

RICHMOND, CALIFORNIA, February 25, 2020

The Richmond City Council Evening Open Session was called to order at 5:30 p.m. by Mayor Thomas K. Butt.

ROLL CALL

Present: Councilmembers Nathaniel Bates, Demnlus Johnson III, Eduardo Martinez, Vice Mayor Ben Choi, and Mayor Thomas K. Butt. **Absent:** Councilmembers Jael Myrick and Melvin Willis arrived after adjourning to Closed Session.

PUBLIC COMMENT BEFORE CLOSED SESSION

Robin Bedell-Waite gave comments regarding development plans.

CITY COUNCIL

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

Denham LLC vs. City of Richmond

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

The Regular Meeting of the Richmond City Council was called to order at 6:31 p.m. by Mayor Thomas K. Butt.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

None.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

D-1. Mayor Butt and Councilmembers presented a proclamation recognizing Mr. Jerrold Hatchett for 50 years of

service to the community and his retirement from Sims Metal. Cordell Hindler and Rock Brown gave comments.

D-2. Mayor Butt and Councilmembers declared March 2020 as Women's History Month in the City of Richmond. Cordell Hindler gave comments.

D-3. Mayor Butt and Councilmembers celebrated the Salesian College Preparatory football team on their state championship victory. Cordell Hindler and Rock Brown gave comments.

D-4. Mayor Butt announced recent resignation from City of Richmond boards, commissions, and committees; and announced vacancies as of February 19, 2020, and asked that interested individuals send applications to the City Clerk. Cordell Hindler gave comments.

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

Senior Assistant City Attorney, Rachel Sommovilla stated there was nothing to report.

REPORT FROM THE CITY MANAGER

City Manager, Laura Snideman, reported that there were ballot boxes for individuals to drop off ballots for the Presidential Primary election located outside of the city hall building and inside the building in the lobby of the City Manager's office on the 3rd floor. Ms. Snideman also reported that the Point Molate Draft Subsequent Environmental Impact Report has been released for 45-day review, and comments were taken until April 6, 2020. The city also received state park grants to improve and expand two city parks.

Mayor Butt proposed that the State of the City Address was heard before Open Forum. Councilmember Willis stated that there was a resident that was there to speak during Open Forum and she had a prearranged scheduled Paratransit pick-up. A motion was made by Councilmember Willis, seconded by Councilmember Myrick, to continue with the order of the city council agenda as is, with Open Forum heard before the State of the City address. Mayor Butt stated that Open Forum would be opened to hear only the speaker that had to leave early. Open Forum continued after the State of the City address concluded.

OPEN FORUM FOR PUBLIC COMMENT

Yvonne Westbrook-White Robin Lape, Susan Singh, Elsa Stevens, gave comments regarding Heritage Park and asked for support of a five year rent increase freeze. Shasa Curl and Lina Velasco gave comments regarding a recent meeting that discussed Heritage Park housing issues.

Cordell Hindler stated the chairs in the Council Chambers were in very poor condition.

BK Williams, Sue Wilson, and Mike Parker, gave comments regarding the State of the City from the perspective of the Richmond Progressive Alliance.

Doris Mason announced that there was an event to discuss the 13th Amendment at the Nevin Center on Friday, February 28th, 2020, from 5:30 p.m. to 8:30 p.m.

Pam Bilbo welcomed City Manager Laura Snideman and asked that she be open to what the residents' concerns were.

Sean Stalbaum stated there was not a cost of living increase for Local 1021 employees in five years and urged the City Council to approve a fair contract.

Eleanor Thompson thanked the City Council for giving Chevron Environmental Community Investment Agreement (ECIA) grants to Social Progress Incorporated and Men and Women of Valor.

Tarnell Abbott gave comments regarding the clean-up of the Zeneca site.

Andres Soto announced that the West County Winds performed on Sunday, March 1, 2020, at 3:00 p.m., at the Knox Center for Performing Arts.

Rick Perez asked that the decisions made by the Citizens Police Review Commission was considered and respected.

Patricia Perez gave comments regarding the death of Pedie Perez by a Richmond police officer.

Jackie Thompson asked that surrounding neighbors were informed when wood burning exercises were conducted at the fire training center.

Deborah Bayer stated that there was an initiative petition proposed for the November 2020 ballot to determine what development, if any, would happen at Point Molate.

Sherry Padgett, gave comments regarding the Zeneca Shoreline Site Risk Assessment Report.

Kabir Kapur stated the City should consider allowing the sale of a drinkable form of cannabis.

STATE OF THE CITY ADDRESS

H-1. Mayor Tom Butt gave the annual State of the City address. Cordell Hindler, Sean Stalbaum, and Rick Perez gave comments. Visit <http://www.ci.richmond.ca.us/DocumentCenter/View/52331/2020-State-of-the-City> for the 2020 State of the City Address.

STUDY AND ACTION SESSION

I-1. The matter to receive a report by Communities for a Better Environment (CBE) explaining the need for causal flaring reports to be given to the public in a timely manner; and direct staff to send a letter to BAAQMD requesting that they release the flaring causal reports in a timely manner for transparency to the public they serve was presented by Councilmember Martinez. Members of CBE and Senior Scientist, Greg Karras, presented a Power point, which highlighted the following: Chevron flaring February 10, 2020; Chevron pipe rupture August 6, 2012; increase in flaring; and flaring causal analysis reports. Discussion ensued. The city council requested that a presentation was made at a future city council meeting by BAAQMD Executive Officer, Jack Broadbent, Contra Costa County Health Services Hazardous Materials, Randy Sawyer, and a representative from Chevron refinery. The following individuals gave comments: Elsa Monroe, Andres Soto, Tarnell Abbott, Sarah Steele, Joseph Puleo, La Mar Harrison, and Mike Parker. A motion by Councilmember Martinez, seconded by Councilmember Willis, approved the item by the unanimous vote of the City Council.

I-2. The matter to direct the City Manager to immediately suspend differential pay to all employees that have not been officially voted upon and approved by a majority of the City

Council; and review the differential pay issue and return to the Council within an appropriate time at the City Manager's discretion with recommendations for future use of differential salaries was presented by Vice Mayor Nathaniel Bates and Councilmember Eduardo Martinez. City Manager, Laura Snideman, stated that she would not approve any additional differential pay requests. Review of differential pay is underway and some were already removed. Cordell Hindler and Sean Stalbaum gave comments. A motion by Vice Mayor Bates to immediately suspend differential pay to all employees and that the City Manager report back within 30 to 60 days with recommendations of those employees who should receive differential pay for the city council to approve. Councilmember Martinez seconded the motion and made a friendly amendment to suspend the differentials and that staff, the City Manager, H.R., and the unions work together to establish what the criteria will be for differential payments. A substitute motion by Councilmember Willis, seconded by Councilmember Choi, to have a 30 day review process to determine which differential payments are warranted. The ones that are not warranted will be discontinued, and create a differential payment process through labor meet and confer negotiations. Councilmember Choi made a friendly amendment that this would pertain to anything outside of the MOU's. The substitute motion passed by the following vote: **Ayes:** Choi, Johnson III, Myrick, and Willis. **Noes:** Councilmember Martinez, Vice Mayor Bates, and Mayor Butt. **Absent:** None. **Abstain:** None.

I-3. The matter authorizing the city manager and city staff to begin planning, seeking funding, and seeking an organization to provide management services for a potential managed transitional village located on a City-owned, 5.9 acre parcel bounded by Vernon Avenue, Castro Street and the Richmond Parkway. Collaborate with the Contra Costa County Health Services Health, Housing & Homeless Services, and the Richmond Homeless Task Force; and (2) Authorize the city manager, city attorney, and city staff to draft an ordinance consistent with the California Department of Housing and Community Development's Division of Codes and Standards approved "Emergency Housing: Permanent Adoption of Emergency Regulations" to enable permanent voluntary minimum standards by which local governments may develop emergency shelter ordinances to address homelessness. The ordinance would allow the use of state-compliant emergency sleeping cabins and emergency facilities as described in Information Bulletin 2018-05 (SHL, FBH, MH): Emergency Housing - Permanent Adoption of Emergency Regulations, which addresses the permanent adoption of emergency building standards amending the 2016 California Building Code (CBC) and the 2016 California Residential Code (CRC). These

regulations are part of California Code of Regulations, Title 24, Parts 2 (CBC) and 2.5 (CRC) was presented by Mayor Butt. Discussion ensued. The following individuals gave comments: Pam Bilbo, Eleanor Thompson, Joseph Puleo, Rhonda Harris, and Kabir Kapur. A motion by Mayor Butt, seconded by Councilmember Willis, approved the item by the unanimous vote of the City Council.

REPORTS OF OFFICERS: REFERRALS TO STAFF, AND GENERAL REPORTS (INCLUDING AB 1234 REPORTS)

None.

ADJOURNMENT

There being no further business, the meeting adjourned at 11:13 p.m., to meet again on Tuesday, March 3, 2020, at 6:30 p.m.

Clerk of the City of Richmond

(SEAL)

Approved:

Mayor