

RICHMOND, CALIFORNIA,

January 23, 2024, 4:30 p.m.
Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

A. OPEN SESSION TO HEAR PUBLIC COMMENT BEFORE CLOSED SESSION

The Open Session was called to order at 4:32 p.m. by Mayor Eduardo Martinez.

B. ROLL CALL

Present: Councilmembers Soheila Bana, Gayle McLaughlin, Doria Robinson, Cesar Zepeda, Vice Mayor Claudia Jimenez, and Mayor Eduardo Martinez. **Absent:** Councilmember Melvin Willis arrived after adjourning to Closed Session.

C. CLOSED SESSION

C.1 CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

- City Designated Representative: Heather McLaughlin
Unrepresented employee: City Manager
- 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 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)

- Title: City Attorney
- Title: City Manager
- Title: City Clerk
- Title: Confidential Investigative and Appeals Officer

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

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

Open Session adjourned to Closed Session at 4:34 p.m. Closed Session adjourned at 6:35 p.m.

F. REGULAR MEETING OF THE RICHMOND CITY COUNCIL

The Regular meeting of the Richmond City Council was called to order at 6:38 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, Gayle McLaughlin, Doria Robinson, Melvin Willis, Vice Mayor Claudia Jimenez, and Mayor Eduardo Martinez. **Absent:** Councilmember Cesar Zepeda arrived after roll was called.

I. STATEMENT OF CONFLICT OF INTEREST

None.

J. AGENDA REVIEW

Item Q.4 (*Presentation from the East Bay Rescue Mission programming and building improvements at the Bay Area Rescue Mission presentation*) was heard before Item Q.2. (*Follow-up presentation by Veolia Water North America staff regarding Hydrogen Sulfide (H2S) odors at the plant reported on December 4-5, 2023*).

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

C.1 CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

· City Designated Representative: Heather McLaughlin

Unrepresented employee: City Manager

· Agency Representatives: Sharrone Taylor and Jack Hughes

Discussed. No reportable action taken.

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

Update given. No reportable action taken.

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

- Title: City Attorney
- Title: City Manager
- Title: City Clerk
- Title: Confidential Investigative and Appeals Officer

Discussed. No reportable action taken.

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

Discussed. No reportable action taken.

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

City Manager Shasa Curl reported on the following: City Manager Weekly Report format; I Heart Richmond Resource Guide; Richmond Main Library Renovation Community Meeting; Puzzle Swap at the Main Library at; NAACP Elevate Richmond Masquerade Gala; Chines New Year Celebration; Lunar Year Calligraphy; and Black History Celebration.

L.1 NEW EMPLOYEE REPORT

Human Resouces Director Sharonne Taylor presented the new employee report as follows:

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)

Councilmember Robinson reported that she met with parents of Richmond College Preparatory School to discuss safety issues and solutions.

Councilmember Bana reported that she visited Red Cross in Concord.

Councilmember McLaughlin stated the Marina Bay Farmers Market and Literacy Festival; Public Bank of the East Bay meeting; thanked Laurel Park Neighborhood Council

Mayor Martinez announced is Global Strike Day and the Mayor's Office will be closed in solidarity of Palestinians.

N. COMMENDATIONS, PRESENTATIONS, AND PROCLAMATIONS

N.1 Human Trafficking Prevention Month

PROCLAMATION recognizing Human Trafficking Prevention Month, to honor the thousands of people harmed each year by this heinous human rights violation - Vice Mayor Claudia Jimenez (510-620-6565) and Councilmember Melvin Willis (510-412-2050).

Vice Mayor Jimenez gave an overview. City Clerk Pamela Christian read the proclamation.

The following individuals gave comments in person: Linda McKee, Laurie Isenberg, Sidonia Aguilera, Jan Mignone, and Katrina Natale. Sara Cantor gave comments via Zoom.

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)

Jayne Dean-McGilpin gave comments in support of an emergency exit project at Hilltop Green.

Mark Wassberg gave comments regarding human trafficking in the city.

Rick Perez gave comments regarding crime in the city.

Patricia Perez stated the importance of cultural competency training for police officers.

Emiliano Torres gave comments regarding the rise in crime in the area.

Irania De La Mora gave comments regarding election advocacy; community involvement for events for entrepreneurs.

Philip Rosenthal stated speakers are not clear on when to raise their hands on agenda items.

P. CITY COUNCIL CONSENT CALENDAR

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

Motion by Councilmember Cesar Zepeda

Seconded by Councilmember Doria Robinson

Ayes (6): Councilmember Soheila Bana, Councilmember Gayle McLaughlin, Councilmember Doria Robinson, Councilmember Cesar Zepeda, Vice Mayor Claudia Jimenez, and Mayor Eduardo Martinez

Absent (1): Councilmember Melvin Willis

Passed (6 to 0)

P.1 City Clerk's Office

P.1.a City Council Meeting Minutes

APPROVE the minutes of the November 28, 2023, regular City Council meeting - City Clerk's Office (Pamela Christian 510-620-6513).

P.2 City Council

P.2.a Request for Update on MLK Community Center Development

DIRECT staff to present a plan to use the remaining allocation of funds in the amount of \$268,000 to engage a consultant /architect team to work with NURVE and other community groups to complete a schematic update

and create a fundraising plan so this project can move forward in the next 5 years - Councilmember Doria Robinson (510-620-6568) and Vice Mayor Claudia Jimenez (510-620-6565).

P.2.b Request for Update from Staff Regarding the Date that Parking Enforcement for Street Sweeping Will Resume

DIRECT staff to provide an update on street sweeping enforcement and their ability to create a plan to resume parking enforcement by Feb 29, 2024 - Councilmember Doria Robinson (510-620-6568).

P.3 Community Development

P.3.a Contract Amendment No.1 with Healing Spot Counseling Center for Mental Health Services for Unhoused

APPROVE contract amendment no.1 with Healing Spot Counseling Center, Inc. to increase the contract amount by \$407,036.25, for a new total contract amount of \$417,036.25, to continue to provide mental health support services for Castro encampment clients and new ERF-R-2 clients, for a term extended through June 30, 2025, to be funded using the City's Encampment Resolution Round 1 and Round 2 funds – Community Development Department (Lina Velasco/Jesus Morales 510-620-6841).

P.4 Economic Development

P.4.a Contract Amendment #1 with Nurturing Independence Through Artistic Development (NIAD), Richmond Art Center, and East Bay Center for Performing Arts

APPROVE contract amendments with Nurturing Independence Through Artistic Development, Richmond Art Center, and East Bay Center for the Performing Arts, in the amount of \$45,000 per organization, to continue supporting collaborative arts and cultural programs in the City of Richmond, with a term ending June 30, 2024 – Economic Development Department (Nannette Beacham 510-621-1306/Winifred Day 510-620-6952).

P.5 Human Resources

P.5.a Proposed Resolution Approving a Memorandum of Understanding between the City of Richmond and the Richmond Police Management Association (RPMA)

ADOPT a resolution approving a successor Memorandum of Understanding between the City of Richmond and the Richmond Police Management Association for the term of January 1, 2023, through December 31, 2025; and DIRECT the city manager or designee to update the publicly available salary schedule with the adopted wage increases during the term of the MOU – Human Resources Department/City Attorney's Office (Sharrone Taylor/Nickie Mastay/Dave Aleshire/Jack Hughes 510-620-6602).

Adopted Resolution No. 02-24.

- P.5.b Proposed Resolution Approving a Memorandum of Understanding between the City of Richmond and the Richmond Fire Management Association (RFMA)

ADOPT a resolution approving a successor Memorandum of Understanding between the City of Richmond and the Richmond Police Management Association for the term of January 1, 2023, through December 31, 2025; and DIRECT the city manager or designee to update the publicly available salary schedule with the adopted wage increases during the term of the MOU – Human Resources Department/City Attorney’s Office (Sharrone Taylor/Nickie Mastay/Dave Aleshire/Jack Hughes 510-620-6602).

Adopted Resolution No. 03-24.

P.6 Mayor's Office

- P.6.a Proclamation recognizing February 2024 as Black History Month in Richmond

PROCLAMATION declaring February 2024 as Black History Month in the City of Richmond – Mayor’s Office (Mayor Eduardo Martinez 510-620-6503).

- P.6.b Proclamation recognizing February 29, 2024 as Rare Disease Day in Richmond, California

PROCLAMATION recognizing February 29, 2024, as Rare Disease Day in Richmond, California - Mayor's Office (Mayor Eduardo Martinez 510-620-6503).

P.7 Police Department

- P.7.a Crime Report from Police Chief

RECEIVE a written crime report from the Police Chief - Police Department (Chief Bisa French 510-621-1802).

- P.7.b Budget Appropriation for Fiscal Year 2023-2024 Point Molate Security Services Account

ADOPT a resolution appropriating \$237,677.50 to the Fiscal Year 2023-2024 budget to continue security services provided by Universal Protection Service, LLC d/b/a Allied Universal Security Services at Point Molate – Police Department (Chief Bisa French 510-621-1802).

Adopted Resolution No. 04-24.

P.8 Public Works

- P.8.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.8.b Contract with JPB Designs, Inc. for Construction of the Dirt World Park Site and Landscape Improvement Project (Phase 2)

ADOPT a resolution authorizing the execution of a construction contract in accordance with the approved plans and specifications with JPB Designs, Inc. for the Dirt World Park Site and Landscape Improvement Project, in an amount not to exceed \$439,000; and AUTHORIZE the Director of Public Works to approve change orders, if necessary, for up to a 10 percent contingency in the amount of \$43,900 – Public Works Department (Daniel Chavarria 510-620-5478/ Wendy Wellbrock 510-307-8108).

Adopted Resolution No. 05-24.

P.8.c Contract with All Surface Painting and Decorating and Dustless Blasting for Work on the Emergency Generator Enclosure at 450 Civic Center Plaza

APPROVE a contract with All Surface Painting & Decorating & Dustless Blasting, in an amount not to exceed \$12,500, to remove rust and delamination from the emergency generator enclosure located at 450 Civic Center Plaza, with a term beginning January 24, 2024, through June 30, 2024 – Public Works Department (Daniel Chavarria 510-620-5478/Carl Capistrano 510-620-6896).

Q. STUDY AND ACTION SESSION

Q.1 New Procedures for upcoming presidential primary election

RECEIVE a presentation from Contra Costa County Election's Division regarding new procedures for the upcoming presidential primary election - City Clerk's Office (Pamela Christian 510-620-6513).

Contra Costa County Clerk Recorder Kristen Connelly presented a PowerPoint which highlighted the following: Primary Statutory responsibilities; Clerk-Recorder Election Department; Contra Costa elections by the numbers; No party preference voters; 2024 Presidential Primary Election deadlines; Social media information; California's youth vote; Steps to safer elections. Discussion ensued. City Council requested the historical data for voter turnout in primary compared to general elections.

More information could be obtained at ContraCostaVote.gov

Q.2 Follow-up Presentation by Veolia Water North America Staff Regarding Hydrogen Sulfide (H2S) Odors at the Plant that were Reported on December 4-5, 2023

RECEIVE a follow-up Power Point Presentation from Veolia Water North America regarding the Hydrogen Sulfide (H2S) odors that were emitted from the Richmond Wastewater Treatment Plant December 4 – 6, 2023 – Public Works Department (Daniel Chavarria 510-620-5478/ Robert Armijo 510-620-5477).

Deputy Public Works Director Robert Armijo gave an overview. Veolia Regional Vice President Melissa Sandoval, and Veolia Director of Capital Program Managment West Chandrasekar Venkatraman, presented a PowerPoint which highlighted the following: Odor emission contributors on 12/4/23 and 12/5/23; Communication efforts; Lessons learned and adjusted processes; new odor scrubber fan installed; Aeration basins upgraded; Chemical addition restored at

Ferry Point; Construction status for activities; and odor mitigation recommendations and opportunities. Discussion ensued.

City council requested a chart of Veolia rate increases and a comparison of the rates of other wastewater districts in the city and between other wastewater districts, and an audit of Veolia that would analyze efficiencies, finances, and operations of the plant.

The following individuals gave comments via Zoom: Philip Rosenthal, Leisa Johnson, and Edie Sellers.

Further discussion ensued. City council requested a report from Veolia to include a root cause analysis documented with causal factors that led up to the recent event; Standard Operating Procedures (SOP's) guidelines and checklists that were used in the release and cleanup of the equipment; documentation of conversations between staff and Veolia regarding agreements made to work with the community; a contingency plan for doing the work without having the Ferry Point chemical system online; risk ranking on recommendations in the documents; and that the city have direct access to the SOP's.

(At 11:02 p.m. A motion by Councilmember Willis, seconded by Councilmember Zepeda extended the meeting until 11:15 p.m. by the unanimous vote of the City Council).

City Council also requested the following: access to SOP's, guidelines, checklists for day-to-day operations, a list of seldomly performed tasks, emergency procedures, Industrial Safety Ordinance as it pertains to the wastewater treatment plant, and maintenance work; that the city attorney provide an analysis of possible phase out from Veolia with ideas and options to determine if there was a breach of contract and a possible exit strategy for the February 20, 2024, Closed Session.

(At 11:12 p.m. A motion by Mayor Martinez, seconded by Councilmember Zepeda extended the meeting until 11:30 p.m. passed by the unanimous vote of the City Council).

A motion by Councilmember Willis, seconded by Vice Mayor Jimenez directed the city attorney to place the matter of a comprehensive discussion on next steps and options regarding Veolia for the Closed Session agenda on February 20, 2024. This motion also reaffirmed direction given by the city council at its December 12, 2024, meeting and requested an updated report from Veolia. The motion passed unanimously.

Q.3 Proposed Social Host Ordinance

RECEIVE a presentation from Nabila Sher-Oliver, Alcohol, Marijuana, and Prescription Drug (AMPD) Coalition Coordinator; and PROVIDE DIRECTION to staff regarding proposed Social Host policy, and timing for Council consideration/recommendations – Councilmember Soheila Bana (510-620-6743)

Nabila Sher-Oliver presented a PowerPoint presentation which highlighted the following: Negative effects on youth alcohol and cannabis use; Benefits of Social Host Ordinance; Social Host recommendations for Richmond; Cities and counties with Social Host Ordinances; Survey Desta results; alcohol and cannabis policy questions; Discussion ensued. City Council requested data on liability penalties compared to education effectiveness.

Shameka Bolds gave comments in person. Emily Ross and Sara Cantor gave comments via Zoom. Further discussion ensued. City Council requested the following: data about where, when and what occurs when incidents are reported; a report from the Richmond Police Department on how this was currently handled; and requested input from the Reimagining Task Force. The matter may return at a later date for further consideration.

Q.4 Presentation from the East Bay Rescue Mission Programming and building improvements at the Bay Area Rescue Mission presentation.

RECEIVE a presentation from Bay Area Rescue Mission on programming and the remodeling of the Richmond Campus at 200 Macdonald Avenue – Councilmember Soheila Bana (510-620-6743).

CEO/President of the Bay Area Rescue Mission Bram Begonia, Ambassador/Civic Engagement Director Sherwin Harris, and manager of special projects Wayne Earl presented a PowerPoint, which highlighted the following: California has largest percentage of unsheltered homeless population in the United States; Emergency Shelter services; Life transformation program; community meals; Food pantry; Block Party and Backpack giveaway; Turkey giveaway; Foodbank agency summit; Dynamic Strategic Plan; Renovate and Expand Richmond Campus; Contact 211 for referral services; contact information for intake process shelter or program; food and housewares party; community meals. Discussion ensued. City Council directed staff to assist the rescue mission with addressing their needs and locating surplus property, with engagement from the community. The process and update would be discussed at a future meeting. the city council would provide a letter of vote of confidence and in support of a grant to the Bay Area Rescue Mission.

Motion by Mayor Eduardo Martinez
Seconded by Councilmember Melvin Willis

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

Passed (7 to 0)

R. ADJOURNMENT

There being no further business, the meeting adjourned at 11:22 p.m., to meet again on February 6, 2024.

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: Friday, January 19, 2024 3:08:17 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 AM Submitting the Following Comments related to Closed Session

1. Dave Aleshire Has Been Doing a Great Job in Keeping the City Council Informed on Pending Legal Matters
2. Shasa Curl Has Done an Outstanding Job as the City Manager and the Department Directors also Enjoyed working with Their Boss
3. Pamela Christian Would Make Sure that the Council Agendas Is sent out in a Timely Manner
4. Jerry Threets would Update the Community Police review commission on Pending Cases

Sincerely
Cordell

From: [Cordell Hindler](#)
To: [City Clerk Dept User](#)
Subject: Public Comments-Open Forum
Date: Friday, January 19, 2024 3:13:57 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 AM Submitting the Following Comments Into the Record:

1. For a Future Agenda, The Council Should Direct Staff to work with Chancellor Christ's Office to Schedule a Joint Meeting with UC Berkeley in the Spring to Discuss Ideas and Partnerships
2. Also To Consider Reinstating the Standing Committees to Address the Fiscal Impact
3. Also to Invite Danny Wan to Provide a Presentation on the Port of Oakland

Sincerely
Cordell

From: [Alexandra Alvarez](#)
To: [City Clerk Dept User](#)
Subject: Public Comment Agenda item #3
Date: Tuesday, January 23, 2024 11:05:21 AM

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 city council, my name is Alexandra Alvarez and I'm a current student at De Anza High school. I am in favor of the social host ordinance because I believe it has affected my community for the worse by causing violence and more. In my county the use of alcohol is 41% compared to the state average where the percentage is 37%. This is alarming because alcohol and drug consumption has known to cause addiction and an increase in violence. I have seen the effects of drug use within my own family, my cousin of 12 years old has been using drugs since he was about 11 and I've seen a drastic change in his behavior, his school performance and attendance, as well as a change in his home life. Seeing the way things are going with him, I'm dedicated to helping make a change. I urge you to support this ordinance.

From: [Aminah Akbar](#)
To: [City Clerk Dept User](#)
Subject: Public comment agenda item Q3
Date: Tuesday, January 23, 2024 11:05:19 AM

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 city council my name is aminah im from Oakland and go to danza high school in el sobrant, Richmond

I have a older brother who is under aged but happen to use cannabis and his act has changed a lot at such a young age but he's old enough to make his own decisions and he does it on public property like in his car. 79% of 11th grades also say that it is "vary easy" to obtain alcohol and other drugs. But it shouldn't be they property manager fault I think it should be the sellers fault honestly because they owner of the property is most likely not aware that there is an under aged person smoking or drinking on their property. So I suggested to vote NO. Thanks for your time, Aminah.

From: [Elvira Martin Bautista](#)
To: [City Clerk Dept User](#)
Subject: Public Comment Agenda Item Q3
Date: Tuesday, January 23, 2024 11:06:02 AM

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.

Good evening City Council,

My name is Elvira Martin, and I attend De Anza High School in Richmond. I am writing to you about the Social Host Ordinance and why it is important to support this ordinance. I know students my age who would go to parties to drink alcohol and take different types of drugs during house parties. This ordinance will help combat the issue of illegally drinking and taking drugs in minors, reduce the percentage of minors who take and abuse illegal substances, and reduce health risks from alcohol, especially in minors. I urge you to support the Social Host Ordinance and Thank you for your time.

From: [Fatima Henriquez](#)
To: [City Clerk Dept User](#)
Subject: Public comment agenda item #Q3
Date: Tuesday, January 23, 2024 11:04:57 AM

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 Good-afternoon city council,

My name is Fatima Henriquez and I currently attend De Anza High School in Richmond, living in El Sobrante. Social host ordinance is an important issue that should be discussed more because currently too many young teenagers are consuming too much alcohol and drugs. This creates problems in addiction, physical and sexual abuse, and even suicide for these teenagers themselves. Many accidents happen due to underaged drinking and drugs and it's time laws become stricter to prevent these things from happening. I ask you to please vote by simply supporting this ordinance. Thank you for the time you've taken to read my email.

- Fatima Henriquez