

RICHMOND, CALIFORNIA, September 26, 2023

Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

A. OPEN SESSION TO HEAR PUBLIC COMMENT BEFORE CLOSED SESSION

The Richmond City Council Evening Open Session was called to order at 4:32 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 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

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

- Hilltop v. City of Richmond
- Winehaven Trust v. City of Richmond

C.3 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (initiation of litigation pursuant to paragraph (4) of Subdivision (d) of Government Code Section 54956.9)

- Three Cases

D. PUBLIC COMMENT BEFORE CLOSED SESSION (limited to items on the Closed Session agenda only)

There were no public speakers.

E. ADJOURN TO CLOSED SESSION

The Open Session adjourned to Closed Session at 4:34 p.m. Closed Session adjourned at 6:32 p.m.

F. REGULAR MEETING OF THE RICHMOND CITY COUNCIL

The Regular Meeting of the Richmond City Council was called to order at 6:37 p.m. by Mayor Eduardo Martinez.

G. PLEDGE OF ALLEGIANCE

Mayor Eduardo Martinez led the Pledge of Allegiance to the Flag.

H. ROLL CALL

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

I. STATEMENT OF CONFLICT OF INTEREST

None.

J. AGENDA REVIEW

Deputy City Clerk Ursula De Loa made the following announcements:

A correction was made to Item P.1.a (acceptance of Brickyard Cove Road dedication pursuant to recorded infrastructure agreements). The dollar amount was changed from \$261,220 to \$300,000.

There was no report from the Chief of Police.

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

Item C.1 (labor negotiations) a status report was given and there was no reportable action taken.

Item C.2 (existing litigation) a status report was given for both matters and there were no reportable actions taken.

Item C.3 (anticipated litigation) a status report was given on two cases and there was no reportable taken. The third case was not discussed.

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

City Manager Shasa Curl presented a PowerPoint that highlighted the following events in September 2023: City Council special meeting regarding goals and objectives; Contra Costa and Solano Food Bank distribution; National Drive Electric Vehicle and eBike event; Storytime Strolls at Regional Parks; Enough is Enough benefit concert; and the 15th Annual Spirit and Soul Festival.

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

Vice Mayor McLaughlin announced the following events scheduled for September 30, 2023: a ground-honoring event for the city's first tiny house village farm and garden at 175 23rd Street; and a memorial bench dedication for Carol Teltschick, a former Richmond Planning Commissioner, and advocate for preserving Point Molate.

Councilmember Willis acknowledged the Public Works Department for the traffic speed bumps installed on Esmond Avenue between 24th and 26th streets near Wendell Park. Councilmember Willis recommended the next project for the area was to turn on the lighting near the park.

Councilmember Bana acknowledged the Public Works Department for assistance with the Enough is Enough free outdoor concert scheduled for September 30, 2023. Councilmember Bana advised that the performers of the concert were survivors of domestic violence from the Richmond Latina Center and other artists in the community. Councilmember Bana announced that the Greenbriar East neighborhood was made an official Firewise community.

Councilmember Zepeda announced that the Parchester Village received an electric vehicle charging station funded by the Clean Mobility Voucher Pilot Program in collaboration between the Richmond Community Foundation and the Richmond Transportation Department. Councilmember Zepeda also announced that the Santa Fe Neighborhood cleanup day was scheduled for September 30, 2023. Councilmember Zepeda acknowledged the Public Works Department for installing crosswalks and signage to slow down traffic near schools.

Councilmember Jimenez acknowledged the Public Works Department for working with Pacific Gas and Electric to ensure accountability and lighting in Wendell Park. Councilmember Jimenez also acknowledged the Dimm Street and Barrett Avenue community for organizing the potluck held on September 23, 2023. Councilmember Jimenez invited residents to the Traffic Calming Forum at the Solano Playlot scheduled for September 30, 2023.

Mayor Martinez acknowledged the Public Works Department for their work. Mayor Martinez announced that the Richmond Commission on Aging member, Myrtle Braxton, recently celebrated her 96th birthday. Mayor Martinez reported that the League of California Cities held its Annual Conference and Expo on September 20-22, 2023, and commended Councilmember Zepeda for his presentation on hate speech. Mayor Martinez stated that he learned at the conference that there was a lot of controversy over the boundaries between free speech and the ability of electeds to protect their constituents and the people they worked with from abuse. Mayor Martinez expressed he was hopeful for more friendlier and safer public meetings.

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

None.

O. OPEN FORUM FOR PUBLIC COMMENT

(public comment on items that remain on the Consent Calendar or items not on the agenda - limited to 2 minutes unless otherwise specified - Back and forth dialogue with the Council is prohibited)

The following individuals gave comments in person:

Don Gosney expressed Brown Act violation concerns regarding the presentation given by the Public Bank East Bay representatives and photos taken with the council during the reports of officers at the September 19, 2023, City Council meeting. Mr. Gosney also expressed concerns regarding the city's response time to public records requests and harassment allegations.

A.J. Jelani acknowledged the city for its hiring practices. Mr. Jelani presented an award of appreciation for Richmond Police Lieutenant Ernest Lucas in recognition of the outstanding community service provided to the Belding Woods neighborhood.

Mark Wassberg gave comments regarding criminals and high-profile crimes. Mr. Wassberg gave comments regarding the Pedie Perez case. Mr. Wassberg urged community members not to be a criminal.

Rick Perez acknowledged the council for everything it had done for the Perez family following the police shooting death of his son, Richard “Pedie” Perez. Mr. Perez requested that the Police Department's Cultural Competency Training include command staff as well as the new recruits.

Patricia Perez gave comments regarding her grandson’s police shooting case and the officer involved.

Deborah Garcia reported that unhoused individuals had returned behind her home located at 2929 Howard Street in Richmond. Ms. Garcia advised that the individuals were causing disturbances and stealing items from her yard. Ms. Garcia also advised that the creek behind her home was falling and would cause her garage to fall. Ms. Garcia said she had not received a response to her calls to city staff or officials regarding her concerns.

Jamin Pursell acknowledged the city for hosting a disco event at Unity Park and other events throughout the city. Mr. Pursell gave comments in support of the League of California Cities discussions against hate speech. Mr. Pursell acknowledged the council for its city police reform efforts to bring safety to the community. Mr. Pursell emphasized the importance of the council's votes to move matters forward and set an example for the larger community.

Deborah Bayer gave comments via teleconference regarding Item P.2.a (contract for environmental consulting services at Marina Bay). Ms. Bayer advised the need for constant monitoring of toxic sites. Ms. Bayer expressed concerns regarding the funding sources for the services.

P. CITY COUNCIL CONSENT CALENDAR

(All items placed under the Consent Calendar were considered to be routine and noncontroversial. The items were enacted upon together with a motion and second, without discussion, of any member of the City Council, and each item was deemed to have received the action recommended.)

Motion by Vice Mayor Gayle McLaughlin
Seconded by Councilmember Zepeda

To approve all Consent Calendar items.

Ayes (7): Councilmember Bana, Councilmember Jimenez, Councilmember Robinson, Councilmember Willis, Councilmember Zepeda, Vice Mayor Gayle McLaughlin, and Mayor Martinez

Passed (7 to 0)

P.1 City Attorney's Office

P.1.a Acceptance of Brickyard Cove Road Dedication Pursuant to Recorded Infrastructure Agreements

AUTHORIZE the Mayor to execute agreements(s) with BCHOA1 and Boardwalk Marina that provide for their \$261,220 contribution to the City’s pavement management program; ADOPT a resolution of acceptance of dedication; and AUTHORIZE the City Manager to approve easements for HOAs to maintain landscaping with all of such documents in a form approved by the City Attorney – City Attorney’s Office (Dave Aleshire 510-620-6509).

Adopted Resolution No. 97-23. The dollar amount for this item was changed from \$261,220 to \$300,000.

P.2 Economic Development

- P.2.a Contract with PES Environmental, Inc. dba NV5 for Environmental Consulting Services at Marina Bay

APPROVE a sole-source contract with PES Environmental, Inc. (dba NV5) for environmental consultation services and to perform annual inspections of nine deed restricted properties in Marina Bay for a total amount not to exceed \$383,750, with a term from July 1, 2023, through June 30, 2026 – City Manager’s Office (Nannette Beacham/Craig Murray 510-621-1264).

P.3 Library and Community Services

- P.3.a Approve the Purchase of Two R-Transit Electric Passenger Vans

APPROVE a contract between the City of Richmond and the National Auto Fleet Group to purchase two R-Transit electric vans in an amount not to exceed \$268,861.76; and ALLOCATE and APPROPRIATE, if needed, Richmond’s Environmental and Community Invest Agreement funding to support the purchase of electric vans to help reduce greenhouse gas emissions - Community Services Department (LaShonda White 510-620-6828/Denée Evans 510-621-1718/Lori Reese-Brown 510-620-6869).

P.4 Mayor's Office

- P.4.a National Drive Electric Week

PROCLAMATION declaring September 22 to October 1, 2023, as National Drive Electric Week in the City of Richmond – Mayor Eduardo Martinez (510-620-6503) and Councilmember Cesar Zepeda (510-620-6593).

P.5 Public Works

- P.5.a Hilltop Landscape District Office Trailer and Yard Lease

APPROVE a sixth lease amendment with North Richmond Properties, Inc., in an amount not to exceed \$32,429.28, for a month-to-month term, for the rental of two office trailers and space to store containers and landscaping equipment – Public Works Department (Daniel Chavarria 510-620-5478/Greg Hardesty 510-620-6920).

- P.5.b Santa Rita Road Stabilization Project Funding Request

APPROVE and APPROPRIATE transfer of funds amounting to \$1,040,000 from Risk Management fund to the General Capital Fund for the Santa Rita Road Stabilization Project – Public Works Department (Daniel Chavarria 510-620-5478 / Ken Cheng 510-621-1612).

Q. PUBLIC HEARINGS

Q.1 Approval of Adjusted Developer Impact Fees for a Revised Master Fee Schedule

Deputy City Clerk Ursula De Loa announced that it was time, pursuant to public notice, to hold a public hearing. Accounting Manager Antonio Banuelos introduced the matter. Carlos Villarreal of Willdan Financial Services presented a PowerPoint that highlighted the following: developer impact fee overview; cost allocation methodology; fee program methodologies; projected impact fee revenue; maximum justified impact fee schedule; staff recommendation for phase-in approach; and credit policy. Discussion ensued. The council requested the

following: recalculate the fees based on a higher level of service for community facilities including building new facilities and considering the \$15 million from the general fund allocated to the main library renovation; consider the council's new goals; a developers performance analysis to determine hard costs of construction and land; percentage of fees for projects; and add the library to warehousing. Mayor Martinez declared the public hearing opened. Jessie Taran gave comments via teleconference. Mayor Martinez closed the public hearing. Further discussion ensued. The council requested the following: include the library, community centers, and future projects in the study; formalize affordable housing fee waivers; hold a council study session and provide alternatives; consider the council goals and objectives scheduled for discussion on September 27, 2023; and provide more information regarding mello-roos fees versus a one-time payment.

Motion by Vice Mayor Gayle McLaughlin

Seconded by Councilmember Jimenez

To direct the city manager to return the matter back to the council at an appropriate time, with options for how to change the developer impact fees as per the feedback provided by the council, and then determine an agreed upon option to schedule the next public hearing.

Ayes (7): Councilmember Bana, Councilmember Jimenez, Councilmember Robinson, Councilmember Willis, Councilmember Zepeda, Vice Mayor Gayle McLaughlin, and Mayor Martinez

Passed (7 to 0)

Q.2 THIS ITEM HAS BEEN CONTINUED TO THE JANUARY 16, 2024, CITY COUNCIL MEETING

HOLD a public hearing on an appeal filed objecting to the Planning Commission’s conditional approval of a Vesting Tentative Map, Major Design Review, and Density Bonus waivers to certain development standards, including a consistency checklist under CEQA for a 94-unit townhome project on a site located on Brickyard Cove Road; and ADOPT a Resolution denying the appeal and affirming the Planning Commission’s action on the Brickyard Cove Residential Project - Community Development Department (Lina Velasco 510-620-6841).

R. STUDY AND ACTION SESSION

R.1 Fiscal Year 2022-2023 City-Wide Accomplishments

RECEIVE a presentation from the city manager on the Fiscal Year 2022-2023 City-wide accomplishments – City Manager’s Office (Shasa Curl 510-620-6512). This item was continued from the July 11, 2023, September 12, 2023, and September 19, 2023, meetings.

City Manager Shasa Curl acknowledged the council for its leadership and support, and city staff for their commitment and excellent customer service. Ms. Curl presented a PowerPoint that highlighted the accomplishments of the following departments: City Manager's Office, Community Development, Community Services, Economic Development, Fire, Internal Services, Police, and Public Works.

R.2 North Richmond Living Levee Project Presentation

RECEIVE a presentation from the North Richmond Shoreline working group on the North Richmond Living Levee Project - Councilmember Jimenez (510-620-6565).

Councilmember Jimenez introduced the matter. Contra Costa County Supervisor John Gioia provided an overview of the wetland project. Bay Area Regional Collaborative Program Coordinator Josh Bradt presented a PowerPoint that highlighted the shared vulnerability and project need. Naama Raz-Yaseef of The Watershed Project presented the community engagement frameworks. Tim Mollette-Parks of the Mithun design firm presented the priority amenities; North Richmond Shoreline Adaption Project boundary; stakeholder engagement map; grey (single benefit) and nature-based (multi-benefit) approaches; collaboration clusters; and project Phase I. West County Wastewater General Manager Andrew Clough presented a look ahead at the North Richmond Collaborative Shoreline Adaption Plan and North Richmond Living Levee Phase 1. Discussion ensued. The council expressed concerns regarding the following: groundwater; swamplands; landfill; toxins; and the lack of the Chevron Refinery's participation. Jamin Pursell gave comments in person. Further discussion ensued. The council urged the importance of county collaboration and a separate or bay-wide plan to address the council's concerns.

R.3 Contra Costa County's Anyone, Anywhere, Anytime (A3) Program Update

RECEIVE a presentation from Contra Costa Health regarding the Anyone, Anywhere, Anytime (A3) program, which is an innovative approach to provide timely and appropriate mental and behavioral health crisis services to people in Contra Costa County – Community Services Department (LaShonda White 510-620-6828) and Councilmembers Soheila Bana (510-620-6743) and Cesar Zepeda (510-620-6593).

Chief Executive Officer Anna Roth and Behavioral Director Suzanne Tavano of the Contra Costa County Health Department presented a PowerPoint that highlighted the following: vision, process, and the need; A3 crisis call center and growth and service levels; Measure X and funding; and next steps. Discussion ensued. *(At 10:59 p.m., a motion made by Councilmember Zepeda, seconded by Councilmember Bana, to extend the meeting to complete Item R.3, passed by the unanimous vote of the City Council).* Further discussion ensued. The council requested the A3 job classification descriptions and salary ranges. *(At 11:30 p.m., a motion made by Councilmember McLaughlin, seconded by Councilmember Bana, to suspend the rules and extend the meeting to finish comments from the council and the public for Item R.3, passed by the unanimous vote of the City Council).* Jamin Pursell gave comments in person. Jessi Taran and Leisa Johnson gave comments via teleconference. Further discussion ensued. The council requested data with a breakdown of the type of calls, tier, the number that the calls were coming in from, and calls that came in from family and law enforcement.

S. ADJOURNMENT

There being no further business, the meeting adjourned at 11:44 p.m., in memory of Kabir Kapur, to meet again on October 3, 2023, at 6:30 p.m.

Pamela Christian, Clerk of the City of
Richmond

Eduardo Martinez, Mayor

From: [Cordell Hindler](#)
To: [City Clerk Dept User](#)
Subject: Public Comments-Open Forum
Date: Thursday, September 21, 2023 3:43:54 PM

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Hello Mayor Martinez, Council Members and Staff,

I AM Submitting the Following Comments into the Record:

1. For The October 24th Agenda, The Council Should Invite John Gioia and Lisa Motoyama to Provide a Presentation on Housing for the Unhoused
2. Direct Staff To Connect with Chancellor Carol Christ's Staff To Identify a Date and Location for a Joint Meeting of the Richmond City Council and UC Berkeley to Hear Updates and Explore collaborations.
3. Also To Have Danny Wan or Designee to Present on the Port of Oakland

Sincerely
Cordell

From: [Cordell Hindler](#)
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Subject: Public Comments- R.1 Study Session
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Hello Mayor Martinez, Council Members and Staff,

I Really Appreciate the Presentation That the City Manager's Office Has Put Together

Sincerely
Cordell