

**RICHMOND, CALIFORNIA,**

April 19, 2022, 4:00 p.m.  
Community Services Building  
440 Civic Center Plaza  
Richmond, CA 94804

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**A. OPEN SESSION TO HEAR PUBLIC COMMENT BEFORE CLOSED SESSION**

Closed Session was called to order at 4:00 p.m. by Mayor Thomas K. Butt via teleconference.

**B. ROLL CALL**

**Present:** Councilmembers Nathaniel Bates, Claudia Jimenez, Demnlus Johnson III, Eduardo Martinez, Gayle McLaughlin, and Mayor Thomas K. Butt. **Absent:** Councilmember Melvin Willis arrived after the roll was called.

**C. CLOSED SESSION**

**C.1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)**

- Title: City Manager

**C.2 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (paragraph (1) of Subdivision [d] of Government Code Section 54956.9)**

- City of Richmond v. Thomas K. Butt
- SPRAWLDEF et al. v. City of Richmond
- The Guidiville Rancheria of California, et al. v. The United States of America, et. al.
- North Coast Rivers Alliance et al./Point Molate Alliance et al. v. City of Richmond
- Randy Oliver v. City of Richmond, et al.

**C.3 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Significant exposure to litigation pursuant to paragraph (2) or (3) of Subdivision (d) [as applicable] of Government Code Section 54956.9)**

- Three cases:

In light of the California Court of Appeal's decision in Fowler v. City of Lafayette, the City Attorney's Office is attaching to this agenda four communications regarding the amended judgment and various agreements related to Point Molate. These letters provide the existing facts and circumstances for going into closed session on these items pursuant to California Government Code Section 54956.9(d)(2) and (e)(3).

**C.4 CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)**

- Agency Representatives: Jaclyn Gross and Anil Comelo

Employee organizations:

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

**C.5 LIABILITY CLAIMS (Government Code Section 54956.9)**

- Winehaven Legacy LLC v. City of Richmond

**C.6 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (initiation of litigation pursuant to paragraph (4) of Subdivision (d) of Government Code Section 54956.9)**

- One case - Veolia Mediation

**D. PUBLIC COMMENT BEFORE CLOSED SESSION**

None.

**E. ADJOURN TO CLOSED SESSION**

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Open Session adjourned at 4:03 p.m. Closed Session adjourned at 6:32 p.m.

**F. SPECIAL MEETING OF THE RICHMOND HOUSING AUTHORITY**

The special meeting of the Richmond Housing Authority Board of Commissioners was called to order at 6:36 p.m. by Chair Thomas K. Butt via teleconference.

**G. ROLL CALL**

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

**H. PUBLIC COMMENT INSTRUCTIONAL VIDEO**

The Public Comment Instructional video was shown.

**I. STATEMENT OF CONFLICT OF INTEREST**

None.

**J. AGENDA REVIEW**

Item K.2. was removed from the Consent Calendar for discussion.

**K. HOUSING AUTHORITY CONSENT CALENDAR**

A motion by Vice Chair Martinez, seconded by Commissioner Johnson III, approved the Consent Calendar by the unanimous of the Housing Authority Board of Commissioners.

**K.1 Housing Authority Meeting Minutes**

APPROVE the minutes of the special February 15 and March 15, 2022, Richmond Housing Authority meetings – City Clerk’s Office (Pamela Christian 510-620-6513).

**K.2 Continued use of teleconference technology for meetings of the Board of Commissioners of the Richmond Housing Authority**

ADOPT a resolution requiring the continued use of teleconferencing for the meetings of the Board of Commissioners of the Richmond Housing Authority pursuant to the provisions of AB 361 – City Clerk’s Office (Pamela Christian 510-620-6513).

Leisa Johnson gave comments via teleconference.

Adopted **Resolution No. 2159**.

**Motion by** Commissioner Nathaniel Bates  
**Seconded by** Commissioner Claudia Jimenez

Ayes (8): Commissioner Nathaniel Bates, Commissioner Claudia Jimenez, Commissioner Demnlus Johnson III, Commissioner Gayle McLaughlin, Commissioner Melvin Willis, Vice Chair Eduardo Martinez, Chair Thomas K. Butt, and Tenant Commissioner Jaycine Scott

Passed (8 to 0)

**L. ADJOURNMENT**

The meeting adjourned at 6:48 p.m.

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

The Regular meeting of the Richmond City Council was called to order at 6:49 p.m. by Mayor Thomas K. Butt via teleconference.

**N. ROLL CALL**

**Present:** Councilmembers Nathaniel Bates, Claudia Jimenez, Demnlus Johnson III, Gayle McLaughlin, Melvin Willis, Vice Mayor Eduardo Martinez, and Mayor Thomas K. Butt. **Absent:** None.

**O. STATEMENT OF CONFLICT OF INTEREST**

None.

**P. AGENDA REVIEW**

Items U.1.a., U.2.b., U.2.c, and U.8.b. were removed from the Consent Calendar for discussion at the end of the agenda.

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

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

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

City Manager Shasa Curl announced several Earth Day events: Street cleanup on Friday, April 23, 2022 between Market Avenue and Chesley Avenue from 3 p.m. to 5 p.m.; The following events would take place on Saturday, April 24, 2022: Street cleanup; Safe Routes to School Paint Day at Verde Elementary School from 9 a.m. to 11 a.m.; Wildcat

Creek Cleanup at North Richmond Ballpark from 9 a.m. to 11 a.m.; Beautify Unity Park event on the Richmond Greenway on 16th and Ohio Avenue from 9 a.m. to 2 p.m.; Point Molate Beach Park Art Hiking Beach Poetry & more 11 a.m. to 3 p.m. Ms. Curl also announced that the Richmond Main Public Library would be open with expanded hours beginning Monday, April 18, 2022, Mondays through Wednesdays from 10 a.m. to 7 p.m. and Thursdays and Fridays from 10 a.m. to 5 p.m. The Bayview and Westside Branch libraries would add an additional half an hour of service and would be open on Tuesdays and Thursdays from 1 p.m. to 5 p.m. Additional information could be obtained by visiting [www.richmondlibrary.org](http://www.richmondlibrary.org).

**S. REPORT FROM THE IMPLEMENTATION SUB-COMMITTEE FOR REIMAGINING TASK FORCE - 3rd Tuesday (public comment allowed under Open Forum)**

Deborah Small provided the report, which highlighted the Community Crisis Response Program and Promoting Racial Justice.

**T. OPEN FORUM FOR PUBLIC COMMENT**

Karla Perez stated that not enough notice was given for the last special meeting of the Task Force and requested to know who and how many people attended the meetings.

Mark Wassberg gave comments against the Task Force activities and recommendations.

Marisol Cantu stated that the last Task Force special meeting was posted in a timely manner and individuals could request text alert notifications.

Tarnel Abbott gave comments regarding racism in our society.

Leisa Johnson requested that Supervisor John Gioia and members of Contra Costa County attend a future council meeting to inform the public regarding Measure X and the Community Crisis Response Team and its responsibilities.

Shawn Dunning stated the 211 system was not available in Richmond and more collaboration should be negotiated with the County.

Councilmember Bates reported on the retirement and celebratory event held over the weekend for Betty Reid Soskin. Councilmember Bates stated that funeral services for Johnny Holmes, cousin of former City Clerk Diane Holmes, would be at 11 a.m. on Thursday, April 21, 2022, at Pilgrim Rest Missionary Baptist Church

Councilmember Willis stated that he attended the Nystrom Village Clean-Up event. Councilmember Willis also stated that Contra Costa County was looking for individuals to join its crisis response team.

**U. CITY COUNCIL CONSENT CALENDAR**

**Motion by** Councilmember Demnlus Johnson III

**Seconded by** Vice Mayor Eduardo Martinez

Ayes (7): Councilmember Nathaniel Bates, Councilmember Claudia Jimenez, Councilmember Demnlus Johnson III, Councilmember Gayle McLaughlin, Councilmember Melvin Willis, Vice Mayor Eduardo Martinez, and Mayor Thomas K. Butt

Passed (7 to 0)

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

U.1.a Second Reading and Adoption of an Ordinance to Revise and Amend Richmond Municipal Code Chapter 12.30

ADOPT an Ordinance (second reading) amending RMC Chapter 12.30 (“Video Service Provider, Utility and Special District Encroachments”) by incorporating Chapter 12.29 (“Street Opening and Pavement Restoration Regulations”); adding provisions that address private landowner encroachments into the public Right-of-Way (ROW); easements; and street vacations; retitling Chapter 12.30 “Encroachments and Easements,” and rescinding Chapter 12.29 in its entirety - City Attorney’s Office/Public Works Department (Dave Aleshire 510-620-6509/Joe Leach 510-620-3008).

Interim City Attorney Dave Aleshire presented the item. Public Works Director Joe Leach presented a PowerPoint which highlighted the following: Properties directly impacted; 130 East Scenic Drive & 8 Western Drive. Richard Katz, Anna, Sophia Ortiz and Eli B. gave comments via teleconference. More information was requested by the City Council and the item was continued to a future meeting.

*(11:00 p.m. - A motion was made by Councilmember Jimenez, seconded by Councilmember McLaughlin to suspend the rules and finish all remaining items. The motion failed by the following vote: Ayes: Councilmembers Jimenez, McLaughlin, and Vice Mayor Martinez. Noes: Councilmembers Bates, Johnson III, Willis, and Mayor Butt. Absent: None. Abstain: None.*

*A motion was made by Councilmember Bates, seconded by Councilmember Johnson III to extend the meeting until 11:30 p.m. The motion failed by the following vote: Ayes: Councilmembers Bates and Johnson III. Noes: Councilmembers Jimenez, McLaughlin, Willis, Vice Mayor Martinez, and Mayor Butt Absent: None. Abstain: None.*

*A motion by Councilmember McLaughlin, seconded by Councilmember Martinez to reconsider and go until 11:30 p.m. passed by the following vote: Ayes: Councilmembers Bates, Jimenez, Johnson III, McLaughlin, and Vice Mayor Martinez. Noes: Councilmember Willis and Mayor Butt Absent: None. Abstain: None).*

*(11:30 p.m. - A motion by Councilmember Johnson III, seconded by Councilmember McLaughlin to suspend the rules and extend the meeting until the end of the public speakers, passed by the following vote: Ayes: Councilmembers Bates, Jimenez, Johnson III, McLaughlin, Willis, and Vice Mayor Martinez. Noes: Mayor Butt. Absent: None. Abstain: None).*

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

U.2.a City Council Meeting Minutes

APPROVE the minutes of the regular February 15, 22, special February 24, regular March 1 and 15, special March 18, and regular March 22, 2022, Richmond City Council meetings – City Clerk’s Office (Pamela Christian 510-620-6513).

U.2.b Continued use of teleconferencing for the meetings of all City legislative bodies

ADOPT a resolution requiring the continued use of teleconferencing for the meetings of all City legislative bodies pursuant to the provisions of Assembly Bill 361 – City Clerk’s Office (Pamela Christian 510-620-6513).

Leisa Johnson gave comments via teleconference. Discussion ensued.

Adopted **Resolution No. 50-22**.

**Motion by** Councilmember Melvin Willis

**Seconded by** Vice Mayor Eduardo Martinez

Ayes (7): Councilmember Nathaniel Bates, Councilmember Claudia Jimenez, Councilmember Demnlus Johnson III, Councilmember Gayle McLaughlin, Councilmember Melvin Willis, Vice Mayor Eduardo Martinez, and Mayor Thomas K. Butt

Passed (7 to 0)

U.2.c Ordinance Adjusting the Boundaries of Council Districts

ADOPT an ordinance (second reading) of the City Council of the City of Richmond adjusting the boundaries of the six City Council Districts and adopting a new official Council District Map No. 201, for the City of Richmond based on the results of the 2020 decennial census and amending RMC section 2.16.050 – City Clerk’s Office (Pamela Christian 510-620-6513).

**Continued** to the April 26, 2022, City Council meeting.

**U.3 City Manager's Office**

U.3.a Acquisition of the Richmond Housing Authority (RHA) Administration Building

ADOPT a resolution approving the acquisition of the Richmond Housing Authority (RHA) administration building (360 S. 27th Street); and AUTHORIZE the city manager or their designee to execute final form of agreements and any supporting U.S. Department of Housing and Urban Development (HUD) documents to facilitate the transfer and sale of the RHA administration building to the City of Richmond for \$1.00 – City Manager’s Office (Shasa Curl 510-620-6512).

Adopted **Resolution No. 51-22**.

**U.4 Community Development**

U.4.a Regional Early Action Planning (REAP) Grant Acceptance and Appropriation

ADOPT a resolution accepting and appropriating the City’s Regional Early Impact Planning (REAP) grant suballocation funds to be used for preparation of the 6th Cycle Housing Element Update for Fiscal Year 2021-2022 – Community Development Department (Lina Velasco/Andrea Villarroel 510-620-6620/Chris Castanchoa 510-620-6764).

Adopted **Resolution No. 52-22**.

U.4.b Accept and Appropriate funds for Homelessness Strategic Plan

ADOPT a resolution accepting and appropriating the \$50,000 in funds received from All Home, via the Tides Center, to support development of the City's Homelessness Strategic Plan – Community Development Department (Lina Velasco/Chris Castanchoa 510-620-6764).

Adopted **Resolution No. 53-22**.

## **U.5 Economic Development**

### **U.5.a Amendment to Increase Size and Budget for Osprey Bird Sculpture**

ACCEPT and APPROPRIATE into the Fiscal Year 2021-2022 Public Art Percent for Art Fund budget \$20,000 received from Ridgeline Property Group; and APPROVE a \$20,000 amendment to the contract with Scientific Art Studio, for a total amount not to exceed \$85,000, for the design, fabrication, and installation of the Osprey Bird sculpture – Economic Development (Winifred Day 510-620-6952).

## **U.6 Human Resources**

### **U.6.a Amend Resolution for CalPERS Industrial Liability Retirement**

AMEND Resolution No. 241-95 to delegate authority to the Human Resources Manager(s) and the Director of Human Resources/Personnel Director to (1) file Employer Originated Applications on behalf of the City for disability retirement of all employees and (2) approve or deny industrial disability retirement based on credible medical documentation. Such approval will not rescind the Risk Manager's existing authority by taking either of the aforementioned actions – Human Resources Department (Laura Marquez/Erika Carty 510-620-6974).

Adopted **Resolution No. 54-22**.

## **U.7 Mayor's Office**

### **U.7.a Education and Sharing Day, USA – April 12, 2022**

PROCLAMATION declaring April 12, 2022, as Education and Sharing Day, USA in the City of Richmond – Office of the Mayor (Mayor Tom Butt 510-620-6503).

### **U.7.b Global Love Day – May 1, 2022**

PROCLAMATION declaring May 1, 2022, as Global Love Day in the City of Richmond – Office of the Mayor (Mayor Tom Butt 510-620-6503).

### **U.7.c Appointment to the Shimada Commission**

APPROVE appointment(s) to update the Shimada Friendship Commission; APPOINT Arianna Rodriguez, new appointment, seat #9, filing an unexpired term with an expiration date of December 31, 2025 - Office of the Mayor (Mayor Tom Butt 510-620-6503).

### **U.7.d Appointment to the Youth Council**

APPROVE action(s) to update the Youth Council; APPOINT Makenzie Cutrer, new appointment, seat #7, term expiration date October 1, 2022 - Office of the Mayor (Mayor Tom Butt 510-620-6503).

### **U.7.e Appointment to the Zhoushan Commission**

APPROVE appointment(s) to the Richmond-Zhoushan Sister City Commission; APPOINT Leonard Berry, re-appointment, seat #8, term expiration date December 31, 2024 – Office of the Mayor (Mayor Tom Butt 510-620-6503).

U.7.f Appointment to the HPC

APPROVE appointment(s) to the Historic Preservation Commission; APPOINT Linda Hemmila, appointment, seat #3, term expiration date July 31, 2026 – Office of the Mayor (Mayor Tom Butt 510-620-6503).

U.7.g Appointment to the HRHRC

APPROVE appointment(s) to the Human Rights and Human Relations Commission; APPOINT Ellen Seskin, new appointment, seat #8, term expiration date March 30, 2025 - Office of the Mayor (Mayor Tom Butt 510-620-6503).

U.7.h Council Appointment to Public Bank East Bay

APPROVE the appointment of Councilmember Gayle McLaughlin to the Public Bank East Bay – Office of the Mayor (Mayor Tom Butt 510-620-6503).

**U.8 Police Department**

U.8.a Proposed Resolution Authorizing the Acceptance and Appropriation of Grant Funding from the Office of Justice Programs (OJP) Edward Byrne Memorial Justice Assistance Grant (JAG) 2021 for the Purchase of Police Safety Equipment.

ADOPT a resolution to ACCEPT and APPROPRIATE \$77,500 in funding from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program awarded to the Richmond Police Department for the purchase of police safety equipment – Police Department (Acting Chief Louie Tirona 510-621-1802).

Adopted **Resolution No. 55-22.**

U.8.b Ordinance to Approve a Military Equipment Funding Acquisition and Use Policy.

INTRODUCE an ordinance (first reading) pursuant to state law (Assembly Bill 481), to approve a Military Equipment Funding, Acquisition, and Use Policy - City Attorney's Office/Police Department (Dave Aleshire 510-620-6509/Louie Tirona 510-620-6655).

**Continued** to a future meeting.

**U.9 Public Works**

U.9.a Hilltop Advertising Sign Removal

APPROVE a contract with YESCO for removal of the damaged Hilltop Outdoor Advertising Sign in the Hilltop District along the I-80 Freeway, for an amount not to exceed \$35,000, including the low bid plus \$6,251 contingency - Public Works Department (Joe Leach 510-620-5478).

U.9.b Conversion of two (2) Parks Construction Maintenance Works Positions to Groundskeeper/Gardener Positions in the Parks Division.

ADOPT a resolution to AMEND the Fiscal Year 2021-2022 Budget and the current Position Control List for Public Works Department, Parks Administration Division, to convert two (2) of the Parks Construction Maintenance Worker positions to two (2) Groundskeeper/Gardener positions – Public Works Department (Joe Leach /Greg Hardesty 510-620-5478).

Adopted **Resolution No. 56-22.**

U.9.c Street Sweeper Lease Agreement with Owen Equipment

APPROVE a contract with Owen Equipment for a two (2) year lease agreement with a one (1) year option to renew at a rate of \$10,200 per month, plus tax and environmental fees – Public Works Department (Joe Leach 510-620-5478/Dee Karnes 510-307-3044).

U.9.d Appropriate funding from Risk Management for NCE Contract 4200 Amendment 3

APPROVE the appropriation of funds from Risk Management to NCE's on-call professional services contract, in an amount not-to-exceed \$400,000, from 50182316-400642-01D16 – Public Works Department (Joe Leach 620-5478).

U.9.e Contract with COWI North America regarding the Terminal Four Wharf Removal Project

APPROVE a sole-source contract with COWI North America, in an amount not to exceed \$279,140, to prepare the final construction and technical specifications for bid documents for the Terminal 4 Wharf Removal Project, to be funded by various grants awarded to the City for this project – Public Works Department (Joe Leach 510-620-5478).

U.9.f Approve Final Payment to Municipal Maintenance Equipment for Repairs

APPROVE final payment to Municipal Maintenance Equipment for repairs to a patch truck, in an amount not to exceed \$12,562.48 – Public Works Department (Joe Leach 510-620-5478).

**V. BUDGET SESSION**

**V.1 Budget presentations**

RECEIVE budget presentations from Internal Services Departments – Finance Department (Interim Director of Finance Delmy Cuellar 510-620-6740).

City Manager Shasa Curl introduced the item. Interim Director of Internal Services Anil Comelo gave an overview. The Human Resources, Finance, and Information Technology departments made budget presentations. Discussion ensued. Councilmembers requested an employee vacancy report and information regarding Measure U to include possible adjustments to reduce the amount of tax owed for some businesses. Mark Wassberg, Shawn Dunning, Steve Bischoff, John Varga, and Shiva Mishek gave comments via teleconference.

**W. NEW BUSINESS**

**W.1 Receive an Update from PG&E Regarding Power Outages**

RECEIVE a presentation from PG&E regarding power outages in Richmond – Public Works/City Manager's Office, Economic Development (Samantha

Carr/Joe Leach, 510-620-6512). **This item was continued from the March 22, 2022, meeting.**

Claudia Luna and Darin Cline from PG&E presented a PowerPoint, which highlighted the following: How PG& E Manages Reliability; Electric Circuits Serving Richmond; Outage History; Improving Reliability; Supporting Customers; System Planning; Customer Resources and Updates. Discussion ensued. Eli Moore gave comments. Councilmembers requested that the PG&E Customer Resource links and information be included in the City Manager's weekly report.

## **W.2 Reinstatement of Citations in the Street Sweeping Program**

DISCUSS and APPROVE reinstating the citation component of the Street Sweeping Program with a 90-day notification/warning period – Councilmember Melvin Willis (510-412-2050).

Councilmember Willis presented the item. Discussion ensued. Leisa Johnson, Mark Wassberg, Tarnel Abbott, Shawn Dunning, and Naomi Williams gave comments via teleconference.

**Motion by** Councilmember Nathaniel Bates

**Seconded by** Councilmember Melvin Willis

Motion directed staff to return to a future meeting with recommendations about hiring parking enforcement officers and a notification program for residents.

Ayes (6): Councilmember Nathaniel Bates, Councilmember Claudia Jimenez, Councilmember Demnlus Johnson III, Councilmember Melvin Willis, Vice Mayor Eduardo Martinez, and Mayor Thomas K. Butt

Abstentions (1): Councilmember Gayle McLaughlin

Passed (6 to 0)

## **W.3 Fair access to housing**

DIRECT staff to draft an ordinance for first reading to amend the Richmond's Fair Chance Access to Affordable Housing Ordinance, RMC Chapter 7.110, to eliminate unfair barriers for rental housing applicants – Office of the Mayor (Mayor Tom Butt 510-620-6503).

Mayor Butt presented the item. A motion was made to require the City Manager's Office to return with a report on implementation results of the city's current Fair Chance Ordinance and work with the Safe Return Project organization to improve and modify the current ordinance and direct city staff to work on a new ordinance that removes barriers for the unhoused community to access housing and prohibit illegal discrimination, overzealous tenant screening applications, and promotes housing and real property availability and access to everyone.

**Motion by** Councilmember Claudia Jimenez

**Seconded by** Vice Mayor Eduardo Martinez

Ayes (7): Councilmember Nathaniel Bates, Councilmember Claudia Jimenez, Councilmember Demnlus Johnson III, Councilmember Gayle McLaughlin, Councilmember Melvin Willis, Vice Mayor Eduardo Martinez, and Mayor Thomas K. Butt

Passed (7 to 0)

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

None.

**Y. ADJOURNMENT**

There being no further business, the meeting adjourned at 11:38 p.m., to meet again on April 26, 2022.

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Clerk of the City of Richmond

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Mayor

**From:** [Cordell Hindler](#)  
**To:** [City Clerk Dept User](#)  
**Subject:** Public Comments- Open Session prior to Closed Session  
**Date:** Friday, April 15, 2022 1:32:47 PM

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Good Evening Mayor Butt, Council Members and Staff,

I Have some comments related to Closed Session

1. I think that Shasa has done an Incredible Job as the City Manager
2. Also she also make sure that she follows the Council Direction

Sincerely  
Cordell

**From:** [Cordell Hindler](#)  
**To:** [City Clerk Dept User](#)  
**Subject:** Public Comments- Open Forum  
**Date:** Friday, April 15, 2022 1:45:25 PM

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Good Evening Mayor Butt, Council Members and Staff, I have some Comments for the Record

1. I am in Full Support of U.7.a. - U.7.h that the Mayor's Office Has Put on the Consent Calendar
2. for the May 17th Agenda, the Council should invite Sabrina Landreth to Provide an Update in Regarding How Co-vid has Impacted Park Services

Sincerely  
Cordell

**From:** [Clair Brown](#)  
**To:** [Eduardo Martinez](#); [Gayle McLaughlin](#); [Melvin Willis](#); [Claudia Jimenez](#); [Nat Bates](#); [Demnlus Johnson](#); [Tom Butt - external](#); [daleshire@awattorneys.com](mailto:daleshire@awattorneys.com); [City Clerk Dept User](#)  
**Cc:** [Richard Katz](#); [Lesli](#); [Julie Nestingen](#); [Don Lewis](#); [Bruce & Sandra Beyaert](#); [Margaret Dodson](#); [Kate & Dale Harp & Rogers](#); [gilesmembrane@comcast.net](mailto:gilesmembrane@comcast.net); [Andria Yeo & Michael Sassi](#); [Ziomara & Michael Cartwright](#); [fassil fenikile](#)  
**Subject:** Fwd: draft comments to City Council, City attorney, City Clerk: please edit. I will ask neighbors to send similar message.  
**Date:** Monday, April 18, 2022 1:56:51 PM

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This email originated from outside of the City's email system. Do not open links or attachments from untrusted sources.

Dear Richmond City Council Members,

We want to provide public comments that support the City Council having the sole authority to sign encroachment agreements, and ensuring that all such agreements support public safety and prevent safety hazards on our city roadways.

As you know, the illegal encroachment agreement was rescinded, because it was signed by the City Attorney and City Manager to gift over 1500 sq ft of public property to the owners of 8 Western to enclose the public right-of-way for their private use. This agreement resulted in nowhere for the public to safely walk on Western Ave by Keller Beach, because the public right-of-way was enclosed by a stockade fence.

When Public Works Director Joe Leach met with a dozen neighbors, who are upset that the City staff gifted the invaluable public right-of-way to the owners of 8 Western and created a public hazard and safety problem, Leach said that it is OK for the city staff to be in charge of giving away public property. When Leach was asked how the City of Richmond benefited from the encroachment agreement with 8 Western, Leach replied that the City did not have to benefit from an encroachment agreement. Unfortunately the city staff is not a reliable source of information and advice on encroachment agreements, or on policies to protect the public safety on Richmond streets and care for Richmond's wellbeing.

We note that Joe Leach wrote an email on July 30, 2021 to explain why the request for an encroachment was approved:

"The City has reviewed the applicant's request for an encroachment. Based upon review of the vertical and horizontal geometry of the street (i.e. clear line of sight from the intersection of Western Drive/Dornan Drive), as well as the opportunity for a pedestrian to obtain safe refuge between the fence and edge of pavement, the City has granted the property owner the encroachment permit."

Let us point out that neither of these findings are correct (a blind hill prevents line of sight from Dornan Dr, and there is nowhere to walk safely between the fence and edge of pavement).

We think that it is critical that the City Council and Richmond residents can trust the city staff, and especially the engineers and other professionals, and be assured that they are working for the good of our city.

We are grateful to the City Council for ensuring that only the City Council can sign encroachment agreements, and ensuring that all such agreements benefit the city and do not create public safety problems, and support the ordinance on the Consent Calendar (April 19, 2022 City Council agenda).

Thank you for your service, and for all you do for Richmond.

Clair Brown and Richard Katz  
20 Belvedere (and also Western Drive)  
Richmond

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*May we heal the earth as we heal ourselves, for the benefit of all.*

Projects: <https://irle.berkeley.edu/center-for-work-technology-and-society/>

My book: *Buddhist Economics: an enlightened approach to the dismal science*, Bloomsbury Press, 2017.

Book trailer (2 min): <https://youtu.be/88RX5A2iezs>

<http://buddhisteconomics.net/>

Follow on <https://twitter.com/BrownClair>

**From:** [Cordell Hindler](#)  
**To:** [City Clerk Dept User](#)  
**Subject:** Public Comments- V.1 Budget Session  
**Date:** Friday, April 15, 2022 2:01:52 PM

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Good Evening Mayor Butt, Council Members and Staff,

I do Appreciate the Finance, Human Resources, and IT for Their Presentations

Sincerely

Cordell