

RICHMOND, CALIFORNIA, November 1, 2022

Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

A. OPEN SESSION TO HEAR PUBLIC COMMENT BEFORE CLOSED SESSION

The Richmond City Council Evening Open Session was called to order at 4:30 p.m. by Mayor Thomas K. Butt via teleconference.

B. ROLL CALL

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

C. CLOSED SESSION

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

- Avalos v. City of Richmond

C.2 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (initiation of litigation pursuant to paragraph (4) of Subdivision (d) of Government Code Section 54956.9)

- Two Cases

C.3 CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)

- Property: South 45th Street to the west, Wall Avenue to the south, Interstate 80 to the east, and the BART tracks to the north.
Agency negotiators: Anita Luck, Lina Velasco, and Jesus Morales
Negotiating parties: Miraflores Community Devco, LLC
Under negotiation: Price and terms of payment
- Property: Nevin Plaza - 2400 Nevin Plaza
Agency negotiators: Shasa Curl and Nannette Beacham
Negotiating parties: EAH Housing
Under negotiations: Price and Terms of Payment

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

Agency Representatives: Sharrone Taylor and Jack Hughes

Employee organizations:

1. SEIU Local 1021 Full-Time Unit and Part-Time Unit
2. IFPTE Local 21 Mid-Level Management Unit 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

D. PUBLIC COMMENT BEFORE CLOSED SESSION

There were no public comments via teleconference.

E. ADJOURN TO CLOSED SESSION

The Open Session adjourned to Closed Session at 4:33 p.m. Closed Session adjourned at 6:39 p.m.

F. REGULAR MEETING OF THE RICHMOND CITY COUNCIL

The Regular Meeting of the Richmond City Council was called to order at 6:41 p.m. by Mayor Butt via teleconference.

G. ROLL CALL

Present: Councilmembers Jimenez, Johnson III, McLaughlin, Willis, Vice Mayor Martinez, and Mayor Butt. **Absent:** Councilmember Bates arrived after the roll was called.

H. PUBLIC COMMENT INSTRUCTIONAL VIDEO

The public comment instructional video was shown.

I. STATEMENT OF CONFLICT OF INTEREST

None.

J. AGENDA REVIEW

Items O.3.a an audit of the Port of Richmond, O.5.a the Marina Lease amendment and assignment, and O.8.k a resolution honoring Veterans Day were removed from the Consent Calendar for discussion at the end of the agenda.

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

Item C.1. existing litigation, Avalos v. City of Richmond, the council authorized settlement negotiations to resolve the matter.

Item C.2. anticipated litigation, two cases, one case was discussed and direction was given to the city attorney. The second case was not discussed.

Item C.3. real property negotiations, Miraflores property located at South 45th Street, was not discussed. The Nevin Plaza property was discussed and direction was given for further negotiations.

Item C.4. labor negotiations, a brief status report was given, and no reportable action was taken except for direction for further negotiations.

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

City Manager Shasa Curl introduced the newly hired Public Works Director Daniel Chavarria. Ms. Curl announced the following three promotions in the Police Department: Assistant Chief Timothy Simmons, Captain Matthew Stonebraker, and Lieutenant Donovan Decious.

M. ABATEMENT REPORT FROM THE PUBLIC WORKS DIRECTOR - 1st Tuesday (public comment allowed under Open Forum)

Deputy City Manager Internal Services Nickie Mastay presented a PowerPoint that highlighted the following: neighborhood dumpster days; illegal dumping/alleys; encampment and weed abatement; graffiti removal; private clean-up and fencing; vehicle dismantlements; and partnerships. Discussion ensued.

N. OPEN FORUM FOR PUBLIC COMMENT

The following individuals gave comments via teleconference:

Soheila Bana and Reza Yazdi expressed gratitude for Item O.8.a regarding a resolution in support of women's rights in Iran. Ms. Bana and Mr. Yazdi read the resolution. Mark Wassberg expressed concerns regarding Item O.8.a.

Deborah Bayer expressed concerns that there was no resolution to labor negotiations in the Closed Session. Ms. Bayer gave comments regarding the Fire Department's recruitment challenges and mandatory overtime. Ms. Bayer urged the council to complete the public safety contract labor negotiations.

O. CITY COUNCIL CONSENT CALENDAR

**Motion by Councilmember Johnson III
Seconded by Vice Mayor Martinez**

To approve all items on the Consent Calendar except Items O.3.a, O.5.a, and O.8.k.

Ayes (7): Councilmember Bates, Councilmember Jimenez, Councilmember Johnson III, Councilmember McLaughlin, Councilmember Willis, Vice Mayor Martinez, and Mayor Butt

Passed (7 to 0)

O.1 City Attorney's Office

O.1.a Legal Services Agreement with Liebert Cassidy Whitmore Legal for Litigation Services

APPROVE a new agreement with the law firm of Liebert Cassidy Whitmore, in a total amount not to exceed \$225,000, for the continuation of litigation legal services, for a term of June 30, 2022, to June 30, 2023 – City Attorney's Office (Dave Aleshire/Heather McLaughlin 510-620-6509).

O.1.b Legal Services Agreement for Labor Negotiations and Employment Advice and Representation with the Law Firm of Liebert Cassidy Whitmore

APPROVE a legal services agreement with the law firm of Liebert Cassidy Whitmore, for a total contract amount of \$165,000, for a term starting July 1, 2022, through June 30, 2023 – City Attorney’s Office (Dave Aleshire 510-620-6509).

O.2 City Clerk's Office

O.2.a City Council Meeting Minutes

APPROVE the minutes of the October 18, 2022, Regular City Council meeting - City Clerk's Office (Pamela Christian 510-620-6513).

O.3 City Council

O.3.a Audit of the Port of Richmond

DIRECT staff to conduct a comprehensive audit of the Richmond Port that will provide a Comprehensive Assessment and integrate the development of the Blue-Green New Deal into the ongoing planning and operations of the Port of Richmond and return to the City Council in January 2023 - Councilmembers Claudia Jimenez (510-620-6565) and Gayle McLaughlin (510-620-6636).

Councilmembers Jimenez and McLaughlin introduced the matter. Discussion ensued. The council requested the following: sustainability policies; staff return in January 2023 with an economic analysis, policy suggestions, the specific information outlined in the staff report; vacant sites and priority areas; condition report; cost projection for repairs and capital improvements; and maritime grants. The following individuals gave comments via teleconference: Sally Tobin, Lisa Cody, Jamin Pursell, Pam Stello, David Helvarg, and Mark Wassberg.

Motion by Councilmember Jimenez

Seconded by Councilmember McLaughlin

To approve said direction to staff with the audit looking backward and to the current time. A friendly amendment made by Councilmember McLaughlin for staff to return with the audit at the end of January 2023 for a study session was accepted. A friendly amendment made by Mayor Butt that the audit included a discussion of an infrastructure condition report for the Port, available grants, and the vacant Cafeteria Building was accepted.

Ayes (6): Councilmember Jimenez, Councilmember Johnson III, Councilmember McLaughlin, Councilmember Willis, Vice Mayor Martinez, and Mayor Butt

Absent (1): Councilmember Bates

Passed (6 to 0)

O.4 Community Development

O.4.a On-Call Financial and Economic Analyses Services

ADOPT a resolution authorizing contracts for on-call financial and economic analyses services, for an amount not to exceed \$50,000 per vendor, including Land Econ Group, David Paul Rosen & Associates, and CSG Advisors, for a one-year term, November 1, 2022, through October 31, 2023, with an option to extend the contract term date for one year – Community Development Department (Lina Velasco/Jesus M. Morales 510-620-6706).

Adopted Resolution No. 158-22

O.4.b Terraces Subordination Agreement

AUTHORIZE the city manager to execute the Subordination and Intercreditor Agreement by and between the City of Richmond, a California municipal corporation and Citibank, N.A. a national banking association, and acknowledged by Richmond Nevin Associates, a California limited partnership and make any changes to the Subordination and Intercreditor Agreement that may be needed – Community Development Department (Lina Velasco/Jesus Morales 510-620-6649).

O.5 Economic Development

O.5.a Marina Lease Amendment and Assignment

APPROVE an assignment of Marina Lease to Safe Harbors Marinas (SHM MBYH, LLC); and APPROVE an amended and restated Marina Lease between the City of Richmond and Safe Harbors Marinas (SHM MBYH, LLC) for the balance of the 55-year original lease term ending June 30, 2055 – City Manager’s Office (Craig Murray 510-307-8188).

Continued to the November 15, 2022, City Council meeting.

O.5.b Point Molate Monthly Report – September 2022

RECEIVE the Point Molate September 2022 update report on maintenance, security, and park activities – City Manager’s Office (Craig Murray 510-307-8188).

O.6 Finance Department

O.6.a Approval of Liens and Special Assessments for Unpaid Garbage Collection Service Fees Due to Republic Services

ADOPT a resolution authorizing placement of liens and special assessments for unpaid garbage collection service fees on County property tax records – Finance Department (Delmy Cuellar 510-620-6790/Antonio Banuelos 510-620-6741).

Adopted Resolution No. 159-22

- O.6.b Investment and Cash Balance Report, and Monthly Overtime Reports for the Month of September 2022

RECEIVE the City's Investment and Cash Balance Report and monthly Overtime Reports for the month of September 2022 – Finance Department (Delmy Cuellar 510-620-6790/Mubeen Qadar 510-412-2077).

O.7 Library and Community Services

- O.7.a State of California Department of Parks and Recreation Outdoor Equity Grant Program Funds for the Youth Outdoors Richmond Program

ADOPT a resolution to ACCEPT and APPROPRIATE grant funds in the amount of \$700,000 from the State of California Department State of Parks and Recreation Outdoor Equity Grant Program Funds for the Youth Outdoors Richmond Program - Library and Community Services Department (LaShonda White/Jene Levine-Snipes 510-307-8132).

Adopted Resolution No. 160-22

- O.7.b Authorize the Purchase of 35 Refurbished Laptops from Tech Exchange for Library Patron Use, in Partial Fulfillment of a Federal Communications Commission Emergency Connectivity Fund Award

APPROVE the purchase of 35 Dell Latitude e5470 laptops from Tech Exchange, for a total purchase price of \$12,492.70 – Library and Community Services Department (Diana Lopez/Christopher Larsen 510-620-5524).

O.8 Mayor's Office

- O.8.a Support of Women's Rights in Iran

ADOPT a resolution firmly supporting the immediate release of all women's rights defenders and prisoners of conscience in the Islamic Republic of Iran, condemning the brutal murder of Mahsa Amini, and asking for the immediate cessation of human rights abuses against the Iranian people - Mayor's Office (Mayor Tom Butt 510-620-6503).

Adopted Resolution No. 161-22

- O.8.b Extra Mile Day – November 1, 2022

PROCLAMATION declaring November 1, 2022, as Extra Mile Day in the City of Richmond – Mayor's Office (Mayor Tom Butt 510-620-6503).

- O.8.c Family Court Awareness Month – November 2022

PROCLAMATION declaring November 2022 as Family Court Awareness Month in the City of Richmond – Mayor's Office (Mayor Tom Butt 510-620-6503).

- O.8.d Design Review Board Appointment

APPOINT Leah Marthinsen, Design Review Board, Seat #2, Unexpired Term Expires March 17, 2023 - Mayor's Office (Mayor Tom Butt 510-620-6503).

- O.8.e Commission on Aging Reappointment
REAPPOINT Naomi Williams, Commission on Aging, Seat #9, Term Expires May 19, 2026 - Mayor's Office (Mayor Tom Butt 510-620-6503).
- O.8.f Community Police Review Commission Reappointment
REAPPOINT Yenny Garcia, Community Police Review Commission, Seat #4, Term Expires November 1, 2025 - Mayor's Office (Mayor Tom Butt 510-620-6503).
- O.8.g Fund for Children and Youth Oversight Board Reappointment
REAPPOINT Katherine Lee, Fund for Children and Youth Oversight Board, Seat #2, Term Expires December 2, 2023 - Mayor's Office (Mayor Tom Butt 510-620-6503).
- O.8.h Housing Advisory Commission Reappointments
REAPPOINT Y'Anad Burrell, Housing Advisory Commission, Seat #1, Term Expires November 1, 2024; Dena Nelson, Housing Advisory Commission, Seat #2, Term Expires November 1, 2024 - Mayor's Office (Mayor Tom Butt 510-620-6503).
- O.8.i Recreation and Parks Commission Reappointments
REAPPOINT Joey Smith, Recreation and Parks Commission, Seat #4, Term Expires October 26, 2025; Allison Blakeley, Recreation and Parks Commission, Seat #7, Term Expires October 26, 2025; Maryn Hurlbut, Recreation and Parks Commission, Seat #8, Term Expires October 26, 2025 – Mayor's Office (Mayor Tom Butt 510-620-6503).
- O.8.j Youth Council Reappointment
REAPPOINT Gabrielle Stevenson, Youth Council, Seat #5, Term Expires October 1, 2023 – Mayor's Office (Mayor Tom Butt 510-620-6503).
- O.8.k Veterans Day 2022
ADOPT a resolution honoring Veterans Day – Mayor's Office (Mayor Tom Butt 510-620-6503).

Councilmember Bates introduced the matter. Discussion ensued. Mark Wassberg gave comments via teleconference.

Motion by Councilmember Bates
Seconded by Vice Mayor Martinez

To adopt said resolution.

Ayes (7): Councilmember Bates, Councilmember Jimenez, Councilmember Johnson III, Councilmember McLaughlin, Councilmember Willis, Vice Mayor Martinez, and Mayor Butt

Passed (7 to 0)

Adopted Resolution No. 162-22

O.9 Public Works

O.9.a Dump Day Event Agreement

APPROVE the Dump Day Event Agreement with Caltrans; and ACCEPT and APPROPRIATE \$25,000 of funds to be reimbursed to the City of Richmond's Public Works Department, Abatement Division – Public Works Department (Nickie Mastay/Hugo Mendoza 510-231-3030)

P. NEW BUSINESS

P.1 Report on Police and Fire Department Recruitment

RECEIVE a status report on the police department and fire department recruitment efforts – Human Resources Department (Sharrone Taylor 510-620-6803). This item was continued from the October 25, 2022, meeting.

Interim Human Resources Director Sharrone Taylor presented a PowerPoint that highlighted the following: police social media campaign and digital outreach; firefighter applications and examinations; and next steps. Discussion ensued. The council requested the following: an explanation for not including Fire Department lateral recruitments; five-year historical application statistics; police exit interview data; other jurisdictions hiring financial incentives; and applicant demographics. Mark Wassberg gave comments via teleconference.

P.2 2019-20/2020-21 Rent Program Annual Report

RECEIVE the 2019-20/2020-21 Rent Program Annual Report infographic video - Richmond Rent Program (Nicolas Traylor 510-620-6564). This item was continued from the October 25, 2022, meeting.

Rent Program Executive Director Nicolas Traylor presented an infographic video that highlighted the following: mission; housing and financial stability; eviction and rent increase policies; rent assistance program; active enforcement and compliance; tenant and landlord counseling; termination of tenancy; and financial summary. Discussion ensued. The council requested the following: the number of Richmond rental units withdrawn from the market; credible information for the current number of Richmond rental units; and the average rent increase that represented the allowable increase of 5.2 percent. The following individuals gave comments via teleconference: Mark Wassberg, Jamin Pursell, Zack Jensen, and Deborah Small. Further discussion ensued.

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

Councilmember Bates announced that the Richmond Galileo Club was hosting its annual "Louie Aiello's Turkey Dinner Night" on Saturday, November 5, 2022.

Councilmember McLaughlin reminded the public to vote on Tuesday, November 8, 2022.

R. ADJOURNMENT

There being no further business, the meeting adjourned at 9:37 p.m., in memory of Brady Jackson, Takeoff of the rap group Migos, and Bob Dabney, to meet again on November 15, 2022, at 6:30 p.m.

Clerk of the City of Richmond

Mayor

From: [Cordell Hindler](#)
To: [City Clerk Dept User](#)
Subject: Public Comments-Open Forum
Date: Thursday, October 27, 2022 2:40:27 PM

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

1. for a Future Agenda, the Council should Invite Executive Director Danny Wan to Provide a Presentation on how Port of Oakland

Has Recovered from the Pandemic

2. Also to Have Segal Consulting to present on the Class & Comp Study

Sincerely
Cordell