

**RICHMOND, CALIFORNIA, November 28, 2023**

Community Services Building  
440 Civic Center Plaza  
Richmond, CA 94804

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

The Richmond City Council Evening Open Session was canceled.

**B. ROLL CALL**

**C. CLOSED SESSION**

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

- Hanlees Hilltop Buick et al. v. City of Richmond
- Riggers Loft Wine Company v. City of Richmond et al.

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

- Two cases

**C.3 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.4 CONFERENCE WITH LABOR NEGOTIATORS (Government Code  
Section 54957.6)**

- Agency Representatives: Sharrone Taylor and Jack Hughes

Employee organizations:

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

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

The Regular Meeting of the Richmond City Council was called to order at 6:32 p.m. by Vice Mayor McLaughlin.

**G. PLEDGE OF ALLEGIANCE**

Vice Mayor McLaughlin led the Pledge of Allegiance to the Flag.

**H. ROLL CALL**

**Present:** Councilmembers Bana, Robinson, Willis, Zepeda, and Vice Mayor McLaughlin.

**Absent:** Councilmember Jimenez and Mayor Martinez were absent for the entire meeting.

**I. STATEMENT OF CONFLICT OF INTEREST**

None.

**J. AGENDA REVIEW**

Item Q.1 (budget session) was continued to the December 5, 2023, City Council meeting. Item P.2.c was removed from the Consent Calendar for discussion immediately following the Consent Calendar.

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

None.

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

City Manager Shasa Curl introduced Interim Fire Chief Michael Smith. Chief Smith presented a PowerPoint regarding the November 27, 2023, Richmond Chevron Refinery flaring incident that highlighted the following: incident timeline; key points; notifications and community warning system; incident follow-up; and additional resources. The council requested the following: publish the presentation on the city's website; provide another status report at the next City Council meeting scheduled for December 5, 2023; and provide additional information regarding the Nixle community notifications.

Ms. Curl presented a PowerPoint that highlighted the following November 2023 events: Nystrom Village unit turnover site visit; Holiday Tree Lighting; Richmond Main Library gift wrapping; annual Holiday Arts Festival; community survey; Contra Costa Office of Emergency Services informational sessions; and the Richmond Main Library renovation project community meetings.

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

Councilmember Zepeda announced that free COVID-19 tests were available by visiting [www.covidtests.gov](http://www.covidtests.gov). Councilmember Zepeda advised that volunteers were needed for the city's holiday toy program on December 9, 2023.

Councilmember Bana announced that November 25, 2023, was International Day for Elimination of Violence Against Women. Councilmember Bana advised that advocates had a series of meetings with survivors and provider organizations to learn about existing and needed resources. Councilmember Bana reported that she attended the American Asian Pacific Islander conference and the Richmond Police Department's initiation of Cultural Competency training. Councilmember Bana acknowledged staff for working to start receiving Measure X mitigation services and for including a fireboat in the city's budget. Councilmember Bana announced that the resolution for Item P.2.a (Shuumi land tax) was postponed to the December 19, 2023, City Council meeting.

Councilmember Robinson reported on a meeting with the Pullman Neighborhood Council (PNC) to potentially build a community center and historic museum at the International Hotel site. Councilmember Robinson encouraged community members interested in the project to attend the next PNC meeting. Councilmember Robinson advised there were discussions for improvements to the city's existing farmers market and possibly relocating it back near the Richmond Main Library.

Vice Mayor McLaughlin reported that work on the Marina Bay Farmers Market continued with an estimated launch date scheduled for February 2024. Vice Mayor McLaughlin advised that the Public Bank of the East Bay was in progress and a council resolution was forthcoming. Vice Mayor McLaughlin announced that the Annual

Literacy Festival was scheduled for April 13, 2024, in the Richmond Memorial Auditorium.

**N. COMMENDATIONS, PRESENTATIONS, AND PROCLAMATIONS**

**N.1 Proclamation Recognizing Diane Richwine for Leadership and Service in Emergency Preparedness**

PROCLAMATION recognizing Diane Richwine for Exceptional Leadership and Service to the City of Richmond Community Emergency Response Team – Councilmember Soheila Bana (510-620-6743).

Councilmember Bana introduced the matter and presented the proclamation to Ms. Richwine. Ms. Richwine gave comments.

**O. OPEN FORUM FOR PUBLIC COMMENT**

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

The following individuals gave comments:

Rick Perez gave comments regarding the difficulty he was having during the holidays without his son, Pedie Perez, and during his wife's illness. Mr. Perez expressed his gratitude for the opportunity to address new Richmond police recruits and share his son's story.

Patricia Perez acknowledged the council and city staff for recognizing her grandson Pedie Perez. Ms. Perez gave comments in honor of Pedie.

Mark Wassberg gave comments regarding potential voting boycotts against President Joe Biden and former President Donald Trump. Mr. Wassberg inquired about provisions in the city's charter allowing the vice mayor to serve in the mayor's absence.

Jamin Pursell echoed the sentiments of the Perez Family and those most impacted during the holidays. Mr. Pursell acknowledged the city for hosting the Transgender Day of Remembrance event in the Civic Center Plaza on November 20, 2023. Mr. Pursell invited the community to a World Aids Day event scheduled for December 1, 2023, in the Civic Center Plaza.

Ben Therriault gave comments on public sector union rights and what that meant for a comment that was a public concern. Mr. Therriault advised when a public employee petitions their government, they do so as a public citizen or union representative. Mr. Therriault also gave comments in support of public safety.

Michele Rappaport gave comments via teleconference regarding Item N.1, a proclamation presented to Diane Richwine. Ms. Rappaport acknowledged Ms. Richwine for her emergency preparedness efforts.

**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.)**

City Attorney Dave Aleshire made an announcement to clarify that Item P.2.a (Shuumi land tax) was continued to the December 19, 2023, City Council meeting.

**Motion by Councilmember Willis**  
**Seconded by Councilmember Robinson**

To approve all items on the Consent Calendar except Items P.2.a. and P.2.c.

Ayes (5): Councilmember Bana, Councilmember Willis, Councilmember Robinson, Councilmember Zepeda, and Vice Mayor McLaughlin

Absent (2): Councilmember Jimenez and Mayor Martinez

Passed (5 to 2)

**P.1 City Clerk's Office**

P.1.a City Council Meeting Minutes

APPROVE the minutes of the October 3, 2023, regular City Council meeting - City Clerk's Office (Pamela Christian 510-620-6513).

**P.2 City Council**

P.2.a Annual Payment of the Shuumi Land Tax

ADOPT a resolution to make an annual contribution to Shuumi Land Tax to support the work of the Sogorea Te' Land Trust; and DIRECT the city manager and director of Finance to include this annual contribution in the City's budget for the upcoming fiscal year and to continue this commitment as a line item in all future budgets – Councilmember Soheila Bana (510-620-6743).

**Continued to the December 19, 2023, City Council meeting.**

P.2.b Diwali Festival of Lights

PROCLAMATION recognizing the Diwali Festival of Lights holiday, on November 12th, and its significance to the City of Richmond's Hindu populations – Councilmember Cesar Zepeda (510-620-6593) and Mayor Eduardo Martinez (510-620-6503).

P.2.c Letter requesting that Heritage Park at Hilltop not move forward with its current December 1, 2023, rent increase and to reevaluate rent increases in the future.

APPROVE a letter to Heritage Park at Hilltop Apartments requesting that it not move forward with its current rent increase and to reevaluate future rent increases and DIRECT staff to work with the Rent Program staff to develop strategies to assist with housing for seniors - Councilmembers Melvin Willis (510) 412-2050) and Cesar Zepeda (510) 620-6593.

Councilmembers Willis and Zepeda introduced the matter. Discussion ensued. The council requested staff to consider allocating city funds for tenant rental assistance and develop strategies for future support. The following individuals gave comments in person: Elsa Stevens, Dorian Reid, Sam Lewis, Julia Keen, and Myrtle Jones.

**Motion by Councilmember Willis**  
**Seconded by Councilmember Zepeda**

To approve said letter. A friendly amendment made by Councilmember Zepeda requesting staff to send the letter via certified mail was accepted.

Ayes (5): Councilmember Bana, Councilmember Willis, Councilmember Robinson, Councilmember Zepeda, and Vice Mayor McLaughlin

Absent (2): Councilmember Jimenez, and Mayor Martinez

Passed (5 to 2)

### **P.3 Community Development**

#### **P.3.a Motel Leases**

AUTHORIZE City staff to identify motel properties suitable for use for interim housing pending implementation of plans to address homeless encampments; and AUTHORIZE the city manager to negotiate and execute leases of motel properties for such purposes subject to City Council approval of terms – Community Development Department (Lina Velasco 510-620-6841).

#### **P.3.b Contract Amendment No. 2 with RCF Connects for Housing First and Emergency Housing Assistance Programs**

APPROVE a contract amendment No. 2 with RCF Connects to add \$1,111,633.15 in additional funding for the Richmond Housing First and Emergency Housing Assistance Programs, for total contract amount not to exceed \$2,261,717.95, for a term extending through June 30, 2025 – Community Development Department (Lina Velasco/Jesus Morales 510-620-6706).

### **P.4 Finance Department**

#### **P.4.a Investment and Cash Balance Report and Overtime Reports for the Month of September 2023**

RECEIVE the City's Investment and Cash Balance Report for the month of September 2023 – Finance Department (Andrea Miller 510-620-6740).

#### **P.4.b Contract for Business Tax Audit Services and Analysis**

APPROVE a contract with BRI Consultants, Inc. in an amount not to exceed \$250,000, to provide Business Tax Audit Services and provide as-needed analysis, with a term beginning November 29, 2023, and ending December 31, 2026, with two one-year options to renew at the amount of \$50,000 per year, for a total contract amount not to exceed \$350,000 – Finance Department (Andrea Miller/ Mubeen Qader 510-412-2077/ Antonio Banuelos 510-620-6741).

#### **P.4.c Ordinance changing the due date of the Business Tax for businesses (excluding rental businesses) from July 1st to April 1st and adding a section allowing for a thirty-day grace period before late fees are assessed.**

INTRODUCE an ordinance (first reading) changing the due date for the business tax (excluding those due from rental businesses) from July 1 to April 1, and add a section allowing for a thirty-day grace period before late fees are assessed – Finance Department (Nickie Mastay/Andrea Miller/Mubeen Qader/Antonio Banuelos 510-620-6741).

- P.4.d Compliance with Developer Fees Reporting Requirements of Sections 66006 and 66001 of the Government Code

RECEIVE the annual year-end developer fee report as required pursuant to Section 66006 of Government Code – Finance Department (Andrea Miller/Mubeen Qader/Vrenesia Ward 510-621-1211).

- P.4.e Fiscal Year 2023-24 Quarter 1 Budget Review

RECEIVE the Fiscal Year 2023-24 Quarter 1 budget report for the period of July 1, 2023, through September 30, 2023; and APPROVE proposed budget adjustments – Finance Department (Andrea Miller 510-620-6790/Mubeen Qader 510-412-2077).

**Adopted Resolution No. 129-23**

**P.5 Human Resources**

- P.5.a Amend Staffing (Position Control) and the Salary Schedule, and Appropriate Funds as Required

ADOPT a resolution to amend staffing (position control) for the Finance, Community Development-Planning, and Fire Departments; and APPROPRIATE associated salaries, wages, and benefits as required – Human Resources Department (Nickie Mastay/ Sharrone Taylor 510-620-6602).

**Adopted Resolution No. 130-23**

**P.6 Information Technology**

- P.6.a Resolution Confirming Standing Orders and Outline Agreements for Technology Related Services from Cal Coast Telecom and Red Cloud

ADOPT a resolution authorizing standing orders/outline agreements for technology related goods and services from Cal Coast Telecom and Red Cloud to support critical public safety communications for City infrastructure and emergency services including the Emergency Operations Center, in an amount not to exceed \$250,000 per year for fiscal years 2023-2024 through 2026-2027 - Information Technology Department (Sue Hartman 510-620-6874).

**Adopted Resolution No. 131-23**

- P.6.b First Contract Amendment with David Carroll Associates

APPROVE a first amendment to the contract with David Carroll Associates, in the amount of \$70,000, for a new total contract amount not to exceed \$520,000, to provide support and maintenance services for the audio/video technology located in the City Council Chambers, with an extended term through December 8, 2024 – Information Technology Department (Sue Hartman 510-620-6874).

**P.7 Library and Community Services**

- P.7.a Community Crisis Response Program Development Update

RECEIVE a draft report and presentation from Urban Strategies Council regarding Community Crisis Response Program model options – Community Services Department (LaShonda White 510-620-6828/Sam Vaughn 510-620-5404).

- P.7.b California Department of Parks and Recreation Outdoor Equity Grant Program Cycle 2 Grant Application Submission

ADOPT a resolution authorizing the Recreation Division to submit a grant application for the California Department of Parks and Recreation Outdoor Equity Grant Program Cycle 2 Grant and approving its proposed, potential partnership list in said grant - Community Services Department (LaShonda White 510-620-6828/Jene Levine-Snipes 510-307-8132).

**Adopted Resolution No. 132-23**

- P.7.c Pacific Gas and Electric – Electric Vehicle Fleet Electrification Program

ADOPT a resolution authorizing the City to execute a letter of commitment and other related contracts necessary to participate in the Pacific Gas and Electric Company Electrical Fleet Program to upgrade electrical utility infrastructure that will enable electric vehicle service equipment installations at various City facilities to support the City's active transition to electric fleets – Community Services Department (LaShonda White 510-620-6828/Denée Evans 621-1718).

**Adopted Resolution No. 133-23**

- P.7.d North Richmond Mitigation Plan Second Amended Fiscal Year 2022-23

APPROVE the 2022-2023 Second Amended North Richmond Waste and Recovery Mitigation Fee Expenditure Plan, identifying the activities authorized to be funded with Mitigation Fee revenue and respective funding allocations for the period of July 1, 2022 to June 30, 2023, as recommended by the North Richmond Waste and Recovery Mitigation Fee Joint Expenditure Planning Committee – Community Services Department (LaShonda White 510-620-6828/Lori Reese-Brown 510-620-6869).

**P.8 Mayor's Office**

- P.8.a Urban Forest Advisory Committee

APPOINT Melissa Garvey to the Urban Forest Advisory Committee with a term that expires on November 17, 2026 – Mayor's Office (Mayor Eduardo Martinez 510-620-6503).

**P.9 Police Department**

- P.9.a Contract Amendment No. 1 with Cellebrite for Law Enforcement Investigations Software and Hardware

APPROVE a first contract amendment with Cellebrite in the amount of \$36,374.01, for a new total contract amount not to exceed \$70,654.74, to allow the Police Department to continue using the cellular phone analyzer tool to extract evidence from cellular phones, and to extend the contract term end date to November 28, 2026 - Police Department (Chief Bisa French 510-621-1802).

- P.9.b Proposed Contract with International Business Information Technologies, Inc., d.b.a. LEFTA Systems.

APPROVE a three-year contract with International Business Information Technologies, Inc., d.b.a. LEFTA Systems, in an amount not to exceed \$25,000, including a \$1,000 contingency, for software that will store, track, and submit paperwork to Police Officer Standards and Training (POST), for the contract term November 28, 2023, through November 27, 2026 – Police Department (Chief Bisa French 510-621-1802).

P.9.c Purchase of a Dual-Purpose Police Canine to Fill Vacant Team Position

APPROVE the purchase of a police canine and the associated eight-week training class from Top Dog Police K9 Training & Consulting, LLC. in an amount not to exceed \$18,231.87 - Police Department (Chief Bisa French 510-621-1802).

P.9.d County Amendment to the Agreement for City of Richmond Animal Services

APPROVE and ACCEPT the Contra Costa Animal Services revisions to the agreement originally approved by City Council on July 19, 2022 – Police Department (Chief Bisa French 510-621-1802).

**P.10 Public Works**

P.10.a Abatement Report from the Public Works Director

Receive a written abatement report from the Public Works Director - Public Works Department (Daniel Chavarria 510-620-5478).

P.10.b Dump Day Event Agreement

APPROVE the Dump Day Event Agreement with Caltrans; and ACCEPT and APPROPRIATE \$50,000 of funds to be reimbursed to the City of Richmond's Public Works Department, Abatement Division – Public Works Department (Daniel Chavarria/Hugo Mendoza 510-231-3030).

**Q. BUDGET SESSION**

**Q.1 Update and Funding Options Using American Rescue Plan Act (ARPA) and Environmental and Community Agreement (ECIA)**

RECEIVE an update regarding the American Rescue Plan Act (ARPA), and Environmental Community Investment Agreement (ECIA); DISCUSS recommendations to utilize ARPA and ECIA funds to offset identified shortfalls in Capital Projects and programs/projects aligned with the City Council Strategic Goals; and ADOPT a resolution appropriating ARPA and ECIA to fund proposed expenditures – Finance Department/City Manager's Office (Andrea Miller 510-620-6790/Mubeen Qader 510-412-2077/LaShonda White 510-620-6828).

**Continued to the December 5, 2023, City Council meeting.**

**R. PUBLIC HEARINGS**

**R.1 Cannabis Ordinance Amendments**

HOLD a Public Hearing; and INTRODUCE (first reading) an ordinance making certain amendments to Richmond Municipal Code (RMC) Section 15.04.610.270 Marijuana/Cannabis Commercial Uses, that includes, but is not limited to, increasing the number of storefront retail permits and adding new non-storefront retail (delivery only) permits, with a certain amount of the new retailer licenses to be reserved for equity applicants – Community Development Department (Lina Velasco 510-620-6841).

**Continued to the December 5, 2023, City Council meeting.**

**S. STUDY AND ACTION SESSION**

**S.1 Realign Draft Service Scenarios**

RECEIVE a presentation by Ryan Lau, AC Transit External Affairs Representative, on the redesign of their services – Mayor’s Office (Mayor Eduardo Martinez 510-620-6503).

Vice Mayor McLaughlin introduced the matter. Mr. Lau and AC Transit Senior Transportation Planner Carrisa Lee presented a PowerPoint that highlighted the following: AC Transit at-a-glance; current Richmond transit service; AC Transit Realign process (change of routes and schedules); goals; project phasing; demand trends; guiding principles; service scenarios overview; key highlights; and public engagement. Discussion ensued. The council expressed concerns that eliminating bus line 74 would be catastrophic and prevent El Sobrante residents from getting to work and school. The council requested the following: information for AC Transit's next Realign community outreach event; Richmond's transit ridership percentages in comparison to other cities and the impact on development plans; AC Transit to work with the city's Public Works Department to ensure Americans with Disabilities Act accessibility for new bus lines; provide the dollar amount for funds AC Transit received from the transportation funding measure authored by Senator Scott Wiener; contact the county regarding San Pablo Dam Road proposed lane changes; consider solar technology for real-time schedules at bus stops; present the proposed bus route changes to the West Contra Costa Transportation Advisory Committee; provide additional bus stop shelters; and discuss joint-grant opportunities with the city.

**T. ADJOURNMENT**

There being no further business, the meeting adjourned at 8:42 p.m., to meet again on December 5, 2023, at 6:30 p.m.

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Pamela Christian, Clerk of the City of  
Richmond

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Gayle McLaughlin, Vice Mayor

**From:** [Cordell Hindler](#)  
**To:** [City Clerk Dept User](#)  
**Subject:** Public Comments- Open Session prior to Closed Session  
**Date:** Tuesday, November 21, 2023 12:17:57 PM

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Hello Mayor Martinez, Council Members and Staff,

I would Ask That the Council Would Consider Hearing on What the Unions Have Contribute to Make Richmond a Great Place to Work

Sincerely  
Cordell

**From:** [Cordell Hindler](#)  
**To:** [City Clerk Dept User](#)  
**Subject:** public comments-open forum  
**Date:** Tuesday, November 21, 2023 12:31:31 PM

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Hello Mayor Martinez, Council Members and Staff,

I AM Submitting the Following Comments into the Record:

1. For a Future Agenda, The Council Should Consider Inviting John Gioia and Lisa Motoyama to Present on the Homeless Plan from the League of Cities
2. also to Direct Staff to Work with Chancellor Christ's Office To Schedule a Joint Meeting Between the Richmond City Council and UC Berkeley In the Spring of 2024 to Discuss Goals
3. Also To Reinstate the Standing Committees to Address the Issues that Richmond is Facing

Sincerely  
Cordell

**From:** [Cordell Hindler](#)  
**To:** [City Clerk Dept User](#)  
**Subject:** public comment Q.1- Budget Session  
**Date:** Tuesday, November 21, 2023 1:14:46 PM

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Hello Mayor Martinez, Council Members and Staff,

I AM Requesting that the Council to Adopt the Resolution as Presented by Staff

Sincerely  
Cordell

P.S I AM In Full Support of Having Additional Staff for Community Groups.