aligns with Richmond's housing element⁵. Richmond LAND would be willing to work with City

¹ [See page 33 of ordinance for reference](#)

² [Real Community Rentals](#)

³ [See page 30 of ordinance for reference](#)

⁴ [Bill Text - AB-68 Land use: accessory dwelling units](#)

⁵ [City of Richmond Housing Element](#), Adopted by City Council May 19, 2015



RichmondLAND
LOCAL ACTION IN NEIGHBORHOOD DEVELOPMENT

staff to ensure that the additions to the ordinance are in accordance with the spirit of the law and result in maximum community benefit.

Richmond LAND is lifting up this issue because we are Contra Costa County's first community land trust and are developing programs to build shared-equity through the separate ownership of the land and structures⁶. Our mission is to build grassroots power for resident-driven and community-controlled land-use through land acquisition, development, and stewardship of land and affordable housing for long-term community benefit. We are creating pathways for residents to shape real estate, land use and development in Richmond and West Contra Costa areas through increasing capacity for resident decision-making, leadership, and action. Our signature program is the Building Power Fellowship that supports a cohort of Richmond area residents to design, research and bring to life community development and housing project concepts that serve low-income residents of color.

The cohort advanced two viable project concepts rooted in the needs and vision of Richmond residents. **One of those projects is an Accessory Dwelling Unit project exploring how to use ADU/JADU development to stabilize both low-wealth homeowners and low-income residents.** This project began by looking at how ADU development could help *Prevent a Second Displacement* of Richmond's Laotian Community⁷ and has since broadened to serve all residents in key neighborhoods in the Iron Triangle and Southside of Richmond.

Richmond LAND will continue to evolve the program by exploring the intersections of affordable housing development, community stabilization, wealth-building of long-term residents. We hope that the minor changes to this ordinance will allow for us to develop a program that strengthens our communities' staying power and builds our cross-cultural legacy for the benefit of all Richmond communities.

In summary, we urge you to consider the amendment outlined on the first page 1. Thank you for your time.

Sincerely,

Dulce Galicia - Community Planning Manager
Valerie Jameson - Founding Executive Director

⁶ [Community Land Trust — Richmond LAND](#)

⁷ [Richmond is Home booklet.pdf](#)

From: [Leisa Johnson](#)
To: [Tom Butt - external](#); [Eduardo Martinez](#); [Demnlus Johnson](#); [Jael Myrick](#); [Nat Bates](#); [Melvin Willis](#); [Ben Choi](#); [Lina Velasco](#)
Cc: [City Clerk Dept](#); [Leisa Johnson](#)
Subject: Public Comments Agenda Item H-2
Date: Tuesday, October 20, 2020 2:42:52 PM

Dear Mayor, Vice Mayor, City Councilmembers, and Community Development Director:

I hope that life finds all of you doing well and staying healthy & safe.

Upon reviewing Item H-2, I have several concerns & questions that I hope you will address for the Public tonight.

Item H-2. HOLD a public hearing to: (1) INTRODUCE an ordinance amending the Richmond Municipal Code in relation to the City's inclusionary housing program; and (2) ADOPT a resolution amending inclusionary housing in-lieu fees for residential developments and adopting non-residential linkage fees for non-residential developments - Community Development Department (Lina Velasco (510) 620-6706).

In the staff report on pages 4 & 5, they state: **"Key findings of the feasibility analysis are:** • Residential development is generally feasible in the area south of I-580, supported by the higher sales prices and rents in this area of the City. October 20, 2020 Page 4 of 12 • Feasibility in the balance of the City, outside of the area south of I-580, is more challenging under current conditions. **Single family, townhome and higher density apartments were all found to be infeasible in the Hilltop Area**, one of the stronger locations for new development outside of the area south of I-580."

Based on this analysis, City Staff is proposing (see page 10 of the staff report) **a residential fee structure that differs based on whether or not the development is south or north of I-580.**

"Changes to In-Lieu Fees. For developers who elect to pay an in-lieu fee rather than construct affordable units on-site, the City currently requires payment of an in-lieu fee equal to 7 percent of the construction cost of habitable space. This amount is difficult to calculate and results in uneven results among different projects. The Keyser Marston financial feasibility study estimated that this amount equates to \$10 to \$12 per square foot. To provide for ease in administration, the resolutions would impose a **uniform fee of \$12 per square foot. Residential developers that have submitted complete applications or whose projects have been approved prior to the effective date would have the option of complying with the previous ordinance or this ordinance, once in effect.** Additionally, the requirements would operate differently for projects located south of I-580 and those located north of I-580. The market is substantially stronger south of I-580. Developers of ownership, for-sale projects located **south of I-580 would not be allowed to pay the in-lieu fee, but would be required to either construct the units on site or receive approval of an alternate means, such as off-site construction. Developers of rental projects located south of I-580 could elect to pay the \$12 per square foot in-lieu fee amount, construct the units on-site, or choose another option.** The market is much weaker north of I-580, with no substantial market-rate projects constructed there in the past few years. Therefore, as recommended by Keyser Marston, the in-lieu fee would be phased in depending on the number of housing units constructed in the City. **Until 370 additional housing units are constructed in the City following the resolution's effective date, the in-lieu fee would be**

set at \$0 for projects north of I-580. As more units are constructed, the fee would be increased in phases, finally reaching \$12 per square foot if 1,482 units are built, meeting the City's regional housing needs allocation for the current planning period. The fee applies only to actual rentable or sellable floor area of units and not to parking garages, exterior hallways, and other space that is not part of the living units.”

QUESTIONS:

1) The City just spent thousands of dollars (exact cost?) on a 28-page advertising supplement in the SF Business Times (Oct 9th, 2020), where they stated on page 4 that Hilltop is: "THE EAST BAY'S NEWEST AND LARGEST MIXED-USE LIFE SCIENCE, OFFICE, INDUSTRIAL, RETAIL, **AND RESIDENTIAL DEVELOPMENT**".

<http://www.ci.richmond.ca.us/DocumentCenter/View/55759/FINAL-2020-Richmond-SFBT-Supplemental-10-9-20>

This is inconsistent with the messaging that the City is now saying, just **one week** later, about housing feasibility at Hilltop.

I understand that the City is trying to incentivize developers, but can you please clarify which is accurate?

2) For projects south of I-580, how will the City determine appropriate fee structures for projects that **may** be comprised of **both** for-sale & rental units?

3) I'm assuming this affects the AZ project, which is South of I-580 and, to my knowledge, they have not submitted a complete application nor has their project been approved.

Can you please clarify for the Public?

4) How will this impact the PAD project at Point Molate since it is located “north”of I-580 yet on Richmond’s extremely valuable shoreline?

5) What exactly has SunCal/Orton already legally committed to building from an affordable unit perspective?

6) Or are you saying this ordinance would render them exempt from building any affordable units, should they change their mind, AND that they would have to pay \$0 towards an in-lieu fee because 370 additional housing units need to be constructed in the City following this ordinance's effective date **before that rate increases**?

Thank you.

Respectfully,

Leisa

From: [BK WILLIAMS](#)
To: [City Clerk Dept](#)
Subject: Agenda Item I-1
Date: Tuesday, October 20, 2020 2:00:12 PM

Agenda Item I-1

Proposal to require documentation from renters applying to be candidates in the City Council elections.

Institutional racism is a set of policies and practices within and across institutions that, intentionally or not, produce outcomes that chronically favor, or put a racial group at a disadvantage.

Racism is prejudice, discrimination, or antagonism directed against a person or people on the basis of their membership in a particular racial or ethnic group, typically one that is a minority or marginalized.

Classism is prejudice against or in favor of people belonging to a particular social class.

White privilege is an invisible package of unearned assets.

Being poor, housing insecure, a renter, Black, should not be grounds to be dismissed as a political representative.

The efforts of the The Mayor of this city to pass a Trump-like, classist act into law, are quite simply disgraceful and fit the definition of institutional racism to which you as men of color are being asked to sign on to.

I find myself once again asking you as council members to be more creative. Do not let this insulting and intentional act be acceptable in Richmond. For a white male to put such a request as this to you for a vote, demonstrates what your Mayor thinks of you. He shamelessly asks you to support his outdated notion that one needs to be securely housed to represent the people of a district or that should acquire the permission from a likely white landlord to apply for the very hard job (I can only imagine) of being a public servant. Even if you don't like the candidates' political views, when asked to support a racist and unfair policy or practice, you must uphold the rights of poor and Black, and say absolutely no. Not in Richmond.

I appreciate the work you do and thank you for taking the time to read this letter.

Thank you,

B K Williams

Politics in itself is incomplete. It is through our humanity that it becomes complete.

From: [Bobbi López](#)
To: [Tom Butt - external](#); [Ben Choi](#); [Eduardo Martinez](#); [Nat Bates](#); [Demnlus Johnson](#); [Jael Myrick](#); [Melvin Willis](#)
Cc: [City Clerk Dept](#)
Subject: Objection to Item I-1, Verification of Residency for City Council Candidates And Councilmembers
Date: Tuesday, October 20, 2020 1:55:49 PM
Attachments: [BAFCA Richmond Candidate Requirements.pdf](#)

Dear Councilmembers,

Build Affordable Faster California (BAFCA) is a local, regional, and state civic advocacy & action project of Tenants and Owners Development Corporation (TODCO), a nonprofit community-based community development corporation that owns and operates 950 units of affordable housing.

We write in response to the proposal on the verification of residency for City Council candidates and members, that will result in an undue and disproportionate burden on renter “candidates” and “members” in running for office. We believe the proposal presents serious legal concerns. The right to run for office has been deemed fundamental by the California Supreme Court, which has struck down requirements that are excessive or unreasonable. The requirements on renters proposed go beyond reasonable requirements for residency and is an obvious effort to dissuade renters from running for office.

Throughout the proposed language, there are unreasonable and excessive requirements for renters. This includes but is not limited to the requirement of tenants to show “proof of residence by providing a signed copy of a lease or rental agreement” or “landlord/property owner sign an affidavit,” and then the city manager or designee investigating the rental property for compliance with City Ordinances.

Fundamentally, you shouldn’t need a note from your landlord to run for office. In addition, if a landlord is at fault in not complying with existing City Ordinances or simply refuses to provide an affidavit, this language can be construed as thereby preventing a candidate who is a renter from being able to run for office and for existing members, could prohibit them from fulfilling their obligation to represent his/her/their District as was the will of the voters. To impede a candidate/resident of the City of Richmond to run for office or assume office based on the actions of an entity or business, which is outside of their control, is a frightening precedent to set.

To prove residency, many cities across California cities rely on a sworn affidavit and a statement of economic interests such as Berkeley and Oakland. El Cerrito requires a Declaration of Candidacy in which the candidate “declares that he/she meets the statutory and/or constitutional qualifications for the office sought.” We are confused about why the City of Richmond is requiring a higher standard of proving residency. What problem is trying to be resolved? We believe this is a rushed proposal at the wrong time with dangerous implications and unintended consequences for working people and communities of color. We request you reject the proposal or allow more time for analysis. Should you have any questions in regard to this letter, feel free to email me at bobbi@todco.org.

Sincerely,

Barbara Lopez

From: [Deborah Bayer](#)
To: [City Clerk Dept](#)
Subject: Public Comments - Agenda Item I-1
Date: Tuesday, October 20, 2020 4:06:02 PM

I am speaking out against Tom Butt's proposal to require documentation from renters applying to be candidates in the City Council elections. This agenda item is an overt attack on two candidates running against the mayor's chosen candidates. Mayor Butt has publicly and financially supported Eleanor Thompson and Ahmed Anderson's candidacy for Districts 5 and 1. He has also publicly attacked two candidates running against Thompson and Anderson: Najari Smith and Melvin Willis, implying they falsified their residences.

The agenda item is aimed at renters, who typically are less well off, and whose place of residency are not as stable as homeowners. It is reminiscent of old Jim Crow laws, restricting the right of African-Americans to participate in our democracy. It is also reminiscent of parts of our original Constitution, restricting voting rights to propertied white men. I had hoped we had grown beyond that.

The current Municipal Code requires candidates for office in Richmond to sign, under penalty of perjury, a statement verifying their residency. No other city in the Bay Area requires more than that. Mayor Butt published a complaint by the Firefighters Union to District Attorney Diana Becton, asking her office to investigate Smith and Willis for fraud. I would call that a pre-election smear campaign. To date, there has been no response from the District Attorney.

The City Council adopted District elections in response to a lawsuit by a Walnut Creek attorney who extorted \$30,000 from the City. At the time, no documented proof of residency was considered. As far as I know, Mr. Anderson has not lived in Richmond for some time, but recently moved into his mother's house, thereby acquiring legal residency in District 5. I don't know if he is renting from his mother and if so whether or not his mother registered with the Rent Board, or if he is living there rent free, in which case an in-kind donation should be reported and I don't care. I am not interested in questioning Mr. Anderson's intent in running or the legality of his residency. I assume Ahmed Anderson is a good person running for ethical reasons for Richmond City Council. Both Melvin Willis and Najari Smith have a long history of working for and with the community of Richmond, even though they are not as wealthy or as propertied as Anderson. They deserve the same respect. I ask that the Council recognizes the unseemly and politically charged nature of Mayor Butt's proposal and treat it with the scorn it deserves.

Thank you,
Debbie Bayer
Richmond

From: [Igor Tregub](#)
To: [Tom Butt - external](#); [Nat Bates](#); [Ben Choi](#); [Demnlus Johnson](#); [Eduardo Martinez](#); [Jael Myrick](#); [Melvin Willis](#)
Cc: [City Clerk Dept](#)
Subject: Agenda Item I-1: OPPOSE
Date: Tuesday, October 20, 2020 3:39:13 PM

Honorable Mayor Butt and Members of the Richmond City Council,

I am writing to you in my individual capacity to express our strong opposition to this proposal, which would seek to make it harder for renters to run for office in the City of Richmond. I am perplexed as to why this proposal is necessary or what problem it is trying to solve. As a tenant and elected official in a neighboring community, I feel particularly sensitive about this; if this had passed in the city where I reside, it would not only create an unconstitutional roadblock to my ability to serve the community in public office, but - if not immediately stricken down by the courts, which it is likely to be - would squelch the critical voice of a majority of my city's population.

The following is a summary of my key concerns with the current, misguided proposition:

- **Some renters would be required to obtain a signed affidavit from their landlord to be allowed to run for City Council in Richmond.** This gives landlords an unnecessary authority over their tenants regarding an elected position that is unrelated to their lease agreement.
- **Any time a renter runs for office, there would be an automatic investigation of their landlord by the City Attorney.** Landlords would be unlikely to cooperate due to the unnecessary burden it places on them and their property.
- **Renters, who comprise half of our city's residents, will face a huge barrier to running for office, and landlords will become the gatekeepers in deciding who does and does not get to run for office.** If this policy passes, it will disproportionately and negatively discourage people of color, young people, and low-income residents from pursuing and holding elected office in the future. This action goes against the values of diversity and inclusion that we know the City of Richmond aspires to embody.

Local residents who are renters include our - and your - family members, friends, and colleagues. They include the vast majority of our youth, communities of color, and low-income residents in the City of Richmond. Renters are uniquely positioned to bring a crucial awareness about the common challenges of life as a tenant, including the rising cost of housing and the economic impacts of the pandemic. Furthermore, many local renters are leading the fight against COVID-19 as frontline workers and teachers. They are deeply engaging with our community in ways that can help shape the City of Richmond to be more inclusive and equitable.

Please don't stand on the wrong side of history. Please vote this down or remove it from the agenda. Thanks for your consideration.

Respectfully,
Igor Tregub

From: [Jim Becker](#)
To: [City Clerk Dept](#)
Subject: Public Comments - Agenda item I-1. ADOPT a City Council District Residency Policy
Date: Tuesday, October 20, 2020 1:01:57 PM
Attachments: [image002.png](#)
[image003.png](#)
[image006.png](#)
[image007.png](#)

Good evening Mayor Butt and Richmond City Council Members,

My name is Jim Becker, President and CEO of the Richmond Community Foundation. I am writing to oppose the City Council District Residency Policy being considered tonight. At our Annual Meeting this year, the Board of Directors of the Richmond Community Foundation adopted the following statement: We define equity as the opportunity for all communities, and each of their members, to achieve and attain their maximum power and potential – irrespective of their racial identities and socioeconomic status. Equity embodies qualities of fairness, justice, and freedom from bias and discrimination in all of its forms. As its core mission, RCF Connects seeks systematic change that eliminates biased policies, practices, and attitudes that are root causes of inequity.

This policy is in direct opposition with our value of equity and we must oppose it. CVODI-19 has shown us that renters have born the brunt of the pandemic. Many of them, due to lower wages or loss of hours during the pandemic, have had to move to more affordable parts of our city.

With this policy, it appears that Richmond is trying to suppress candidates, especially those who are renters, by requiring some renters to obtain a signed affidavit from their landlord to be allowed to run for City Council in Richmond. Renters make up about 50% of our population – are we really going to increase barriers for renters to run for office? Do we really want to be the City on the national news that suppressed candidates running for office? I say no.



Jim Becker

President and CEO

1014 Florida Ave. #200, Richmond CA 94804

510-234-1200 ext. 303

Mobilizing the Power of Connection



From: [Luis Chacon](#)
To: [Tom Butt - external](#); [Nat Bates](#); [Ben Choi](#); [Demnlus Johnson](#); [Eduardo Martinez](#); [Jael Myrick](#); [Melvin Willis](#); [City Clerk Dept](#)
Subject: Vote No on Item I-1
Date: Tuesday, October 20, 2020 5:46:56 PM

I urge you all to vote no on item I-1.

It is astounding and absurd that such a proposal would be considered with less than a few weeks until election.

This is clearly a political maneuver and reaction by a person who is fearful of a more progressive direction that the city and its residents are clearly urging to take, with two young Black leaders at the forefront.

Ask Richmond community members who on the city council they recognize as an actual Richmond community member, and the last person they will point to is Tom Butt.

Perhaps a proposal should be put forth to investigate Mr. Butt's true Richmond residence, as determined by the city's residents.

Thank you,

Luis Chacon

From: [Najari Smith](#)
To: [City Clerk Dept](#)
Subject: Public Comments - Agenda item I-1. ADOPT a City Council District Residency Policy
Date: Tuesday, October 20, 2020 6:40:12 PM

Mayor Butt's Residency policy says that unless you have your landlord's approval or own your home you will not be able to run for public office. It's Classist. Putting those who rent under the subjugation of who they pay rent to.

If it sounds like a class caste system, well it is. The property owning class over the renting class If what we're doing is putting end to systemic racism. What we should be doing is ensuring the people who own property in Richmond but do not live in Richmond, or haven't lived in Richmond in the last 5, 10, 15 years are not unrightfully taking office in a city where they do not reside.

These are the people we need to keep from entering our elections. If they live in Oakland, they're not a Richmond Resident. If they live in Novato, they're not a Richmond resident. If they live in Arkansas, they're not a Richmond resident and if they're not a Richmond resident- I don't care what district it is- they have no business in **OUR** elections controlling the fate of the people who live here and deal with Richmond issues every day.

--

Najari Smith
he/him/his

♥ May we continue to build better, live sustainably and love courageously consistently. ♥