

RICHMOND, CALIFORNIA, September 22, 2020

The Richmond City Council Evening Open Session was called to order at 5:31 p.m. by Mayor Thomas K. Butt via teleconference.

Due to the coronavirus (COVID-19) pandemic, Contra Costa County and Governor Gavin Newsom issued multiple orders requiring sheltering in place, social distancing, and reduction of person-to-person contact. Accordingly, Governor Gavin Newsom issued executive orders that allowed cities to hold public meetings via teleconferencing (Executive Order N-29-20).

DUE TO THE SHELTER IN PLACE ORDERS, attendance at the City of Richmond City Council meeting was limited to Councilmembers, essential City of Richmond staff, and members of the news media. Public comment was confined to items appearing on the agenda and was limited to the methods provided below. Consistent with Executive Order N-29-20, this meeting utilized teleconferencing only. The following provides information on how the public participated in the meeting.

The public was able to view the meeting from home on KCRT Comcast Channel 28 or AT&T Uverse Channel 99 and livestream online at <http://www.ci.richmond.ca.us/3178/KCRT-Live>.

*Written public comments were received via email to cityclerkdept@ci.richmond.ca.us. Comments received by 1:00 p.m. on September 22, 2020, were summarized at the meeting, put into the record, and considered before Council action. Comments received via email after 1:00 p.m. and up until the public comment period on the relevant agenda item closed, were put into the record. Public comments were also received via teleconference during the meeting. **Attached herewith all written public comments received.***

ROLL CALL

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

PUBLIC COMMENT

The city clerk announced the public comment procedures and that the purpose of the Open Session was for the City Council to hear public comments on the following items to be discussed in Closed Session:

CITY COUNCIL

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6):

Agency Representatives: Jack Hughes

Employee organizations:

1. SEIU Local 1021 Full-Time Unit
2. SEIU Local 1021 Part-Time Unit
3. IFPTE Local 21 Mid-Level Management Unit
4. IFPTE Local 21 Executive Management Unit
5. Richmond Police Officers Association RPOA

6. Richmond Police Management Association RPMA
7. IAFF Local 188
8. Richmond Fire Management Association RFMA

CONFERENCE WITH REAL PROPERTY
NEGOTIATOR (Government Code Section 54956.8):

Property: Terminal 3
Agency negotiators: Laura Snideman and Jim Matzorkis
Negotiating parties: Terminal 3 Partners
Under negotiations: price and terms of payment

Jim Hanson gave comments via teleconference regarding the Terminal 3 item.

The Open Session adjourned to Closed Session at 5:35 p.m.
Closed Session adjourned at 6:18 p.m.

The Regular and Special Meeting of the Richmond City Council was called to order at 6:32 p.m. by Mayor Butt via teleconference.

ROLL CALL

Present: Councilmembers Choi, Johnson, Martinez, Myrick, Willis, and Mayor Butt. **Absent:** Vice Mayor Bates arrived after roll call.

STATEMENT OF CONFLICT OF INTEREST

Mayor Butt stated a conflict of interest with item I-1 due to the proximity of his residence and recused himself from the discussion.

AGENDA REVIEW

Item G-1 was withdrawn from the agenda. Item H-1 was corrected to state, "... *Independent Accountant's Report on Applying Agreed Upon Procedures for Compliance with the Proposition 111 2018-2019*..."

The city clerk announced the public comment procedure published in the agenda.

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

Interim City Attorney Rachel Sommovilla stated there were no final actions to report.

REPORT FROM THE CITY MANAGER

City Manager Laura Snideman thanked and congratulated everyone that worked on the Richmond Housing Authority asset repositioning program. Ms. Snideman provided an update on the City of Richmond's 2020 Census status that was missing approximately 30 percent of the population. Ms. Snideman encouraged census community outreach focused on Richmond neighborhoods with lower census response rates. Ms. Snideman announced the following events: Food Bank food give-away on September 23, 2020, at the Richmond Ferry Terminal; Bike To Wherever Day on September 24, 2020; National Comic Book Day

on September 25, 2020, at the Richmond Main Library; and a Richmond Rent Program workshop on September 26, 2020, on how to file a rent decrease petition.

Mayor Butt reminded the community that he was in competition with Oakland Mayor Libby Schaaf to achieve a higher percentage of census responses. Mayor Butt encouraged all Richmond residents to participate in the 2020 Census.

OPEN FORUM FOR PUBLIC COMMENT

The following individuals gave comments via teleconference:

Pam Stello announced a legal victory and the details of a settlement agreement won by SPRAWLDEF, Citizens for East Shore Parks, and four Richmond residents regarding Point Molate. Ms. Stello acknowledged attorneys Norman LaForce and Stewart Flashman for their work on the case.

Deborah Bayer thanked Pam Stello for her comments regarding Point Molate. Ms. Bayer expressed concerns regarding the new public comment procedures for City Council meetings. Ms. Bayer thanked the city clerk for providing an advanced announcement and additional time for speakers to indicate that they wanted to make a public comment.

Yenny Garcia expressed her appreciation to the Community Police Review Commission (CPRC) council liaison, Jael Myrick, for his support and work with the CPRC.

Jim Hanson expressed concerns regarding the proposal for the City of Richmond Port Terminal 3 and partners. Mr. Hanson advised that there was a financial plan for the Port and active marketing outside of Richmond, specifications, and a competitive bid. Mr. Hanson urged the importance of revenue from Port assets. Mr. Hanson urged the Council to prevent unnecessary middle people and insider information.

Mike Parker expressed concerns regarding the City of Richmond's financial status. Mr. Parker gave comments in support of the 2020 California Proposition 15 (Schools and Communities First Initiative) to generate revenue for the City of Richmond. Mr. Parker called on all councilmembers and City Council candidates to make Proposition 15 an essential part of their political activity for the next month.

Jael Myrick gave comments related to a comment that he made at the September 2, 2020, CPRC meeting regarding the late Richmond Police Sergeant Virgil Thomas. Mr. Myrick recognized Sergeant Thomas for his work in the community and expressed appreciation for his over twenty years of service to the City of Richmond.

CITY COUNCIL CONSENT CALENDAR

On motion of Councilmember Willis, seconded by Councilmember Myrick, the items marked with an (*) were approved by the following vote: **Ayes:** Councilmembers Choi, Johnson, Martinez, Myrick, Willis, and Mayor Butt. **Noes:** None. **Absent:** Vice Mayor Bates. **Abstained:** None.

G-1. Withdrawn from the agenda, the matter to direct staff to bring the first reading of an ordinance to Amend RMC 3.54 entitled "Community Police Review Commission Community", as directed by the City Council in March.

***G-2.** Adopted **Resolution No. 101-20** revising the City's Authorized Broker/Dealer List to allow broker/dealers to offer the City investment instruments in accordance with Government Code Section 53601.

***G-3.** Adopted **Resolution No. 102-20** authorizing a standing contract for communications and public information officer (PIO) services for Capital Improvement Projects including the Wastewater Recycle Recovery projects in an amount not to exceed \$300,000 per firm over a three-year period with a two years extension.

***G-4.** Approved a contract with Nor-Cal Overhead Inc. to perform maintenance, repairs, and installations of commercial roll-up garage doors and automatic gate systems at various City of Richmond owned buildings in an amount not to exceed \$150,000 over a three-year period, with an option to extend the contract for two years at \$50,000 per year.

***G-5.** Approved a sole-source and contract for parts and repair services with Hi-Tech Emergency Vehicle Services in an amount not to exceed \$170,000 for a term extending from through Fiscal Year 2021-2022.

***G-6.** Approved a contract with Maze and Associates for a three-year subscription of security awareness training in an amount not to exceed \$22,075.20.

***G-7.** Approved a four-year contract with Maze and Associates to implement a cybersecurity defense system, maintenance, and support in an amount not to exceed \$149,000.

***G-8.** Approved the fourth amendment to the legal services agreement with Downey Brand LLP to continue representation of the City of Richmond as California Environmental Quality Act (CEQA) counsel for the Point Molate project, to increase the payment limit by \$250,000 with a total payment limit of \$1,150,000 to be paid with funds deposited by the master developer.

***G-9.** Adopted **Resolution No. 103-20** to accept and appropriate the Sexual Assault Law Enforcement Specialized Units Program grant from the California Governor's Office of Emergency Services funds in the amount of \$204,500.

***G-10.** Received a report of recent resignations from City of Richmond boards, commissions, and committees; and vacancies as of September 23, 2020, and asked that interested individuals send applications to the City Clerk.

***G-11.** Proclamation declaring September 22, 2020, as National Voter Registration Day in the City of Richmond.

***G-12.** Proclamation declaring October 17, 2020, as Arbor Day in the City of Richmond.

***G-13.** Adopted **Resolution No. 104-20** approving the application for grants funds for the Recreational Trails and Greenways Grant Program for the Point Molate Bay Trail project and authorizing the City Manager or their designee to execute an agreement with the State of California for grant funds, if awarded.

BUDGET SESSION

H-1. The matter to receive a report on the City's Comprehensive Annual Financial Report (CAFR) for Fiscal Year (FY) 2018-19 and the following additional reports: City of Richmond Memorandum on Internal Control, City of Richmond Required Communications, Single Audit Report, Independent Accountant's Report on Applying Agreed Upon Procedures for Compliance with the Proposition 111 ~~2019~~**2018-2019** Appropriations Limit Increment, and Joint Powers Financial Authority Report was introduced by Finance Director Belinda Brown. Amy Meyer of Maze and Associates presented a Powerpoint that highlighted the FY 2018-19 CAFR audit, results, net position, and fund balance for the last five years. Discussion ensued. Ms. Brown announced that it was Maze and Associates last auditing year and thanked them for their many years of assistance. On motion of Councilmember Willis, seconded by Councilmember Martinez, received said report by the unanimous vote of the City Council.

H-2. The matter to receive updates on the five-year budget forecast, major revenue sources, overtime, service impacts due to budget reductions, status of meet and confer discussions; and, direct staff on which of the three options to pursue regarding the Richmond Housing Authority's budget deficit was introduced by Finance Director Belinda Brown. Mrs. Brown, Revenue Manager Antonio Banuelos, and Budget Administrator Markisha Guillory presented a Powerpoint that highlighted the following: budget goals and updates; revenue updates; overtime report; the impact of budget reductions on City of Richmond services; status of meet and confer with bargaining units; Richmond Housing Authority (RHA) debt repayment plan and budget deficit options; and next steps. Consultant Russ Branson presented the Five-Year Budget Forecast; the impact of Proposition 15 (Schools and Communities First Initiative); and recommendations for immediate consideration. Discussion ensued. The Council requested staff to include Realtor John Troughton as a key stakeholder for the proposed Economic Development Action Plan. The following individuals gave comments via teleconference: Leisa Johnson, Deborah Bayer, and Mike Parker. A motion was made by Councilmember Willis, seconded by Councilmember Choi, to receive the report on the five-year budget forecast. Further discussion ensued. A friendly amendment was made by Councilmember Myrick directing staff to proceed with the RHA budget deficit option 1 to budget an annual City of Richmond subsidy for the RHA. The friendly amendment was accepted. Further discussion ensued. The motion passed by the following vote: **Ayes:** Councilmembers Choi, Johnson, Martinez, Myrick, Vice Mayor Bates, and Mayor Butt. **Noes:** None. **Absent:** Councilmember Willis. **Abstained:** None.

PUBLIC HEARINGS

(Mayor Butt recused himself from the discussion on item I-1 due to a conflict of interest and appointed Vice Mayor Bates to chair the meeting for the item).

I-1. The city clerk announced that it was time, pursuant to public notice, to hold a public hearing to introduce an ordinance for the cleanup amendments to Chapter 15.04 - Zoning and Subdivisions Regulations of the Richmond Municipal Code. Senior Planner Roberta Feliciano presented a Powerpoint that highlighted the following: zoning background, a summary of amendments, the Planning Commission recommendation for adoption, and environmental review. Vice Mayor Bates declared the public hearing open. There were no public comments. Vice Mayor Bates closed the public hearing. On motion of Councilmember Myrick, seconded by Councilmember Willis, said ordinance received the first reading and was laid over for two weeks for the second reading by the following vote: **Ayes:** Councilmembers Choi, Johnson, Martinez, Myrick, Willis, and Vice Mayor Bates. **Noes:** None. **Absent:** Mayor Butt. **Abstained:** None.

COUNCIL AS A WHOLE

J-1. The matter to receive a presentation from Richmond residents who have formed a working group to "re-imagine public safety" and have been meeting regularly since July was introduced by Councilmember Myrick. Community Police Review Commissioner Randy Joseph presented a Powerpoint that highlighted the mission and information about the working group, methods, and subgroups. Shirley Leslie presented Alternatives to Policing. Carlos Lemus presented Spending and Funding. Angelica Delgado presented Police Policies and Procedures. Mr. Joseph concluded the presentation with a summary of short and longer term action items. Mr. Joseph encouraged the community to get involved by visiting the Richmond Reimagining Public Safety Working Group Facebook page, completing a survey, and joining a Community Forum on Thursday, October 8, 2020. Discussion ensued. The following individuals gave comments via teleconference: Sara Cantor, Tania Pulido, Benjamin Therriault, Yenny Garcia, Mike Parker, Kristin Kilian Lobos, and Luis Chacon. The Council encouraged the presenters and residents to contact a councilmember for nomination to the City of Richmond's Re-imagining Police and Public Safety Taskforce. The Council expressed concerns regarding economic model challenges. The Council suggested that it was essential to include a mental health unit with any new public safety model. The Council recommended that the Richmond Police Department provided an assessment of its strengths, weaknesses, and statistics.

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

Mayor Butt announced that Betty Reid Soskin celebrated her 98th birthday on September 22, 2020.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:39 p.m., in memory of Supreme Court Justice Ruth Bader Ginsburg, Richmond homicide victim, Lamonta “Tay Way” Butcher, and Hanna Edwards, to meet again on Tuesday, September 29, 2020, at 6:30 p.m.

Clerk of the City of Richmond

(SEAL)

Approved:

Mayor

From: [Cordell Hindler](#)
To: [City Clerk Dept](#)
Subject: OPEN FORUM FOR PUBLIC COMMENT
Date: Thursday, September 17, 2020 8:58:52 PM

hello Sabrina, i have some comments to go into the Record

1. as far as G-10 is concern, i did Receive emails from Richmond and De Anza High and they are interested in hearing about the Youth Council and i will be sending a follow up email to schedule to talk with the students about the benefits of joining the Youth council.

2. also my Projects are coming along superbly and i will be happy to share with the council when i return

Sincerely
Cordell

From: [Katrinka Ruk](#)
To: [City Clerk Dept](#)
Subject: 09/22/20 -- Open Forum - Comments
Date: Tuesday, September 22, 2020 12:58:15 PM

On behalf of the business community, I wanted to correct statements that proponents of Measure U have been stating:

1) "The gross receipts business license tax is basically exempt and free for small businesses."

All businesses will continue to pay a business license tax should this pass. No businesses will be exempt or not pay a business license. For those businesses who have \$250,000 or less in gross receipts, they will pay a flat \$100.00. However, a small retail shop with 2 employees which has, for example \$350,000 in gross receipts will now be paying 21% more in business license tax than under the current business license plan.

2) "70% of companies in Richmond generate \$1Mil gross receipts, homeowners are complaining because they are paying more"; "we want businesses to pay their fair share."

The statement is not verifiable that 70% of companies in Richmond generate this amount of gross receipts. Businesses pay substantially more taxes than Richmond property owners; they pay - property, sales, use, employment, unemployment insurance, wages & benefits to their employees, etc. Now many of them are burdened with COVID PPP and SBA loans.

In addition, proponents of Measure U have stated that they also support Prop 15 which will substantially be impacting property and homeowners.

3) "Measure U will encourage businesses to hire locally"

There is NO language in the ordinance that would provide any incentives for a business to hire locally.

4) "Other cities have changed to gross receipts - Oakland, San Francisco, Berkeley."
"A business I know is moving to San Pablo because the tax in Richmond is too high."

San Pablo has very similar business license tax to Richmond's current tax, flat fee and based on # of employees.

Oakland has pulled their November ballot measure and established a blue ribbon committee to review a gross receipts tax. Plus, these cities are not comparable to Richmond - we don't have a major port or the amount of retail & commercial businesses or an airport that Oakland and SF have; we don't have a major university or laboratory or the commercial support that Berkeley has. Many cities in the local area are still basing their license fee on number of

employees and have not moved to gross receipts (San Pablo, Contra Costa County, El Cerrito), or a very low gross receipts tax (Antioch, Benecia)

Katrinka Ruk
Executive Director
Council of Business & Industries
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From: [TRAC](#)
To: [Eduardo Martinez](#); [Melvin Willis](#); [Nat Bates](#); [Jael Myrick](#); [Tom Butt - external](#); [Demnlus Johnson](#); [Ben Choi](#); [City Clerk Dept](#)
Cc: [Laura Snideman](#); [Yader Bermudez](#); [Shasa Curl](#); [Lina Velasco](#); [Bruce Brubaker](#)
Subject: Public Comments -Agenda Item G-13: Acceptance of Pt. Molate Bay Trail Grant
Date: Monday, September 21, 2020 3:28:17 PM

Mayor Butt and City Councilors,

Please approve on Consent Calendar the Item G-13 resolution accepting a potential \$1.0 million Prop. 68 Recreational Trails & Greenways grant for construction of a 1.25-mile Bay Trail section along the shoreline of the City's Point Molate property. If awarded, this grant would complete funding for providing first-time public access to this scenic shoreline and showcasing it for future development.

Bruce

Bruce Beyaert, TRAC Chair

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<http://www.pointrichmond.com/baytrail/>

<http://www.ci.richmond.ca.us/109/TRAC>

Photos: <https://sfbaytrailinrichmond.shutterfly.com/pictures/5> .