

RICHMOND, CALIFORNIA, December 20, 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 2:05 p.m. by Mayor Thomas K. Butt via teleconference.

B. ROLL CALL

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

C. CLOSED SESSION

C.1 CONFERENCE WITH LEGAL COUNSEL - WORKERS' COMPENSATION CLAIM (Pursuant to Government Code Section 54956.95)

- Claimant: Employee - Police Department
Claims: 17000153COR, 16000166COR
Agency Claimed Against: City of Richmond

C.2 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)

- Title: City Manager

C.3 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (paragraph (1) of Subdivision [d] of Government Code Section 54956.9)

- City of Richmond v. Pacific Gas & Electric
- Winehaven v. City of Richmond
- Guidiville Rancheria of California, et al. v. United States of America, et al.
- North Coast Rivers Alliance et al./Point Molate Alliance et al. v. City of Richmond

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

- One Case

C.5 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 negotiations: Price and Terms of Payment

- Property: Terminal One
Agency negotiators: Lina Velasco and Dave Aleshire
Negotiating parties: Terminal One Development LLC
Under negotiation: Price and terms of payment

C.6 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 (public comment is limited to items on the Closed Session agenda only)

There were no public comments via teleconference.

E. ADJOURN TO CLOSED SESSION

The Open Session adjourned to Closed Session at 2:08 p.m. Closed Session adjourned at 5:30 p.m.

F. SPECIAL MEETING OF THE RICHMOND HOUSING AUTHORITY

The Special Meeting of the Richmond Housing Authority was called to order at 5:39 p.m. by Chairperson Thomas K. Butt via teleconference.

G. ROLL CALL

Present: Commissioners Claudia Jimenez, Demnlus Johnson III, Gayle McLaughlin, Melvin Willis, Vice Chairperson Eduardo Martinez, Chairperson Thomas K. Butt, and Housing Authority Tenant Commissioner Jaycine Scott. **Absent:** Commissioner Nathaniel Bates was absent for the entire meeting.

H. PUBLIC COMMENT INSTRUCTIONAL VIDEO

The public comment instructional video was shown.

I. STATEMENT OF CONFLICT OF INTEREST

None.

J. AGENDA REVIEW

None.

K. HOUSING AUTHORITY OPEN FORUM

There were no public comments via teleconference.

L. HOUSING AUTHORITY CONSENT CALENDAR

Motion by Vice Chairperson Martinez

Seconded by Commissioner McLaughlin

To approve Item L.1.

Ayes (7): Commissioners Jimenez, Johnson III, McLaughlin, Willis, Vice Chairperson Martinez, Chairperson Butt, and Housing Authority Tenant Commissioner Scott

Absent: (1): Commissioner Bates

Passed (7 to 1)

L.1 Continued use of teleconference technology

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).

Adopted Resolution No. 2175

M. ADJOURNMENT

There being no further business, the meeting adjourned at 5:46 p.m.

N. REGULAR MEETING OF THE RICHMOND CITY COUNCIL/SUCCESSOR AGENCY TO THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY

The Regular Meeting of the Richmond City Council/Successor Agency to the Richmond Community Redevelopment Agency was called to order at 5:46 p.m. by Mayor Thomas K. Butt via teleconference.

O. ROLL CALL

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

P. STATEMENT OF CONFLICT OF INTEREST

Mayor Butt announced his recusal from Item Z.1 regarding the cannabis license ordinance because his business had business relationships with several cannabis businesses that may have been affected by the council's actions.

Q. AGENDA REVIEW

Items W.5.a (The Center for Common Concerns dba Homebase contract amendment), W.5.c (Transformative Climate Communities co-applicants contract), W.11.a (community surveys), W.12.b (Design Review Board appointments), and W.14.b (W.R. Forde Associates, Inc. construction agreement) were removed from the Consent Calendar for discussion at the end of the agenda.

Item Z.4 (Contra Costa Transportation Authority presentation) was moved immediately following the Consent Calendar. Item Z.1 (cannabis license ordinance) was moved for discussion immediately following Item Z.4.

Item Z.3 (West Contra Costa Fire Safe Council report) was continued to the January 24, 2023, City Council meeting.

City Clerk Pamela Christian announced there was a correction to Item W.6.c. (Men and Women of Valor lease) adding language that was not included in Attachment 1 - Lease, in Article 2 adding the following sentence: "*(e) Termination in Furtherance of*

Development. Tenant understands and acknowledges that Landlord may seek to utilize the Property as a potential housing development site. In furtherance of such process, Landlord may terminate this Agreement during the Term upon ninety (90) days prior written notice to Tenant."

Mrs. Christian also announced there was a clarification to Item W.13.e (purchase of a sleeper trailer) that funds should be from the Richmond Police Department General Fund dollars, account string 01191021-400705.

Item Y (report from the Reimagining Public Safety Task Force) was postponed to a future meeting pending data analysis.

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

Item C.1 (workers' compensation claims) the council approved the claim 16000166COR with an option to go forward with negotiating a resolution of the claim.

Item C.2 (city manager's performance evaluation) there was a discussion of how to conduct the evaluation. There was no reportable action taken.

Item C.3 (existing litigations) staff was given direction for further negotiation to resolve the Pacific Gas & Electric claim. There was no reportable action taken. Staff gave a report on the Winehaven, Guidiville Rancheria, and North Coast Rivers Alliance/Point Molate Alliance cases and direction was given to the city attorney to work out a settlement with regard to a matter. There was no reportable action taken.

Item C.4 (anticipated litigation for one case) the city attorney was given direction to explore legal counsel to utilize in pursuing the claim. There was no reportable action taken.

Item C.5 (real property negotiations) the Mira Flores matter was deferred to the January 17, 2023, City Council meeting. A report was given on the status of negotiations regarding Terminal One and direction was given for further negotiations of the amended land disposition agreement. There was no reportable action taken.

Item C.6 (labor negotiations) the status of all bargaining units was discussed and direction was given for continued bargaining with respect to several of the bargaining units but not others. There was no reportable action in terms of any final agreement.

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

City Manager Shasa Curl welcomed the city's new Deputy Director of Public Works Robert Armijo and gave an overview of his educational background and work experience.

Ms. Curl announced the city's new "Rooted in Richmond" historical walking tour developed by the Historic Preservation Commission in partnership with community groups, professional historians, the National Parks Service, and the Richmond Museum Association. The tour was available via download from the Rooted in Richmond mobile app or by calling the City Manager's Office at (510) 620-6512 for assistance.

Ms. Curl presented information on the city's holiday curtailment that commenced December 27-30, 2022, and the availability of city services with minimal staffing during that time. City Hall offices were scheduled to return to full service on January 3, 2023.

Chief Assistant City Attorney Shannon Moore gave an oral report required under California Government Code Section 54953(c)(3), regarding Item W.1.b. (city manager contract amendment), specifying the following two purposes of the amendment: (1) specified the timing of the deferred compensation contribution that was no longer at a set

limit and it followed the Internal Revenue Service's deferred compensation contribution limit; and (2) instead of the city providing an annual flexible spending account contribution, the city manager would receive an annual nonpersable lump sum payment in the same amount.

T. REPORT FROM THE REIMAGINING TASK FORCE - 3rd Tuesday (public comment allowed under Open Forum)

Postponed to a future meeting pending data analysis.

U. OPEN FORUM FOR PUBLIC COMMENT

Mark Wassberg gave comments via teleconference regarding members of the council, the Richmond Progressive Alliance, and politicians. Mr. Wasserg also gave comments regarding alleged political conflicts of interest.

V. SUCCESSOR AGENCY TO THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY CONSENT CALENDAR

Motion by Councilmember McLaughlin
Seconded by Councilmember Johnson III

To approve Item V.1.

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

Passed (7 to 0)

V.1 Approval of Recognized Obligation Payment Schedule (ROPS 23-24) and Administrative Budget

ADOPT a resolution approving the Successor Agency to the Richmond Community Redevelopment Agency's Recognized Obligation Payment Schedule and an administrative budget, for the period of July 1, 2023, through June 30, 2024 ("ROPS 23-24"), pursuant to California Health and Safety Code Sections 34177(o) and 34171(a), (b), and 34177(j), respectively – Community Development Department (Lina Velasco 510-620-6841/Rita Martinez 510-621-1546).

Adopted Resolution No. 22-1

W. CITY COUNCIL CONSENT CALENDAR

Motion by Councilmember Johnson III
Seconded by Councilmember Willis

To approve all items on the City Council Consent Calendar except Items W.5.a, W.5.c, W.11.a, W.12.b, and W.14.b.

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

Passed (7 to 0)

W.1 City Attorney's Office

W.1.a Amendment to Legal Services Agreement with Allen Glaessner Hazelwood & Werth for Litigation Defense Services

APPROVE a fourth amendment to the legal services agreement with the law firm of Allen Glaessner Hazelwood & Werth to increase the

compensation by an amount not to exceed \$250,000, for a total compensation amount not to exceed \$960,000, for the term period beginning September 1, 2020, and ending December 31, 2023 – City Attorney’s Office (Dave Aleshire/Shannon Moore/Alan Cohen 510-620-6709).

W.1.b City Manager Contract Amendment

APPROVE a first amendment to the City Manager Employment Agreement that i) specifies timing for the City’s contribution to Employee’s deferred compensation plan and provides that the contribution will be the then-current deferred comp contribution limit (excluding catchup contributions); and ii) provides that instead of the City providing \$7,850 annually in FSA contributions, the City Manager will receive an annual nonpersable lump sum payment in the same amount – City Attorney’s Office (Dave Aleshire 510-620-6509).

W.2 City Clerk's Office

W.2.a Canvas of Returns – November 2022 General Election

ADOPT a resolution Declaring the Canvass of Returns and Results of the General Municipal Election held on November 8, 2022 – City Clerk’s Office (Pamela Christian 510-620-6513).

Adopted Resolution No. 179-22

W.2.b Continued Use of Teleconferencing

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).

Adopted Resolution No. 180-22

W.2.c City Council Meeting Minutes

APPROVE the minutes of the Richmond City Council November 22, 2022, regular meeting - City Clerk's Office (Pamela Christian 510-620-6513).

W.2.d City Council Holiday Schedule

APPROVE the City Council holiday schedule as follows: December 20, 2022, last meeting of 2022; December 27, 2022, and January 3, 2023, no meeting; and January 10, 2023, Swearing-in Ceremony of the new City Councilmembers - City Clerk’s Office (Pamela Christian 510-620-6513).

W.3 City Council

W.3.a Acknowledge the Passage of AB 252, State Legislation Preventing Excessive Rent Increases For Bay Area Floating Homes.

ADOPT a resolution acknowledging the passage of AB 252, which is state legislation preventing excessive rent increases for Bay Area floating homes - Councilmember Gayle McLaughlin (510-620-6636)

Adopted Resolution No. 181-22

W.4 City Manager's Office

W.4.a Proposed Fiscal Year 2023-2024 Environmental Community and Investment Agreement (ECIA) Competitive Grant Program

APPROVE the Fiscal Year 2023-2024 Environmental and Community Investment Agreement (ECIA) competitive grant program annual allocation of \$325,000; and AUTHORIZE the release of the Request for Application and Guidelines – City Manager’s Office (LaShonda White/Shané Johnson/Patrick Seals 510-620-6512).

W.4.b Richmond Fund for Children and Youth Request for Proposal (RFP) Fiscal Year 2023-2024

ACKNOWLEDGE the proposed January 3, 2023, release of the Richmond Fund for Children and Youth Fiscal Year 2023-2024 Request for Proposals to support a competitive grant process to fund youth-serving organizations – Department of Children and Youth (LaShonda White/Patrick Seals 510-620-6512).

W.4.c City-Wide 2022 Accomplishments

RECEIVE a presentation regarding the 2022 City-wide accomplishments – City Manager’s Office (Shasa Curl 510-620-6512).

W.5 Community Development

W.5.a Contract Amendment No. 1 with The Center for Common Concerns, Inc. dba Homebase

APPROVE contract amendment no. 1 with The Center for Common Concerns, Inc. dba Homebase, to increase the contract limit by \$40,000, for a total amount not to exceed \$140,000, and extend the term through June 30, 2023, to provide additional services related to preparation of the City’s Homelessness Strategic Plan – Community Development Department (Lina Velasco/Jesus Morales 510-620-6706).

Mayor Butt requested the matter be removed from the Consent Calendar for discussion. Mayor Butt expressed concerns that funds were being wasted on homelessness studies instead of being used to place the unhoused in homes. Discussion ensued. Director of Community Development Lina Velasco gave an overview of the proposed changes in the scope of work to expand community engagement and services provided to the unhoused. Further discussion ensued.

Motion by Councilmember McLaughlin

Seconded by Councilmember Willis

To approve said contact amendment.

Ayes (3): Councilmember Johnson III, Councilmember McLaughlin, and Councilmember Willis

Noes (3): Councilmember Jimenez, Vice Mayor Martinez, and Mayor Butt

Abstentions (1): Councilmember Bates

Failed (3 to 4)

Motion by Councilmember McLaughlin

Seconded by Councilmember Willis

To allow for an additional \$25,000.

Ayes (3): Councilmember Johnson III, Councilmember McLaughlin, and Councilmember Willis

Noes (3): Councilmember Jimenez, Vice Mayor Martinez, and Mayor Butt

Abstentions (1): Councilmember Bates

Failed (3 to 4)

W.5.b Contract with Housing Consortium of the East Bay (HCEB)

APPROVE a contract with Housing Consortium of the East Bay (HCEB) in the amount of \$1,264,423, to provide Rapid Rehousing and Housing Navigation services for the Castro Encampment including the administration of \$1,000,000 of Housing Trust Funds, for a term through December 31, 2023, to be funded using the City's Encampment Resolution Funds – Community Development Department (Lina Velasco/Jesus Morales 510-620-6649).

W.5.c Contract with TCC Co-Applicants for Post-Award Consultation Funding

APPROVE five contracts in the amount of \$10,000 per Co-Applicant (Groundwork Richmond, GRID Alternatives, Rich City Rides, Trust For Public Land, and Urban Tilth), to cover costs associated with the \$35,000,000 Transformative Climate Communities (TCC) Round 4 Post-Award Consultation (PAC) process and to complete all the necessary documents to execute the TCC implementation grant agreement, with a term ending June 30, 2023 – Community Development Department (Lina Velasco/Samantha Carr 510-620-6706).

Mayor Butt requested the matter be removed from the Consent Calendar for discussion. Mayor Butt expressed concerns regarding a potential violation of the city's procurement regulations and the lack of documentation for how the co-applicants were selected by staff. Mayor Butt also expressed concerns regarding a potential conflict of interest involving the council-elect that was the executive director of Urban Tilth. Discussion ensued.

Motion by Councilmember McLaughlin

Seconded by Councilmember Jimenez

To approve said contracts.

Ayes (5): Councilmember Jimenez, Councilmember Johnson III, Councilmember McLaughlin, Councilmember Willis, and Vice Mayor Martinez

Noes (1): Mayor Butt

Abstentions (1): Councilmember Bates

Passed (5 to 2)

W.5.d Contract Amendment No. 1 with Macias Gini & O'Connell, LLP

APPROVE contract amendment no. 1 with Macias Gini & O'Connell, LLP (MGO) to increase the contract limit by \$15,250, for a total amount not to exceed \$25,250, and to extend the term to December 31, 2024, to continue to assist in preparing federal and state income tax returns for the

Richmond Neighborhood Stabilization Corporation – Community Development Department (Lina Velasco 510-620-6706).

- W.5.e Contract with RCF Connects to Develop and Implement a Housing First and Short-Term Emergency Housing Assistance Program.

APPROVE a contract with RCF Connects to develop and implement a Housing First Program and a Short-Term Emergency Housing Assistance Program for unhoused individuals and/or families in need of housing-related assistance, for a total amount not to exceed \$525,000, with a term expiration of June 30, 2024 – Community Development Department/Library and Community Services Department (Lina Velasco/LaShonda White 510-620-6512).

W.6 Economic Development

- W.6.a Budget Appropriation for Osprey Bird Sculpture Project

APPROPRIATE into the Fiscal Year 2022-2023 Public Art Percent for Art Fund budget the \$25,500 received in Fiscal Year 2021-2022 from Ridgeline Property Group for the design, fabrication, and installation of the Osprey Bird Sculpture – City Manager's Office (Shasa Curl/Winifred Day 510-672-2209).

- W.6.b Contract Amendment for Security Services at Terminal One

APPROVE a first contract amendment with Universal Protection Service, LP DBA Allied Universal Security Services, to increase the contract amount by \$209,963, for a new total contract not to exceed \$1,008,560, for a term extending through December 31, 2024, to continue providing security services at the Port of Richmond Terminal One location – City Manager's Office (Shane Johnson/Lilia Corral 510-620-6512).

- W.6.c Proposed Men and Women of Valor Lease

APPROVE a lease with Men and Women of Valor (MWV) for the continued use of 1350 Kelsey Street, at a rate of \$1 per month, for a three-year term from December 1, 2022, through November 30, 2025, with two additional one-year term options to extend the lease – City Manager's Office (Craig Murray 510-621-1612).

A correction was made during the Agenda Review adding language that was not included in Attachment 1 - Lease, in Article 2 adding the following sentence: "*(e) Termination in Furtherance of Development. Tenant understands and acknowledges that Landlord may seek to utilize the Property as a potential housing development site. In furtherance of such process, Landlord may terminate this Agreement during the Term upon ninety (90) days prior written notice to Tenant.*"

- W.6.d Meritage Home Corporation Developer Funds and Contract with Richard Salazar to Paint a Mural

ADOPT a resolution to ACCEPT and APPROPRIATE funds in the amount of \$451,000 from Meritage Housing Corporation into the Arts and Culture Division one percent Private Developer fund; and APPROVE a sole-source contract with Bay Area EV, LLC, in the amount of \$350,000, to paint a mural on the 88 sound barrier wall panels located on Giant Road, with a term beginning December 20, 2022, and ending December 31, 2024 – City Manager's Office (Winifred Day 510-620-6512).

Adopted Resolution No. 182-22

W.7 Finance Department

W.7.a Investment and Cash Balance Report, and Monthly Overtime Reports for the Month of October 2022

RECEIVE the City's Investment and Cash Balance Report and monthly Overtime Reports for the month of October 2022 – Finance Department (Delmy Cuellar 510-620-6740/Mubeen Qader 510-412-2077).

W.7.b Contract with ClearGov, Inc. to provide Annual Operating Budget and Five-Year Capital Plan Book Publishing Service

APPROVE a contract with ClearGov, Inc. to provide Budget Book compilation services, in an amount not to exceed \$42,100, over a two-year term from December 20, 2022, through December 31, 2024, with an option to extend the contract an additional two years with a three percent annual cost increase – Finance Department (Delmy Cuellar/Mubeen Qader 510-412-2077).

W.7.c First Contract Amendment with NHA Advisors, LLC

APPROVE a first amendment to the contract with NHA Advisors, LLC, in the amount of \$100,000, to continue to provide Municipal Advisor services on an as-needed basis, for a new total contract amount not to exceed \$200,000, and a term ending October 6, 2024 – Finance Department (Nickie Mastay/Delmy Cuellar 510-620-6790).

W.8 Fire Department

W.8.a Revised Contract with Stryker Sales Corporation Db a Stryker Medical

APPROVE a sole-source contract with Stryker Medical to provide maintenance, software updates, diagnostics, and certain repairs for emergency medical equipment used by the Fire Department, for a total contract amount not to exceed \$46,267.20, and a contract term through November 30, 2025 - Fire Department (Chief Angel Montoya 510-307-8041).

W.9 Human Resources

W.9.a Contract for Alternative Dispute Resolution Administration and Consultation Services

APPROVE a contract with Excel ADR, in an amount not to exceed \$477,000, to provide Alternative Dispute Resolution (ADR) consultative services for the City of Richmond and International Association of Firefighters (Local 188 IAFF) to administer the program, with a term from December 20, 2022, through December 19, 2025 – Human Resources Department (Laura Marquez 510-620-6974).

W.9.b Amend Position Control and Salary Schedule to Add Director of Economic Development, Amend Position Control to Add Deputy City Manager, Finance Manager and Management Analyst I/II or Senior Management Analyst

ADOPT a resolution amending position control and the salary schedule to add Director of Economic Development and APPROPRIATE the required wages, salaries, and benefits; and AMEND position control reallocating Deputy City Manager to oversee the Department of Children and Youth

and Community Services, reallocating the Community Services Department Senior Accountant to Finance Manager, and reallocating the Office of Neighborhood Safety Division Project Coordinator and Accounting Assistant I/II to Management Analyst I/II or Senior Management Analyst – Human Resources Department (Sharrone Taylor/Nickie Mastay 510-620-6803). This item was continued from the December 6, 2022, meeting.

Adopted Resolution Nos. 183-22 and 184-22

W.9.c 2022 City of Richmond Fire Fighters Local 188 ADR Agreement.

APPROVE the Labor Management Workers’ Compensation Alternative Dispute Resolution (ADR) Agreement between the City of Richmond (City) and the International Association of Fire Fighters Local 188 (Local 188) – Human Resources Department (Nickie Mastay/Sharrone Taylor/Laura Marquez 510-620-6974).

Adopted Resolution No. 185-22

W.10 Information Technology

W.10.a Proposed Amendment to the Contract with Tyler Technologies MUNIS Enterprise Resources Planning (ERP) System

APPROVE a twelfth amendment to the contract with Tyler Technologies MUNIS Enterprise Resources Planning (ERP) System for the purchase of services including application support, Planned Annual Continuing Education (PACE), training, and a revenue investment assessment, increasing the contract amount by \$107,425, for a total amount not to exceed \$9,131,199.75, with a term extending through June 30, 2024 – Information Technology Department (Sue Hartman 510-620-6874).

W.11 Library and Community Services

W.11.a 2023 and 2025 Richmond Community Surveys

AUTHORIZE the city manager or their designee to enter into a 36-month agreement with Polco/National Research Center’s National Citizen Survey Program to facilitate and conduct the 2023 (\$31,525) and 2025 (\$32,500) Richmond Community Surveys, and provide ongoing subscriber outreach and profile management in 2024 (\$7,500), for a total contract payment limit of \$78,000, including a \$6,475 contingency to support additional survey-related services – Library and Community Services Department (LaShonda White/Patrick Seals 510-620-6512).

Councilmember Jimenez requested the matter be removed from the Consent Calendar for discussion and questions. Discussion ensued. City Manager Shasa Curl, Interim Director of Community Services LaShonda White, and Administrative Analyst Patrick Seals provided additional information to address questions. The council recommended testing cell phone accessibility to the survey to increase outreach. The council requested an opportunity to add additional unique questions to the survey. Sara Cantor gave comments via teleconference. Further discussion ensued.

Motion by Councilmember Johnson III

Seconded by Councilmember Jimenez

To approve said authorization. A friendly amendment made by Councilmember Jimenez to receive input regarding unique questions before rolling out the survey was accepted.

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

Passed (7 to 0)

W.11.b Acceptance of Plug In America – Grant Funds

ACCEPT and APPROPRIATE a \$3,000 grant award from Plug In America to support the expenses related to the 2022 National Drive Electric Week Event – Library and Community Services Department (LaShonda White/Denee Evans 510-621-1718).

W.12 Mayor's Office

W.12.a Commission on Aging Appointment

APPOINT Lucy Williams, Commission on Aging, Seat #7, Term Expires May 19, 2026 - Mayor's Office (Mayor Tom Butt 510-620-6503).

W.12.b Design Review Board Appointments

APPOINT King Tang, Design Review Board, Seat #4, Term Expires March 17, 2024; Vita Rey, Design Review Board, Seat #5, Term Expires March 17, 2023 - Mayor's Office (Mayor Tom Butt 510-620-6503).

A member of the public requested the matter be removed from the Consent Calendar for discussion. Mayor Butt introduced the matter. Tarnel Abbott gave comments via teleconference. Discussion ensued.

Motion by Mayor Butt

Seconded by Councilmember Johnson III

To approve the proposed appointment.

Ayes (3): Councilmember Bates, Councilmember Johnson III, and Mayor Butt

Noes (2): Councilmember Jimenez and Councilmember McLaughlin

Abstentions (2): Councilmember Willis and Vice Mayor Martinez

Failed (3 to 4)

W.12.c Housing Advisory Commission Appointment

APPOINT Philena Cosby, Housing Advisory Commission, Seat #3, Term Expires November 1, 2024 - Mayor's Office (Mayor Tom Butt 510-620-6503).

W.12.d Recreation and Parks Commission Appointment

APPOINT Samantha Torres, Recreation and Parks Commission, Seat #1, Term Expires October 26, 2025 - Mayor's Office (Mayor Tom Butt 510-620-6503).

W.13 Police Department

W.13.a Contract Amendment with STAND! For Families Free of Violence.

APPROVE a first amendment to the City's sole-source contract with STAND! For Families Free of Violence to increase the payment limit by \$150,000, for a new total contract payment limit not to exceed \$197,567, with a term extending three years through December 31, 2025, and an amended service plan to include additional counseling, support and advocacy services on behalf of domestic violence victims and their families – Police Department (Chief Bisa French 510-621-1802).

W.13.b Police Department Canine Purchase

APPROVE the purchase of one police canine from Vohne Liche Kennels, Inc., in an amount not to exceed \$18,017.50 - Police Department (Chief Bisa French 510-621-1802).

W.13.c Three-Year Contract with Rippleworx, Inc. for an Officer Wellness Application

APPROVE a sole-source contract with RippleWorx, Inc., in an amount not to exceed \$155,000, to utilize their application (MagnusWorx) focused on the well-being of law enforcement personnel and their families, for a three-year term from January 1, 2023, to December 31, 2025 – Police Department (Chief Bisa French 510-621-1802).

W.13.d Three-Year Sole-Source Contract with Public Safety Family Counseling Group, Inc. (PSG)

APPROVE a three-year sole source contract with Public Safety Family Counseling Group, Inc., to assist the police department in dealing with critical incidents and the mental health challenges involved with the police profession, for the period January 1, 2023, to December 31, 2025, in an amount not to exceed \$450,000 – Police Department (Chief Bisa French 510-621-1802).

W.13.e Proposed Purchase of Sleeper Trailer from Midway Trailers, Inc.

APPROVE and APPROPRIATE the use of American Rescue Plan Act Funds, in the amount of \$184,000 (including tax), for the purchase of a Bunk House Trailer from Midway Trailers, Inc. – Police Department (Chief Bisa French 510-621-1802).

There was a clarification made during Agenda Review that funds should be from the Richmond Police Department General Fund dollars, account string 01191021-400705.

W.14 Public Works

W.14.a One Bay Area Grant 3 (OBAG 3) Applications for Bayview-to-BART and McBryde Ave Safe Routes to Parks Projects

ADOPT resolutions authorizing the filing of applications for funding assigned to the Metropolitan Transportation Commission (MTC), committing any necessary matching funds, and stating assurance to complete the project – Public Works Department (Daniel Chavarria/Patrick Phelan 510-307-8111).

Adopted Resolution Nos. 186-22 and 187-22

W.14.b Resolution Amending the Construction Agreement with W.R. Forde Associates, Inc.

ADOPT a resolution authorizing a first amendment to the construction agreement with W.R. Forde Associates, Inc. to increase the amount by \$88,738.99, for a new total contract limit not to exceed \$1,872,707.99, to complete the Cutting Boulevard and Harbour Way South Bikeways Project and additional required work – Public Works Department (Daniel Chavarria/Patrick Phelan 510-307-8111).

Councilmember Bates requested the matter be removed from the Consent Calendar for discussion concerning impending bicycle lanes. The following individuals gave comments via teleconference: Philip Rosenthal, Leisa Johnson, Naomi Williams, Bruce Beyaert, and Sara Cantor. Discussion ensued. The council suggested making the roadway divider at 1st Street and Cutting Boulevard more prominent for night driving; and considering public comment suggestions by reaching out to the various stakeholder groups for future transportation corridor projects.

Motion by Councilmember Bates

To refer the matter back to allow the community full participation, and if there were plans to extend bicycle lanes to Interstate 80, invite Laurel Park and other neighborhood councils to be involved in hearing the discussion.

Died for lack of second

**Motion by Councilmember Jimenez
Seconded by Vice Mayor Martinez**

To adopt said resolution.

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

Noes (1): Councilmember Bates

Passed (6 to 1)

Adopted Resolution No. 188-22

W.14.c Approve the Purchase of a Replacement Altec Bucket Truck

APPROVE the purchase of an Altec AT41M aerial boom truck from Altec Industries, in an amount not to exceed \$279,400, based on Sourcewell Contract 110421-ALT – Public Works Department (Daniel Chavarria 510-620-5478/Dee Karnes 510-231-3044).

W.14.d Proposed Standing Purchase Order for Streetlight and Traffic Signal Poles and Related Products

APPROVE a standing purchase order with JAM Services to provide streetlight and traffic signal poles and related products on an as-needed basis to replace damaged poles throughout the City, in an amount not-to-exceed \$750,000, over a three-year period beginning December 20, 2022, and ending June 30, 2025, with an option to extend an additional two years in a total amount not to exceed \$500,000 – Public Works Department (Daniel Chavarria/Jose Urquilla 510-620-6896).

W.14.e Proposed Contract with Julian Tree Care

APPROVE a contract in the amount of \$30,000 for the removal of trees at Pt. Molate, with a term from December 20, 2022, through June 30, 2023 – Public Works Department (Daniel Chavarria 510-620-5478/Greg Hardesty 510-620-6920).

X. BUDGET SESSION

X.1 Proposed Corrective Action Plan to State Auditor’s Recommendations

RECEIVE a report regarding the City’s proposed Corrective Action Plan to State Audit No. 2021-806 – Finance Department (Delmy Cuellar 510-620-6790/Mubeen Qader 510-412-2077).

City Manager Shasa Curl introduced the matter. Deputy City Manager Nickie Mastay presented a PowerPoint that highlighted the following: background information; corrective action plan details; and next steps. Discussion ensued. The council requested options to consider for each of the audit report recommendations. The council also requested a balance between the way the city sustained its financial reserves and provided needed services to the community.

Y. PUBLIC HEARINGS

City Clerk Pamela Christian announced that it was time, pursuant to public notice, to hear the following public hearing items.

Y.1 Amendments to Richmond Municipal Code Article VIII Chapter 8.16

INTRODUCE an ordinance (first reading) with an effective date of January 1, 2023, amending Richmond Municipal Code (RMC) Article VIII (Fire) Chapter 8.16 (Fire Prevention Code) by adopting the 2022 California Fire Code with noted local amendments – Fire Department (Eric Govan/Eric Munson (510-307-8046). This item was continued from the December 6, 2022, meeting.

Deputy Fire Marshal Eric Munson presented a PowerPoint that highlighted the following: background; proposed ordinance amendment and key changes; and summary. Mayor Butt declared the public hearing opened. There were no public comments via teleconference. Mayor Butt closed the public hearing.

Motion by Councilmember Jimenez
Seconded by Councilmember Willis

To introduce the ordinance for the first reading and lay over to the January 17, 2023, City Council meeting for the second reading.

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

Absent (1): Councilmember Bates

Passed (6 to 1)

Y.2 Levy of Special Assessments for Fines and Costs Related to Unpaid Administrative Citations, Nuisance Abatements and Foreclosure Ordinance Fines

HOLD a public hearing; and ADOPT a resolution authorizing the City of Richmond to levy special assessments against certain properties with unpaid invoices related to administrative citations, nuisance abatement costs, and foreclosure ordinance fines pursuant to Richmond Municipal Code Chapters 2.62, 2.63, 6.38, 9.22 and 11.76 – Community Development Department (Lina

Velasco/Eva Mann 510-621-1283). This item was continued from the December 6, 2022, meeting.

Director of Community Development Lina Velasco introduced the matter. Code Enforcement Manager Eva Mann presented a PowerPoint that highlighted the following: fee types; noticing process; changes to the levy list; and next steps. Mayor Butt declared the public hearing opened. There were no public comments via teleconference. Mayor Butt closed the public hearing.

Motion by Vice Mayor Martinez

Seconded by Mayor Butt

To adopt said resolution.

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

Absent (1): Councilmember Bates

Passed (6 to 1)

Adopted Resolution No. 189-22

Z. NEW BUSINESS

Z.1 Council Direction on Requested Changes to Cannabis License Ordinance

PROVIDE direction to City staff on whether amendments to the Cannabis Ordinance should be prepared increasing the number of cannabis retailer licenses – City Attorney’s Office (Dave Aleshire 510-620-6509). This item was continued from the November 22, 2022, and December 6, 2022, meetings.

Mayor Butt announced his recusal from the matter due to a conflict of interest and appointed Vice Mayor Martinez to chair the meeting for Item Z.1. City Attorney Dave Aleshire introduced the matter. Discussion ensued. The council expressed concerns regarding large cannabis businesses in Richmond and desired to prioritize opportunities for members of color and community members that had ties to Richmond. Kerby Lynch and Naomi Williams gave comments via teleconference. Further discussion ensued. Senior Business Assistance Officer Lizeht Zepeda gave an overview of the work in progress by the Economic Development Cannabis Subcommittee. The council suggested a commitment of the city to implement the equity program to make sure people impacted by cannabis criminalization received the benefits; and all new permits were included in the equity program. The council recommended staff develop a formula to determine the increased number of cannabis retailer licenses.

Motion by Councilmember Johnson III

Seconded by Councilmember Willis

To direct staff to work with the Economic Development Cannabis Subcommittee to determine the number of increased dispensaries and deliveries; create a formula that determined how many would be in the Cannabis Equity Program and how many would go to previous people that had licenses; and the development of a social equity fund. A friendly amendment made by Vice Mayor Martinez for staff to return to the council with options was accepted by the motion maker.

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

Absent (1): Mayor Butt

Passed (6 to 1)

Z.2 Electric Vehicle Fleet

RECEIVE a presentation from MOTIV PS on the benefits of transitioning to an electric fleet – Vice Mayor Martinez (510-620-6593). This item was continued from the November 22, 2022, and December 6, 2022, meetings.

Vice Mayor Martinez introduced the matter. The presenter advised staff that they were unable to present and preferred to postpone the presentation until January or February 2023.

Continued to the January 24, 2023, City Council meeting

Z.3 Report by the West Contra Costa Fire Safe Council

RECEIVE a presentation from West Contra Costa Fire Safe Council (WCCFSC) regarding its mission, objectives, and achievements – Fire Department (Chief Angel Montoya 510-307-8041).

Continued to the January 24, 2023, City Council meeting

Z.4 Contra Costa Transportation Authority Presentation

RECEIVE a presentation from the Contra Costa Transportation Authority’s Executive Director Timothy Haile – Library and Community Services Department (Lori Reese/Denee Evans 510-621-1718).

Transportation Project Manager Denee Evans introduced the matter. Contra Costa Transportation Authority (CCTA) Executive Director Tim Haile presented a PowerPoint that highlighted the following: CCTA's responsibilities; funding leverages; projects and funding; travel behavior; Vision Zero approach to safety; transit; connected signal system; electric vehicles; transportation plan; ferry service; and redefining mobility. Discussion ensued. The council requested information for green infrastructure project funding.

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

Councilmember Willis thanked the Richmond Fire Department for bringing toys to the North Richmond Reclaiming Our Community and Affordable Housing event on December 18, 2022.

Councilmember McLaughlin expressed appreciation for the Commission on Aging Annual Holiday Celebration held on December 17, 2022.

AB. ADJOURNMENT

There being no further business, the meeting adjourned at 9:06 p.m., in memory of Anna Regina Days and Larry Smith, to meet again on January 17, 2023, at 6:30 p.m.

Clerk of the City of Richmond

Mayor

From: [Cordell Hindler](#)
To: [City Clerk Dept User](#)
Subject: Open Session Prior to Closed Session
Date: Saturday, December 17, 2022 1:00:31 PM

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Good Evening Mayor Butt, Council Members and Staff,

I have some comments in related to the Closed Session

1. Shasa Curl has Done a wonderful Job as the City Manager
2. she would make sure that she follows the direction of the City Council

Sincerely
Cordell

From: [Cordell Hindler](#)
To: [City Clerk Dept User](#)
Subject: public comments-open forum
Date: Saturday, December 17, 2022 1:12:41 PM

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Good Evening Mayor Butt, Council Members, and Staff

I have some Comments for the Record

1. for the Feburary 28th meeting, the Council should invite Danny Wan to Provide a Presentation on how the Port of Oakland is recovering from the Pandemic.
2. I am in Full Support of W.9.b on the Consent Calendar, Because I had spoken with the Previous City Manager about adding additional staff

Sincerely
Cordell

From: [Leisa Johnson](#)
To: [City Clerk Dept User](#)
Cc: [Tom Butt - external](#); [Nat Bates](#); [Eduardo Martinez](#); [Eduardo Martinez](#); [Melvin Willis](#); [Melvin Willis](#); [Demnlus Johnson](#); [Gayle McLaughlin](#); [Claudia Jimenez](#)
Subject: Public Comments for Item W.14.b - Contract Amendment for Cutting, Hoffman, and Harbour Way S. Bikeways Project
Date: Tuesday, December 20, 2022 8:08:24 PM

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Dear City Clerk,

Can you please include the below comments in the supplementary meeting minutes?

Thank you and Happy Holidays!

Best,
Leisa

Dear Mayor, Vice Mayor and Councilmembers -

The current process flow to implement bicycle and pedestrian changes along key corridors in our City do not currently provide adequate, continued public review & input post the initial concept design, and most certainly before they are finalized and implemented. Importantly, the business community is underrepresented, if at all.

As a result, serious concerns have arisen on Cutting Blvd between Garrard and Hoffman Blvd post implementation of this particular F2B2G project that need to be remedied.

These concerns have been raised by the community to key city staff on more than occasion, and most recently at the PRNC meeting on 12/7/22.

That meeting ended with a request from the PRNC for two follow-up meetings with PRNC representatives and key city staff to discuss two distinct projects within the F2B2G plan, including issues arising from the current installation on Cutting Blvd, to develop remedies, and to ultimately apply lessons learned to future projects across the City.

The plan for Hoffman to Wright Ave along Harbour Way S that I received today is distinct from the plan that the public sees as an interim concept in the published F2B2G plan on the City's website; we also couldn't find a 30% engineering drawing in the published appendix. Given the significant changes that happened on Cutting Blvd, the community is rightfully concerned.

Given this experience, the Point Richmond, Santa Fe and Iron Triangle NC boards all requested that this item be pulled from the consent calendar.

None of us are opposed to bikeways. All we are asking for is adequate and continued public input so that these projects result in increased safety, not new safety issues, and that there are no last minute changes that the public has no opportunity to review and provide input to ensure their success.

Before any more money is approved to implement final plans that the community has not had the opportunity to see, review and provide input on, we are respectfully requesting that any contract amendment that the Council may approve this evening **have the following contingencies:**

1. That key City staff meet with representatives from the Point Richmond, Santa Fe, Coronado and Iron Triangle Neighborhood Councils and impacted businesses along Cutting, Hoffman, Harbour Way S. and Wright Ave to review and provide input on the proposed project along Hoffman Blvd and Harbour Way S from Hoffman to Wright Ave before implementation. If changes need to be incorporated, a follow-up amendment and additional funding may be required.
2. That key City staff meet with representatives from the Point Richmond, Santa Fe, Coronado and Iron Triangle Neighborhood Councils and impacted businesses along Cutting to discuss safety and other issues with the current bike lane implementation on Cutting between Garrard and Hoffman, develop remedies, and identify funding requirements.
3. That key City staff meet with representatives from the Point Richmond NC to review F2B2G project designs on Garrard, W. Richmond Ave, and Railroad Ave before anything moves forward and funding is identified and approved.

Thank you,
Leisa
PRNC, 1st Vice President

From: [Philip Rosenthal](#)
To: [Pamela Christian](#); [City Clerk Dept User](#); [Nat Bates](#); [Patrick Phelan](#); [Daniel Chavarria](#)
Cc: [Leisa Johnson](#); [Charmain Tyler](#); [Peter Thelin](#); [Margi Sullivan](#); [Buzz Baylis](#)
Subject: A serious request from the PRNC
Date: Monday, December 19, 2022 11:50:20 AM
Attachments: [Request W.14.b.docx](#)

Some people who received this message don't often get email from prnc.pres@gmail.com. [Learn why this is important](#)

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

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Dear Patrick and Daniel,

Attached please find a time- sensitive letter from the PRNC board.

As you saw in the recent meeting, there are serious issues with the existing and planned bike lanes.

These issues could have been avoided with even the smallest bit of *sincere* outreach to the community.

You may have also noticed that TRAC has a huge mailing list of bike-lane advocates that are quick to make this a "them against us" issue, without ever actually addressing the legitimate concern of the community. We are constantly being told that these projects must be completed at any expense to public safety and without legitimate review.

The lives of our children, seniors and handicapped residents are equally as important as the safety of the users of the Bay Trail and bike lanes. Present at our meeting was city staff drawing over a million dollars in salary and benefits...it is reasonable to expect that these professionals can find a solution to install safe and sane bike lanes...but they have to have the safety of the citizens of Richmond in mind.

--

Philip Rosenthal
PRNC President

prnc.pres@gmail.com
(510)593-9017



December 19, 2022, 2022

City of Richmond

Public Works Director Chavarria and Mr. Phelan

450 Civic Center Plaza

Richmond CA

Hello Director Chavarria and Mr. Phelan,

The PRNC board respectfully requests that Item W.14.b be pulled from the consent calendar.

This item is seeking an additional \$89K to complete the Cutting Blvd and Harbour Way South Bikeway Project along Cutting Blvd, Hoffman Blvd and Harbour Way South.

As discussed and requested at the PRNC meeting on 12/7/2022, the Point Richmond and Santa Fe Neighborhood Councils as well as impacted businesses along Cutting Blvd would like an opportunity to meet with key city staff to review and, ideally, correct serious issues with the current bike lane configuration on Cutting Blvd between Garrard and Hoffman Blvds.

It is our understanding that the consultants were not aware of BNSF and PUC construction requirements for a two-way cycle track across a railroad crossing, and that meeting those requirements would have result in increased costs. The Cutting Blvd design was then altered, late in the process and without public review or input, to create not just one but two cycle tracks on both sides of Cutting Blvd. This has negatively impacted critical egress and ingress routes as well as school drop off and pick up at Washington Elementary School.

Additional concerns include, but are not limited to, the removal of a second vehicular lane to accommodate truck traffic from businesses, including distribution facilities, along Cutting Blvd and negatively impacted sight lines when egressing certain businesses.

Before the City Council approves any more funds be utilized to "complete" a project about which the community has expressed serious concerns, the PRNC is hoping to collaborate with key city staff and other impacted neighborhoods and businesses to develop a plan to address these issues so that staff can secure the necessary funds to implement those corrections.

We hope this process can ultimately serve as an improved public process framework that will promote enhanced public engagement, review and input and better inform future bike and pedestrian plans on Cutting Blvd from Hoffman to Carlson Blvd as well as the 22nd and 23rd St corridors and other key corridors in Richmond.

The community believes that there is room for bike lanes and pedestrian safety, and safe vehicular traffic (including the now-gridlocked downtown and twelve thousand vehicles on Cutting daily) that will protect cyclists and pedestrians...in short, safety for *everyone*.

Thank you and KRGDS,

Philip

Philip Rosenthal, PRNC President

(510) 593-9017

prnc.pres@gmail.com

<https://pointrichmond.org/>

CC:

Pamela Christen, Office of the City Clerk

Nat Bates, City Councilmember

PRNC Board

From: [Robert Prinz](#)
To: [Nat Bates](#); [Tom Butt - external](#); [Claudia Jimenez](#); [Demnlus Johnson](#); [Eduardo Martinez](#); [Gayle McLaughlin](#); [Melvin Willis](#); [City Clerk Dept User](#)
Cc: [Daniel Chavarria](#); [Patrick Phelan](#); [Bruce Brubaker](#); [Bruce Beyaert](#)
Subject: Public Comments - Agenda Item W.14b Amending WR Forde Contract
Date: Monday, December 19, 2022 2:03:35 PM

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Esteemed Mayor Butt and City Council Members,

Bike East Bay supports approval of the Consent Calendar item W.14b resolution amending the construction agreement with W.R. Forde Associates, Inc. to complete the 2.25 miles of protected bikeway on Harbour Way South, Cutting & Hoffman Boulevards.

We appreciate that city staff worked within considerable constraints to deliver a solution for the recently completed segment on Cutting despite pushback from the railroad to the original proposal, and we have heard glowing reviews from bike riders about the updated design which many are saying is even better than the original proposal. This facility is among the top bikeway projects of 2022 for the entire East Bay, and Richmond is now second only to Fremont in the number of protected bikeway lane miles.

We also appreciate that a solution for Cutting was worked out and implemented sooner rather than later, as a previous railroad coordination delay resulted in a bicycle signal at W Ohio Ave and Richmond Pkwy not being activated in 2020, which was associated with the death of Oscar Castro who was hit and killed while biking there just over two years ago.

We acknowledge that public communications and engagement are key to ensuring that projects meet as many needs as possible, and encourage you to help enable this going forward by making sure staffing vacancies are filled and by facilitating a supportive environment to resist turnover and retain experienced and talented staff in Richmond. We also acknowledge the significant potential safety issues associated with project delays, and therefore urge you to approve the funding allocation and allow the project to move forward today.

Thank you,



Robert Prinz | Advocacy Director

Pronouns: he/him

Mail: PO Box 1736 Oakland, CA 94604

Office: 466 Water Street Oakland, CA 94607

P: (510) 845-7433 x2 | **E:** Robert@[BikeEastBay.org](mailto:Robert@BikeEastBay.org)

From: [Cordell Hindler](#)
To: [City Clerk Dept User](#)
Subject: public comments- X.1 Budget Session
Date: Saturday, December 17, 2022 1:52:13 PM

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Hello Mayor Butt, Councilmembers and Staff,

I would go along with the Implementation that the State Auditor Recommends

Sincerely
Cordell

From: [Kerby Lynch](#)
To: [City Clerk Dept User](#)
Subject: PUBLIC COMMENT - Agenda Item Z.1
Date: Tuesday, December 20, 2022 12:52:10 PM
Attachments: [12_20_22 Lynch Public Comment.pdf](#)

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Kerby Lynch
butchbrood.com

Policy Consultant and Humanities Researcher

December 20, 2022

Richmond City Council Members
450 Civic Center Plaza
Richmond, CA 94804

Dear Richmond City Council Members:

My name is Dr. Kerby Lynch, and I am a current Economic Development Commissioner plus a part of the Cannabis Sub-Committee. I participated extensively in the feedback process with SCI Consulting Group to develop the Cannabis Social Equity Manual. Additionally, I supported the grant application process to apply for program development funds from GoBIZ to establish the city's Social Equity program. In deliberation re-instating the Richmond Compassionate Care Collective, Inc., I urge you to consult the Cannabis Sub-committee on how to amend the ordinance to align with the program goals of Social Equity.

I have conducted a systematic review of various city ordinances and how they balance the question of social equity via their cannabis licensing process. This process is critical for ensuring equity and disrupting the dynamics of monopolies emerging in the cities. I urge the council deliberate in January on possible models to consider that can allow for RCCC's reinstatement while also supporting the goals of economic opportunity for those impacted by the war on drugs.

As informed by my research of over [28 jurisdictions](#) with comparable population sizes, there are a few factors I believe we need to consider:

1. Population formula: it is a common approach to determine retail dispensary amounts based on population. For example, Hemet uses every 10,000 people and allows for one dispensary. Chico provides for 1 per 12,000-25,000 residents.
2. Medicinal vs. Adult Recreation: How does the council feel about distinguishing the number of retail available based on the primary consumer? Santa Rosa allows for flexibility on numbers if the primary goal is serving medicinal cannabis patients in need. I agree with this as it expands access to our chronically ill and aging populations with higher needs.
3. Priority vs. Non-Priority Licensee: We should establish target populations again to align with the goals of the social equity program. Jurupa Valley distinguished between priority applicants and set the criteria for who they prioritize to establish businesses. If the City Council should instate a cap, it should be along the lines of no cap for our priority populations and a cap for non-priority to stop the spread of monopolization.

Overall, a thorough discussion of what model to consider appropriate to revise our ordinance is needed. I encourage you to consult [YES Nature to Neighborhoods](#) (formerly Youth Enrichment Strategies) and their TREES program, a youth advocacy organization, to promote public awareness of cannabis consumption for youth. They are critical stakeholders and have completed research projects

that can aid your work. They are a part of the GARE Racial Equity team. We must continue to exhaust all community-based decision-making practices, and this is a topic that can aid in promoting our social equity program. 2023 is a critical year for implementation. I seek you all to consult with the EDC to ensure we consider the impacts on equity when discussing expansion or the capping of licenses. Finally, I request the Cannabis Sub-Committee be allowed time to present our rationale before any final decisions are made at your earliest convenience.

Please do not hesitate to reach out to kerbylynch@berkeley.edu for further comments or questions.

Respectfully,

Dr. Kerby Lynch
Community Researcher and Data Scientist
Economic Development Commissioner for the City of Richmond