

## **RICHMOND, CALIFORNIA, November 10, 2020**

The Richmond City Council Evening Open Session was called to order at 5:01 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](mailto:cityclerkdept@ci.richmond.ca.us). Comments received by 1:00 p.m. on November 9, 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, Vice Mayor Nathaniel Bates, and Mayor Thomas K. Butt. **Absent:** Councilmember Jael Myrick arrived after adjourning to Closed Session. Councilmember Melvin Willis was absent the entire meeting.

### **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**

LIABILITY CLAIMS - (Government Code Section 54956.9):

Roel Lopez , Randell Slightam, and Rebecca Slightam v.  
City Richmond

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

San Francisco Baykeeper and West County Toxics Coalition v. City of Richmond

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (initiation of litigation pursuant to paragraph (4) of Subdivision (d) 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

There were no public comments via teleconference.

The Open Session adjourned to Closed Session at 5:03 p.m.  
Closed Session adjourned at 6:17 p.m.

The Regular Meeting of the Successor Agency to the Richmond Community Redevelopment Agency and Richmond City Council was called to order at 6:38 p.m. by Mayor Butt via teleconference.

### **ROLL CALL**

**Present:** Councilmembers Choi, Johnson, Martinez, Myrick, Vice Mayor Bates, and Mayor Butt. **Absent:** Councilmember Willis was absent for the entire meeting.

### **STATEMENT OF CONFLICT OF INTEREST**

Mayor Butt stated a conflict of interest on Item H-28 due to his home being incorrectly zoned as open space and he would abstain on the item.

### **AGENDA REVIEW**

Items H-27 and H-31 were removed from the Consent Calendar for discussion at the end of the agenda.

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

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

City Attorney Teresa Stricker stated there were no final actions to report.

## **REPORT FROM THE CITY MANAGER**

City Manager Laura Snideman congratulated and welcomed newly hired Richmond City Attorney Teresa Stricker. Ms. Snideman also reported on recent community paint days in Parchester Village and that a grant was received by Richmond Build from Marin Clean Energy in the amount of almost \$90,000. Interested persons could participate in the program by calling (510) 621-1780.

## **OPEN FORUM FOR PUBLIC COMMENT**

The following individuals gave comments via teleconference:

Joan Benalinzy, Julian Benjamin, and Anuoluwapo O.gave comments in support of the resolution regarding amendments to state alcohol regulations.

Luis Padilla gave comments regarding how busy the fire department was extinguishing fires at homeless encampments and grass fires. Many firefighters were sent home due to positive COVID-19 exposures. Mr. Padilla also stated it would be very dangerous to cut services and close fire stations at this time.

Tom Phelps gave comments against fire station closures.

Mike Parker thanked voters for the support of Richmond Progressive Alliance members into the city council

Tarnel Abbott congratulated incoming City Councilmembers Gayle McLaughlin, Claudia Jimenez, and Melvin Willis. Ms. Abbott also stated that the eviction of the homeless on Rydin Road was cruel and unnecessary.

Ben Therriault congratulated the newly elected city council members and incoming City Attorney Teresa Sticker.

Vice Mayor Bates stated that there was mutual aid response from surrounding cities and requested a response from Fire Chief Sheppard regarding the matter.

## **SUCCESSOR AGENCY TO THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY CONSENT CALENDAR**

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

**\*G-1.** Authorized the Executive Director to execute a Legal Services Agreement with Goldfarb & Lipman LLP for the preparation and negotiation of an amendment to the Disposition and Development Agreement for Phase 2 of the Transit Village project.

## **CITY COUNCIL CONSENT CALENDAR**

On motion of Councilmember Myrick, seconded by Councilmember Johnson III, the items marked with an (\*) were approved by the following vote: **Ayes:** Councilmembers Choi, Johnson III, Martinez, Myrick, Vice Mayor Bates, and Mayor Butt. **Noes:** None. **Absent:** Councilmember Willis. **Abstained:** None. Mayor Butt abstained on Consent Calendar Item H-28.

**\*H-1.** Approved a contract with Media Control Systems to replacement hardware and software for the current Tightrope system to provide a high definition automated playback and programing system in an amount not to exceed \$19,900.94.

**\*H-2.** Adopted **Resolution No. 116-20**, authorizing the City of Richmond to accept and appropriate grant funds in the amount of \$42,696.91 from the Department of Homeland Security (DHS/FEMA) Assistance to Firefighters Grant Program – COVID-19 Supplemental (Award #EMW-2020-FG-02933) to be used for the Fire Department’s response related to COVID-19.

**\*H-3.** Adopted **Resolution No.117-20**, authorizing placement of liens and special assessments for unpaid garbage collection service fees on County property tax records.

**\*H-4.** Adopted **Resolution No. 118-20**, approving the Fiscal Year 2020-21 Other Post-Employment Benefits (OPEB) Funding Policy.

**\*H-5.** Received a written update regarding the steps taken to ensure compliance with the Sanctuary City Contracting and Investment Policy Ordinance and request a waiver for Motorola since there are no other reasonable alternatives.

**\*H-6.** Adopted **Resolution No. 119-20**, approving the City of Richmond Investment Policy Fiscal Year 2020-21.

**\*H-7.** Received the City’s Investment and Cash Balance Report for the month of September 2020.

**\*H-8.** Reviewed the Grant Management Policy and ADOPT a resolution approving the policy for Fiscal Year 2020-21.

**\*H-9.** Reviewed the Cash Reserve Policy and ADOPT a resolution approving the policy for Fiscal Year 2020-21.

**\*H-10.** Adopted **Resolution No. 122-20**, approving a three percent annual cost of living increase, in addition to the two percent minimum cost of living increase, for the recipients of the General Pension Fund, for a total annual cost of living increase of five percent for these recipients.

**\*H-11.** Approved Contract Amendment No. 6 to the contract with Van Iwaarden Associates for actuarial services necessary for retiree healthcare plan, three pension funds and two Other Post-Employment Benefits (OPEB) management, increasing the contract amount by \$19,000 for a new contract total of \$212,866.

**\*H-12.** Approved a contract with Willdan Financial Services to cover the costs to complete the Impact Fee and User Fee Study in the amount of \$28,180.

**\*H-13.** Accepted and appropriated a \$750 grant award from the Coalition for Clean Air, to fund the annual community bike ride and prizes for the participants.

**\*H-14.** Accepted and appropriated a \$2000 grant award from Plug In America to support the expenses related to the 2020 National Drive Electric Week online event.

**\*H-15.** Approved an amendment to the contract with the Oakland Private Industry Council to provide additional services as the Contracting and Vendor Pay Agent for Individual Training Accounts and On-the-Job Training activities for the Workforce Innovation and Opportunity Act (WIOA) program participants. The contract term will be extended through December 31, 2021. The contract amount will be increased by \$205,714 for a total contract amount not to exceed \$347,359.

**\*H-16.** Approved an amendment to the contract with Alliance Graphics, Inc. to provide graphic art services and promotional products for the RichmondBUILD Academy. The contract term will be through June 30, 2022. The contract amount will be increased by \$8,000 for a total contract amount not to exceed \$28,000.

**\*H-17.** Approved the minutes of the September 29, October 6, and October 20, 2020, Regular Meetings of the City Council.

**\*H-18.** Approved the grant-funded purchase of Apple brand laptop computers in the amount of \$33,703.71 from the United States Department of Justice for the Coronavirus Emergency Supplemental Funding Program Grant.

**\*H-19.** Approved a contract with Land Econ Group for professional services to develop and provide economic analyses on real property negotiations for an amount not to exceed \$50,000 over a three-year period.

**\*H-20.** Approved the purchase of up to eight 2021 Ford Hybrid Utility Police Interceptors with patrol specifications and up to two 2021 Ford Hybrid Utility Police Interceptors with administrative specifications from The Ford Store San Leandro in an aggregate amount not to exceed \$410,000.

**\*H-21.** Approved the sole-source contract for repairs of a Toro mower (Serial 313000357) with Turf Star, Inc., in amount not exceed \$16,000.

**\*H-22.** Approved Contract Amendment No. 4 with Lehr/Pursuit North for police vehicle outfitting increasing the payment limit by \$115,000 to a total of \$969,000.

**\*H-23.** Adopted **Resolution No. 123-20**, appropriating funds from Wastewater Fund balance and amending Fiscal Year (FY) 2020-21 budget in the amount of \$300,000 to cover the costs of the Seismic Retrofit Study. This was budgeted and adopted in FY 2019-20 but did not begin until FY 2020-21.

**\*H-24.** Adopted **Resolution No. 124-20**, authorizing a two-year contract extension to the current three-year standing contracts with Mark Albertson Architects-MA, Vallier Design Associates, Inc., mack5 and NCE consultant firms for a total of five years, increasing contract allocations by \$600,000 in an

amount not to exceed \$1,200,000 per firm for as-needed architectural, landscape architectural, project management and engineering services.

**\*H-25.** Adopted **Resolution No. 125-20**, to accept and appropriate \$725,000 in state Active Transportation Program funds from the California Transportation Commission, to construct the Richmond Bay Trail Bicyclist and Pedestrian Safe Connections Quick Build Project.

**\*H-26.** Adopted **Ordinance No. 24-20 N.S.**, amending Richmond Municipal Code Section 15.04.104.020 and Repealing and Adopting Article 15.04.603 Inclusionary Housing and Affordable Housing Linkage Fee.

**H-27.** The matter to approve Contract Amendment No. 3 with Analytical Environmental Services (AES) to increase its contract limit by \$175,000, for a total contract amount not to exceed \$2,675,000 to continue providing on-call professional environmental consulting services was presented by Community Development Director Lina Velasco. The City Council requested that consultants provide financial support for 501c groups. Tarnel Abbot gave comments. A motion by Councilmember Myrick, seconded by Councilmember Johnson III, approved the contract by the following vote: **Ayes:** Councilmembers Choi, Johnson III, Myrick, Vice Mayor Bates, and Mayor Butt. **Noes:** Councilmember Martinez. **Absent:** Councilmember Willis. **Abstained:** None.

**\*H-28.** Adopted **Ordinance No. 25-20 N.S.**, for the cleanup amendments to Chapter 15.04 - Zoning and Subdivisions Regulations of the Richmond Municipal Code. Mayor Butt abstained on this item due to a conflict of interest.

**\*H-29.** Adopted **Ordinance No. 26-20 N.S.**, 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.

**\*H-30.** Adopted **Ordinance No. 27-20 N.S.**, 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.

**H-31.** The matter to approve a Contract Amendment No. 3 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) was presented by Public Works Director Yader Bermudez. This item was continued from the October 20, 2020, meeting. Mayor Butt expressed concern that services have already been provided without prior City Council authorization and with inadequate oversight.

Assistant City Attorney, Everett Jenkins replied that the firm had allowed the city to maintain compliance with the terms of the Baykeeper Settlement Agreement and had brought in approximately \$3M in benefits to the City. A motion was made by Councilmember Myrick, seconded by Councilmember Choi to approve the contract. A substitute motion was made by Councilmember Martinez to pay what was currently owed and hold over the remaining amount until legal staff returned to the City Council with a response to the concerns raised that would be beneficial to the community. The motion failed for lack of a second. The original motion passed by the following vote: **Ayes:** Councilmembers Choi, Johnson III, Myrick, and Vice Mayor Bates. **Noes:** Councilmember Martinez and Mayor Butt. **Absent:** Councilmember Willis. **Abstained:** None.

**CITY OF RICHMOND CONSENT CALENDAR**  
**RESOLUTIONS RELATING TO POLICY DECISIONS ON**  
**ISSUES THAT PERTAIN TO OTHER JURISDICTIONS**

**I-1.** Adopted **Resolution No. 126-20**, supporting amendments to state alcohol regulation to enable oversaturated communities to regulate the sale of alcohol to mitigate negative health and safety impacts.

**COUNCIL AS A WHOLE**

**J-1.** The City Council received and provided input on the draft terms of the proposed Development Agreement for the Campus Bay Mixed Use Development Project, as a follow-up to the developer's commitment to provide Community Benefits outlined in City Council Resolution No. 91-19. Deputy City Manager of Economic Development Shasa Curl and Planning Director Lina Velasco provided an overview of the matter. The Richmond Bay Specific Plan called for the City Council to conduct this Study Session in order to receive and provide input on the proposed Campus Bay Project and related Development Agreement (which would also serve as the Community Benefits Agreement for the Project). A PowerPoint presentation highlighted the following: South Richmond Priority Development Area; Richmond Bay Specific Plan Overview; Draft Site Plan; Resolution No. 91-19; Draft Status Update; Draft Community Benefits Schedule; and Development Team Summary. Discussion ensued. The following individuals gave comments via teleconference: Franco Demarinis, Andres Soto, Gayle McLaughlin, Luis Padilla, Karen Franklin, Bruce Beyaert, Tarnel Abbott, Bob Mossey, Tom Hanson, Ben Therriault, Michael Littleton, Deborah Bayer, Janet Johnson, Floy Andrews, Kevin Van Buskirk, and Ahmad Anderson. Further discussion ensued regarding the environmental cleanup process.

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

None.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 9:06 p.m., in memory of Billie Alexander, Pamela R. Washington, Janice McNair, and Mike Diller to meet again on Tuesday, November 17, 2020, at 6:30 p.m.

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Clerk of the City of Richmond

(SEAL)

Approved:

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Mayor

**From:** [Christine Mullarkey](#)  
**To:** [City Clerk Dept](#)  
**Cc:** [Tom Butt - external](#); [Ben Choi](#); [Nat Bates](#); [Eduardo Martinez](#); [Demnlus Johnson](#); [Jael Myrick](#); [Melvin Willis](#)  
**Subject:** public comments – Open Forum  
**Date:** Sunday, November 08, 2020 10:16:36 AM

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Dear Councilmembers,

I understand you are considering reducing fire service to the residents of our city through rolling "brown-outs" and reducing staffing. This is irresponsible at any time, but especially so during a pandemic and at the peak of fire season. I urge you to reconsider taking this step that would endanger our entire community.

Not a day goes by that I don't hear the fire department drive down our street responding to a neighbor in need. Some days they pass by my house several times and on one occasion I heard them drive by seven times in one day. If ONE station is responding to ONE neighborhood with that frequency, how can you expect the department to cover the whole city with reduced staffing?

Please do not put the residents of Richmond at risk by reducing fire service.

Sincerely,  
Christine Mullarkey

**From:** [Cordell Hindler](#)  
**To:** [City Clerk Dept](#)  
**Subject:** Open Forum - Public Comment  
**Date:** Thursday, November 05, 2020 9:47:34 PM

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

1. as far as my projects goes, it is coming along rather well and i have a member of the youth council that is helping me and i will share with the council real soon
2. also to welcome Back Laura from her return

sincerely  
Cordell

**From:** [karen=tolva.net@mg-relay.tolva.net](mailto:karen=tolva.net@mg-relay.tolva.net) on behalf of [Karen Tölva](#)  
**To:** [City Clerk Dept](#)  
**Subject:** Public Comments – Open Forum  
**Date:** Thursday, November 05, 2020 11:01:29 PM

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Vote down Item I-1. Renters are adults. They don't need a hall pass from their landlord. End of story.

The very existence of this proposal is an embarrassment and an explicit attack on the mayor's current rival city council candidates as well as all Richmond residents not wealthy or lucky enough to own their homes. Make this proposal go down in flames.

Sincerely,  
Karen Rustad Tölva

**From:** [TRAC](#)  
**To:** [Eduardo Martinez](#); [Melvin Willis](#); [Nat Bates](#); [Jael Myrick](#); [Tom Butt - external](#); [Demnlus Johnson](#); [Ben Choi](#)  
**Cc:** [City Clerk Dept](#); [Yader Bermudez](#); [Tawfic Halaby](#); [Bruce Brubaker](#)  
**Subject:** Public Comments Agenda Item H-25: Consent Calendar Acceptance of Bay Trail Grant  
**Date:** Friday, November 06, 2020 3:29:50 PM  
**Attachments:** [QB-AttB-Project Location Map.pdf](#)

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Mayor Butt and City Councilors,

Please approve consent calendar agenda item H-25 during your meeting this Tuesday, Nov. 10 to accept and appropriate \$725,000 in state Active Transportation Program funds from the California Transportation Commission to construct the Richmond Bay Trail Bicyclist and Pedestrian Safe Connections Quick Build Project.

This quick-build project leverages other funding to implement the key recommendation of the Ferry to Bridge to Greenway (F2B2G) Complete Streets Plan funded by a Caltrans Sustainable Communities Transportation Planning grant. The F2B2G plan concluded that priority should be given to improving bicyclist and pedestrian safety on the spine San Francisco Bay Trail along Cutting & Hoffman Boulevards and Harbour Way South as shown on attached map. This is a key corridor linking the Richmond-San Francisco Ferry Terminal with the Richmond-San Rafael Bridge Trail and providing access to a necklace of 12 shoreline parks along the Bay Trail in Richmond. The project will install 1.0 miles of Class IV protected bikeway (cycle track) and 0.35 miles of Class I multi-use trail along Cutting and Hoffman Boulevards where there are narrow, old bike lanes in places with no bike lanes or sidewalks at all elsewhere. This will build upon the Metropolitan Transportation Commission's award of \$325,000 to the City for quick-building a bidirectional, protected bikeway along Harbour Way South.

Bruce

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Bruce Beyaert, TRAC Chair

[tracbaytrail@earthlink.net](mailto:tracbaytrail@earthlink.net)

tel. 510-235-2835

<http://www.poinrichmond.com/baytrail/>

<http://www.ci.richmond.ca.us/109/TRAC>

Photos: <https://sfbaytrailinrichmond.shutterfly.com/pictures/5> .

# Attachment B – Project Location Map



**From:** [Andy Espejo](#)  
**To:** [City Clerk Dept](#)  
**Subject:** Public Comment - Agenda Item I-1  
**Date:** Tuesday, November 10, 2020 12:10:38 PM

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Hello,

My name is Andy Espejo. I am a resident of Richmond.

Below is my public comment:

I support the resolution. I live on 4th Street and see a lot of people loitering outside the nearby liquor store with alcoholic beverages they bought inside. They usually proceed to litter when they are done with their beverages. The park across the street is also affected by these issues.

Andy Espejo

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**Andy Espejo**

**"There's no point in being grown-up if you can't be childish sometimes." - 4th Doctor**

**From:** [bridget](#)  
**To:** [bridget\\_scadeng](#)  
**Subject:** Public comment – Agenda item J1 Campus Bay (Zeneca) public hearing  
**Date:** Monday, November 09, 2020 7:40:12 PM

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Dear Mayor and Council Members

I will assume that you are well aware of the issues outlined below.  
I would like to add my voice to those who demand that this project follow correct protocol.  
It is otherwise a very irresponsible and harmful action, completely ignoring the health and safety of all and any existing and future residents in the area.

Please do the right thing and follow the proper channels.

Thank you,  
~ bridget scadeng  
Marina Bay resident

1. Do not hold this hearing until the newly elected City Council is sworn in. The developer/investors are trying to thwart public efforts for a safe development by rushing the process. As the staff report says there is not enough information for them to work with. The developer has not completed a financial economic review, there has been no EIR.
2. Name the site: "The Campus Bay Mixed Use Development" is located on Richmond's South East Shoreline, a stone's throw away from the S.F. Bay Trail - this 89 acre former superfund designated contaminated land is known to the community as the Zeneca/former Stauffer Chemical Site. The community has been demanding a robust clean up of this site for more than 17 years.
3. There are over 100 chemicals of concern, heavy metals, pesticides PCBs, etc. Many of the toxic chemicals there are known as "the dirty dozen", known to cause cancer, reproductive damage and other health problems. Will the city be liable against future health oriented lawsuits for knowingly allowing residential development on a heavily contaminated site that is not adequately cleaned up? ( See \* below for short list)
4. The synergistic effect of mixing of the chemicals of concern as was done here leads to unknown consequences and health impacts. From Canadian Center for Occupational Health & Safety <https://www.ccohs.ca/oshanswers/chemicals/synergism.html> :  
  
"Synergism comes from the Greek word "synergos" meaning working together. It refers to the interaction between two or more "things" when the combined effect is greater than if you added the "things" on their own (a type of "when is one plus one is greater than two" effect).  
In toxicology, synergism refers to the effect caused when exposure to two or more chemicals at one time results in health effects that are greater than the sum of the effects of the individual chemicals. When chemicals are synergistic, the potential hazards of the chemicals should be re-evaluated, taking their synergistic properties into consideration."
5. Has there been a geotechnical report? What is the likely scenario of 85 foot high podium residential building collapse on this liquefaction prone area in the event of a major earthquake? Who will contain ruptures in the cap? If there is a breach and subsequent toxic release, what is the evacuation plan for thousands of future residents? U.C. Berkeley Seismology Lab: [https://seismo.berkeley.edu/hayward/hayward\\_hazards.html](https://seismo.berkeley.edu/hayward/hayward_hazards.html): "  
next 26 years
6. Who will inspect and maintain the engineering controls (cap, fans etc.) and for how long?
7. Sea level rise and impact of saltwater intrusion
8. Environmental Justice concerns – California Office of Environmental Health Hazard Assessment (OEHHA) ranks this area on its CalEnviroScreen

map <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30> as disadvantaged; overburdened with multiple sources of pollution and with a vulnerable population. Where are the low income units expected to be placed? Will they be on the lower floors where there is more chance of toxic exposure?

\*Elaborate on toxics:

Toxic substances at Zeneca Site - reference Persistent Organic Pollutants (POPs) <http://chm.pops.int/TheConvention/ThePOPs/tabid/673/Default.aspx>

\*\* Short List of contaminants compiled by Sherry Padgett: Metals

- Arsenic
- Beryllium • Cadmium • Copper
- Lead
- Mercury • Nickel
- Radium
- Selenium • Uranium • Zinc
- Pesticides • Aldrin

home to many active faults that can erupt at anytime. Scientists have studied the The Bay Area is

faults extensively and determined that the Hayward is probably the most dangerous. It has a 31.7% chance of rupturing in a 6.7 magnitude earthquake or greater in the , and the Bay Area has a 63% chance of having at least a magnitude 6.7 earthquake in the same time period."

- Bensulide • Captan
- Chlodane • DDD
- DDT
- Dieldren
- Endosulfan
- Endrin
- EPTC
- Fonofos
- Heptachlor
- Lindane
- Mirex
- Metam
- Sodium/Vapam • Molinate
- Pebulate
- Phosmet
- Toxaphene
- Vernolate

Volatile Organic Compounds (VOCs) • Benzene

- Carbon Disulfide
- Carbon Tetrachloride
- Chlorobenzene • Chloroethane
- Chloroform
- Dichloroethene • Toluene
- Tetrachlorethene (PCE) • Trichlorethene (TCE)
- Vinyl Chloride (VC)
- Polychlorinated Biphenyls (PCBs)

**From:** [Carla Lopez](#)  
**To:** [City Clerk Dept](#)  
**Subject:** Public Comment  
**Date:** Tuesday, November 10, 2020 12:06:21 PM

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Hello,

My name is Carla and I am a Richmond resident. My public comment is regarding the high amount of liquor stores in the city.

Best,  
Carla

Sent from my iPhone

**From:** [DROC Program](#)  
**To:** [City Clerk Dept](#)  
**Subject:** Public Comments - Agenda Item #1-1  
**Date:** Tuesday, November 10, 2020 11:56:43 AM

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Hello,

We are DROC, Discovering the Realities of Our Community, and are one of the main driving forces behind this resolution being presented today. For too long, Richmond youth, and youth from other cities similar to Richmond, have lived in environments ransacked with an increased availability of alcohol. Due to years of inherently racist zoning laws and policies, generations of Richmond residents have lived in landscapes afflicted with alcohol misuse, preventing healthier lifestyles and overall living conditions. Enough is enough. Times have changed, and so laws need to be adjusted in order to keep up with them. Currently, the power to regulate alcohol laws being allotted only to the state makes it so much more difficult for cities to try and fix the longstanding impact from these racist housing/zoning laws. With the passing of this resolution, the DROC youth hope to inspire and work with other cities similar to ours in order to begin a path of bringing back the power to the communities, especially when it comes to our health. We are hopeful that the city council shares similar views/beliefs, and thus passes the resolution, for the future generations of Richmond residents and their improved quality of life.

Sincerely,

DROC

--

Discovering the Reality of Our Community  
Bay Area Community Resources  
11175 San Pablo Ave  
El Cerrito, Ca 94530  
[DROC@bacr.org](mailto:DROC@bacr.org)  
Phone: (510) 559-3019  
Fax: (510) 559-5552

**From:** [Jacky Vera](#)  
**To:** [City Clerk Dept](#)  
**Subject:** Public Comment- Agenda Item #1-1  
**Date:** Tuesday, November 10, 2020 12:10:20 PM

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Hello,

My name is Jacquelyne Vera and I am a resident of Richmond. I live on 4th street and I see how alcohol impacts my community. I live by the 4th street market and see how the park in front of it is littered with alcohol bottles and people drinking at all times of the day. Children can't play at the park. They are exposed to all the liquor stores and liquor advisteriments. I fully support the resolution. Richmond should have the ability to regulate alcohol sales and outlets in order to prevent underage drinking.

best,

Jacquelyne Vera

**From:** [Jamari Hudson](#)  
**To:** [City Clerk Dept](#)  
**Subject:** Public Comments - Agenda Item #1-1  
**Date:** Tuesday, November 10, 2020 12:35:39 PM

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Hello,

My name is Jamari Hudson. I am a Sophomore at De Anza high school.

Below is my public comment:

I feel it's very important for the local government to pass laws of alcohol because it could possibly help change our community drastically and help not only adults, but the youth and the rest of the community around us.

Sincerely, Jamari Hudson

Jamari Hudson

**From:** [Jayda Williams](#)  
**To:** [City Clerk Dept](#); [Joan Binalinbing](#)  
**Subject:** Public comments agenda item #1-1  
**Date:** Monday, November 09, 2020 7:48:54 PM

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Hi I'm a senior at de anza high school and thank you for having this on your agenda and considering this! I personally think it's important for local governments to create laws for their community because not all communities in california are the same and each community should create their own laws based on the amount of alcohol in their area. For an example, In my community there is a WIDE range of liquor stores that have single served alcohol beverages and people buy them. Whenever I am around these liquor stores who sell single serve alcohol I always see a couple of drunk or tipsy people out in the front. I feel like having single serve alcohol in liquor stores is unsafe and it can cause violent crimes in the community. Having single serve alcohol makes it easier for minors to access them because most of these liquor stores are near highschoools.

**From:** [Jennifer Warner](#)  
**To:** [City Clerk Dept](#)  
**Subject:** Public Comments Agenda Item #1-1  
**Date:** Tuesday, November 10, 2020 12:42:22 PM

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Hi,

My name is Jieun Warner and I am a junior at De Anza High School. Thank you for considering the resolution that, simply put, protects Richmond youth and holds our community to a higher standard. Many people my age have had first hand experiences that have had a detrimental impact seeing alcohol being so normalized. As a result, many young, impressionable minors are robbed of their child and teen years, due to the lack of regulation which heavily influences us. This resolution therefore should be passed so that children, teens, young adults, and even older generations are able to exist in a safer society. Thank you

Sincerely,  
Jieun Warner

**From:** [Joan Binalinbing](#)  
**To:** [City Clerk Dept](#)  
**Subject:** PUBLIC COMMENT AGENDA ITEM #1-1  
**Date:** Monday, November 09, 2020 7:36:40 PM

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Hello,

As a Richmond resident of almost 20 years, I have spent almost all my life in Richmond. Attended all the local schools and live on one of the main streets in Richmond. On my block alone, there are 3 alcohol outlets I could easily WALK to. I'm tired of seeing how alcohol has negatively impacted my community again and again. It's time to make a change, and that change starts with this resolution!

Sincerely,

Joan

--

Joan T Binalinbing  
She/Her/Hers  
DROC Program Coordinator

**From:** [Nabila Sher](#)  
**To:** [City Clerk Dept](#)  
**Subject:** Public Comment Agenda Item: I-1  
**Date:** Tuesday, November 10, 2020 9:32:34 AM

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Good Evening Mayor and Council Members

My name is Nabila Sher, I am the coordinator for the AMPD Coalition. We presented about Single Alcohol Sales in Richmond, in June 2018. We support the adoption of this resolution because:

- Alcohol outlet density is the number one environmental factor in determining crime rates and violent crime. It is correlated with harmful alcohol behaviors
- National research by RAND showed Black Americans face higher densities of liquor stores than whites
- Youth of color face higher densities of liquor stores than white youth
- City of Richmond: 148 Alcohol Outlets, with 62 Off-Premises Outlets
- UC researchers found that higher rates of shelf space occupied by singles is linked to an increase in violent crime in the surrounding neighborhoods
- In Richmond liquor stores, up to 58% of refrigerator space is occupied by single containers

We believe the City of Richmond and it's residents are more equipped to make decisions for Richmond than the State.

Thank you,  
Nabila Sher  
Alcohol and Other Drug Policy Coordinator  
Alcohol, Marijuana, and Prescription Drug (AMPD) Coalition Coordinator  
Bay Area Community Resources  
11175 San Pablo Ave,  
El Cerrito, CA 94530  
510-559-3004  
[Nsher@bacr.org](mailto:Nsher@bacr.org)

**From:** [Yliana Duenas](#)  
**To:** [City Clerk Dept](#)  
**Subject:** Public comments agenda item #1-1  
**Date:** Monday, November 09, 2020 7:12:44 PM

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Hello, I am a sophomore (10th grade) from De Anza. First and foremost, I wanted to thank Richmond's city council for giving us youth a platform to voice our concerns, as well as be heard and listened to. My oldest brother was an alcoholic. I have seen many and experienced many things that came with that addiction from a young age. Many times I would be terrified of him. I used to have thoughts that he would lose all rationality and hurt me. I used to fear for my life. There was never a time where he wasn't drunk or under the influence. Those times where I would hang out with him, I would think that was as good as it would get for us. I settled for less. The thought of that scares me. At the time of thinking this, I was about 10 or 11. We have to stop teaching people to settle for less. Stop settling on terms like a "functioning alcoholic" that harm our society. All that term does is try to minimize and hide the risks alcohol has on people and communities. There is a solution to this big burden that alcohol has over communities like mine. That solution is allowing cities like Richmond to make our own alcohol laws. We have needs, and we are suffering right now because we are left in the hands of the state. How is a place like El Cerrito going to have the same needs as San Pablo. My brother has 3 years of being recovered. We get to laugh now at all the things he did. He gave me a personal statement to use for a project I had relating to the preemptive law on alcohol. In his statement, he said that it was so easy for him to have access to alcohol. He talked about how all he needed was to gather a dollar to get a one-shot bottle of vodka and walk to the nearest store 5-10 minutes away from walking distance. I currently have about 4 stores with a 5-15 minute walking distance from my house. What does that say about our community? Do we prioritize making a profit or the health of the people who make up this community? I know I am small compared to what we are up against (the alcohol industry). I know this battle won't be won overnight, but I do believe with passing this, we are heading in the right direction. The hands of the well-being of the future of our community are in your hands. I trust you guys will have us in your best interest and make the right choice. Thank you for your time.

**From:** [TRAC](#)  
**To:** [Tom Butt - external](#); [Eduardo Martinez](#); [Melvin Willis](#); [Nat Bates](#); [Jael Myrick](#); [Demnlus Johnson](#); [Ben Choi](#); [City Clerk Dept](#)  
**Cc:** [Steven Falk](#); [Shasa Curl](#); [Lina Velasco](#); [Bruce Brubaker](#)  
**Subject:** Agenda Item J-1 : Campus Bay Community Benefits Agreement  
**Date:** Monday, November 09, 2020 12:58:49 PM  
**Attachments:** [RichBMap121919.pdf](#)

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Mayor Butt and City Councilors,

TRAC, the Trails for Richmond Action Committee, greatly appreciates that the community benefits agreement proposed for the Campus Bay project includes \$3.0 million for off-site development of the San Francisco Bay Trail. Many important Bay Trail projects remain unfunded in Richmond. Noteworthy among them are Richmond Wellness Trail Phase 2 between Cutting Blvd. & Lucretia Edwards Park, repaving of Wright Ave. with striped bike lanes & sidewalk improvements between Marina Way & Harbour Way and trailhead parking with restrooms at the Stenmark Drive entry to the Richmond-San Rafael Bridge & Point Molate Trails.

Please ask staff to work with TRAC and Shopoff to develop a description of the highest priority off-site Bay Trail projects for funding by the Campus Bay community development agreement. Thank you very much.

Bruce

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Bruce Beyaert, TRAC Chair  
[tracbaytrail@earthlink.net](mailto:tracbaytrail@earthlink.net)

tel. 510-235-2835

<http://www.pointrichmond.com/baytrail/>

<http://www.ci.richmond.ca.us/109/TRAC>

Photos: <https://sfbaytrailinrichmond.shutterfly.com/pictures/5> .

**Bay Trail**

- Complete
- - - Incomplete

**Connector Trail**

- Complete
- - - Incomplete

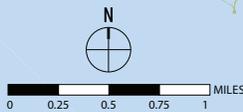
- Water Trail site
- Water Trail site (planned)
- Parks/Open Space
- Water Bodies



# Welcome to Richmond

Over 35 miles of Bay Trail linking a necklace of 12 shoreline parks

December 19, 2019



**From:** [Carmelia](#)  
**To:** [Ben Choi](#); [Demnlus Johnson](#); [Jael Myrick](#); [Tom Butt - external](#); [Melvin Willis](#); [Eduardo Martinez](#); [Nat Bates](#); [City Clerk Dept](#); [Laura Snideman](#); [Lina Velasco](#)  
**Subject:** Agenda item J1 Campus Bay (Zeneca) public hearing  
**Date:** Monday, November 09, 2020 6:07:12 PM

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RE: Public comment – Agenda item J1 Campus Bay (Zeneca) public hearing 1. Do not hold this hearing until the newly elected City Council is sworn in. The developer/investors are trying to thwart public efforts for a safe development by rushing the process. As the staff report says there is not enough information for them to work with. The developer has not completed a financial economic review, there has been no EIR. 2. Name the site: “The Campus Bay Mixed Use Development” is located on Richmond’s South East Shoreline, a stone’s throw away from the S.F. Bay Trail - this 89 acre former superfund designated contaminated land is known to the community as the Zeneca/former Stauffer Chemical Site. The community has been demanding a robust clean up of this site for more than 17 years. 3. There are over 100 chemicals of concern, heavy metals, pesticides PCBs, etc. Many of the toxic chemicals there are known as “the dirty dozen”, known to cause cancer, reproductive damage and other health problems. Will the city be liable against future health oriented lawsuits for knowingly allowing residential development on a heavily contaminated site that is not adequately cleaned up? ( See \* below for short list) 4. The synergistic effect of mixing of the chemicals of concern as was done here leads to unknown consequences and health impacts. From Canadian Center for Occupational Health & Safety <https://www.ccohs.ca/oshanswers/chemicals/synergism.html> : “Synergism comes from the Greek word "synergos" meaning working together. It refers to the interaction between two or more "things" when the combined effect is greater than if you added the "things" on their own (a type of "when is one plus one is greater than two" effect). In toxicology, synergism refers to the effect caused when exposure to two or more chemicals at one time results in health effects that are greater than the sum of the effects of the individual chemicals. When chemicals are synergistic, the potential hazards of the chemicals should be re-evaluated, taking their synergistic properties into consideration.” 5. Has there been a geotechnical report? What is the likely scenario of 85 foot high podium residential building collapse on this liquefaction prone area in the event of a major earthquake? Who will contain ruptures in the cap? If there is a breach and subsequent toxic release, what is the evacuation plan for thousands of future residents? U.C. Berkeley Seismology Lab: [https://seismo.berkeley.edu/hayward/hayward\\_hazards.html](https://seismo.berkeley.edu/hayward/hayward_hazards.html): “ next 26 years 6. Who will inspect and maintain the engineering controls (cap, fans etc.) and for how long? 7. Sea level rise and impact of saltwater intrusion 8. Environmental Justice concerns – California Office of Environmental Health Hazard Assessment (OEHHA) ranks this area on its CalEnviroScreen map <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30> as disadvantaged; overburdened with multiple sources of pollution and with a vulnerable population. Where are the low income units expected to be placed? Will they be on the lower floors where there is more chance of toxic exposure? \*Elaborate on toxics: Toxic substances at Zeneca Site - reference Persistent Organic Pollutants (POPs) <http://chm.pops.int/TheConvention/ThePOPs/tabid/673/Default.aspx> \*\* Short List of contaminants compiled by Sherry Padgett: Metals • Arsenic • Beryllium • Cadmium • Copper • Lead • Mercury • Nickel • Radium • Selenium • Uranium • Zinc • Pesticides • Aldrin home to many active faults that can erupt at anytime. Scientists have studied the The Bay Area is faults extensively and determined that the Hayward is probably the most dangerous. It has a 31.7% chance of rupturing in a 6.7 magnitude earthquake or greater in

the , and the Bay Area has a 63% chance of having at least a magnitude 6.7 earthquake in the same time period.” • Bensulide • Captan • Chlodane • DDD • DDT • Dieldren • Endosulfan • Endrin • EPTC • Fonofos • Heptachlor • Lindane • Mirex • Metam • Sodium/Vapam • Molinate • Pebulate • Phosmet • Toxaphene • Vernolate Volatile Organic Compounds (VOCs) • Benzene • Carbon Disulfide • Carbon Tetrachloride • Chlorobenzene • Chloroethane • Chloroform • Dichloroethene • Toluene • Tetrachlorethene (PCE) • Trichlorethene (TCE) • Vinyl Chloride (VC) • Polychlorinated Biphenyls (PCBs)

**From:** [David Kafton](#)  
**To:** [City Clerk Dept](#)  
**Cc:** [David Kafton](#)  
**Subject:** PUBLIC COMMENTS AGENDA ITEM #J  
**Date:** Tuesday, November 10, 2020 12:11:24 PM

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Dear Mayor & Council Members,

Greetings on a gorgeous fall day in Richmond.

I hope you are doing very well.

I strongly urge you to stop the City of Richmond from spending any more of its precious time and monies on the disastrous residential developments at the Astra-Zeneca toxic waste Superfund site and Pt, Molate.

Please wait until after the new Richmond City Council convenes in January to address the situations at the Astra-Zeneca toxic waste site and Pt. Molate.

The Richmond electorate made it clear they do not want the residential developments at Astra-Zeneca and Pt. Molate.

Thank you very much for your consideration of my request.

All the best to you & yours,

David

*David Kafton, Ph.D.*

*Founder & Former Executive Director  
National Council on Gene Resources*

*Owner/Real Estate Broker  
Kafton Real Estate  
[david@kaftonrealestate.com](mailto:david@kaftonrealestate.com)*

*davidkafton@gmail.com*

*[www.kaftonrealestate.com](http://www.kaftonrealestate.com)*

*510.524.8973*

**From:** [Deborah Bayer](#)  
**To:** [Tom Butt - external](#); [Jael Myrick](#); [Melvin Willis](#); [Ben Choi](#); [Nat Bates](#); [Demnlus Johnson](#); [Eduardo Martinez](#); [Pamela Christian](#); [City Clerk Dept](#)  
**Subject:** Public Comment Agenda Item J-1  
**Date:** Monday, November 09, 2020 3:14:59 PM

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To: City Council  
cc: City Manager

I think it is premature to accept this presentation on the proposed apartment houses to be built on the super-fund site known to the people of Richmond as the old Stauffer, Astra-Zeneca site. Changing the name to the "Campus Bay Mixed use Development" does not change the problems with this site.

This lame duck Council is moving ahead with a controversial plan to permit several thousand residences on an old toxic dump without an adequate clean-up. I understand the need for housing, and the money that could be made by allowing this development to go through, but as a Registered Nurse I also understand the dangers of the toxic chemicals at the site, and the potential for harm to the health and safety of city residents.

I wish the Zeneca site had not been used as a dumping ground for a toxic chemical brew for the last hundred years, but it was, and the heavy metals and persistent organic pollutants left behind cannot be ignored.

**Persistent Organic Pollutants (POPs) possess a particular combination of physical and chemical properties such that, once released into the environment**

- remain intact for exceptionally long periods of time;
- become widely distributed throughout the environment as a result of natural processes involving soil, water and, most notably, air;
- accumulate in the fatty tissue of living organisms including humans, and are found at higher concentrations at higher levels in the food chain; and
- are toxic to both humans and wildlife.

POPs concentrate in living organisms through bioaccumulation. POPs are readily absorbed in fatty tissue, where concentrations can become magnified by up to 70,000 times the background levels. Fish, predatory birds, mammals, and humans are high up the food chain and so absorb the greatest concentrations.

Specific effects of POPs can include cancer, allergies and hypersensitivity, damage to the central and peripheral nervous systems, reproductive disorders, and disruption of the immune system. Some POPs are also considered to be endocrine disrupters, which, by altering the hormonal system, can damage the reproductive and immune systems of exposed individuals as well as their offspring, with developmental and carcinogenic effects.

The POPs found at the Zeneca site include aldrin, dieldran, chlordane, mirex, dieldran, heptachlor, lindane, and toxaphene. In addition there are volatile organic compounds such as toluene, and a variety of PCBs and PCEs.

In addition to the POPs and VOCs in the soil of the Zeneca site, there are a wide concentration of toxic heavy metals including arsenic, beryllium, cadmium, copper, lead,

mercury, nickel, radium, selenium, uranium, and zinc.

The unknown synergistic effects of all these poisons on animal and human life must be taken into consideration before allowing any buildings to be permitted at the Zeneca site.

Astro-Zeneca is legally responsible for cleaning up this site to bring it up to residential standards. Their plan is to leave the soil in place with a concrete cap, install fans to vent away the volatile organic compounds. No residents will be permitted on the lower levels because they will be too dangerous for prolonged human exposure. This is a dead give away that residential standards under this plan will not be met. Even if only stores will be built at the lower levels, who is going to work in these stores? What kind of toxicology levels will these workers have after a 12 hour shift? Will they be safe for pregnant women?

Capping the site and leaving the toxic chemicals and metals in place raises other questions. Who will be monitoring the caps? How long will they stay intact before cracks form? What happens to the buildings resting on top of the caps if they do need repairs? Will toxins underneath the caps stay put or will they leach into the surrounding marsh and Bay?

I note that the cap at Point Isabel, which was appropriate for a park and not a residential area, has had recent problems with leaching chemicals.

The City Council of Richmond voted for a complete clean-up of the site several years ago and then, when offered \$52 million in community benefits from an aspiring developer, changed their earlier vote and made a recommendation to the Department of Toxic Substances Control (DTSC) to approve leaving the toxins in place with the use of a cap. Why would they have had to be bribed with \$52 million in the first place (since reduced to less than half that amount) if the development would be beneficial to the people of Richmond?

The DTSC claims they were not influenced by the cost to Astra-Zeneca of cleaning up the site vs leaving the soil in place. They claim that the environmental cost of digging up and transporting the soil would be worse than leaving it in place. I do not have the engineering skills or knowledge of previous environmental clean ups to refute their claims. I only have my suspicions about how powerful the profit motive can be and my common sense that 1. the site as presently planned should not be zoned for residential use and 2. leaving the chemicals in place poses a danger to the Bay ecosystem.

I have not even touched on the problem of sea level rise and how that will affect both increased leaching of the toxins left in place and the practicality of building a development that will be likely be under water in the future. (Under water in the physical and not the financial sense.) Shopoff is a developer known for buying and flipping property. Will they be around for future claims of liability?

We just had an election which will change the composition of the City Council for the next two years. Too many questions regarding the Shopoff development and the best way to clean up the Zeneca site remain. There should be no rush to move on this project before the newly elected council members are put in place in January.

Thank you,

Deborah Bayer

Richmond 510-685-5999

**From:** [Dennis Hicks](#)  
**To:** [City Clerk Dept](#)  
**Subject:** Re: Agenda Item J-1  
**Date:** Tuesday, November 10, 2020 12:58:32 PM

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Resending completed e-mail...

> On Nov 10, 2020, at 12:57 PM, Dennis Hicks <dkcbshicks@aol.com> wrote:  
>  
> To the Members of the Richmond City Council,  
> My name is Dennis Hicks, a long time resident of the City of Richmond, who is reaching out to you with strong support for reviving the Campus Bay Project. It is a shame that this project was halted several years ago. There has been a lot of lost opportunities for the residents of Richmond as a result.  
> Please proceed with cautious opportunity so as not to harm the future of this project. As a resident of this fine city, I offer to help in any way to make this project successful.  
> Dennis Hicks  
> 5212 Macdonald Ave.  
> Richmond  
> 510 734-0378

**From:** [Derek Cole](#)  
**To:** [City Clerk Dept](#)  
**Subject:** Public comment Agenda Item # J-1  
**Date:** Tuesday, November 10, 2020 7:43:41 AM

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Good morning,

My name is Derek Cole and I am a member of IBEW Local 302 and I am writing this email in support of the Campus Bay Mixed Use Development Project. We are in need of housing in the city/county and this project will deliver just that. We would like to see Richmond residents have the opportunity to work in their own backyards as well as the many apprenticeship opportunities this project will provide, not to mention the money that could be injected into the local economy generated by this project. Please consider moving Campus Bay forward. Thank you for your time and have a great day!  
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](http://www.ibewlu302.com)

[www.norcal-jatc.com](http://www.norcal-jatc.com)

[www.norcalvdv.org](http://www.norcalvdv.org)



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**From:** [Floy Andrews](#)  
**To:** [Jael Myrick](#); [Eduardo Martinez](#); [Nat Bates](#); [Ben Choi](#); [Demnlus Johnson](#); [Tom Butt - external](#); [Melvin Willis](#)  
**Cc:** [City Clerk Dept](#)  
**Subject:** Public Comment Agenda Item J1  
**Date:** Tuesday, November 10, 2020 11:28:52 AM

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Dear City of Richmond Council Members:

I am Floy Andrews and live in Richmond (617 Golden Gate Avenue). I am also an experienced environmental and land use attorney, although I have not recently been practicing. In the past, as Associated General Counsel for a real estate developer in Southern California, I managed the cleanup of brownfields and other environmental issues.

Since that time, and for a number of years as an East Bay resident, I have walked past Lot 3 along the Bayshore Trail, looking forward to the day the chain link fence comes down, the aging eyesore of fading tarmac is removed, and the beautiful Bay view parcel is available again for productive use, whether it be a public park, beautiful sports fields for local families to enjoy, open space for restoring the natural ecosystem, or some other valuable use, even potential redevelopment. I also know that full cleanup is essential to protecting one of the Bay Area's most valuable resources – the great San Francisco Bay and the exceptional natural ecosystem it sustains. The shorebirds alone are an inspiration, not to mention the native landscape and vast local wildlife!

I understand that the City is now considering moving forward with a planned redevelopment before a full remediation of the site. This seems ill-advised. We know that many soil contaminants continue to migrate underground overtime. And we know that there is a lot we don't know about this process over decades. Regulatory agencies, like the DTSC, do occasionally allow project developers to bury certain contaminants under infrastructure rather than implementing a full remediation. In this instance such action seems woefully short-sighted.

The property in question is literally a stone's throw away from our world-class bay. I doubt that the developer or the reviewing agency can ensure that the remaining contamination, which I understand to be substantial, will not migrate overtime into the Bay waters and wetlands, impacting the Bay and surrounding waterways, contaminating our natural resources, and perhaps even ourselves. Add to that the impact of rising sea levels, higher tidal waters, and more powerful storm waters, it is clear that we must, to the fullest extent possible, fully remediate the contaminants on these parcels.

I urge the City now to refrain from making a rash, short-sited decision.

Thank you,

Floy Andrews, J.D., M.S. Bioethics  
[floyandrews@gmail.com](mailto:floyandrews@gmail.com)

**From:** [Irene Kuhn](#)  
**To:** [City Clerk Dept](#)  
**Subject:** J-1 study session on Campus Bay Mixed Use Development Project  
**Date:** Friday, November 06, 2020 11:39:04 AM

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Re:

**J-1.** We ask that the council delay consideration of the Campus Bay Mixed Use Development Project until our newly-elected council members are sworn in. RESPECT OUR VOTES.

Council MUST NOT proceed with study sessions of the proposed Campus Bay Mixed Use Development Project. As we have voted in the past, we do NOT want to be exposed to the pollution, and costs, that would result from such a project.

We the people have elected new council members; we want our new council members to represent us in the study of this important development, and to decide whether or not to proceed.

**From:** [Jacquelyne Vera](#)  
**To:** [City Clerk Dept](#)  
**Subject:** Public Comment- Agenda Item #1-1  
**Date:** Tuesday, November 10, 2020 12:03:06 PM

---

Hello,

My name is Jacquelyne Vera and I am the Alcohol Policy coordinator for West County and I help run the West Contra Costa Alcohol Policy Coalition that focuses on alcohol youth prevention. Richmond has an over saturation of Liquor Stores. There are more liquor stores than grocery stores. The coalition supports the Resolution and believes the city of Richmond should be allowed to regulate alcohol sales. This will help prevent underage drinking in our community.

sincerely,  
the West Contra Costa Alcohol Policy Coalition  
Jacquelyne Marlene Espejo Vera  
Alcohol Coalition Coordinator  
Bay Area Community Resources  
11175 San Pablo Ave  
El Cerrito, CA 94530  
[jvera@bacr.org](mailto:jvera@bacr.org)

**From:** [Jan Cecil](#)  
**To:** [City Clerk Dept](#)  
**Cc:** ["Janet at Sunflower Alliance"](#)  
**Subject:** Public comments agenda item #J-1.  
**Date:** Tuesday, November 10, 2020 12:14:25 PM

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Dear Mayor Butt and Members of the Richmond City Council

I am writing to reinforce Shirley Dean comments below on this terribly flawed proposal: Development Agreement for the Campus Bay Mixed-Use Development Project on the toxic Zeneca site which is now scheduled to go before the Planning Commission on November 10, 2020 Council Meeting.

I agree wholeheartedly with the comments and recommendations by Shirley Dean and East Shore Parks below. This item must be postponed.

Sincerely,  
Jan Cecil

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Date: 11/09/2020 4:29 PM

Subject: CESP Letter re Zeneca site, Richmond City Council meeting, Nov. 10. 2020 CESP letter sent to the Richmond City Council re Zeneca site for their meeting Nov. 10.

2020

Dear Mayor Butt and Members of the Richmond City Council,

I am writing you on behalf of Citizens for East Shore Parks regarding Item J-1, Draft Terms of the Proposed Development Agreement for the Campus Bay Mixed-Use

Development Project which is on your agenda for the November 10, 2020 Council Meeting.

It is hard to believe that you would be considering this matter when an actual proposed project has not been presented to you, or to your staff. The staff report indicates that 71% (63.7 acres) of the site in question (89.6 acres) would be used for manufacturing uses. This category could include a very wide range of uses, but there is

absolutely no indication of what will be proposed, or is even being considered by the developer. In addition, there is mention in the staff report of a minimum project that would include 2,000 residential units and a maximum of 4,000 residential units, plus some open space (undefined). Furthermore, no financial information or analysis whatsoever has been provided to you or your staff. What is mentioned is a freeze on fees, so are we to conclude that this is a method by which the developer is seeking some protection from what might potentially be a looming increase?

While there is a list of possible community benefits attached to the item, without the essential knowledge of what is being proposed, how is it possible for you to

consider this list or other items that you might want to include? The report states that the Development Agreement will also serve as the Community Benefits Agreement. The staff report also asserts that in some way this meeting will serve as "community

input” to the DA.

Given the lack of information, how can any of this be either an effective or reasonable way to obtain either comments from either individual Council Members or the public. Both are being deprived of their essential participation in the process of considering a major project in the City of Richmond. There isn't even a hint about what

a future process might look like, not when it would occur. This is neither good planning

nor good government.

It is also unclear whether this project will be structured so that if a proposed project in some way goes bad, the developer can declare bankruptcy and just walk away without involving the parent company. Not only is this an important issue it becomes even more so in these uncertain times when there are deep concerns about the future of the state and national economies, let alone your own City's situation.

You

should also remember that newly-elected Council Members will be taking their places on the Council in a few short weeks.

All in all, I urge you to take no action at this time.

Thank you,

Shirley Dean, President

Citizens for East Shore Parks

[Shirley.dean@sbcglobal.net](mailto:Shirley.dean@sbcglobal.net)

**From:** [Janet Johnson](#)  
**To:** [City Clerk Dept](#)  
**Subject:** Public Comment - Agenda Item J 1 Campus Bay  
**Date:** Tuesday, November 10, 2020 12:59:45 PM

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I am writing to you as a Coordinator of Sunflower Alliance regarding Item J-1, Draft Terms of the Proposed Development Agreement for the Campus Bay Mixed-Use Development Project, on the agenda for the November 10, 2020 city council meeting.

First, to address the obvious glaring deficiencies in the proposal:

- an environmental impact report, required under CEQA, has not been issued;
- Fiscal and Economic Impact Analysis (FIA) for the project has not been provided to the City for review;
- According to the Planning Department's Agenda report "The property contains contaminated soil, soil vapor, and groundwater as a result of chemical processing operations associated with a former manufacturing plant...";
- There is no agreement between the "developer team" and the city staff regarding the guaranteed minimum number of units;
- There is no Draft Development Agreement other than the community benefits proposal, the dollar amount of which has already been reduced by over half.

A development process that does not include critical discussions around the whole range of issues (seismic impacts, toxic contaminants and their synergistic effects, sea-level rise, infrastructure, use of resources, sustainability, climate change) is incomplete and unjust from any perspective other than that of those hoping to benefit financially from the proposed project. The desire of the "developer team" to scale back the project, and the incomplete environmental review and financial agreements, both point to their difficulty in squaring standard development scenarios with the highly problematic aspects of this former Superfund site.

I urge the council to hold off on any decision, and withdraw the referral of this item to the Planning Commission, until there is more information available to both the public and the council. Any other course is bad planning and worse governance.

Sincerely,  
Janet Johnson  
Coordinator, Sunflower Alliance

--

Janet Scoll Johnson, 510-331-3985

pronouns: she/her

[No Coal in Richmond](#)

[Sunflower Alliance](#)

Twitter: [@SunflowerAction](#)

**From:** [Janis Hashe](#)  
**To:** [City Clerk Dept](#)  
**Subject:** Public comments agenda item #J-1  
**Date:** Tuesday, November 10, 2020 11:00:34 AM

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Having done extensive research on the former Zeneca site for an article in the East Bay Express, I am firmly opposed to any plan that proposes housing on this site UNLESS the thorough and extensive clean-up that would be required (and has been presented to the City Council) is approved.

Please postpone any decision on this matter until the new Council is seated, and rescind the notice of the Planning Committee hearing on Nov. 19.

Sincerely,  
Janis Hashe  
336 W. Bissell Ave.  
Richmond, CA 94801

**From:** [Jeannette Kortz](#)  
**To:** [Ben Choi](#); [Eduardo Martinez](#); [Melvin Willis](#); [Nat Bates](#); [Demnlus Johnson](#); [Jael Myrick](#)  
**Cc:** [Lina Velasco](#); [City Clerk Dept](#); [Laura Snideman](#)  
**Subject:** Public Comment - Agenda Item J1 Campus Bay (Zeneca) Public Hearing  
**Date:** Monday, November 09, 2020 3:31:56 PM

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Dear Council Members,

1. Do not hold this hearing until the newly elected City Council is sworn in. The developer/investors are trying to thwart public efforts for a safe development by rushing the process. As the staff report says there is not enough information for them to work with. The developer has not completed a financial economic review, there has been no EIR.
2. "The Campus Bay Mixed Use Development" is located on Richmond's South East Shoreline, a stone's throw away from the S.F. Bay Trail - this 89 acre former superfund designated contaminated land is known to the community as the Zeneca/former Stauffer Chemical Site. The community has been demanding a robust clean up of this site for more than 17 years.
3. There are over 100 chemicals of concern, heavy metals, pesticides PCBs, etc. Many of the toxic chemicals there are known as "the dirty dozen", known to cause cancer, reproductive damage and and other health problems. Will the city be liable against future health oriented lawsuits for knowingly allowing residential development on a heavily contaminated site that is not adequately cleaned up? ( See \* below for short list)
4. The synergistic effect of mixing of the chemicals of concern as was done here leads to unknown consequences and health impacts. From Canadian Center for Occupational Health & Safety  
<https://www.ccohs.ca/oshanswers/chemicals/synergism.html> :  
"Synergism comes from the Greek word "synergos" meaning working together. It refers to the interaction between two or more "things" when the combined effect is greater than if you added the "things" on their own (a type of "when is one plus one is greater than two" effect).  
In toxicology, synergism refers to the effect caused when exposure to two or more chemicals at one time results in health effects that are greater than the sum of the effects of the individual chemicals.  
When chemicals are synergistic, the potential hazards of the chemicals should be re-evaluated, taking their synergistic properties into consideration."
5. Has there been a geotechnical report? What is the likely scenario of 85 foot high podium residential building collapse on this liquefaction prone area in the event of a major earthquake? Who will contain ruptures in the cap? If there is a breach and subsequent toxic release, what is the evacuation plan for thousands of future residents? U.C. Berkeley Seismology Lab:  
[https://seismo.berkeley.edu/hayward/hayward\\_hazards.html](https://seismo.berkeley.edu/hayward/hayward_hazards.html): "  
next 26 years
6. Who will inspect and maintain the engineering controls (cap, fans etc.) and for how long?

## 7. Sea level rise and impact of saltwater intrusion

8. Environmental Justice concerns – California Office of Environmental Health Hazard Assessment (OEHHA) ranks this area on its CalEnviroScreen map

<https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30> as disadvantaged; overburdened with multiple sources of pollution and with a vulnerable population. Where are the low income units expected to be placed? Will they be on the lower floors where there is more chance of toxic exposure?

\*Elaborate on toxics:

Toxic substances at Zeneca Site - reference Persistent Organic Pollutants (POPs)

<http://chm.pops.int/TheConvention/ThePOPs/tabid/673/Default.aspx>

\*\* Short List of contaminants compiled by Sherry Padgett: Metals

- Arsenic
- Beryllium • Cadmium • Copper
- Lead
- Mercury • Nickel
- Radium
- Selenium • Uranium • Zinc
- Pesticides • Aldrin

home to many active faults that can erupt at anytime. Scientists have studied the The Bay Area is

faults extensively and determined that the Hayward is probably the most dangerous.

It has a 31.7% chance of rupturing in a 6.7 magnitude earthquake or greater in the , and the Bay Area has a 63% chance of having at least a magnitude 6.7 earthquake in the same time period."

- Bensulide • Captan
- Chlodane • DDD
- DDT
- Dieldren
- Endosulfan
- Endrin
- EPTC
- Fonofos
- Heptachlor
- Lindane
- Mirex
- Metam
- Sodium/Vapam • Molinate
- Pebulate
- Phosmet
- Toxaphene
- Vernolate

Volatile Organic Compounds (VOCs) • Benzene

- Carbon Disulfide
- Carbon Tetrachloride
- Chlorobenzene • Chloroethane
- Chloroform
- Dichloroethene • Toluene
- Tetrachlorethene (PCE) • Trichlorethene (TCE)
- Vinyl Chloride (VC)

- Polychlorinated Biphenyls (PCBs)

**From:** [Jessie Stewart](#)  
**To:** [City Clerk Dept](#)  
**Subject:** Public Comments - Agenda Item J-1  
**Date:** Tuesday, November 10, 2020 10:49:54 AM

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Dear Mayor Butt and members of the City Council.

Since 2016, I have had the privilege of serving as Executive Director of the Richmond Promise - an initiative many of you visioned and championed from the beginning.

I write to you today not as a housing or environmental expert, but in my capacity as a champion for educational equity through the Richmond Promise - to express gratitude on behalf of the thousands of future Scholars who stand to benefit from the community benefits outlined in the Council resolution.

The Richmond Promise was launched with a vision to catalyze a college going and graduating culture throughout the City of Richmond. Over the past three years, our vision to create a homegrown movement of young leaders is best exemplified by the over 1500 Richmond Promise Scholars who now represent Richmond across 100 different colleges and universities across the country. If you have met with any of our Scholars, you will know that the future of Richmond is bright. Many have dreams to come back, give back, work, live, thrive, and lead in their home community.

A promise is something you keep. With our eye on long-term, multi-generational change, the Promise is more than a program; it's a community-wide, student-driven movement that necessitates cross-sector investment and partnership within the Richmond community — We are all in the business of education.

With this belief in mind, I would like to thank the Richmond City Council and the Shopoff team for their commitment to our community in the promise they've made to our future students. The proposed community benefits agreement will impact thousands of future Scholars and support our goal of sustaining the Promise for generations to come.

Sincerely,

Jessie Stewart

Jessie Stewart, MCRP | **Executive Director**  
**Richmond Promise, Inc**  
Direct cell: 269-720-5247  
Direct work: 510-620-6570  
Student hotline: 510-230-0422  
[www.richmondpromise.org](http://www.richmondpromise.org)

**\*\*Consider donating [here](#) to join RP's efforts to support our college students impacted by COVID 19. Donations to the College Student Rapid Response Fund will go directly to a college student in need\*\***

**Follow Us:** [Facebook](#) | [Instagram](#) | [Twitter](#)

**Sign up for our newsletter [here](#)!**

[Smile and support the Richmond Promise while you shop!](#)

**From:** [Jim Hite](#)  
**To:** [City Clerk Dept](#)  
**Subject:** Public Comments on Agenda item J1  
**Date:** Tuesday, November 10, 2020 9:42:10 AM

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Hello. My name is Jim Hite, Richmond resident

I am asking the city council to postpone the vote on Agenda item J1 until the newly elected council members can participate.

How many of you folks sitting up there on the dais were unhappy with the way the republicans pushed through the Supreme Court nominee vote?

Well?

How's the situation different tonight ?

Is fair's fair only when it's convenient?

Do the right thing for your self-respect and the citizens of Richmond

Thank you!

**From:** [Karen Franklin](#)  
**To:** [City Clerk Dept](#)  
**Subject:** Public comment - Agenda Item J-1 (Study Session, Campus Bay Development Project)  
**Date:** Tuesday, November 10, 2020 9:55:54 AM

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Dear City Clerk,

I am writing to you as a longtime Richmond resident and homeowner and former long-time president of the Panhandle Annex Neighborhood Council, to kindly request that item J-1 on this week's council agenda be tabled until after the new council members are seated in January 2021. Each of these three council members was elected by a substantial majority of voters, thereby suggesting a voter mandate.

My neighborhood, the Panhandle Annex, is one of the two neighborhoods that are closest to the proposed site of this controversial development. Residents of the Panhandle have been involved in the struggle over the Zeneca site for more than two decades now. Over that time, the citizenry has never wavered in its substantial opposition to premature, ill-conceived and dangerous development along the south Richmond shoreline. As recently as two years ago, the City Council was on our side, voting unanimously for a thorough cleanup before any residential and/or commercial construction ensued. It's demoralizing to see the interests of a crooked out-of-town company suddenly being prioritized over those of the citizenry, especially those of us who live adjacent to the proposed development site. It's our health, and the health and well-being of our families and our offspring, that are at stake here.

This isn't a situation in which one block of Richmond residents opposes development and another favors it: There is a clear consensus among Richmond residents that the toxic Zeneca site should be cleaned up. Especially in light of recent projections of substantial sea level rise due to global warming, leaving toxic sludge in place and building atop it seems foolhardy to most reasonable people. The main lobby favoring this plan is the construction industry, for obvious

reasons. Many of them do not live here, pay taxes here, or vote here. They will not be living in those units; their children will not be afflicted with cancers from the invisible toxins they will inevitably ingest.

I am hoping that you will see the justice in slowing down the runaway train, to enable greater citizen input and review and to avoid a potentially costly debacle and/or calamitous outcome.

Again, I kindly request that you table this agenda item until after the newly elected city council candidates have taken office and can weigh in on behalf of the majority of Richmond citizens who elected them.

Thank you in advance for your kind consideration.

Karen Franklin

Richmond resident and homeowner

Former president, Panhandle Annex Neighborhood Council

**From:** [Laura Thomas](#)  
**To:** [City Clerk Dept](#)  
**Subject:** Public comments agenda item #J-1  
**Date:** Tuesday, November 10, 2020 12:19:01 PM

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My name is Laura Thomas and I am a Richmond resident. In the 10 years I have lived here I have witnessed my neighbors working diligently towards a full clean up of the Zeneca/Campus Bay site. Please do not push the will of the people, your constituents, aside in favor of a partial cleanup and a rushed development that will not be safe due to the toxic waste that will still be under the surface leaking into the bay and surrounding neighborhoods.

Please, do not ignore the pleas of our community. Do not hold this hearing on the Zeneca/Campus Bay site until after the newly elected City Council is sworn in. Please rescind the notice of the hearing at the Planning Commission on 11/19.

This feels like the local version of what we are seeing nationally. Voters are demonstrating their values and ideals clearly with their voices and their votes. Meanwhile, politicians are subverting the will of the people and the needs of the environment in order to push ahead with their own agenda. I look to you to set a better example at the local level.

Regards,  
Laura Thomas

--

[Help Save Richmond Public Libraries](#)

**From:** [Louise Moises](#)  
**To:** [City Clerk Dept](#)  
**Subject:** Public comments agenda item #J  
**Date:** Tuesday, November 10, 2020 12:00:27 PM

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As a resident of Richmond and a near neighbor of the Zeneca site, I highly object to the current proposal for development.

This is a toxic area that needs a serious clean-up, not a build over. Additionally, I ask that any vote on the proposal be tabled until the newly elected council members are seated. Thank you for your time.

Louise Moises

1315 Santa Clara St. Richmond 94804

Louise Moises

**From:** [Michael Littleton](#)  
**To:** [City Clerk Dept](#)  
**Subject:** Public Comments - Agenda Item J-1  
**Date:** Tuesday, November 10, 2020 11:02:19 AM

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Dear Mayor Butt and members of the City Council

I write in strong support of the proposed Community Benefits Agreement for the Campus Bay Project.

The Agreement calls for substantial contributions to the Richmond Promise as certificate of occupancy milestones are achieved. These contributions will assist the Promise in providing services to Richmond students from middle school through college completion.

As a reminder the Promise currently assists many hundreds of, primarily low income, students attain their educational dreams and goals by providing scholarships, mentoring and many other services that enable them to attend and succeed at college. It means that the students of today can become the local leaders of tomorrow.

I want to thank Mayor Butt, members of the City Council and Richmond Bay LLC for including the Promise in the Community Benefits Agreement.

Sincerely

Michael Littleton, CPA. Board Member, Richmond Promise.

--

Michael Littleton, CPA  
Suite 311  
825 Washington Street  
Oakland, CA 94607

**From:** [Norman La Force](#)  
**To:** [City Clerk Dept](#)  
**Subject:** 2020-11-08 City Council Meeting: Public Comment on Agenda Item J-1-Campus Bay Project  
**Date:** Sunday, November 08, 2020 4:20:07 PM

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Dear Mayor Butt and members of the City Council,

Both the Sierra Club and SPRAWLDEF have opposed the siting or residential development at the highly toxic Zeneca (Campus Bay) site. Years ago virtually the same project was opposed because the clean up of the site would not result in a full clean-up of the site. Nothing has changed since then except that the City recanted its original decision to require a full clean up. Similar community benefits were proposed with the original Jim Levine proposal, but the project was pulled back because it was clear that no amount of community benefits can make up for the potential health impacts to future residents. Therefore, both organizations urge the city council to not go forward with a development agreement for this project at this time and to wait until the new council is seated to consider any future project.

Sincerely yours,

Norman La Force,  
Chair Sierra Club East Bay Public Lands Committee  
President, SPRAWLDEF

**From:** [Sally Tobin](#)  
**To:** [Ben Choi](#); [Demnlus Johnson](#); [Jael Myrick](#); [Tom Butt - external](#); [Melvin Willis](#); [Eduardo Martinez](#); [Nat Bates](#); [City Clerk Dept](#)  
**Cc:** [Laura Snideman](#); [Lina Velasco](#)  
**Subject:** Public Comments Agenda Item # J-1  
**Date:** Tuesday, November 10, 2020 11:01:32 AM

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Dear City Council Members,

Agenda item J-1 presents a study session for development of site that is contaminated with a variety of harmful (and some volatile) chemicals. The developer is proposing construction of a largely residential neighborhood on the site. However, residential development, even using podium designs, amounts to a large experiment in toxic exposure that goes beyond the current level of scientific knowledge. Though much is known about effects on humans from certain specific contaminants, this particular toxic cocktail has never been tested, especially on children.

Of course it is always an excellent idea to learn more about a topic that will affect the residents of Richmond, but the financial analysis and the environmental assessments for the proposed development are currently incomplete. This particular study session therefore seems premature. Additional study sessions will be needed in the future, when there is sufficient information for City staff to analyze and for Council Members and the public to consider. Considering that new Council Members will be joining the City Council soon, it seems logical to postpone all study sessions so that the new members can be informed about these important issues.

Please keep the health and safety of Richmond residents in mind.

Best regards,

Sara L. (Sally) Tobin, Ph.D.

**From:** [Sara Sunstein](#)  
**To:** [Nat Bates](#); [Jael Myrick](#); [Demnlus Johnson](#); [Melvin Willis](#); [Tom Butt - external](#); [Eduardo Martinez](#); [Ben Choi](#); [City Clerk Dept](#)  
**Subject:** Public Comment on Agenda Item J-1  
**Date:** Tuesday, November 10, 2020 2:01:16 AM

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Greetings Mayor, Council, and City Clerk,

I'm writing about the former Zeneca site and proposed development plan. A few flaws, even this early in planning, jump out at me:

1. Toxic waste: The proposal says that all of 25.9 acres will be remediated and placed into "natural habitat." That's a start. But people will be working and living on an additional 63.7 acres that are totally toxic. there's the balance of the property, over 300 acres, a brown field, continuing to be death fields for all life happening by, and seeping toxins into the bay.

Do people want to rent, let alone buy, housing over a toxic waste site? Do we want a Love Canal in Richmond? How do you even ensure the drinking water doesn't get contaminated?

2. Design/Climate Change: Apartment buildings 7-8 stories high? Really? That's hardly in keeping with the area. Three stories okay, maybe four. Definitely not 7-8 stories along the shore and wetlands. First of all, it's bound to get flooded or to sink. or both. Moreover, if the toxins aren't addressed, it will be even more toxic during the tide surges. Secondly, high rises belong in large business areas, not along bay nature trails where everything is flat.

Send this project back to the drawing board, please.

And while the developers are drawing, get on with detoxifying those 430 acres! My understanding is it's been years of bickering about cleaning it up. Why?!? Meanwhile, in recent years mushrooms have proven excellent for bioremediation, and will eliminate the need for thousands of truckloads of poisonous soil being transported anywhere. Get in touch with Paul Stametz who will point you in the right direction.

Meanwhile, because new council members have just been elected, and the so-called holidays are coming up, I'd like to suggest waiting until they're sworn in to take any action on this other than increasing remediation asap.

Thank you.  
Sara Sunstein

**From:** [Sarah Young](#)  
**To:** [City Clerk Dept](#)  
**Cc:** [Ben Choi](#); [Nat Bates](#); [Eduardo Martinez](#); [Demnlus Johnson](#); [Jael Myrick](#); [Melvin Willis](#); [Tom Butt - external](#)  
**Subject:** Public Comments Agenda Item J-1  
**Date:** Tuesday, November 10, 2020 11:48:23 AM

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Dear Mayor Butt and City Council Members,

As a resident of Richmond's Marina Bay I am deeply concerned for myself, neighbors and community about the draft terms of the proposed mixed use development of the Zeneca site. This project would have a significantly negative impact on the people who live and visit this area as well as on the ecological health of the area. Moving forward on it when there still isn't adequate information in place, is unethical.

Given the toxins involved and the inadequate plan to address the removal of them, as well as Richmond's financial concerns at a time, I am requesting that you take no action on this matter until after the new council is seated in 2021 and more complete information is available to form sound decisions about this matter.

Please rescind the notice of the hearing at the Planning Commission on 11/19.

Sincerely,

Sarah Young  
33 Lighthouse Lane  
Richmond, CA 94804

**From:** [Shirley Dean](#)  
**To:** [Tom Butt - external](#); [Ben Choi](#); [Nat Bates](#); [Eduardo Martinez](#); [Demnlus Johnson](#); [Jael Myrick](#); [Melvin Willis](#); [City Clerk Dept](#)  
**Subject:** Council Meeting, Nov 10, 2020: Item J-1--Draft Terms of Proposed Development Agreement, Campus Bay Mixed-Use Development Project  
**Date:** Monday, November 09, 2020 4:22:07 PM

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Dear Mayor Butt and Members of the Richmond City Council

I am writing you on behalf of Citizens for East Shore Parks regarding Item J-1, Draft Terms of the Proposed Development Agreement for the Campus Bay Mixed-Use Development Project which is on your agenda for the November 10, 2020 Council Meeting.

It is hard to believe that you would be considering this matter when an actual proposed project has not been presented to you, or to your staff. The staff report indicates that 71% (63.7 acres) of the site in question (89.6 acres) would be used for manufacturing uses. This category could include a very wide range of uses, but there is absolutely no indication of what will be proposed, or is even being considered by the developer. In addition, there is mention in the staff report of a minimum project that would include 2,000 residential units and a maximum of 4,000 residential units, plus some open space (undefined). Furthermore, no financial information or analysis whatsoever has been provided to you or your staff. What is mentioned is a freeze on fees, so are we to conclude that this is a method by which the developer is seeking some protection from what might potentially be a looming increase?

While there is a list of possible community benefits attached to the item, without the essential knowledge of what is being proposed, how is it possible for you to consider this list or other items that you might want to include? The report states that the Development Agreement will also serve as the Community Benefits Agreement. The staff report also asserts that in some way this will meeting will serve as "community input" to the DA.

Given the lack of information, how can any of this be either an effective or reasonable way to obtain either comments from either individual Council Members or the public. Both are being deprived of their essential participation in the process of considering a major project in the City of Richmond. There isn't even a hint about what a future process might look like, not when it would occur. This is neither good planning nor good government.

It is also unclear whether this project will be structured so that if a proposed project in some way goes bad, the developer can declare bankruptcy and just walk away with involving the parent company. Not only is this an important issue it becomes even more so in these uncertain times when there are deep concerns about the future of the state and national economies, let alone your own City's situation. You should also remember that newly-elected Council Members will be taking their places on the Council in a few short weeks.

All in all, I urge you to take no action at this time.

Thank you,

Shirley Dean, President  
Citizens for East Shore Parks  
[Shirley.dean@sbcglobal.net](mailto:Shirley.dean@sbcglobal.net)  
610-524-3223

**From:** [Soula Culver](#)  
**To:** [City Clerk Dept](#)  
**Subject:** Fwd: Public Comment- Agenda Item J1  
**Date:** Monday, November 09, 2020 8:54:02 PM

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**From:** **Soula Culver** <[soculver@gmail.com](mailto:soculver@gmail.com)>  
**Date:** Mon, Nov 9, 2020 at 11:04 AM  
**Subject:** Public Comment- Agenda Item J1- Campus Bay  
**To:** <[tom.butt@intres.com](mailto:tom.butt@intres.com)>, <[ben\\_choi@ci.richmond.ca.us](mailto:ben_choi@ci.richmond.ca.us)>, <[natbates@comcast.net](mailto:natbates@comcast.net)>, <[eduardo\\_martinez@ci.richmond.ca.us](mailto:eduardo_martinez@ci.richmond.ca.us)>, <[demnlus\\_johnson@ci.richmond.ca.us](mailto:demnlus_johnson@ci.richmond.ca.us)>, <[jael\\_myrick@ci.richmond.ca.us](mailto:jael_myrick@ci.richmond.ca.us)>, <[melvin\\_willis@ci.richmond.ca.us](mailto:melvin_willis@ci.richmond.ca.us)>, <[richcityservant@gmail.com](mailto:richcityservant@gmail.com)>

Dear Richmond City Council,

Regarding Agenda item J-1: Campus Bay, November 10 meeting. You must make sure this is not pushed through. There is not enough information given in the staff report to make any educated decision to move this project forward.

1. If residential use is planned, this location must be fully remediated to residential standards.
2. There is a lot of community history of involvement and concern about this location. Here is a link to a website made in 2005-2006 about this area and its history: to <https://soulac.pairsite.com/zeneca/> which includes lots of photos, some historic. The following points are taken from that
3. Who will be responsible for maintaining the cap? What kind of air filtration will be used to make sure VOC vapor intrusions are controlled? Who will be responsible for monitoring engineering controls and for how long? Who will bear the burden of those costs? 5/28/04 Letter from Sherry Padgett to Richmond Planning Department: "What happens in the event of a worst case scenarios such as earthquake, huge building fire with fire trucks pumping immense amounts of water onto the site soaking the toxic cap semi-permeable barrier or subtle earth movement which allows toxic vapors to exceed allowable limits in between annual inspections of building ground floor fans. The US Environmental Protection Agency continues to update impacts of toxins on human health as scientific evidence mounts that the known contaminants on this site are very, very dangerous. How would the City respond if some of the hazard measurements, which are allowable today, are moved to an intolerable level and there are buildings housing 3,000 people or more on the site? Or children with asthma or other afflictions are identified as "at higher risk" when exposed to new lowered exposure limits. Does the realtor selling the future property ask each potential buyer – "Does your child have any kind of known breathing disorder? If so, this isn't the residence for you." How can the City of Richmond take on this potential liability?"  
... [read the whole letter from Sherry Padgett  
<https://soulac.pairsite.com/zeneca/sprezt.html> , please]
4. [Peter Weiner, 5/28/04 letter to Richmond Planning Dept.  
<https://soulac.pairsite.com/zeneca/coreirpweiner052804.pdf> This is from attorney Peter Weiner, who has in-depth expertise working with developers on issues of toxics. In this instance, he had been volunteering his time to work with Bay Area

Residents for Responsible Development (BARRD) because this project is such a glaringly BAD IDEA. Although he was commenting on a prior development plan, his expert testimony on a variety of negative aspects of this project are still relevant.]

Thank you,  
Soula Culver

--

sent from my wired computer w all wireless functions OFF

**From:** [TARNEL ABBOTT](#)  
**To:** [City Clerk Dept](#)  
**Cc:** [Tom Butt - external](#); [Nat Bates](#); [Eduardo Martinez](#); [Eduardo Martinez](#); [Jael Myrick](#); [Ben Choi](#); [Demnlus Johnson](#); [Melvin Willis](#); [Laura Snideman](#)  
**Subject:** Public Comment - Agenda Item J 1 Campus Bay...  
**Date:** Tuesday, November 10, 2020 12:26:45 PM

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TO: Richmond City Council Members

CC: City Clerk, City Manager

RE: Public Comment-Agenda Item J 1 Campus Bay

Dear Richmond City Council Members:

I ask you to direct staff to take no further action on this massive project until the new City Council is seated in January, 2021 and further direct staff to rescind the notice of public hearing on this project which is scheduled for the Planning Commission meeting of November 19, 2020. The staff report for this item makes it clear that not enough information has been provided to make recommendations. The environmental and financial data from the developers/investors are lacking.

I live in the Panhandle Annex neighborhood which is very close to the Campus Bay - Zeneca /former Stauffer Chemical site. As a member of the Richmond Southeast Shoreline Area Community Advisory Group (RSSA/CAG) to the DTSC (Department of Toxic Substances Control) since its inception 17 years ago, I have had a close look at the toxic legacy which lies buried there, on our shoreline.

The public has fought hard all these years for a robust clean up of this land before it is developed because of its toxicity. A Public Health Assessment done by the California Department of Public Health (CDPH) and the Agency for Toxic Substances and Disease Registry (ATSDR) states this number one recommendation: "CDPH and ATSDR recommend the Zeneca site be cleaned up to levels consistent with residential standards if the land use changes from industrial to residential or recreational" (Citation below\*). The community was told by DTSC that if the Richmond Bay Specific Plan land use was changed from industrial /commercial to include residential, the DTSC would then order a clean up to residential standards. So the City changed the Richmond Bay Specific Plan to allow residential for that reason.

The City was aligned with the community in this respect this until last year when this City Council reversed course in exchange for a promise of \$50 million in community benefits, now reduced to \$22 million.

For our health, for the health of future residents, please do not go forward in this rushed way. There are so many things to consider- here are just a few:

- There are over 100 chemicals of concern, heavy metals, pesticides PCBs, etc. Many of the toxic chemicals there are known as “the dirty dozen”, known to cause cancer, reproductive damage and other health problems. Will the city be liable against future health oriented lawsuits for knowingly allowing residential development on a heavily contaminated site that is not adequately cleaned up? The synergistic effect of mixing of the chemicals of concern as was done here leads to unknown consequences and health impacts. From Canadian Center for Occupational Health & Safety <https://www.ccohs.ca/oshanswers/chemicals/synergism.html> :

“In toxicology, synergism refers to the effect caused when exposure to two or more chemicals at one time results in health effects that are greater than the sum of the effects of the individual chemicals. When chemicals are synergistic, the potential hazards of the chemicals should be re-evaluated, taking their synergistic properties into consideration.”

- Has there been a geotechnical report? What is the likely scenario of 85 foot high podium residential building collapse on this liquefaction prone area in the event of a major earthquake? Who will contain ruptures in the cap? If there is a breach and subsequent toxic release, what is the evacuation plan for thousands of future residents? According to the U.C. Berkeley Seismology Lab scientists: The Bay Area has a 63% chance of having at least a magnitude 6.7 earthquake in the next 26 years.

Hold off on this major project until the facts are gathered, the new council is seated and listen to what the community is telling you: Our health is more important than anything.

Thank you

Tarnel Abbott, home owner, voter

\*Citation for reference: p. 47 Public Health Assessment, Final Release \*REVISED

Evaluation of Exposure to Contaminants from the

ZENECA/CAMPUS BAY SITE

1200 SOUTH 47TH STREET

RICHMOND, CONTRA COST

A COUNTY, CALIFORNIA

EPA FACILITY ID: CAD009123456

Prepared by the California Department of Health Services

JULY 22, 2009 Prepared under a Cooperative Agreement with the

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Toxic Substances and Disease Registry

Division of Health Assessment and Consultation

Atlanta, Georgia 30333

**From:** [Carolyn Graves](#)  
**To:** [Tom Butt - external](#); [Nat Bates](#); [Ben Choi](#); [Demnlus Johnson](#); [Eduardo Martinez](#); [Melvin Willis](#)  
**Cc:** [City Clerk Dept](#)  
**Subject:** Public Comment Agenda Item J 1 -DRAFT DEVELOPMENT AGREEMENT FOR THE CAMPUS BAY MIXED-USE DEVELOPMENT PROJECT (PLN20-310)  
**Date:** Tuesday, November 10, 2020 1:06:41 PM

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Dear Mayor Butt and Members of the Richmond City Council:

Re: Agenda Item J 1 "DRAFT DEVELOPMENT AGREEMENT FOR THE CAMPUS BAY MIXED-USE DEVELOPMENT PROJECT (PLN20-310)"

**I support a halt to the City of Richmond's spending any more time and money on the Campus Bay project until after the new City Council convenes in January. The electorate has more than made it clear they want a different tack taken by the City Council on this project. This should be no surprise to you as all the meetings regarding this Campus Bay Project, both those held by the City Council as well as DTSC, have all been standing-room only meetings for the past 15 years. Moving this project forward against the very strong objections of the electorate is reckless to the worst degree.**

I am a Richmond resident and homeowner, living here for 30+ years. I live less than a mile from this site, and as it part of a major Richmond Gateway site, I am often near it or traveling through it, via the public areas adjacent to it. Because of this, for the past 15 years I have closely followed the DTSC and CDPH information regarding the Campus Bay, specifically the Stauffer Chemical Manufacturing site, aka the Zeneca site. Given the hundred years of heavy industrial use of this site, with military site levels of over a hundred TYPES of toxic compounds that include confirmed radioactive material as well as extremely high volumes of carcinogens and other toxics such as Arsenic, PCBs, lead, and banned pesticides and fungicides. This is NOT a site to sweep the problems under a concrete cap and then build upon it as if there is no risk to residents or visitors, or to the immediately adjacent San Francisco Bay and the documented endangered wildlife that Stege Marsh supports. DTSC staff have confirmed toxics from this site are already migrating offsite via underground seeps, contaminating both adjacent properties as well as Stege Marsh and the adjacent Bay areas. There has been NO geotechnical report to prove a concrete cap will even be a reliable solution as a cap at this location. In addition there hasn't been any long term (15-20-30 year) studies proving that concrete caps can be relied upon even in general, to withstand seismic movement to underlying soft Bay/shoreline soil; remember the photos of the San Francisco Marina District, then think what would be the situation at THIS site after a large earthquake which is considered overdue by many experts.

Moving the current proposal forward before completion of a full remediation of the site is ill-advised, full of hubris, and reckless. It leaves the City finances, and those of its taxpayers, at risk from a catastrophic failure of the proposed development. At this time it isn't even possible to quantify the worst case of the risk as no seismic evaluation of this project has been completed. In addition, financial risk is all the more likely as NO financial information or analysis whatsoever has been provided to you or your staff.

In addition, not only WHEN (not IF) the toxics cause harm to the eventual homeowners, Zeneca, Shopoff, and any other developer involved, and the City of Richmond), will be liable, as all have been complicit in moving this project forward over the strong objections of the City taxpayers. And keep in mind that litigation is ongoing against the current developer, Shopoff\*. This is how it played out in Oakland with Shell Oil and their developer(s) for the Oakland Estuary Condos site, where the contaminants involved were much less complex and at much lower volumes.

I urge the City, now and tonight, to refrain from making a rash, short-sited decision.

Sincerely,  
Carolyn Graves  
Richmond resident and homeowner

\*<https://www.ocregister.com/2020/05/22/shopoff-realty-cleared-of-defrauding-investors/>

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**From:** [Carolyn Graves](#)  
**To:** [Tom Butt - external](#); [Nat Bates](#); [Ben Choi](#); [Demnlus Johnson](#); [Eduardo Martinez](#); [Melvin Willis](#)  
**Cc:** [Alexander, Jeriann](#); [City Clerk Dept](#)  
**Subject:** Public Comment Agenda Item J 1 -DRAFT DEVELOPMENT AGREEMENT FOR THE CAMPUS BAY MIXED-USE DEVELOPMENT PROJECT (PLN20-310)  
**Date:** Tuesday, November 10, 2020 5:05:02 PM

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To the Richmond City Council Members, and the City Clerk:

I am forwarding the below email from Jeriann Alexander, PE, REPA, as her email to the City Councilmembers and City Clerk regarding tonight's City Council meeting Agenda Item J-1 kept bouncing back.

Regards,  
Carolyn Graves

**From:** Alexander, Jeriann <[jalexander@fugro.com](mailto:jalexander@fugro.com)>  
**Sent:** Tuesday, November 10, 2020 4:38 PM  
**To:** Carolyn Graves <[Carolyn.Graves@kp.org](mailto:Carolyn.Graves@kp.org)>  
**Subject:** Public Comment Agenda Item J 1 -DRAFT DEVELOPMENT AGREEMENT FOR THE CAMPUS BAY MIXED-USE DEVELOPMENT PROJECT (PLN20-310)

FYI

I attempted to provide a comment for inclusion in the record for the meeting and received an auto response indicating that the email address for the county clerk was not good.

This is the message I attempted to send.

*The proposed development at Zeneca appears to be rushed to the planning commission with OLD information including a risk assessment completed years ago. Please stop this process before the City takes on more risk than they bargain for. Developments can be completed on impacted properties, but at a minimum all studies need to be updated to correctly reflect current risk evaluations. That is not the case with the advancement to planning and design based on older risk evaluations.*

Best Regards,

**Jeriann N. Alexander, PE, REPA**  
Principal Engineer  
Manager of Environmental Services  
Fugro

Best Regards,

**Jerriann N. Alexander, PE, REPA**

Principal Engineer

Fugro

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Together we create a safe and liveable world.

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**From:** [lauren.schiffman](#)  
**To:** [City Clerk Dept](#)  
**Subject:** Public comments agenda item #J-1  
**Date:** Tuesday, November 10, 2020 2:13:59 PM

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I urge you not to take action on the proposal to develop the toxic Zeneca site at tonight's city council meeting and to rescind the notice of the hearing at the 11/19 Planning Commission meeting. This proposal is deeply flawed and a proper environmental impact statement and economic analysis has not been completed. The possible health and environmental effects are too serious to rush on this decision!

Thanks for your attention to this.

Lauren Schiffman  
Richmond resident