

RICHMOND, CALIFORNIA,

March 28, 2023, 3:30 p.m.
Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

A. OPEN SESSION TO HEAR PUBLIC COMMENT BEFORE CLOSED SESSION

The Richmond City Council Open Session was called to order at 3:31 p.m. by Mayor Eduardo Martinez.

B. ROLL CALL

Present: Councilmembers Soheila Bana, Claudia Jimenez, Doria Robinson, Melvin Willis, Cesar Zepeda, Vice Mayor Gayle McLaughlin, and Mayor Eduardo Martinez
Absent: None.

C. CLOSED SESSION

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

- Title: City Clerk

C.2 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.3 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (paragraph (1) of Subdivision [d] of Government Code Section 54956.9)

- 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 REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)

- Property: 1324 Canal Boulevard (General Warehouse, Port of Richmond)
Agency negotiator: Dave Aleshire, Lizeht Zepeda, and Nannette Beacham
Negotiating parties: Richmond Grown
Under negotiation: Price and terms of payment
- Property: Metro Walk Phase II at Richmond Transit Village
Agency Negotiators: Nannette Beacham, Lina Velasco
Negotiating Parties: Pacific West Builders, Inc., San Francisco Bay Area Rapid Transit District
Under negotiation: Price and terms of payment (11th Amendment/Disposition and Development Agreement)

**C.5 CONFERENCE WITH LEGAL COUNSEL- WORKERS’
COMPENSATION CLAIMS (Pursuant to Government Code § 54956.95)
(Two Employees)**

- Claimant: Employee - Police Department Five Claims: 18000105COR, 17000123COR, 21000065COR, 21000140COR. 21000141COR Agency Claimed Against: City of Richmond
- Claimant: Employee – Fire Department Three Claims: 15000124COR, 17000099COR, 20000053COR Agency Claimed Against: City of Richmond

D. PUBLIC COMMENT BEFORE CLOSED SESSION

None.

E. ADJOURN TO CLOSED SESSION

The Open Session adjourned to Closed Session at 3:33 p.m. Closed Session adjourned at 5:59 p.m.

F. SPECIAL MEETING OF THE RICHMOND CITY COUNCIL

The Special Meeting scheduled for 5:30 p.m. was called to order at 6:06 p.m. by Mayor Eduardo Martinez.

G. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Mayor Eduardo Martinez.

H. ROLL CALL

Present: Councilmembers Soheila Bana, Claudia Jimenez, Doria Robinson, Melvin Willis, Vice Mayor Gayle McLaughlin, and Mayor Eduardo Martinez. **Absent:** Councilmember Cesar Zepeda arrived after the roll was called.

I. STATEMENT OF CONFLICT OF INTEREST

None.

J. AGENDA REVIEW

None.

K. BUDGET SESSION

K.1 Fiscal Year 2022-2023 Mid-Year Review

REVIEW the Fiscal Year 2022-2023 mid-year budget which includes proposed budget adjustments increasing General Fund revenue by \$8,460,793 and expenditures by \$7,926,484 and increasing Non-General Fund revenue by \$4,350,887 and expenditures by \$1,530,472; and ADOPT a Resolution for Fiscal Year 2022-2023 Mid-Year budget adjustments in Attachment 2 – City Manager’s Office/Finance Department (Shasa Curl/Nickie Mastay/Delmy Cuellar 510-620-6740).

City Manager Shasa Curl introduced the matter. Ms. Curl, Deputy City Manager Internal Services Nicky Mastay, Interim Finance Director Mubeen Qader, Accounting Manager Antonio Banuelos, and Deputy Public Works Director Robert Armijo, presented a PowerPoint that highlighted the following: Adopted Budgeted Revenue in June of 2022; Budget Expenditures for June of 2022; General Fund Expenditure Budget by Department; Mid-year Budget Review of

General Fund Revenue and Expense; General Fund Mid-year Revenue Adjustments; General Fund Mid-year Expenditure Adjustments; Proposed Options for Councilmembers; General Fund Proposed Mid-Year Budget; General Fund Revenue Budget Comparison; Non-general Fund Revenue and Expenditures; Pending/Unfunded Budget Requests; and Engineering Grants Reimbursement Plan. Discussion ensued. Mayor Martinez asked for public comment, there were no public speakers.

A motion was made by Councilmember Jimenez seconded by Councilmember Robinson to support Option B with changes that of the proposed \$850,000 for risk reserve, \$750,000 should instead go towards Carlson Crosstown Connection, \$100,000 towards storm related costs and direction that staff implement a five-year plan, starting in Fiscal Year 2023-2024, to increase unfunded liabilities. Councilmember Bana offered a friendly amendment to approve the original motion with the addition of fire access in District 4. Vice Mayor McLaughlin proposed a change to the friendly amendment that \$50,000 of the \$3.1 million in Option B could be used for fire access in District 4 unless it could be acquired through Measure X funding. The maker of the original motion and the seconder accepted the friendly amendment with the proposed changes.

Motion by Councilmember Claudia Jimenez
Seconded by Councilmember Doria Robinson

To support Option B with changes that of the proposed \$850,000 for risk reserve, \$750,000 should instead go towards Carlson Crosstown Connection, \$100,000 towards storm related costs and direction that staff implement a five-year plan, starting in Fiscal Year 2023-2024, to increase unfunded liabilities. With the addition that \$50,000 of the \$3.1 million in Option B could be used for fire access in District 4 unless it could be acquired through Measure X funding.

Ayes (7): Councilmembers Soheila Bana, Claudia Jimenez, Doria Robinson, Melvin Willis, Cesar Zepeda, Vice Mayor Gayle McLaughlin, and Mayor Eduardo Martinez

Passed (7 to 0)

Adopted Resolution No. 32-23

L. ADJOURNMENT

The Special Meeting of the Richmond City Council adjourned at 7:16 p.m.

M. JOINT SPECIAL MEETING OF THE RICHMOND HOUSING AUTHORITY / RICHMOND CITY COUNCIL

The Joint Special Meeting of the Richmond Housing Authority/Richmond City Council scheduled for 6:25 p.m. was called to order at 7:17 p.m. by Chair/Mayor Eduardo Martinez.

N. ROLL CALL

Present: Commissioners/Councilmembers Soheila Bana, Claudia Jimenez, Doria Robinson, Melvin Willis, Cesar Zepeda, Vice Chair/Vice Mayor Gayle McLaughlin and Chair/Mayor Eduardo Martinez, **Absent:** Tenant Commission Jaycine Scott

O. STATEMENT OF CONFLICT OF INTEREST

None.

P. REPORT FROM THE EXECUTIVE DIRECTOR

Interim Executive Director Gabino Arredondo reported on the closure of Nevin Plaza, the transition to a new operator, Hacienda's upcoming grand opening and the building occupancy rate.

Q. AGENDA REVIEW

None.

R. HOUSING AUTHORITY CONSENT CALENDAR

Motion by Chair/Mayor Eduardo Martinez

Seconded by Vice Chair/Vice Mayor Gayle McLaughlin

To approve all items on the Housing Authority Consent Calendar.

Ayes (7): Commissioners/Councilmembers Soheila Bana, Claudia Jimenez, Doria Robinson, Melvin Willis, Cesar Zepeda, Vice Mayor Gayle McLaughlin, and Mayor Eduardo Martinez

Absent (1): Tenant Commissioner Jaycine Scott

Passed (7 to 0)

R.1 Housing Authority Meeting Minutes

APPROVE the minutes of the Richmond Housing Authority February 21, 2023, special meeting - City Clerk's Office (Pamela Christian 510-620-6513).

R.2 Emergency Contract with Legacy Mechanical and Energy Services for a Boiler Replacement

ADOPT a resolution authorizing an emergency contract with Legacy Mechanical and Energy Services, in an amount not to exceed \$16,900 plus a 10 percent contingency of \$1,690, for a total contract amount not to exceed \$18,590, to replace the two heat pumps at Nevin Plaza and authorizing the payment of City permit fees in the amount of \$1,795, for a total project cost amount of \$20,385 - Richmond Housing Authority (Gabino Arredondo 510-620-6606).

Adopted Resolution No. 2178

S. JOINT RICHMOND HOUSING AUTHORITY / RICHMOND CITY COUNCIL BUDGET SESSION

S.1 Fiscal Year (FY) 2022-23 Amended Budget Adjustments

ADOPT a joint resolution approving the proposed Fiscal Year (FY) 2022-2023 Richmond Housing Authority (RHA) amended budget adjustments with revised estimated revenues of \$4,803,922 and total expenditures of \$4,895,044; and APPROVE an increase in the RHA Fiscal Year 2022-2023 General Fund subsidy amount by \$91,122 from \$1,261,082 to \$1,352,204 which will provide sufficient revenue to match anticipated expenditures and balance the RHA budget to \$4,895,044 in estimated revenues and \$4,895,044 in estimated expenditures – Richmond Housing Authority/Finance Department (Gabino Arredondo/Rita Martinez 510-621-1300).

Interim Executive Director Gabino Arredondo introduced the item. Mr. Arredondo and Finance Department Representative Rita Martinez presented a PowerPoint which highlighted the following: The Proposed Amended Budget Overview for Fiscal Year 2022-2023; Revenue and Expenditure Changes; Richmond Housing Authority Property Updates; Richmond Housing Authority Affiliated Property Updates; and Richmond Housing Authority Accomplishments related to Asset Repositioning/Financial Audits. Discussion ensued.

Chair/Mayor Martinez asked for public comment, there were no public speakers.

Motion by Vice Chair/Vice Gayle McLaughlin

Seconded by Commissioner Claudia Jimenez

To accept the staff recommendation.

Ayes (7): Commissioners/Councilmembers Soheila Bana, Claudia Jimenez, Doria Robinson, Melvin Willis, Cesar Zepeda, Vice Mayor Gayle McLaughlin, and Mayor Eduardo Martinez

Absent (1): Tenant Commissioner Jaycine Scott

Passed (7 to 0)

Adopted Housing Authority Resolution No. 2179 and City Council Resolution No. 33-23

T. ADJOURNMENT

There being no further business, the meeting adjourned at 7:41 p.m.

U. REGULAR MEETING OF THE RICHMOND CITY COUNCIL

The Regular Meeting of the Richmond City Council scheduled for 6:30 p.m. was called to order at 7:41 p.m. by Mayor Eduardo Martinez.

V. ROLL CALL

Present: Councilmembers Soheila Bana, Claudia Jimenez, Doria Robinson, Melvin Willis, Cesar Zepeda, Vice Mayor Gayle McLaughlin, and Mayor Eduardo Martinez

Absent: None.

W. STATEMENT OF CONFLICT OF INTEREST

None.

X. AGENDA REVIEW

Items **AE.2.b** (*Contract with Safe Organized Spaces (SOS) to Provide Encampment Services*), and **AE.3.a** (*Appointment to Community Police Review Commission*) were removed from the Consent Calendar for discussion. Item **AE.3.b** was moved to be heard under category **AC** (*PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS*) and the following correction was made to the item: PROCLAMATIONS recognizing Donate Life Month, Earth Day, Sexual Assault Awareness Month, and Transgender Day of ~~Remembrance~~ *Visibility*. Items **AF.2** (*Presentation from District Attorney Diana Becton*), **AE.2.b** (*Contract with Safe Organized Spaces (SOS) to Provide Encampment Services*), and **AE.3.a** (*Appointment to Community Police Review Commission*), were moved to be heard after approval of the Consent Calendar. Item **AE.2.a** (*Authorization to execute Agreements with Grant Application partners, BART, Pacific West Communities, and AC Transit related to an AHSC Grant Application for the Metrowalk Phase 2 Project*) was continued to a Special Meeting on Monday, April 3, 2023. Item **AF.4** (*The Latina Center & RCF Connects Presentations*) was continued to April 4, 2023, and item **AF.1** (*Report by the West Contra Costa Fire Safe Council*) was continued to April 18, 2023.

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

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

- Title: City Clerk

Discussed. No reportable action.

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

- One Case

Status report given. No reportable action.

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

- 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

Not discussed.

C.4 CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)

- Property: 1324 Canal Boulevard (General Warehouse, Port of Richmond)
Agency negotiator: Dave Aleshire, Lizeht Zepeda, and Nannette Beacham
Negotiating parties: Richmond Grown
Under negotiation: Price and terms of payment

Not discussed.

- Property: Metro Walk Phase II at Richmond Transit Village
Agency Negotiators: Nannette Beacham, Lina Velasco
Negotiating Parties: Pacific West Builders, Inc., San Francisco Bay Area Rapid Transit District
Under negotiation: Price and terms of payment (11th Amendment/Disposition and Development Agreement)

Status report given. Direction given to negotiators.

C.5 CONFERENCE WITH LEGAL COUNSEL- WORKERS' COMPENSATION CLAIMS (Pursuant to Government Code § 54956.95) (Two Employees)

- Claimant: Employee - Police Department
Five Claims: 18000105COR, 17000123COR, 21000065COR, 21000140COR, 21000141COR
Agency Claimed Against: City of Richmond

Not discussed.

- Claimant: Employee – Fire Department
Three Claims: 15000124COR, 17000099COR, 20000053COR
Agency Claimed Against: City of Richmond

Status report given. Direction given for settlement discussions.

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

City Manager Shasa Curl gave information on storm related resources for residents, announcing that Richmond residents could fill sandbags at the Bayview Library or at the Corporation Yard next to the Greenway. Ms. Curl announced that Senior or disabled residents could call the Streets Division at (510) 231-3011 for sandbag delivery requests (limited to 10) between 7:00 a.m. - 2:00 p.m. Ms. Curl mentioned the Streets Division had posted flooded signage and been active in removing debris from storm drains. She announced that for any sewer overflows or flooding, residents could call Veolia 24 hours

a day at 510-412-2001 and crews would be dispatched to the location to handle the incident; and for any emergency requests that residents should call 911.

Ms. Curl announced that the City of Richmond was hosting a Business Resources Summit on April 13th from 9:00 a.m. to 11:00 a.m., for business owners and professionals to learn about the free financial resources and tools available to help hire, train, and retain their workforce. The event would be held at RichmondWORKS 330 25th Street, Richmond, CA 94804. For further information, RichmondWORKS could be reached at (510) 307-8014.

AA. REPORTS OF OFFICERS: REFERRALS TO STAFF, AND GENERAL REPORTS (INCLUDING AB 1234 REPORTS) (limited to two minutes per Councilmember) (public comment allowed under Open Forum)

Councilmember Bana reported that she recently attended the Civicwell Policymakers Conference and encouraged the Mayor and Council to participate in the next Civicwell Policymakers Conference taking place March 14, 2024, through March 18, 2024. She also gave information regarding a Caltrans study on Richmond Parkway and a soon to come website related to gas and hazardous materials pipelines.

AB. CRIME REPORT FROM POLICE CHIEF - 4th Tuesday (public comment allowed under Open Forum)

Police Chief Bisa French thanked Mayor Martinez, Councilmember Zepeda, and the city manager for attending a swearing in, welcome, recognition, and retiring ceremony for Police Department employees earlier in the day. Chief French reported on the following significant investigations during the month of March 2023: Homicide on March 8th on the 2300 block of Aberdeen Way, 43 year old male shot to death; occurrence on March 23rd in which a suspect driving a stolen semi-truck attempted to drive over a police car with an officer inside of it.

Chief French reported that the Police department participated in a human trafficking task force meeting along with the District Attorney's Office to address issues related to prostitution and trafficking along the 23rd St. corridor. She shared that members of the Police department, Fire department, Contra Costa Health Department, the District Attorney's office, and School District recently held an educational forum on the dangers of fentanyl.

Crime trends during the month of March 2023: 42 aggravated assaults, 14 robberies, 10 sexual assaults, 20 burglaries, 94 thefts, 86 stolen vehicles and 1 arson; 158 vehicles were towed; 123 vehicle collisions were responded to; 9 DUI investigations were conducted; and 6 sideshows were responded to.

Chief French reported that there were many unfilled vacancies. Discussion ensued.

AC. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS (public comment allowed under Open Forum)

AC.1 Proclamation commemorating community leader Mrs. Nailah Buford

PROCLAMATION recognizing Mrs. Nailah Buford for her community leadership and significant contributions to the betterment of the City of Richmond - Mayor Eduardo Martinez (510-620-6503) and Councilmember Doria Robinson (510-620-6824).

Councilmember Robinson introduced the item and read into the record a proclamation highlighting Nailah Buford's contributions to the City of Richmond as the owner of Snapper's Seafood restaurant. Councilmember Robinson and Mayor Martinez presented the proclamation to Mrs. Buford's daughter Jamila

Killingsworth. Ms. Killingsworth accepted the proclamation on her mother's behalf and expressed her gratitude for the recognition.

AD. OPEN FORUM FOR PUBLIC COMMENT

Tony Sustak gave comments via teleconference regarding needed improvements on Carlson Boulevard, the Bicycle Pedestrian Plan, and information on the Richmond Bicycle Pedestrian Advisory Committee.

AE. CITY COUNCIL CONSENT CALENDAR

Motion by Councilmember Melvin Willis

Seconded by Councilmember Claudia Jimenez

To approve all items on the Consent Calendar excluding Item AE.2.a, AE.2.b, AE.3.a

Ayes (7): Councilmembers Soheila Bana, Claudia Jimenez, Doria Robinson, Melvin Willis, Cesar Zepeda, Vice Mayor Gayle McLaughlin, and Mayor Eduardo Martinez

Passed (7 to 0)

AE.1 City Clerk's Office

AE.1.a Cancellation of April 25, 2023, Regular City Council Meeting

APPROVE the cancellation of the April 25, 2023, Regular City Council meeting - City Clerk's Office (Pamela Christian 510-620-6513).

AE.2 Community Development

AE.2.a Authorization to execute Agreements with Grant Application partners, BART, Pacific West Communities, and AC Transit related to an AHSC Grant Application for the Metrowalk Phase 2 Project

AUTHORIZE the city manager to enter into an Implementation and Mutual Indemnity Agreement with BART and Pacific West Communities for Affordable Housing Sustainable Communities (AHSC) pass-through funds, totaling up to \$40 million and also enter into a Sustainable Transportation Infrastructure (STI) and Transit Related Infrastructure (TRA) assistance Agreement with AC Transit to complete certain transit improvements within the City right-of-way for up to \$1.2 million for a proposed AHSC application for the Metrowalk Phase 2 project, if awarded – Community Development Department (Lina Velasco 510-620-6841).

This item was continued to a Special City Council meeting on April 3, 2023.

AE.2.b Contract with Safe Organized Spaces (SOS) to Provide Encampment Services

APPROVE a contract with Safe Organized Spaces (SOS) for the term beginning March 28, 2023, to June 30, 2024, with an option to extend for one year if funding is available, for a total contact amount not to exceed \$738,693.59, to provide encampment services and job opportunities for the unhoused – Community Development Department (Lina Velasco/Jesus Morales 510-620-6649).

Community Development Director Lina Velasco presented the item. Housing Manager Jesus Morales presented a PowerPoint which highlighted the following: SOS contract services; Success measures and accomplishments; and the Request for Qualifications process used to select SOS. Discussion ensued. The council requested that staff find ways

to encourage non-profit contractors working with the City to seek diversified funding. Jamin Pursell gave comments in person. O'Neil Fernandez, Deborah Small, and Tarnel Abbott gave comments via teleconference. Further discussion ensued. The council requested that staff reach out to Contra Costa County to see if they are able to contribute funding to SOS efforts to service unincorporated areas of El Sobrante.

A motion was made by Vice Mayor McLaughlin seconded by Councilmember Willis to accept the staff recommendation, with a change to the contract expiration date to March 31, 2024. Councilmember Bana proposed a friendly amendment that the SOS service area jurisdiction include unincorporated areas of El Sobrante. The maker of the motion and seconder agreed. Councilmember Robinson made a friendly amendment that staff include additional funding in the contract to be allocated towards a grant writer position within SOS. The maker of the motion agreed with the amendment, with a change that the additional funding be taken up in a separate action at a later date. Councilmember Jimenez made a friendly amendment that the motion include a timeline for staff to return to Council for the addition of funds towards a grant writer. The maker of the motion and seconder agreed with the friendly amendment; the original motion was amended to include direction that staff return to Council on April 18, 2023, with a contract amendment for additional funds to SOS for a grant writer position.

Motion by Vice Mayor Gayle McLaughlin
Seconded by Councilmember Melvin Willis

To accept the staff recommendation with a change of contract expiration date to March 31, 2024, along with the inclusion of unincorporated areas of El Sobrante within the service area jurisdiction, and direction that staff return to Council on April 18, 2023, with an amendment for additional funds for a SOS grant writer.

Ayes (7): Councilmembers Soheila Bana, Claudia Jimenez, Doria Robinson, Melvin Willis, Cesar Zepeda, Vice Mayor Gayle McLaughlin, and Mayor Eduardo Martinez

Passed (7 to 0)

AE.3 Mayor's Office

AE.3.a Appointment to Community Police Review Commission

APPOINT Rachel Lorber to the Community Police Review Commission, to fill an unexpired term, Term Expires November 1, 2024 - Mayor's Office (Mayor Eduardo Martinez 510-620-6503).

Mayor's Office Chief of Staff Shiva Mishek introduced the item and requested to hear from the member of the public that pulled the item to address the concern. Discussion ensued. Benjamin Therriault gave comments in person expressing concerns of a conflict of interest due to the appointees' occupation and of the redactions made on the application attached to the agenda item. Further discussion ensued. Deborah Small, Luis Chacon, and Eli Moore gave comments via teleconference. Further discussion ensued.

Motion by Councilmember Melvin Willis
Seconded by Vice Mayor Gayle McLaughlin

To approve the staff recommendation.

Ayes (5): Councilmembers Claudia Jimenez, Doria Robinson, Melvin Willis, Vice Mayor Gayle McLaughlin, and Mayor Eduardo Martinez

Abstentions (1): Councilmember Cesar Zepeda

Absent (1): Councilmember Soheila Bana

Passed (5 to 0)

(At 10:56 p.m. a motion was made by Vice Mayor McLaughlin, seconded by Councilmember Jimenez, to extend the meeting until 11:30 p.m. which passed by the following vote: Ayes: Councilmembers Jimenez, Robinson, Willis, Zepeda, Vice Mayor McLaughlin, and Mayor Martinez. Noes: None. Absent: Councilmember Bana. Abstain: None).

AE.3.b Proclamations for the month of April; Donate Life Month, Earth Day, Sexual Assault Awareness Month, Transgender Day of Remembrance

PROCLAMATIONS recognizing Donate Life Month, Earth Day, Sexual Assault Awareness Month, and Transgender Day of Remembrance - Mayor's Office (Eduardo Martinez 510-620-6503).

Mayor Martinez moved the item from the consent calendar to be heard during the Presentations, Proclamations, and Commendations section of the agenda. Mayor Martinez introduced the item and read the Transgender Day of Visibility proclamation into the record. Mayor Martinez presented the proclamation to Jamin Pursell, Leto Green, Ashley Scarborough-Gonzalez, Stefano Gonzalez, and Joey Smith, who all gave comments and thanked the Mayor and Council for the recognition.

AF. STUDY AND ACTION SESSION

AF.1 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). This item was continued from the December 20, 2022, January 24, 2023, February 28, 2023, and March 7, 2023, meetings.

This item was continued to the April 18, 2023, meeting.

AF.2 Presentation from District Attorney Diana Becton

RECEIVE a presentation from Contra Costa County District Attorney Diana Becton - Councilmember Jimenez (510-620-6581).

Councilmember Jimenez introduced the item. District Attorney Diana Becton presented a PowerPoint highlighting the following: The District Attorney's Office 2023-2024 Fiscal Year Budget; Personnel Budget; Allocated Positions; The District Attorney's Office Mission; 2022 Performance; Overview of the Criminal Process, Divisions and Units of the District Attorney's Office; 2021-2022 Specialty Units and Programs, and 2021-2022 Efforts in Reducing Incarceration. Discussion ensued. The council requested that the District Attorney's Office provide statistics on crimes committed by Richmond residents. Further Discussion ensued. Mayor Martinez called for public comment; there were no public speakers.

AF.3 Presentation from Center for Biological Diversity and Biofuelwatch on the impacts of the Golden State Natural Resources (GSNR) wood pellet project

RECEIVE a presentation from the Center for Biological Diversity and Biofuelwatch on the wood pellet project proposed by Golden State Natural Resources (GSNR) and its pollution exposure and risk to the community and the environment - Vice Mayor McLaughlin (510-620-6636) and Councilmember Zepeda (510-620-6593).

City Attorney Dave Aleshire informed the Council of a letter the City received from Golden State Natural Resources (GSNR) expressing concerns that a presentation made without the organization's participation could sway public opinion against their project and requesting the item be heard at a later date when they can participate in the presentation. Discussion ensued. The council requested that Mr. Aleshire read the letter into the record; City Attorney Dave Aleshire read the letter as requested. The council made the decision go forth with hearing the item.

Vice Mayor McLaughlin introduced the item and the presenters. Americas Program Coordinator of Biofuelwatch Gary Graham Hughes and Climate Science Director of the Center for Biological Diversity Shay Wolf presented a PowerPoint highlighting the following: What Golden State Natural Resources (GSNR) is, Counties Represented by GSNR Board of Directors, Project Status; Information on What the Wood Pellet Project Consists of; Impact of Wood Pellets on the Community and Environment; What Wood Pellets Are; What Biofuelwatch is; Fire/Explosion Hazards to Port Communities and Workers; Fires in Wood Pellet Storage Silo located in Port Arthur, TX; Fires/Explosions in Wood Pellet Storage Warehouse in Port of Brunswick, Georgia; Environmental Justice Harms; Harms to Public Health; and Woody Biomass Energy Harms to the Climate, Environment, Communities, Forest Ecosystems, Wildlife Habitats. Discussion Ensued.

(At 11:29 p.m. a motion was made by Vice Mayor McLaughlin, seconded by Councilmember Jimenez, to suspend the rules and extend the meeting only to hear public comment which passed by the following vote: Ayes: Councilmembers Jimenez, Robinson, Zepeda, Vice Mayor McLaughlin, and Mayor Martinez. Noes: None. Absent: Councilmembers Bana and Willis. Abstain: None).

Janet Johnson and Jamin Pursell gave comments in person. Tony Sustak, Sara Theiss, and Leisa Johnson gave comments via teleconference.

AF.4 The Latina Center & RCF Connects Presentations

RECEIVE a presentation from The Latina Center and RCF Connects in recognition of International Women's Day and Women's History Month – City Manager's Office (Shasa Curl 510-620-6512).

This item was continued to the April 4, 2023, meeting.

AG. ADJOURNMENT

There being no further business, the meeting adjourned at 11:39 p.m., to meet again on April 4, 2023, at 6:30 p.m.

Clerk of the City of Richmond

Mayor

From: [Cordell Hindler](#)
To: [City Clerk Dept User](#)
Subject: public comments- Open Session prior to closed session
Date: Thursday, March 23, 2023 4:49:15 PM

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Hello Mayor Martinez, Council members and Staff,

I Think That Pamela Christian Has done a Wonderful Job as the City Clerk

Sincerely
Cordell

From: [Cordell Hindler](#)
To: [City Clerk Dept User](#)
Subject: public comments- open forum
Date: Thursday, March 23, 2023 5:02:21 PM

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

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

Hello Mayor Martinez, Council Members and Staff

I Have some Comments for the Record

1. for the April 18th Meeting, The Council Should Consider Reinstating the Agenda & Rules Standing Committees in Lined with How the City of Berkeley
2. Also to Have Lesa McIntosh to Provide a Presentation on the Proposed Water Rates

Sincerely
Cordell

From: [Anna Henry](#)
To: [City Clerk Dept User](#)
Subject: Public comments Agenda Item AF3
Date: Friday, March 24, 2023 1:18:31 PM

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

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Greetings,

I am reaching out to provide public comment on agenda item AF3. The proposed wood pellet project poses threats to public health and safety, environmental justice, the climate, and our forests.

- Wood pellets are fire-and-explosion prone. Storing wood pellets at ports poses substantial fire and explosion hazards to workers and neighboring communities.
- The proposed deep-water port in Richmond, Levin Richmond Terminal, is located next to a disadvantaged community with some of the highest pollution burdens in the state, according to CalEnviroScreen. It is in the 93rd percentile overall.
- This community already has high exposure to particulate matter, especially diesel pollution and refinery emissions; high rates of asthma (98%), low birth weight (98%), cardiovascular disease, a high poverty rate, and has a majority Hispanic population.
- The long-term operation of the project will emit significant daily greenhouse gas and air pollution emissions from storage and loading operations at the port, where stored pellets will release methane and dust.
-
- Burning wood to generate electricity produces more carbon emissions at the smokestack than coal per unit of electricity produced.
- Greenhouse gas emissions and air pollution would be emitted at every step of the project—from cutting forests, trucking cut trees long distances, chipping wood and producing pellets, transporting pellets by rail hundreds of miles to ports, and shipping pellets to be burned overseas.
- The project would trigger a massive expansion of logging in California's forests, releasing their stored carbon at a time when the climate crisis calls for increased forest protection and stored carbon.
- The project would remove trees of any type and size within a 100-mile radius of each pellet facility to manufacture more than *one million US tons of pellets every year*, damaging habitat for sensitive and endangered species and harming forest ecosystems.

Sincerely,
Anna

From: dfgassman@aol.com
To: [City Clerk Dept User](#)
Cc: sunflowerjsj@gmail.com; swechs@sonic.net; jeantepper@gmail.com; margaretmft@gmail.com
Subject: Public comments Agenda Item AF3
Date: Friday, March 24, 2023 1:58:22 PM

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Isn't it completely obvious that mature trees should be left standing as a way to sequester carbon as opposed to being cut down, turned into pellets, & burned which PRODUCES carbon dioxide? Does anything more really need to be said to make the case for the complete foolishness of this project? I think not. Thank you very much. /David F. Gassman/

From: [Diana](#)
To: [City Clerk Dept User](#)
Subject: Please ask the Richmond City Council to vote against the dirty wood pellet plan.
Date: Friday, March 24, 2023 1:15:18 PM

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The wood pellet scheme would pose massive threats to public health and safety, the climate, environmental justice, and our forests.

I certainly hope this idea is quashed!!

Thank you.

Sincerely

Diana Bohn

Berkeley

From: [Elizabeth D.](#)
To: [City Clerk Dept User](#)
Subject: Public comments Agenda Item AF3
Date: Monday, March 27, 2023 8:48:29 AM

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Hello Richmond City Council Members,
As a Richmond resident of Marina Bay, I object to the Golden State Natural Resources Wood Pellet program.

I see it as a threat to public safety and health, the environment and CA forests. There may be a great risk of fire at the port, causing toxic air pollution for a long period of time. Richmond residents are already subjected to enough toxins, historically from the port, and refinery.

I would like to see the port stay in business, of course, but please ship something safe like canned foods, clothing, etc.

Thank you for your consideration on this project. And all the work you do for Richmond!

Elizabeth Dortch
2511 Baywood Way
Richmond CA 94804

From: [Jean-Luc Szpakowski](#)
To: [City Clerk Dept User](#)
Cc: [Jean-Luc Szpakowski](#)
Subject: Public Comment Agenda Item AF.3 March 28, 2023
Date: Sunday, March 26, 2023 1:10:51 PM

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Wood pellets are formed from compressed sawdust and wood shavings that are dried, formed into particles and compressed. Although they are renewable biomass, they constitute dangers to both the local and global environment. They give off toxic fumes, cause unexpected fires, and are a contributor to global warming.

- Wood pellets can undergo oxidation with the atmosphere, giving off a toxic combination of carbon monoxide, carbon dioxide and other volatile carbon compounds. In unventilated spaces the atmosphere can then become oxygen depleted and can contain lethal amounts of odorless carbon monoxide and carbon dioxide. This is a hazard in storage containers including truck bodies and ship holds, where a number of deaths have been recorded in people who entered these containers unprotected. For example, a United Kingdom official warning refers to 9 deaths among port workers in the last two decades along with a number of near deaths.
(<https://www.hse.gov.uk/confinedspace/updates/wood-pellet-fuels.htm>).
- Wood pellets can spontaneously combust and the dust associated with them is also combustible, with a risk of explosion. Pellets decompose over time and undergo biological metabolic reactions (microbiological growth), chemical oxidation which produces heat, and heat-producing physical processes such as moisture absorption. It can occur for both wet and dry biofuels and is a problem when the pile is so large that it cannot easily dissipate heat to the surroundings. (see <https://www.irclass.org/technical-circulars/fire-safety-hazards-associated-with-wood-pellets/>). ; <https://www.modernpowersystems.com/features/featurebiomass-experience-and-the-dangers-of-dust-7961580/>). The environmental Integrity project has documented numerous cases of fires and pollutant levels that exceed regulatory standards associated with storage of pellets in plants across the United States (<https://www.environmentalintegrity.org/wp-content/uploads/2017/02/Biomass-Report.pdf>)
- Off-gassing (the production of these gases from wood pellets) produces a number of volatile compounds that can be irritating to skin, eyes and respiratory

systems. The unloading of pellets has also been shown to cause levels of gas and fine respiratory particles that are far above the legal limit.

<https://www.ieabioenergy.com/wp-content/uploads/2013/10/Health-and-Safety-Aspects-of-Solid-Biomass-Storage-Transportation-and-Feeding.pdf>

- Finally, wood pellets are a danger to the environment from their pernicious effects on global warming. Wood pellets are destructive for the goal of decreasing atmospheric carbon. A research report notes that biomass burning emits more carbon than emissions from most fossil fuels (which after all, are derived from ancient wood). (<https://www.chathamhouse.org/2017/02/impacts-demand-woody-biomass-power-and-heat-climate-and-forests>). (Some may say that biomass is carbon neutral, but that notion is due to a quirk of IPCC greenhouse gas rules, which count burning of wood pellets not as coming from energy use but from land use!).
<https://www.chathamhouse.org/sites/default/files/publications/research/2017-02-23-impacts-demand-woody-biomass-climate-forests-brack-final.pdf> Wood pellets derive from trees, often mature trees that have stored carbon over decades. If replacement trees are planted –something which has been documented to be far less effective than claimed (<https://www.sciencenews.org/article/planting-trees-climate-change-carbon-capture-deforestation>) — it takes decades for them to store equivalent amounts of carbon. There is also the effect on global warming from the emissions from maritime transport.

For all these reasons, the storage and transport of wood pellets within Richmond would cause unacceptable risks to local and global health.

Jean-Luc Szpakowski MD
Highland Hospital

From: [Jeannette Kortz](#)
To: [Gayle McLaughlin](#); [Melvin Willis](#); [claudia jimenez](#); [Eduardo Martinez](#); [Doria Robinson](#); [Soheila Bana](#); cesar_zapeda@ci.richmond.ca.us
Cc: [City Clerk Dept User](#)
Subject: Public Comments - Agenda Item AF3
Date: Friday, March 24, 2023 12:48:38 PM

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Dear Mayor and City Council Members,

I am pleased to be informed that Biofuel Watch and the Center for Biological Diversity will be presenting to the City Council about the dangers and health effects of possibly allowing a wood pellet corporation to establish a storage facility at the Port of Richmond, and then ship the pellets overseas to be burned in converted coal-fired power plants.

As you are aware, the deep-water port in Richmond, Levin Terminal, is adjacent to a disadvantaged community with some of the highest pollution burdens in the State of California.

This operation will emit significant daily greenhouse gas and air pollution emissions from storage and loading operations at the port. The pellets will release methane and dust.

The project would trigger a massive explosion of logging in California's forests, releasing stored carbon at a time when the climate crisis calls for increased forest protection and stored carbon.

I urge you to vote against this project at the time this comes up for approval by the City of Richmond.

Thank you for your time.

Kind regards,

Jeanne Kortz
Richmond Resident

From: [Lisa Park](#)
To: [City Clerk Dept User](#)
Cc: [Lisa Park](#)
Subject: Public comments Agenda Item AF3
Date: Tuesday, March 28, 2023 7:00:41 AM

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To the Richmond City Council,

I am against the Golden State Natural Resources' wood pellet export scheme, a proposal to build two of the largest wood pellet manufacturing facilities in the country and ship the pellets overseas to be burned in converted coal-fired power plants.

I am against using the Levin Terminal to ship wood pellets — a new climate-destroying product that would also emit health-harming pollution into Richmond air. This plan poses massive threats it poses to public health and safety, the climate, environmental justice, and our forests.

Sincerely,

Lisa Park
5626 Bayview Avenue
Richmond 94804

From: [Martha Walden](#)
To: [City Clerk Dept User](#)
Subject: public comments agenda item AF3
Date: Friday, March 24, 2023 7:53:47 PM

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I'll be frank and brief. The fire dangers entailed by silos of flammable wood pellets is only one reason why I oppose the proposition to ship wood pellets from two proposed pellet manufacturers through Richmond. The significant air particulates emitted by storing and handling that huge amount of wood pellets is another. But the biggest reason for opposing this plan is that its justification is the worst possible idea ever.

The destination of these wood pellets would be to replace coal in electricity plants all over the world. There's only one fuel that is dirtier and emits as much or more greenhouse gases than coal, and that's wood. Burning wood instead of coal may be a small step for an electricity plant but a giant leap in the wrong direction for mankind. The earth cannot sequester enough carbon in the next fifty years to absorb the atmospheric glut caused by burning wood. We can't afford fifty years of increased carbon emissions when we need to do everything possible to decrease emissions.

Please don't be fooled by the contention that only woody debris and trees that need cutting will supply a million tons of pellets every year. It's impossible. Healthy carbon-sequestering trees would be cut in order to provide the worst fuel we could possibly burn, and they would be transported up to a hundred miles from forest to manufacturing plant and then shipped through Richmond. It's a Lose, Lose, Lose proposition.

Please vote against this project. Thank you.

Martha Walden

From: [shirley.shelangoski](#)
To: [City Clerk Dept User](#)
Subject: Public comments Agenda Item AF3
Date: Tuesday, March 28, 2023 9:57:48 AM
Attachments: [Richmond City Council.docx](#)

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Richmond City Council

460 Civic Plaza

Richmond, CA

Dear Mayor Eduardo Martinez, Vice Mayor Gayle Mclaughlin and Honorable Members of the City Council,

I am writing on behalf of the Golden State Natural Resources wooden pellet project and I am opposed to Richmond's role in that. The storage of wood pellets present a fire and explosion risk to workers and the neighboring community. The silos that hold several thousand tons of pellets are an extreme hazard because water does not effectively quell fires of these wood pellets. Have we learned nothing from the Port Arthur, Texas fire of a wood pellet storage silo in 2017 that burned and polluted over 100 days?

As is the case with many environmental health hazards, this deep-water port is located in an economically disadvantaged community with many other environmental hazards. Many residents are suffering other health ailments such as asthma already. Would you live in this neighborhood knowing the risks? This is a public health risk to the residents and a significant greenhouse gas emission pollutant. It is worse than coal.

The forests should be preserved, not cut down to cause more pollution in their release of stored carbon, delivery and storage. I am asking for you to be environmentally responsible and not move forward with this proposed storage silo of wood pellets. Profit over environment is not a winning proposition. Thank you for your attention to this very sensitive matter.

Sincerely,

Shirley Shelangoski

Contra Costa Move On Leader

925-917-4855

From: [Will Brieger](#)
To: [City Clerk Dept User](#)
Cc: CAC-energy@googlegroups.com
Subject: Public Comment Agenda Item AF.3 March 28, 2023
Date: Friday, March 24, 2023 9:15:25 AM
Attachments: [One-Pager on woody biomass.docx](#)

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After retiring from the California Air Resources Board, I continue to advocate in support of climate solutions.

The Golden State Natural Resources wood pellet project is a danger to the climate. Richmond should not in any way facilitate the handling and transport of a fuel that is ***less efficient and more polluting than coal***. The UN has issued a number of clear warnings in recent years that we have less than a decade to significantly reduce emissions if we are to have a reasonable chance of avoiding the worst effects of heating our planet.

I have attached a one-page summary regarding the strengths and weaknesses of burning wood to make electricity. If greenhouse gas emissions are at all a factor, the answer is clear that we have cleaner ways to make power, including coal, natural gas, geothermal, solar and wind. Given the current atmospheric concentrations of CO₂, we need to stick to those last three. We can do much better than burning wood.

Every person and every jurisdiction needs to do its part to dramatically change our energy economy. Richmond should not take a step *backwards* that puts our collective goals out of reach.

Sincerely,

Will Brieger

Electricity from Woody Biomass is not Carbon Neutral

The Renewable Portfolio Standard requires California electricity providers to supply growing percentages of renewable electricity, including 60 percent by 2030, 90% by 2035 and 100% by 2045.¹ “Renewable” includes power from the western grid that is solar, wind, geothermal, small hydroelectric, or derived from “combustible residues or gasses from logging, forest products manufacturing, agricultural and orchard crops.”² Biomass electricity gets an extra competitive boost because it is deemed emission free for Cap & Trade purposes.

Three percent of California’s net generation comes from a fleet of aging, wood-burning biomass facilities built to take advantage of generous power contracts offered in the early 1980s. California also has two plants making wood pellets for heating or electricity³ and two more plants being developed to create pellets for export.

Burning wood to make electricity is quite different from the other forms of renewable energy – it yields significant GHG and criteria pollutant emissions. In fact, **burning wood emits more GHG per kW of electricity than burning natural gas or even coal**,⁴ as well as particulate matter and NOx. The storage piles of woody fuel also emit significant methane.⁵ Researchers have recently modeled how much more carbon is emitted in any area of California by burning wood for electricity as opposed to other ways of dealing with forest residues.⁶

Biomass electricity proponents assert that the carbon dioxide is recaptured as forests regrow in the following 44-104 years. But the scientific consensus tells us we don’t have that long to reduce GHG emissions. In any event, if the biomass power plant continues in operation, the “carbon debt” from burning wood in year one simply increases each year; the hoped-for regrowth falls further and further behind the pace of emissions.⁷

¹ Pub. Util. Code §454.53, subd. (a)/

² Tit. 20, Cal.Reg. Code §1391(c)(1)

³ [US Energy Information Agency profile of CA energy](#)

⁴ John D Sterman *et al* 2018 *Environ. Res. Lett.* **13** 015007DOI 10.1088/1748-9326/aaa512

⁵ C. Geronimo et al., Overlooked emissions: Influence of environmental variables on greenhouse gas generation from woody biomass storage. [Fuel 319: 123839 \(2022\)](#)

⁶ Fingerman, Kevin R., Jerome Qirazi, Cassidy L. Barrientos, Max Blasdel, Jeffrey M. Cornick, Andrew Harris, Carisse Geronimo et al. "Climate and air pollution impacts of generating biopower from forest management residues in California." *Environmental Research Letters* (2023).

⁷ *Ibid.* “Consequently, wood-fired power plants generate more CO₂ per kWh than coal ... [creating] a carbon debt—an immediate increase in atmospheric CO₂ compared to fossil energy—that can be repaid over time only as—and if— [net regrowth and absorption] rises above the flux of carbon from biomass and soils to the atmosphere on the harvested lands.” Renee Cho presents a good overview in [Columbia Climate School News](#).

There is value in thinning our forests to reduce wildfire risk, but state policy should support the many non-combustion uses for forestry waste.⁸ Continuing to pretend that burning wood is “renewable” could prevent us from meeting our climate goals.

⁸ See UC Berkeley Center for Law Environment and Energy [“Branching Out, Waste Biomass Policies to Promote Wildfire Resilience and Emission Reduction.”](#)