

RICHMOND, CALIFORNIA, March 5, 2024

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, Gayle McLaughlin, Doria Robinson, Melvin Willis, Cesar Zepeda, Vice Mayor Claudia Jimenez, and Mayor Eduardo Martinez.

Absent: None.

C. CLOSED SESSION

**C.1 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)**

- One case

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

- Title: City Clerk
- Title: City Attorney

**C.3 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

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

Rauly Butler gave comments via teleconference. Mr. Butler announced the retirement of the former Council of Industries Executive Director, Katrinka Ruk, and introduced himself as her successor.

E. ADJOURN TO CLOSED SESSION

The council adjourned to the Closed Session at 4:35 p.m. Closed Session adjourned at 6:31 p.m.

F. REGULAR MEETING OF THE RICHMOND CITY COUNCIL

The Regular Meeting of the Richmond City Council was called to order at 6:36 p.m. by Mayor Martinez.

G. PLEDGE OF ALLEGIANCE

Mayor Martinez led the Pledge of Allegiance to the flag.

H. ROLL CALL

Present: Councilmembers Bana, McLaughlin, Robinson, Willis, Zepeda, Vice Mayor Jimenez, and Mayor Martinez. **Absent:** None.

I. STATEMENT OF CONFLICT OF INTEREST

None.

J. AGENDA REVIEW

Item O.2.a (Baha'i proclamation) was continued to the March 26, 2024, City Council meeting.

Item O.3.b (Equitable Public Land Disposition Policy) was continued to the March 19, 2024, City Council meeting.

A correction was made to Item O.3.a (Way2Love, Inc. contract amendment), Attachment 3 on page 6, Exhibit B, where the program budget showed a date of June 20, 3024, changed to 2024.

A correction was made to Item O.7.a (preliminary engineer agreement), where BNSF was listed as Burlingame North Santa Fe, changed to **Burlington Northern** Santa Fe.

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

A correction was made to Item C.1 where "initiation of litigation" was changed to "significant exposure to litigation".

City Attorney Dave Aleshire reported the following:

Item C.1 (significant exposure to litigation), a report was given and no reportable action was taken.

Item C.2 (employee performance evaluations), the city clerk's evaluation was not discussed. The city attorney's evaluation was discussed and no reportable action was taken.

Item C.3 (existing litigation), a status report was given and no reportable action was taken.

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

City Manager Shasa Curl presented a PowerPoint that highlighted the following: city staff and community recognitions for hosting the Accessory Dwelling Unit Workshop held on February 28, 2024, and former Mayor Irma Anderson's Celebration of Life held on February 29, 2024; Richmond Rising Collaborative Stakeholder Committee Meeting scheduled for March 6, 2024; Community Development Workshop scheduled for March 14, 2024; Floating Egg Hunt scheduled for March 16, 2024; and Help Shape the Future of Your Community Workshop scheduled for March 18, 2024.

L.1 NEW EMPLOYEE REPORT - 1st Tuesday

Director of Human Resources Sharrone Taylor presented a PowerPoint that highlighted new hires in the following departments/divisions: Water Resource Recovery; Police; Planning; Employment and Training; and Recreation.

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 reported attendance to the following events: meeting with Mayor Martinez led by Assemblymember Mike Gipson regarding the Richmond Port; Fire Department Badge Pinning Ceremony held on March 1, 2024; media event to keep the Berkeley Alta Bates Hospital open; former Mayor Irma Anderson's Celebration of Life held on February 29, 2024; and the League of California Cities meeting to discuss local government activities and future legislation. Councilmember Zepeda reminded the community that the opportunity to vote in the March 5, 2024, Presidential Primary Election was coming to a close and a ballot drop box was available at City Hall.

Councilmember Bana acknowledged the Fire Department for personnel promotions and the Public Works Department for collaborating with the West Contra Costa Fire Safe Council, which resulted in \$400,000 in wildfire mitigation for the city. Councilmember Bana reported that she met with Pacific Gas and Electric's government representative and shared concerns. Councilmember Bana announced that the Richmond Task Force to Eliminate Gender-Based Violence started working with collaboration from the Richmond Latina Center, Contra Costa Family Justice Center, Office of Assemblymember Buffy Wicks, and the Richmond Chief of Police. The task force's first meeting was scheduled for March 28, 2024. Councilmember Bana announced "Happy Solar New Year" celebrated on March 19, 2024.

Councilmember McLaughlin reported that the Marina Bay Farmers Market was scheduled to launch on March 24, 2024, and discussions were underway to relocate the Barrett Avenue Farmers Market back to the Richmond Main Library parking lot. Councilmember McLaughlin announced the following events: Sisters in Solidarity scheduled for March 16, 2024, at the LaVonya DeJean Middle School; and the Literacy Festival scheduled for April 13, 2024, at the Richmond Memorial Auditorium.

Councilmember Willis reported that he attended the Iron Triangle Black History Month event and encouraged the community to watch the Netflix documentary, "*Stamped from the Beginning*". Councilmember Willis also advised that parking enforcement was in effect on 23rd Street addressing business owners concerns; however, parking over the weekends remained an issue. Councilmember Willis reported that he attended the Racial Justice Oversight Body meeting and inquired if a Richmond Police Department representative was available to engage with the body.

Vice Mayor Jimenez acknowledged the Richmond United Soccer Club for its Flamingo Fundraiser. Vice Mayor Jimenez reported attendance to the following events: Celebration of Life for former Mayor Anderson; Local Artists of Richmond Celebration for the council's \$250,000 allocation for art corridors; and the kickoff for Little League.

Mayor Martinez acknowledged the council for its around-the-clock service to the community. Mayor Martinez reported that his office donated \$500 to the Richmond United Soccer Club's Flamingo Fundraiser, and encouraged other councilmembers interested in donating to contact the Mayor's Office.

N. 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 in person:

Rick Perez advised that Assembly Bill 3021 was being introduced to require law enforcement and others to immediately identify themselves and state their purpose when notifying family members of a deceased loved one.

Patricia Perez gave comments regarding the police shooting of her grandson, Pedie Perez, and the officer involved.

Mark Wassberg shared his experience registering to vote. Mr. Wassberg gave comments regarding voter rights and political preference.

Nana Johnson acknowledged the council for the opportunity to enroll in an unhoused emergency assistance program. Mr. Johnson expressed concerns that some of his unhoused friends were not given the same opportunity. Mr. Johnson stated the importance of access to public restrooms.

Sue Dean-McGilpin stated that the Hilltop Green residential area needed an emergency egress. Ms. Dean-McGilpin advised that the more than 500 residences were at severe risk of danger due to the neighborhood's single point of entry and exit.

Sidimohammed and Saiid Mbarki stated that stop signs were needed at the intersections of Lassen/Clinton and Esmond/Kern streets. Both individuals urged the council to expedite the installation of the stop signs before a serious incident happened.

Aleta Toure' gave comments regarding Assembly Bill 3121 establishing a task force to study and develop reparation proposals for African Americans. Ms. Toure' advised that her organization was awaiting a meeting with the mayor. Ms. Toure expressed concerns regarding toxic waste near the Parchester Village neighborhood.

Jamin Pursell acknowledged the council for the planned street resurfacing near his home. Mr. Pursell gave comments against negativity during election season and commended the council for their positive election campaigns. Mr. Pursell advised that the neighborhood councils in the May Valley area were having difficulty with the loss of members and no chairs at the fire substation meeting location. Mr. Pursell requested the council's support.

Valerie Jameson, James Huynh, and Ashley Zermeno gave comments in support of Item O.3.b (Equitable Public Land Disposition Policy). Ms. Jameson commended Kaitlyn Quackenbush, a Partnership for the Bay's Future housing fellow. Ms. Jameson urged the council not to delay Item O.3.b considering the importance of equity.

Evelyn Santos gave comments via teleconference regarding the state of the Richmond Museum of History. Ms. Santos advised there were issues with water intrusion, heating, ventilation, air conditioning, and the flooring. Ms. Santos estimated the repairs were a little over \$50,000. Ms. Santos requested a formal meeting with the city to work together to preserve the museum.

O. CITY COUNCIL CONSENT CALENDAR

(All items placed under the Consent Calendar were considered to be routine and noncontroversial. These 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 Councilmember Willis

Seconded by Councilmember Zepeda

To approve all items on the Consent Calendar except items O.2.a (Baha'i proclamation) and O.3.b (Equitable Public Land Disposition Policy).

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

Passed (7 to 0)

O.1 City Clerk's Office

O.1.a City Council Meeting Minutes

APPROVE the minutes of the February 6, 2024, regular City Council meeting - City Clerk's Office (Pamela Christian 510-620-6513).

O.2 City Council

O.2.a Proclamation honoring the Baha'i's steadfast commitment to defend freedom of thought, human rights and religion.

PROCLAMATION honoring the Baha'i's steadfast commitment to defend freedom of thought, human rights, and religion - Councilmember Soheila Bana (510-620-6743) and Vice Mayor Claudia Jimenez (510-620-6565).

Continued to the March 26, 2024, City Council meeting.

O.3 Community Development

O.3.a Way2Love, Inc. Contract Amendment No. 3

APPROVE a contract amendment No. 3 with Way2Love, Inc., to increase the contract amount by \$709,422, for a total contract amount not to exceed \$3,728,965.26, to add sheltering resources, for the City's Encampment Resolution Funding Round 2 (ERF-R-2) project, for a term through June 30, 2025, to be funded by the City's ERF-R-2 award – Community Development Department (Lina Velasco/Jesus Morales 510-620-6649).

APPROVED WITH CORRECTION: Attachment 3, page six, Exhibit B Program Budget showed a date of June 20, 3024, was changed to 2024.

O.3.b Equitable Public Land Disposition Policy

ADOPT a resolution establishing the Equitable Public Land Disposition Policy - Community Development Department (Lina Velasco/Kaitlyn Quackenbush 510-620-6841).

Continued to the March 19, 2024, City Council meeting.

O.4 Fire Department

- O.4.a Standing Purchase Order with LN Curtis & Sons to Purchase Firefighting Tools, Equipment, Personal Protective Equipment, and Safety Supplies

APPROVE a standing purchase order with LN Curtis & Sons, using the Master Price Agreement publicly solicited by National Purchasing Partners, Government Division, to purchase firefighting tools and equipment, personal protective equipment, and safety supplies, in an amount not to exceed \$750,000, for a term ending March 18, 2026, with a two-year extension option not to exceed an additional \$750,000 for the extended term - Fire Department (Chief Michael E. Smith 510-307-8041/Aaron Osorio 510-307-8021).

O.5 Library and Community Services

- O.5.a Approval to Accept and Appropriate a \$300,000 Grant Award from the U.S. Department of Justice Byrne Discretionary Community Project

ADOPT a resolution to ACCEPT and APPROPRIATE a \$300,000 grant award from the U.S. Department of Justice Byrne Community Project for the Office of Neighborhood Safety Operation Peacemaker Fellowship program – Community Services Department (LaShonda White 510-620-6828/Sam Vaughn 510-620-5404).

Adopted Resolution No. 13-24

O.6 Mayor's Office

- O.6.a Proclamation Declaring March 10th, 2024, as Tibetan Uprising Day in the City of Richmond

PROCLAMATION recognizing March 10, 2024, as Tibetan Uprising Day in the City of Richmond – Mayor's Office (Mayor Eduardo Martinez 510-620-6503).

O.7 Public Works

- O.7.a Richmond Communities Clean Collaborative – 7th Street Bike Lane Project BNSF Preliminary Engineer Agreement

ADOPT a resolution authorizing the Public Works Director and the City Engineer to execute a ~~Burlingame North~~ Burlington Northern Santa Fe (BNSF) Preliminary Engineer Agreement for the Richmond Communities Clean Collaborative – 7th Street Bike Lane Project – Public Works Department (Robert Armijo 510-620-5477/ Ken Cheng 510-621-1612).

APPROVED WITH CORRECTION: BNSF as Burlingame North Santa Fe, was changed to Burlington Northern Santa Fe.

Adopted Resolution No. 14-24

- O.7.b Second Contract Amendment with Fehr & Peers for On-Call Design Services

ADOPT a resolution approving a second contract amendment with Fehr & Peers in the amount of \$450,000, for a new total not-to exceed amount of \$900,000, to continue providing on-call professional design services for a variety of capital projects – Public Works Department (Daniel Chavarria 510-620-5478/Josel Munoz 510-620-6671). This item was continued from the February 27, 2024, meeting.

Adopted Resolution No. 15-24

P. BUDGET SESSION

P.1 Mid-Year Report on Fiscal Year (FY) 2023-24 Operating and Capital Improvement Budgets

RECEIVE the Fiscal Year 2023-24 Mid-Year budget presentation and report for the period of July 1, 2023, through December 31, 2023; and PROVIDE direction to staff; and ADOPT a Resolution to APPROPRIATE the Fiscal Year 2023-24 Mid-Year budget adjustments – Finance Department (Shasa Curl 510-620-6512 Andrea Miller 510-620-6790/Mubeen Qader 510-412-2077). This item was continued from the February 27, 2024, meeting.

City Manager Shasa Curl introduced the matter. Ms. Curl, Director of Finance Andrea Miller, and Accounting Manager Antonio Banuelos presented a PowerPoint that highlighted the following: United States economy; Richmond unemployment rate; General Fund 10-year inflation-adjusted revenue and expenditures; available funding and recommendation; unspent funds; revenue and expenditure adjustments and assumptions; and proposed positions. Director of Public Works Daniel Chavarria and Infrastructure Administrator Mark Lightner presented a Capital Improvement Projects (CIP) Dashboard website demonstration; CIP immediate funding needs; and unfunded projects. Capital Projects Manager Josef Munoz presented the traffic calming (18) locations project update. Deputy Director of Finance Mubeen Qader presented non-General Fund revenue and expenditures; and next steps. Discussion ensued. The council requested the following: future updates on the status of the traffic calming (18) locations project; consider adding to the CIP Dashboard website the capability for residents to report public works issues; traffic collisions data; list of the 300+ public works projects sorted by neighborhood councils and districts at a future budget session; display on the CIP Dashboard website the General Fund allocation and other funding sources for each project; list of projects with funding gaps before the adoption of the next fiscal year budget; provide a breakdown of projects categorized by "new" and "ongoing maintenance" with the general extent of each project; consider the use of goats to maintain overgrown hillsides; detail for the proposed \$29,798,126 General Fund operations transfers out; focus more on public safety, traffic safety, and hazard mitigation; and project timelines with percentages of completion.

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

To approve the total amount for General Fund and non-General Fund on Attachment #4, \$9,773,748 (General Fund) and \$4,735,346 (non-General Fund); Fire Station 63 allocation for \$300,000; two closed out projects (Nevin Avenue and 37th Street Improvement Project) for \$50,000 each for \$400,000 of the request; remaining would be set aside for staff to return in April 2024 with a prioritized project list categorized by legal compliance, grant deadline, any kind of grant or funding limitation, health and safety, and quality of life including a portion that was quality of life improvement projects that the community could benefit from; and direct staff to return in May 2024 with an accountability measure proposal process.

A friendly amendment made by Councilmember Bana to prioritize public safety was clarified as an inclusion with the main motion as "health and safety".

A friendly amendment made by Councilmember Zepeda to add a \$50,000 allocation for CIP management software was withdrawn.

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

Passed (7 to 0)

Adopted Resolution No. 16-24

Q. PUBLIC HEARINGS

Q.1 Brickyard Cove Residential Project Appeal

HOLD a Public Hearing; and ADOPT a Resolution granting the appeal and setting aside the Density Bonus Waivers, Major Design Review, and Vesting Tentative Map (PLN21-444) granted by the Planning Commission for the Brickyard Cove Residential Project as the application for the entitlements has since been withdrawn by the Applicant – Community Development Department (Lina Velasco 510-620-6841).

City Clerk Pamela Christian announced that it was time, pursuant to public notice, to hold a public hearing. Director of Community Development Lina Velasco presented a PowerPoint that highlighted the following: project overview; renderings; background; and appeal and withdrawal of application.

(At 10:58 p.m. - a motion by Councilmember McLaughlin, seconded by Councilmember Willis, to extend the meeting to complete Item Q.1, passed by the unanimous vote of the City Council).

Mayor Martinez declared the public hearing opened. Jeff Vines gave comments via teleconference. Mayor Martinez closed the hearing.

Motion by Councilmember McLaughlin

Seconded by Councilmember Willis

To approve said resolution and grant the appeal.

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

Passed (7 to 0)

Adopted Resolution No. 17-24

R. NEW BUSINESS

R.1 Ordinance Creating New Business Activity Classification, Class P – Wholesale, and the Corresponding Rates

INTRODUCE an ordinance (first reading) amending Chapter 7.04.103 of the Richmond Municipal Code by creating a new Business Activity Classification, Class P – Wholesale, and the corresponding rates – Finance Department (Nickie Mastay/Andrea Miller/Mubeen Qader/Antonio Banuelos 510-620-6741). This item was continued from the February 27, 2024, meeting.

Continued to the March 19, 2024, City Council meeting.

R.2 Proposed Developer Impact Fees Adjustments for a Revised Master Fee Schedule

RECEIVE a presentation from the Finance Department and Willdan Financial Services on the proposed updates to the Developer Impact Fees in the Master Fee Schedule – Finance Department (Andrea Miller/Mubeen Qader/Antonio Banuelos 510-620-6741).

Continued to the March 19, 2024, City Council meeting.

R.3 Richmond Parks Assessment of Soccer Fields

RECEIVE a presentation on the draft Soccer Field and Park Amenities Assessment prepared by CSW|ST2 – Public Works (Daniel Chavarria/Tawfic Halaby 510-620-5482).

Continued to the March 19, 2024, City Council meeting.

S. ADJOURNMENT

There being no further business, the meeting adjourned at 11:01 p.m., to meet again on March 19, 2024, at 6:30 p.m.

Pamela Christian, Clerk of the City of
Richmond

Eduardo Martinez, Mayor

From: [N&E Neighborhood Council](#)
To: [City Clerk Dept User](#)
Subject: Public Comment Item # R-3
Date: Tuesday, March 5, 2024 5:05:08 PM

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

Hi,

Because this item is so far down on the agenda and I leave for work at 6:00am, here is my comment on R-3 and using Wendell Park as the pilot program.

I was born and raised around the corner from Wendell Park and have fond memories of the park. My older brother played little league there, we played on the swings, slide and merry-go-round, until they broke and the City removed them. When I returned to living back in the North & East, I attended a meeting by the then Superintendent of Parks, (we are now on the 3rd one) and they talked of fixing up Wendell Park but nothing ever happened. In 2017, we were awarded a KaBoom grant for a new play area. Then in 2019, Target brought us the two mini pitch courts where the old basketball half courts used to be. Completing the grass area would bring the Wendell back to how it was when it was built back in the early 50's. I've already invited Tawfic Halaby to our March 27th meeting.

Thank you and look forward to working on this project.

Jan Mignone
President, North & East NC