

**RICHMOND, CALIFORNIA, May 21, 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 4:36 p.m. by Mayor Eduardo Martinez.

**B. ROLL CALL**

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

**C. CLOSED SESSION**

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

- David Batiste v. City of Richmond, et al.
- 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
- Hanlees Hilltop Buick et al. v. City of Richmond

**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)**

- One case

**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

**C.5 CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)**

- Property: 425 24th Street, Richmond, CA 94804 (Homekey Program at Motel 6 location) Agency Negotiators: Nannette Beacham, Lina Velasco, Jesus Morales Negotiating Parties: Novin Development, Trinity Center Walnut Creek Under negotiation: Price and terms of payment

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

There were no public comments.

**E. ADJOURN TO CLOSED SESSION**

The Open Session adjourned to Closed Session at 4:39 p.m. Closed Session adjourned at 6:36 p.m.

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

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

**G. PLEDGE OF ALLEGIANCE**

Mayor Martinez led the Pledge of Allegiance to the Flag.

**H. ROLL CALL**

**Present:** Councilmembers Soheila Bana, Gayle McLaughlin, Melvin Willis, Cesar Zepeda, Vice Mayor Claudia Jimenez, and Mayor Eduardo Martinez. **Absent:** Councilmember Doria Robinson was absent for the entire meeting.

**I. STATEMENT OF CONFLICT OF INTEREST**

None.

**J. AGENDA REVIEW**

None.

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

Item C.1 (conference with legal counsel, existing litigation) direction was given to the city's representative for the David Batiste matter to move forward with the litigation. A status report was given for the Point Molate Winehaven, Guidiville, and North Coast Rivers Alliance items. There was direction given to the city attorney regarding the issue of attorney fees to proceed on that item. A status report was given for the Hanlees Hilltop Buick matter on settlement negotiations and no reportable action was taken.

Item C.2 (conference with legal counsel, anticipated litigation for one case) there was no reportable action taken.

Item C.3 (conference with legal counsel, anticipated litigation for one case) there was no reportable action taken.

Item C.4 (conference with labor negotiators) was not discussed.

Item C.5 (conference with real property negotiator) no report was given.

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

City Manager Shasa Curl reported the following events: Civic Center Farmer's Market relocation to the Richmond Main Library parking lot on May 10, 2024; Bike to Work Day on May 16, 2024; Coronado Neighborhood Council meeting held on May 18, 2024; Veolia maintenance work at the Richmond wastewater facility scheduled for May 20-24, 2024; Youth and Young Adult Career Fair scheduled for May 24, 2024; Contra Costa County housing waitlist opening June 3 - 27, 2024; and the Fairmede-Hilltop Neighborhood Council meeting scheduled for May 23, 2024, to discuss the Hilltop Mall Redevelopment Plan.

Ms. Curl urged community members with concerns regarding odors from the wastewater facility to call (510) 412-2001 or the Bay Area Air Quality Management District at (800) 334-ODOR.

**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 Jimenez reported on the following items: the commemorative art installation event in honor of Richard "Pedie" Perez held on May 18, 2024, at Uncle Sam's Liquor Store on Cutting Boulevard; and the relocation of the Civic Center Farmers Market.

Councilmember McLaughlin reported on the following items: participation in the launch of the online self-guided tour of the contaminated Richmond Zeneca site; launch of the Marina Bay Farmer's Market and the relocation of the Civic Center Farmers Market; and participation in the Peace Party at Crescent Park and the Pedie Perez art installation memorial event. Councilmember McLaughlin announced the passing of bicycle activist, Bill Pinkham, and a memorial bike ride scheduled for June 7, 2024. Councilmember McLaughlin also announced the grand opening of the Booker T. Anderson Community Center scheduled for June 6, 2024.

Councilmember Zepeda reported on the following items: participation in the League of California Cities City Leaders Summit including a collaborative framework on addressing homelessness; and the Pedie Perez art installation memorial event.

Councilmember Zepeda announced the following: vacancies on the Youth Council and Environmental and Community Investment Agreement Transportation Oversight Committee; and the 10th Annual Richmond Rainbow Pride event scheduled for June 2, 2024.

Councilmember Bana announced that May was the month of American-Asian Pacific Islanders. Councilmember Bana reported on the following items: Pedie Perez art installation memorial event and the Richmond Police Department's Cultural Competency Training; Design Review Board vacancies; corrections made to an East Bay Times article regarding illegal dumping in Richmond; and the observance of National Gun Violence Day scheduled for June 7, 2024, at the Richmond Civic Center.

Councilmember Willis reported on the following items: Pedie Perez art installation memorial event; and participation in the Faith and Action march to stop violence and human trafficking, every third Friday of the month, at Wendell Park. Councilmember Willis invited the community to the next march scheduled for June 21, 2024.

Mayor Martinez announced vacancies for the Economic Development and Zhoushan Friendship commissions. Mayor Martinez reported attending an offshore winds conference in Sacramento. Mayor Martinez announced plans to revitalize the economy

of the Port of Richmond with the help of the Harvard Bloomberg Leadership Initiative focused on innovation.

**N. 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:

Mark Wassberg gave comments regarding protests against the Israel– Hamas war.

Joe Puleo expressed concerns regarding the fee to utilize the Point Richmond Community Center. Mr. Puleo recommended a sunset for developer entitlements.

Cordell Hindler expressed concerns regarding the length of time staff spent at council meetings. Mr. Hindler gave comments in support of item O.7.a (annual compensation adjustment for the city clerk).

Patricia Stephens expressed concerns regarding coal trains parked in her neighborhood and the health impacts of coal dust. Ms. Stephens urged the council to take action.

Rick Perez and Patricia Perez expressed gratitude for the councilmembers and community members who attended the art installation in memory of Pedie Perez. Mr. Perez gave comments regarding an incident that occurred on May 5, 2024, involving a Richmond police officer and a bystander.

Jamin Pursell gave comments regarding the art installation in memory of Pedie Perez. Mr. Pursell announced the Richmond Rainbow Pride event scheduled for June 2, 2024, in the Civic Center Plaza.

Claudia Reynolds and Zenaida Gomez commended the council for its leadership and prioritizing neighborhood-scale decarbonization in Richmond. Ms. Reynolds suggested working with utility companies to prioritize health and utilize Inflation Reduction Act funding to provide free induction stoves and replacements.

Ivette (last name not stated) reported harassment and a dispute with her landlord concerning repairs and eviction. Ivette requested assistance from the city to resolve the matter.

Andrea McKelvy reported that her vehicle was impounded by the Richmond Police Department. Ms. McKelvy requested assistance from the city's unhoused services program to retrieve her vehicle.

Kimberly Graves reported that she was facing challenges and excessive costs moving back into a Richmond rental property she owned because of the tenant.

Jesus Galindo announced the AIM High free summer enrichment youth program at Helms Middle School, June 24 through July 26, 2024.

The following individuals gave comments via teleconference:

Jessie Taran expressed concerns regarding the city's emphasis on building long-term permanent housing for its unhoused residents. Ms. Taran suggested the development of mobile home parks and a connection with housing to job skills training programs for alternative energy. Ms. Taran encouraged the council to visit [homebiogas.com](http://homebiogas.com).

**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 McLaughlin

To approve all items on the Consent Calendar.

Ayes (6): Councilmember Bana, Councilmember McLaughlin, Councilmember Willis, Councilmember Zepeda, Vice Mayor Jimenez, and Mayor Martinez

Absent (1): Councilmember Robinson

Passed (6 to 1)

**O.1 City Attorney's Office**

- O.1.a Fourth Amendment to a Contract with Burke, Williams & Sorensen, LLP to Assist with RHA Asset Repositioning and City-wide Affordable Housing Projects

APPROVE a fourth amendment to the legal services agreement with Burke, Williams & Sorensen, LLP, increasing the contract payment limit by \$150,000, for a new total contract amount not to exceed \$505,000, for assistance with Richmond Housing Authority asset repositioning and, as requested, city-wide affordable housing projects, and extending the term to June 30, 2025 – City Attorney’s Office (Shannon Moore 510-620-6509).

- O.1.b Legal Services Agreement with Angelo, Kilday, & Kilduff LLP

APPROVE a new legal services agreement with Angelo, Kilday, & Kilduff LLP, for an amount not to exceed \$200,000, for a term beginning May 1, 2024, to June 30, 2027 – City Attorney’s Office (Kimberly Chin 510-620-6709/Shannon Moore 510-620-6505).

- O.1.c Second Amendment to Legal Services Agreement with Bennett, Gelini, and Gelini

APPROVE a second amendment to the legal services agreement with Bennett, Gelini, and Gelini to increase the compensation by \$150,000, with a total amount not to exceed \$259,990, and term ending June 30, 2025 – City Attorney’s Office (Shannon Moore 510-620-6509/Kimberly Chin 510-620-6509).

**O.2 City Clerk's Office**

- O.2.a City Council Meeting Minutes

APPROVE the minutes of the March 26, 2024, and May 7, 2024, Regular City Council meetings and the April 30, 2024, Special City Council meeting - City Clerk's Office (Pamela Christian 510-620-6513).

### **O.3 City Council**

#### **O.3.a Resolution to Support SEIU CIR Members for a Fair Contract with LifeLong Medical**

ADOPT a resolution that urges LifeLong Medical to offer a competitive salary, safe overnight accommodations, and transparent disciplinary procedures to better recruit and retain resident physicians within the City of Richmond – Vice Mayor Claudia Jimenez (510-620-6565) and Councilmember Melvin Willis (510-412-2050).

**Adopted Resolution No. 37-24**

### **O.4 Community Development**

#### **O.4.a On-Call Environmental and Planning Consulting Services**

ADOPT a resolution authorizing on-call Environmental and/or Planning Consulting Services contracts with twenty (20) firms for as-needed services, in an amount not to exceed \$1,000,000 per firm, from July 1, 2024, to June 30, 2027, with two additional one-year extension options not to exceed an additional \$300,000 per extension - Community Development Department - Lina Velasco/ Hector Rojas 510-621-1220).

**Adopted Resolution No. 38-24**

### **O.5 Finance Department**

#### **O.5.a Tax Rate for Tax Override Pension Fund**

ADOPT an ordinance (second reading) setting the tax rate for the Tax Override Pension Fund for Fiscal Year 2024-2025 at 0.14 percent – Finance Department (Andrea Miller/Mubeen Qader/Antonio Banuelos 620-6741).

**Adopted Ordinance No. 04-24 N.S.**

### **O.6 Fire Department**

#### **O.6.a Approve the Upgraded Service by Everbridge, Inc. (Nixle) to Provide the Platform for the City of Richmond's Emergency Notification System**

APPROVE AND RATIFY the upgraded service by Everbridge, Inc. (Nixle) dated July 1, 2023, to provide the platform for the City of Richmond's Emergency Notification System, for a total amount not to exceed \$76,112.82, for a three-year term ending June 14, 2026, with a two-year extension option not to exceed an additional \$50,741.88 for the extended term – Fire Department (Chief Michael E. Smith 510-307-8041/Chief Aaron Osorio 510-307-8021/Richard Diaz 510-307-8161).

#### **O.6.b Air Monitoring Devices For Richmond Fire Department HAZMAT 64, Rescue 67, and Rescue 68**

APPROVE the purchase of air monitoring devices and products from Mallory Safety and Supply, LLC. in an amount not to exceed \$47,000 – Fire Department (Chief Michael E. Smith 510-307-8041/Deputy Chief Aaron Osorio 510-307-8021/Battalion Chief Victor Bontempo 510-620-6893/Battalion Chief Anthony Woodards 510-620-6989/Den Mark Marcelo 510-307-8038).

## **O.7 Human Resources**

### **O.7.a Annual Compensation Adjustment for the City Clerk**

APPROVE a five percent salary adjustment for the City Clerk effective March 2, 2024, in accordance with the IFPTE Local 21 Executive Management MOU Section 6.4.D – Human Resources Department (Sharrone Taylor/Nickie Mastay 510-620-6602).

### **O.7.b Adoption of Cesar Chavez Day and Juneteenth as Official City Holidays**

ADOPT a resolution approving the Side Letters between the City of Richmond and Service Employees International Union (SEIU) Local 1021 (Full-Time and Part-Time Units), International Federation of Professional and Technical Engineers (IFPTE) Local 21 (Mid-Management and Executive Management Units), Richmond Police Officers Association (RPOA), Richmond Police Management Association (RPMA), International Association of Fire Fighters (IAFF) Local 188, Richmond Fire Management Associations (RFMA) – Human Resources Department (Sharrone Taylor/Nickie Mastay 510-620-6602).

#### **Adopted Resolution No. 39-24**

### **O.7.c Amend Staffing (Position Control) and Appropriate Funds as Required**

ADOPT a resolution amending position control to add a Senior Planner for the Community Development Department, and a grant-funded Administrative Analyst for the Community Services Department -Recreation; and APPROPRIATE associated salaries, wages, and benefits from the funding source as required – Human Resources Department (Nickie Mastay/ Sharrone Taylor 510-620-6602).

#### **Adopted Resolution No. 40-24**

## **O.8 Police Department**

### **O.8.a Crime Report from Police Chief**

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

## **O.9 Public Works**

### **O.9.a Wadsworth Glass, Inc., Contract Amendment No. 2**

APPROVE a second contract amendment with Wadsworth Glass, Inc., increasing the amount by \$50,000, for a new total contract amount not to exceed \$150,000, to supply windows, materials, and services for City buildings – Public Works Department (Daniel Chavarria 620-5478/Carl Capistrano 620-6896).

### **O.9.b Contract with Azul Works, Inc. for Construction of the Shields-Reid Park Improvement Project**

ADOPT a resolution authorizing the award of a construction contract to Azul Works, Inc. as the contractor for the Shields-Reid Park Improvement Project, in the amount of \$4,088,240.31, for a term from May 22, 2024, to June 30, 2026; and AUTHORIZE the Director of Public Works to approve change orders, if necessary, for up to a total contingency amount not to

exceed \$410,000 – Public Works Department (Robert Armijo 510-620-5477/Josel Munoz 510-672-2407).

**Adopted Resolution No. 41-24**

- O.9.c Construction Contract Amendment and Appropriation of Funds for Santa Rita Road Stabilization Project, Including Funding for Construction Management and Engineering Consultants

ADOPT a resolution to transfer and appropriate funds in the amount of \$200,000 from the Risk Management Fund (5001) to General Capital Fund (2001) for the Santa Rita Road Stabilization Project (CIP#23037); AUTHORIZE an amendment to the construction contract with Northwest Demolition, Inc., for Santa Rita Road Stabilization Project, to increase the not-to-exceed amount by \$25,419, for an amended total contract amount not to exceed \$884,019; and AUTHORIZE the Director of Public Works to approve construction change orders, if necessary, up to \$61,000, to potentially increase the total not-to-exceed contract amount to \$945,019 – Public Works Department (Robert Armijo 510-620-5477/ Ken Cheng 510-621-1612).

**Adopted Resolution No. 42-24**

- O.9.d Construction Contract Amendment No. 2 for W.R. Forde Associates, Inc. for the Cutting Boulevard and Harbour Way South Bikeways Project

ADOPT a resolution to appropriate the General Capital Fund in the amount of \$280,000 for Cutting Boulevard and Harbour Way South Bikeways Project; AUTHORIZE the construction contract amendment with W.R. Forde Associates, Inc, for Cutting Boulevard and Harbour Way South Bikeways Project in the amount of \$104,099, for an amended total contract amount not to exceed \$1,976,806.99; and AUTHORIZE the Director of Public Works to approve construction change orders, if necessary, up to an amount of \$74,000, to potentially increase the contract for a total not-to-exceed amount of \$2,050,806.99 – Public Works Department (Robert Armijo 510-620-5477/Ken Cheng 510-621-1612).

**Adopted Resolution No. 43-24**

- O.9.e Construction Contract with NEMA Construction for the Yellow Brick Road Supplemental Lighting Project

ADOPT a resolution to transfer funds in the General Capital Fund from the Yellow Brick Road Project (29113) to the Yellow Brick Road – Clean, Green and Beautiful Project (23032) in the amount of \$30,000; and AUTHORIZE the City Manager or their designee to execute a construction contract in accordance with the approved plans and specifications with NEMA Construction for the Yellow Brick Road Supplemental Street Lighting Project in an amount not to exceed \$1,141,470, which includes \$1,017,200 for the Base Bid plus \$20,500 for Additive Bid Alternative Item A-1, and a contingency amount of \$104,000; and AUTHORIZE the Director of Public Works to approve change orders, if necessary, for up to the contingency amount of \$104,000 – Public Works Department (Daniel Chavarria 510-620-5478/Robert Armijo 510-620-5477/Wendy Wellbrock 510-307-8108).

**Adopted Resolution No. 44-24**

**P. PUBLIC HEARINGS**

**P.1 Extension of Tobacco Retailers Moratorium**

ADOPT an urgency ordinance, pursuant to Government Code Section 65858, extending the temporary moratorium on the issuance of any new permit, license, or entitlement for any new tobacco retailer in the City of Richmond for an additional 10 months and 15 days, until April 15, 2025. This ordinance is intended to preserve the status quo, and it will not cause a direct physical change in the environment, nor a reasonably foreseeable indirect physical change in the environment. The enactment of this ordinance, therefore, does not constitute the approval of a project under the California Environmental Quality Act (“CEQA”), and it is exempt from CEQA. (Pub. Res. Code § 21065, CEQA Guidelines §§ 15060(c),(2)(3); 15061(b)(3); 15064(d)(3); 15378(a).) - Community Development Department (Lina Velasco/Eva Mann/Hector Rojas 510-621-1220).

City Clerk Pamela Christian announced that it was time, pursuant to public notice, to hold a public hearing. Community Development Director Lina Velasco presented a PowerPoint that highlighted the following: background; proposed urgency ordinance extension; measures taken since April 16, 2024; items to address in future ordinance; and next steps. Mayor Martinez declared the public hearing opened. There were no public comments. Mayor Martinez closed the public hearing. Discussion ensued. The council requested the following: develop an offline strategy to engage community members who did not use computers or social media; further define proximity limitations to include parks and family restaurants; provide a timeline of the next steps for unpermitted tobacco retailers; evaluate regulations for the sale of cannabis items at tobacco and other retailers outside of dispensaries; and capture a picture for the community on why this matter was an issue and the impacts.

**Motion by** Vice Mayor Jimenez

**Seconded by** Councilmember Willis

To adopt said urgency ordinance.

Ayes (6): Councilmember Bana, Councilmember McLaughlin, Councilmember Willis, Councilmember Zepeda, Vice Mayor Jimenez, and Mayor Martinez

Absent (1): Councilmember Robinson

Passed (6 to 1)

**Adopted Ordinance No. 05-24 N.S**

**P.2 Master Fee Schedule Update**

HOLD a public hearing; and INTRODUCE an Ordinance (first reading) adjusting the dollar amount for proposed Developer Impact Fees using the two-and four-year phase in approach and other new user fees for services – Finance Department (Andrea Miller/Mubeen Qader/Antonio Banuelos 510-620-6741).

**Continued to the May 28, 2024, City Council meeting.**

**Q. NEW BUSINESS**

**Q.1 Richmond Refining Tax Act**

RECEIVE a presentation on general tax proposal related to oil refining and DIRECT the City Attorney to review and prepare a Richmond Refining Tax Act ballot measure and related documents- Mayor's Office (Mayor Eduardo Martinez 510-620-6503) and Vice Mayor Claudia Jimenez (510-620-6565).

Vice Mayor Jimenez and Mayor Martinez introduced the matter. Mayor's Office Chief of Staff Shiva Mishek and Attorney Kerry Guerin on behalf of Communities for a Better Environment and Asian Pacific Environment Network presented a PowerPoint that highlighted the following: need for new revenue, opportunities, and benefits; Measure T (tax on oil refineries); negative public refining impacts; and general tax vs. special tax. The following individuals gave comments in person: Elsa Stevens, Harriett Begay, Sandy Saetern, Miguel Diaz, Rafael Castro, Amanda Millstein, Princess Robinson, Richelle Ledesma, Abtehal, Lily, Nancy Ybarra, Edith Pastrano, Mark Wassberg, Joe Puleo, Alya Alezzani, Janet Johnson, Martine Johannessen, Althea Skinner, Andrew Melendez, Katt Ramos, Marbella Jimenez, Jamin Pursell, Amy, David Maginniss, Alfredo Angulo, Sue Wilson, Sara Cantor, Marisol Cantu, Raully Butler, Timothy Jefferies, Randy Thomas, Blanca Retano, Hakim Johnson, and Brian Hubinger. The following individuals gave comments via teleconference: Harry Baker, Michael Gilksohn, Tarnel Abbott, Luis Gonzalez, Jane Courant, Pedro Ruiz, Emily Ross, Halimah Houston, Anu Olabode, and Jessi Taran. Discussion ensued. The council requested a financial risk analysis.

**Motion by** Councilmember Willis

**Seconded by** Vice Mayor Jimenez

To direct the city attorney as recommended.

Ayes (6): Councilmember Bana, Councilmember McLaughlin, Councilmember Willis, Councilmember Zepeda, Vice Mayor Jimenez, and Mayor Martinez

Absent (1): Councilmember Robinson

Passed (6 to 1)

**R. ADJOURNMENT**

There being no further business, the meeting adjourned at 10:44 p.m., in memory of Susan Singh, Al Perez, Bill Pinkham, Julian Harned, Sonny Jones-Lathan, and commemorating the birthdays of Pablo Durango and Nancy Baer, to meet again on May 28, 2024, at 6:30 p.m.

---

Pamela Christian, Clerk of the City of  
Richmond

---

Eduardo Martinez, Mayor

**From:** [Bruce Beyaert](#)  
**To:** [Soheila Bana](#); [Claudia Jimenez](#); [Eduardo Martinez](#); [Gayle McLaughlin](#); [Doria Robinson](#); [Melvin Willis](#); [Cesar Zepeda](#); [City Clerk Dept User](#)  
**Cc:** [Daniel Chavarria](#); [Robert Armijo](#); [Ken Cheng](#); [Bruce Brubaker](#)  
**Subject:** Public Comment Agenda Item O.9.d. - Cutting Boulevard and Harbour Way South Bikeways Project  
**Date:** Sunday, May 19, 2024 8:56:23 AM  
**Attachments:** [RichmondBayTrailMap\\_042423.pdf](#)

---

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.

Mayor Martinez and City Councillors,

TRAC, the Trails for Richmond Action Committee supports approval of Consent Calendar item O.9.d resolution authorizing amendment of the construction agreement with W.R. Forde Associates, Inc. to complete the protected bikeway on Harbour Way South, Cutting & Hoffman Boulevards. This is a priority project implementing the award-winning [Ferry to Bridge to Greenway Complete Streets Plan](#) approved by the Council in 2021. Installation of the protected bikeway on the dangerous stretch of Hoffman Blvd. is especially important, as is installation of the safety and way finding signs needed along the entire 2.25-miles of bikeway.

These streets are part of the San Francisco Bay Trail as shown by the attached Bay Trail map for Richmond. The ideal Bay Trail alignment follows the Bay shoreline as a two-way, multi-use trail separated from roadways, as it does from Richmond's border with Albany to Harbour Way South. However, due to the presence of working port and boatyard facilities, the Bay Trail must detour inland along Harbour Way South, Hoffman Blvd. and Cutting Blvd. as sidewalks for pedestrians while bicyclists ride on the street. As a result, these streets see very heavy use by cyclists from Oakland, Berkeley and other cities, as well as Richmond residents, traveling to/from the Richmond-San Rafael Bridge Trail, the Shipyard 3 Trail and the Ferry Point Loop encircling Miller/Knox Regional Shoreline.

Please pass this resolution Tuesday night as recommended on the Consent Calendar.

Bruce

---

Bruce Beyaert, TRAC Chair  
baytrailtrac@gmail.com  
tel. 510-235-2835  
<http://www.pointrichmond.com/baytrail/>  
<http://www.ci.richmond.ca.us/109/TRAC>

**Bay Trail**

- Complete
- - - Incomplete

**Connector Trail**

- Complete
- - - Incomplete

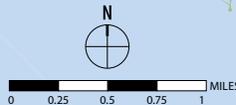
- Water Trail site
- Water Trail site (planned)
- Parks/Open Space
- Water Bodies



# Welcome to Richmond

Over 36 miles of Bay Trail linking a necklace of 12 shoreline parks

April 2023



**From:** [Robert Prinz](#)  
**To:** [City Clerk Dept User](#)  
**Subject:** Richmond City Council 5/21/24 meeting - public comments agenda item # O.9.d  
**Date:** Monday, May 20, 2024 10:55:35 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, this is a public comment on behalf of Bike East Bay for the Richmond City Council meeting on May 21, 2024, agenda item # O.9.d "Construction Contract Amendment No. 2 for W.R. Forde Associates, Inc for the Cutting Boulevard and Harbour Way South Bikeways Project".

We support the resolution authorizing a construction contract amendment with W.R. Forde Associates, Inc for the bikeway on Harbour Way South, Cutting, and Hoffman Boulevards.

As noted in the staff report, Richmond has already secured significant regional and state funding for this project, which will complete gaps in the city's multimodal transportation network connecting the Richmond Greenway, ferry landing, and Richmond-San Rafael Bridge trail.

This work was originally expected to be completed by now, but experienced delays due to railroad coordination issues. Approving the construction amendment will allow this long-awaited project to move forward, enabling Richmond to make further progress on achieving its goals around traffic safety and sustainable transportation.

Thank you for your support, and for receiving our comments.



**Robert Prinz | Advocacy Director**

Pronouns: he/him

Mail: PO Box 1736 Oakland, CA 94604

Office: 466 Water Street Oakland, CA 94607

P: (510) 845-7433 x5 | E: [Robert@BikeEastBay.org](mailto:Robert@BikeEastBay.org)

**From:** [Alice LoCicero](#)  
**To:** [City Clerk Dept User](#)  
**Subject:** public comments agenda item Q1  
**Date:** Tuesday, May 21, 2024 11:53:31 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.

Dear City Clerk and Council Members,

I am writing to comment on Agenda Item Q1, refining tax. I am very strongly in favor of having a refining tax in the city of Richmond. The refinery owes compensation to the city of Richmond for many problems caused by pollution and its detrimental effects. The privilege of using land and resources in Richmond should be taxed in accordance with the profits of the company.

Thank you.  
Alice LoCicero  
47 Sandpoint Dr  
Richmond, CA 94804

**From:** [Deb Rollfs](#)  
**To:** [City Clerk Dept User](#)  
**Subject:** Public Comment Agenda item #Q1  
**Date:** Sunday, May 19, 2024 3:47:13 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.

To the Richmond City Council,

I am a constituent and resident of Richmond and I am in favor of a Richmond Refining Tax Act ballot measure.

Deborah Rollfs

Sent from my iPhone

**From:** [jeff1wizig@gmail.com](mailto:jeff1wizig@gmail.com)  
**To:** [City Clerk Dept User](#)  
**Subject:** Public Comment Agenda Item #Q1  
**Date:** Monday, May 20, 2024 8:18:14 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.

>  
> To the Richmond City Council,  
>  
> I am a constituent and resident of Richmond and I am in favor of a Richmond Refining Tax Act ballot measure.

Jeff Wizig

Sent from my iPhone

**From:** [Richard Kamp](#)  
**To:** [City Clerk Dept User](#)  
**Subject:** Richard Kamp Public comment agenda item Q. NEW BUSINESS Q.1 Richmond Refining Tax Act  
**Date:** Tuesday, May 21, 2024 10:50:27 AM  
**Attachments:** [5 21 24 city council.pdf](#)

---

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.

### **Comments on Regular Richmond City Council agenda item Q, New Business Richmond Refining Tax Act 5 21 24 From Ecuador to Richmond, technical analysis comes first.**

My name is Richard Kamp, testifying as an individual residing at 610 Pebble Drive, El Sobrante.

I direct a nonprofit, E-Tech International ([etechinternational.org](http://etechinternational.org)) that provides technical consultation upon explicit request from largely indigenous communities in third world countries that face potential and actual environmental and environmental health impacts from large-scale extractive industries. Our main projects currently are in Peru, Ecuador, and Mexico. We do not work in the U.S. except for tribes. Historically we provided technical consulting to plaintiffs in Ecuador 2005-7 in what was known as the Texaco Case and in the U.S. as the contentious Chevron case addressing environmental and health impacts from Texaco legacy pollution in Lago Agrio, Ecuador . Texaco was later purchased by Chevron who resisted further attempts to cleanup pollution left from 1967-92. E-Tech's modus operandi is to focus only on technical facts to identify how to prevent, mitigate, remediate and rehabilitate areas impacted by a specific source. We do not ordinarily take an advocacy stand; we try to protect people and the environment through technical means and that is what I would like to discuss tonight as a neighbor to the Chevron refinery.

I support a refinery tax in theory (and as a ballot measure in practice) that can legally provide revenue to effectively address environmental-health impacts from the 122 year old refinery. Question is, how will money be used and what revenue streams exist to implement some of the following suggestions? For example, can Richmond address air quality monitoring and community protection with the \$20 million funds from the BAAQMD February compliance and enforcement settlement with Chevron that requires catalytic conversion technology on the refinery fluidized catalytic cracking process? Here are some basic observations related to air pollution, emergency response, water quality and health provision. Monitoring must lead to control, emergency response is impossible without addressing the causes of the emergency and establishing effective transparent response mechanisms, water quality issues from the refinery may be legacy or current but treating groundwater as a resource is a lacking area. Health protection means removing your vector population from exposure by reducing the exposure---and ensuring that effective treatment is available to all permanently.

**Air monitoring** can be broken into ambient mouth level monitoring where people will breathe and CEM-Continuous Emission Monitoring. It is **CEMs** that actually measure released

pollution effectively; all data needs to be public and accessible on a continuous basis and not just averaged. This can allow a correlation between pollution out the stacks and so-called ambient pollution that often, for good reason, nearby residents say is not properly measured in a town with 3 times the average California asthma attacks (presuming no wildfires but normal urban pollution). Richmond needs funding for independent consultants that can work with the BAAQMD and directly with Chevron-- which requires transparency by the company-- to ensure that they can effectively analyze what the numbers mean? Funding should allow for **independent ambient monitoring** at locations where emissions and meteorological models and where local citizens suspect there is heavy unmeasured pollution. This is difficult because pollution does not land at ambient mouth level equally at all times of the day and lacking wind or even with it, emissions at night may stay several hundred feet in the air and because many emissions at a refinery are volatile they may be difficult to monitor when they are their strongest and change characterization later. But we do not know where they could go based on topography of Richmond and surrounding areas. Refinery pollution is toxic and can be carcinogenic. Dilution is not supposed to be the solution to pollution. At the bottom of this page is a list of **what you want to monitor** in an independent study.\* In general you are trying to monitor air as part of a comprehensive plan to protect health impacted victims from emergency discharges, so-called pressure build up flaring, and general emissions of metals, nitrogen oxides, hydrogen sulfide, 16 carcinogenic Polycyclic Aromatic Hydrocarbons along with other Hazardous Air Pollutants that constitute components of particulate PM 2.5. You need to know more than that you have high levels of PM 2.5; you need to know what is being breathed.

**Emergency Planning and Response.** There is never a legitimate reason to not be totally transparent with municipal, county, and state emergency response personnel to have been oriented by the refinery and to have knowledgeable access to potential sources hazardous materials. This means also that the refinery needs to replace all sources such as old pipelines and ductwork that can cause another 2014 disaster and to protect neighbors and employees. Hazmat response training planning for refinery-caused or natural disasters should take place throughout the refinery. Funding should come from Chevron for this whether through a tax or otherwise and provide inspections of all pipelines that extend outside of the refinery grounds and throughout Richmond and El Sobrante owned by Kinder Morgan and others.

**Water quality** issues: These will have been legacy and current water pollution; any viable tax should be used to prepare an independent analysis of all data on historical and current discharges, infrastructure that requires constant inspection and or upgrading and prevention of spills as well as histories of spills into the Bay. Groundwater monitoring and description of plumes of contamination should be identified, modeled and potential remediation plans characterized.

**Health Protection:** Tax revenues could provide financial and direct medical assistance for those suffering asthma attacks long term cancer or other illnesses is a real priority in this city. Earlier measures mentioned are designed to reduce exposure; community epidemiological studies of hair, blood, and urine can help to identify vulnerable populations---reducing and eliminating exposure by ending pollution should be a top priority. Ending carbon emissions will come later and we can expect Chevron to propose non-petroleum fuel refining at this sight but for now the priority is protect the population. **Thank you, Richard**

**\*Commonly accepted pollutants to be monitored**

- acetaldehyde\*
- ammonia\*
- benzene\*
- 1,3-butadiene\*
- cadmium\*
- diethanolamine\*
- formaldehyde\*
- hydrogen fluoride
- hydrogen sulfide\*
- manganese\*
- naphthalene\*
- nickel\*
- nitrogen oxide
- polycyclic aromatic hydrocarbons (PAH)\*
- particulate matter (PM)
- sulfur dioxide
- sulfuric acid
- toluene

--

Richard Kamp Director E-Tech International