

RICHMOND, CALIFORNIA, April 20, 2021

The Richmond City Council Evening Open Session was called to order at 4:35 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 April 20, 2021, 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 Claudia Jimenez, Eduardo Martinez, Gayle McLaughlin, Melvin Willis, and Mayor Thomas K. Butt. **Absent:** Councilmember Nathaniel Bates and Vice Mayor Johnson III arrived after the roll was called.

PUBLIC COMMENT INSTRUCTIONAL VIDEO

The Public Comment Instructional Video was shown.

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

SPRAWDEF et al. v. City of Richmond
North Coast Rivers Alliance et al./ Point Molate Alliance et al. v.
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):

Three cases. In light of the California Court of Appeals' decision in Fowler v. City of Lafayette, the City Attorney's Office is attaching to this agenda two letters regarding the amended judgment and various agreements related to Point Molate. These letters provide the existing facts and circumstances for going into closed session on these items pursuant to California Government Code Section 54956.9(d)(2).

PUBLIC COMMENT BEFORE CLOSED SESSION

The following individuals gave comments via teleconference regarding the litigation pertaining to Point Molate: Tarnel Abbott, Jeanne Kortz, Vilay Manixay, Sally Tobin, and Aaron Winer.

ADJOURN TO CLOSED SESSION

The Open Session adjourned to Closed Session at 4:48 p.m. Closed Session adjourned at 6:38 p.m.

The Regular Meeting of the Richmond City Council was called to order at 6:55 p.m. by Mayor Butt via teleconference.

ROLL CALL

Present: Councilmembers Bates, Jimenez, Martinez, McLaughlin, Willis, Vice Mayor Johnson III, and Mayor Butt.
Absent: None.

PUBLIC COMMENT INSTRUCTIONAL VIDEO

The Public Comment Instructional Video was shown.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Item H-17 was withdrawn from the agenda. Item H-20 was removed from the Consent Calendar for discussion at the end of the agenda. A motion made by Councilmember McLaughlin, seconded by Councilmember Willis, tabled Item K-7, by the following vote: **Ayes:** Councilmembers Jimenez, Martinez, McLaughlin, and Willis. **Noes:** Councilmember Bates and Mayor Butt. **Absent:** None. **Abstain:** Vice Mayor Johnson III. A motion by Councilmember Martinez and Councilmember McLaughlin, moved Item K-9 for discussion after approval of the Consent Calendar, passed by the following vote: **Ayes:** Councilmembers Jimenez, Martinez, McLaughlin, and Willis. **Noes:** Mayor Butt. **Absent:** None. **Abstain:** Councilmember Bates and Vice Mayor Johnson III. Mayor Butt stated Item K-3 would move to the Consent Calendar. A motion made by Councilmember Martinez, seconded by Councilmember McLaughlin, Item K-3 was not moved to the Consent Calendar, by the following vote: **Ayes:** Councilmembers Bates, Jimenez, Martinez, McLaughlin, and Willis. **Noes:** Mayor Butt. **Absent:** None. **Abstain:** Vice Mayor Johnson III. Item K-3 was moved for discussion after Item K-9.

The city clerk announced the public comment procedures published on the agenda.

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

City Attorney Theresa Stricker stated that the city council voted, 6-1, with Councilmember Martinez voting against, to defend the lawsuits *SPRAWLDEF v. City of Richmond* and *North Coast Rivers Alliance/Point Molate Alliance v. City of Richmond*, relating to Point Molate.

REPORT FROM THE CITY MANAGER

City Manager Laura Snideman announced that walk-in vaccines are available at both the Veteran's Memorial Hall and the Richmond Auditorium. Ms. Snideman also welcomed new Public Works Director, Joe Leach.

OPEN FORUM FOR PUBLIC COMMENT

The following individuals gave comments via teleconference:

Deborah Bayer gave comments regarding sea level rise problems associated with the proposed Zeneca project.

Janet Johnson Tarnel Abbott, Sherry Padgett, Carolyn Graves, Margaret Childs, Maggie Lazar, Charles Davidson, David Kafton, Denny Khamphanthong, Sally Tobin, Sara Theiss, Karen Susag gave comments regarding deferring the vote and reconsideration of building a high-density project proposed at the Zeneca site/Campus Bay Development. The site needs proper cleanup prior to development, and the environmental impact report should be revised.

Adrienne Warmesley, Danielle Aroner, Clarita Griffin, spoke in support of Bill AB 1400 – Guaranteed Health Care for All.

Jeanne Kortz spoke against the proposed Point Molate development.

CITY COUNCIL CONSENT CALENDAR

On motion of Vice Mayor Johnson III, seconded by Councilmember Willis, the items marked with an (*) were approved by the unanimous vote of the City Council.

***H-1.** Approved contracts with Oliver's Tow Inc., Civic Center Auto Care, Certified Towing, and Checker's Towing for rotational tow and automotive services from January 1, 2021 to December 31, 2023 with a two-year option to extend upon mutual agreement by the City and vendor, in an amount not to exceed \$45,000 per vendor.

***H-2.** Approved the naming of a new park located at 27th and Pierson Avenue to Ookwe Park honoring the Native American people. This request was recommended by the Recreation and Parks Commission on December 2, 2020.

***H-3.** Adopted **Resolution No. 38-21**, to accept grant funding from the Governor's Office of Business and Economic Development and authorize the city manager or their designee to execute the necessary agreements with the Governor's Office of Business and Economic Development to accept \$75,000 in grants funds; appropriate the grant funds in the Fiscal Year 20-21 Budget; and approve the third amendment

to the contract with the City of Richmond and SCI Consulting Group to increasing funding by \$40,000, for a total not to exceed \$100,400, to be paid from the GO-Biz grant and extending the contract term to June 30, 2023.

***H-4.** Approved the minutes of the February 23, March 2 and 16, 2021, Regular Meetings and the March 9, 2021, Special City Council meeting.

***H-5.** Approved a five-year agreement with Escribe to replace the SIRE agenda management system currently used by the City of Richmond in an amount not to exceed \$65,000 for the first year start-up (includes a 10 percent contingency), annual maintenance of \$44,993 for the second year, with a five percent increase each year. The term of the contract is April 20, 2021, to April 16, 2026.

***H-6.** Approved a contract with Future Ford for vehicle repairs performed on Parks truck #311 in an amount not to exceed \$13,500.

***H-7.** Approved a fifth contract amendment with Lehr/Pursuit North for police vehicle outfitting by increasing the payment limit by \$148,000 to a total of \$1,117,000 and appropriated \$141,000 from Equipment Services Improvement Fiscal Year 19/20 fund balance for this purpose.

***H-8.** Adopted **Resolution No. 39-21**, approving Veolia Water to manage and award two (2) sole source contracts. One contract is to be awarded for Engineering Services During Construction (ESDC) of the Grit and Aeration Basin (WWTP Critical Improvements) Project provided by Carollo Engineers and shall not exceed \$3,983,157 (contractor cost of \$3,194,832 plus a 16.5% Veolia mark-up \$527,147), plus a 7.5% contingency of \$261,178 (\$239,612 plus a 9% Veolia mark-up of \$21,565). The second contract is to be awarded for the Professional Support Services provided (ESS) and shall not exceed \$412,334 (contractor cost of \$330,727 plus a 16.5% Veolia mark-up \$54,570), plus a 7.5% contingency of \$27,037 (\$24,805 plus a 9% Veolia mark-up of \$2,232). The total cost of both contracts shall not exceed \$4,395,491.

***H-9.** Authorized the city manager to execute a second amendment to the Cooperative Implementation Agreement with CALTRANS and adopted **Resolution No. 40-21**, to utilize the remainder of the \$3.0 million for the construction of one additional full-trash capture device (FTCD) on Cutting Boulevard and South 3rd Street, and small inlet trash capture devices at up to 42 storm drain inlets in the City.

***H-10.** Adopted **Ordinance No. 05-21 N.S.** adding chapter 10.32 of the City of Richmond Municipal Code entitled "Special Event Permit" Ordinance.

***H-11.** Approved a three-year contract with Corodata Records Management, Inc. and Iron Mountain, Inc. to provide off-site file and document storage services in an amount not to exceed \$150,000 per vendor over a three-year period, with an option to extend the contracts for two years, for a total not to exceed amount of \$250,000. Term of the contract is April 21, 2021, to June 30, 2024.

***H-12.** Received a written update on the Fiscal Year 2020-21 budget.

***H-13.** Adopted **Ordinance No. 06-21 N.S.**, amending various sections, including Articles 15.04.202, 15.04.206, and 15.04.611 of the Zoning Ordinance to align with General Plan Amendments related to the Richmond Hills Initiative and to implement requirements of the Richmond Hills Initiative.

***H-14.** Approved a contract amendment No. 5 with Goldfarb & Lipman, LLP to increase their contract limit by \$200,000, for a total not to exceed amount of \$300,000, to continue to assist the Community Development Department with implementation of recent housing laws, including Housing Element Law, Senate Bills 35 and 330, and completing updates to the City's ordinances, including the Density Bonus regulations to align with State law, over a three-year term ending June 30, 2024.

***H-15.** Approved the appointment of Helene Burks to the Reimagining Public Safety Task Force to fill a vacancy created by Shirley Leslie.

***H-16.** Approved reappointments to the Design Review Board: appointed Michelle Hook, re-appointment, seat #1, term expiration date of March 17, 2023; Kimberly Butt, re-appointment, seat #3, term expiration date March 17, 2023.

H-17. Withdrew approval of reappointment(s) to the Design Review Board: appointed Macy Leung, re-appointment, seat #2, term expiration date March 17, 2023, Jonathan Livingston, re- appointment, seat #4, term expiration date March 17, 2023.

***H-18.** Approved appointments for the Mayor and Councilmembers to Regional Committees, Ad-Hoc Committees and Liaison Positions for the year of 2021.

***H-19.** Received a proclamation declaring April 22, 2021, as Earth Day in the City of Richmond.

H-20. Heldover to April 27, 2021, City Council meeting the matter to adopt the Boards, Commissions, and Committees handbook as a formal document to provide a general idea of the policies, guidelines, and responsibilities of the board, commission, and committee members.

CITY OF RICHMOND CONSENT CALENDAR
RESOLUTIONS RELATING TO POLICY DECISIONS ON
ISSUES THAT PERTAIN TO OTHER JURISDICTIONS

I-1. Adopted **Resolution No. 41-21**, in support of AB 1400, the California Guaranteed Health Care for All Act, and direct staff to send a copy of this resolution to Assemblymember Ash Kalra, Assemblymember Buffy Wicks, Senator Nancy Skinner, and Chair of the Assembly Health Committee (Assemblymember Jim Wood), urging them to stand with the people of Richmond and California in support of this important bill.

ORDINANCES

J-1. The matter to introduce an ordinance amending Chapter 9.40.015 of the Richmond Municipal Code entitled "Tiny Houses on Wheels Pilot Project" to extend the termination date of the project through June 21, 2024 was presented by Mayor Butt. A motion by Councilmember Willis, seconded by Councilmember

McLaughlin, introduced said ordinance by the unanimous vote of the City Council.

COUNCIL AS A WHOLE

K-1. Mayor Butt announced recent resignation from City of Richmond boards, commissions, and committees; and announced vacancies as of March 17, 2021, and ask that interested individuals send applications to the City Clerk. **This item was continued from the March 23, 2021, and April 6, 2021, meetings.**

K-2. The matter to consider reinstating the Finance, Economic Development and Administrative Services Standing Committee and the Public Services/Safety Committee was presented by Councilmembers Bates and Martinez who gave an overview of the matter. **This item was continued from the March 23, 2021, and April 6, 2021, meetings.** Discussion ensued. A motion by Councilmember Bates, seconded by Councilmember Martinez, to approve the item failed by the following vote: **Ayes:** Councilmembers Bates and Martinez. **Noes:** Councilmembers Jimenez, McLaughlin, and Mayor Butt. **Absent:** None. **Abstain:** Vice Mayor Johnson III and Councilmember Willis.

K-3. The matter to receive a presentation by Police Strategies and approve a one-year contract in an amount not to exceed \$40,000 was presented by Chief Bisa French, and Bob Scales of Police Strategies who presented a Powerpoint, which highlighted the following: Police Force Analysis System; Annual Use of Force Reports; and Interactive Comparative Dashboards. Discussion ensued. A motion by Councilmember Jimenez, seconded by Councilmember McLaughlin, approved the contract by the unanimous vote of the City Council.

K-4. The matter to adopt a resolution in support of the Richmond People's Strike People's Movement Assembly. This item was continued from the April 6, 2021, meeting was presented by Councilmembers Jimenez and Willis. Aleta Toure and Emily Ross gave comments via teleconference. A motion was made by Councilmember Willis, seconded by McLaughlin, to adopt the resolution. Councilmember McLaughlin made a friendly amendment to change the language in the resolution from *North Bay to East Bay and from Biden Campaign to Biden Administration*. The motion passed and **Resolution No. 42-21**, was adopted by the following vote: **Ayes:** Councilmembers Jimenez, Martinez, McLaughlin, Willis, and Vice Mayor Johnson III. **Noes:** Councilmember Bates and Mayor Butt. **Absent:** None. **Abstain:** None.

K-5. The matter to discuss and provide direction to staff regarding options addressing the need to take action on all items before the City Council through the rest of this fiscal year was presented by City Manager, Laura Snideman. The recommendation was to meet on Mondays, pause Councilmembers items, and that budget items were given priority. Discussion ensued. Tarnel Abbott and Floy Andrews gave comments via teleconference. A motion by Councilmember Willis, seconded by Councilmember McLaughlin, to hold a special meeting on Monday, April 26, 2021 at 5 p.m.; scheduled a special meeting on Saturday, May 1, 2021, at 1pm; budget items would take priority at regular meetings; and the council would meet on the 2nd Tuesdays

in May and June, passed by the following vote: **Ayes:** Councilmembers Jimenez, Martinez, McLaughlin, Willis, and Vice Mayor Johnson III. **Noes:** Councilmember Bates and Mayor Butt. **Absent:** None. **Abstain:** None.

*11:00 p.m. - A motion by Councilmember Willis, seconded by Councilmember Johnson III, extended the meeting for 30 minutes, passed by the following vote: **Ayes:** Councilmembers Jimenez, Martinez, McLaughlin, Willis, Vice Mayor Johnson III, and Mayor Butt. **Noes:** None. **Absent:** Councilmember Bates. **Abstain:** None.*

K-6. The matter to direct staff to reopen and extend the due date for Department of Children and Youth grant applications to June 1, 2021 was presented by Mayor Butt. Sean Stalbaum and Maribel Rodriguez gave comments via teleconference. A motion by Councilmember Willis, seconded by Councilmember Jimenez, approved the item by the following vote: **Ayes:** Councilmembers Jimenez, Martinez, McLaughlin, Willis, Vice Mayor Johnson III, and Mayor Butt. **Noes:** None. **Absent:** Councilmember Bates. **Abstain:** None.

K-7. Tabled the matter to review and discuss the letters from the Guidiville Rancheria of California and Upstream attorneys (Crowell law Offices) and the SunCal attorneys (Cox Castle Nicholson) and provide direction.

K-8. The matter to discuss and adopt Guiding Fiscal Policies was presented by Councilmembers Claudia Jimenez and Eduardo Martinez. Councilmember Jimenez stated the following changes to the policy: *Item 1, Guiding Budget Policies, Section B to change overspent from 1% to 3%; Special Funds section, Item A: add City Manager and special fund administrators; Reserve Polices, Item F: also add City Manager and special fund administrators; Debt Management, Item F: add City Manager instead of Finance Director; Objectives and Prioritizations Section 2: Add: after considering the recommendation of the City Manager.* Sean Stalbaum and Lisa Cody gave comments via teleconference. A motion by Councilmember Martinez, seconded by Councilmember Jimenez, adopted the policies by the following vote: **Ayes:** Councilmembers Jimenez, Martinez, McLaughlin, Willis, Vice Mayor Johnson III, and Mayor Butt. **Noes:** None. **Absent:** Councilmember Bates. **Abstain:** None.

K-9. *Mayor Butt stated he would only allow the speaker three minutes for the presentation. A motion made by Councilmember Martinez, seconded by Councilmember McLaughlin, to allow the speaker 10 minutes to present, passed by the following vote: **Ayes:** Councilmembers Bates, Jimenez, Martinez, McLaughlin, Willis, and Vice Mayor Johnson III. **Noes:** Mayor Butt. **Absent:** None. **Abstain:** None.* City Council received a presentation from Dr. Kristina Hill, University of California at Berkeley, and adopt a resolution in support of addressing the potential impacts to Richmond from the impending sea level rise, which highlighted the following: Soil Contamination, Groundwater Discharge; Tidal Influence on Groundwater; Cancer-causing pollutants; and Rising Groundwater. The following individuals gave comments via teleconference: Cole Burchiel, Jeanne Kortz, Tarnel Abbott, Sherry Padgett, Floy Andrews, Karen Susag, Carolyn Graves, Margaret Childs, and Maggie Lazar. Discussion ensued. City Council requested that the sea level rise information

be included in the Climate Action Plan. A more in-depth presentation would be scheduled with the community for further discussion. A motion by Councilmember Martinez, seconded by Councilmember Martinez, adopted **Resolution No. 43-21**, 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 11:30 p.m., in memory of Walter Mondale and George Floyd, to meet again on Tuesday, April 27, 2021, at 6:30 p.m.

Clerk of the City of Richmond

(SEAL)

Approved:

Mayor

From: [Katrinka Ruk](#)
To: [City Clerk Dept](#)
Cc: [Tom Butt - external](#); [Demnlus Johnson](#); [Nat Bates](#); [Claudia Jimenez](#); [Eduardo Martinez](#); [Gayle McLaughlin](#); [Melvin Willis](#)
Subject: Public Comments - Open Forum Closed Session Items Regarding Pt. Molate
Date: Monday, April 19, 2021 6:15:48 PM
Attachments: [04.19.21 Pt. Molate.docx](#)

COUNCIL OF BUSINESS & INDUSTRIES

P.O. BOX 70088

PT. RICHMOND, CA 94807

510)215-9325 office

/email/

To: Richmond City Council

To: Richmond City Manager

To: Richmond City Clerk

Re: Public Comment – Public Forum – Closed Session Items Regarding Pt. Molate

The City and Winehaven Legacy have previously participated in a very public process and received City Council approval to move forward on this project. The federal judgment requires the sale to be completed by March 2022. This delay could possibly impact the federal judgment requirement.

The project was vetted by the public, city planning department, legal staff and Richmond City Council. The project supports jobs, increased housing and much-needed increase in revenue for the city budget.

In withdrawing its defense, the City may be at risk for litigation expenses and petitioners' attorney's fees. This change in direction - without public vetting - lacks transparency and begs answers from the city attorney on the following:

Does the Council's direction NOT to defend:

1) place the City at financial risk and if so to what extent?

2) place the City action contrary to good faith and fair dealing?

Overall, the public should be updated as to the progress of this development project and respond to these pressing questions.

Thank you for your time.

Katrinka Ruk

Executive Director

Katrinka Ruk
Executive Director
Council of Business & Industries
510)260-4820 cell
www.councilofindustries.com

From: [ALEX MORTAZAVI](#)
To: [Tom Butt - external](#); [Claudia Jimenez](#); [Eduardo Martinez](#); [Demnlus Johnson](#); [Gayle McLaughlin](#); [Melvin Willis](#); [Nat Bates](#); [City Clerk Dept](#); [Teresa Stricker](#); [Lina Velasco](#)
Subject: OBJECTION - To Proposed General Plan Amendment - Richmond Initiative
Date: Saturday, April 17, 2021 11:53:11 AM

Dear, Honorable Mayor Tom Butt, Council member Claudia Jimenez, Council member Eduardo Martinez, Council member Demnlus Johnson III, Council member Gayle McLaughlin, Council member Melvin Willis, Council member Bates Nathaniel, City clerk Pamela Christian, City Attorney Teresa Stricker and Planning Community Development Director Lina Velasco

We like to have our objections on the records and for your consideration to reject the proposed amendments for following reasons :

The City's Proposed General Plan Amendment Violates SB 330

1. SB 330 applies because this is an amendment to the Land Use Element to change it from what it provided as of January 1, 2018.
2. SB 330 prohibits downzoning, but provides an exception if simultaneous upzoning to accommodate at least as many units as are lost is also adopted.
3. The upzoning set out in the resolution is not real upzoning, it's just a paper exercise to pretend the City is upzoning. **No actual change in the zoning is being proposed.**
 - There is no increase in the allowable density under the General Plan of the parcels the City says it is upzoning.
 - The increases in density occurs only in the zoning, but the General Plan controls over an inconsistent zoning.
 - City would add language to GP stating that the “[t]he higher density represents the maximum number of allowable units, except in cases of density transfers, development rights and credits transfers, or when density increases are adopted in order to comply with Government Code section 66300 et seq in order to effectuate a voter initiative,” but that is insufficient to indicate whether a particular location can exceed the otherwise maximum density in the land use table. People generally look at the land use table to determine the maximum permitted density.
 - Although the City increases the maximum density permitted in the CM-4 and CM-5 zoning, there is no corresponding increase to height limits or setbacks in the zoning, suggesting that the maximum density may not actually be feasible. No indication that the City has done any test fits.
4. City illegally amends its Housing Element

- Many of the parcels the City relies on to replace the capacity of the vacant residentially zoned parcels area already developed with commercial uses, including parking lots. No indication that these parcels are likely to be redeveloped with residential uses during this housing cycle. (See Gov't Code § 65583.2(g)(1), (2)).
- City's Housing Element would be revised to have insufficient land to meet its above-moderate housing allocation.

5. New definition of FAR in the General Plan decreases intensity throughout the City for mix-used projects.

- General Plan amendment redefines FAR as “the area of all floors, regardless of composition including soil, **under roof in or connected to buildings, including porches, decks, carports, and attic floors** to the extent that the height of the ceiling is five feet or more above the floor.”
- Existing definition of FAR: “The numerical value obtained by dividing the **gross floor area of all buildings** on a premise by the total area of the premises on which the buildings are located.”
- General Plan definition will override the FAR definition in the Zoning Code, which excludes uninhabitable spaces, porches, decks, carports, etc. (§ 15.04.103.090.)
- **General Plan amendment thus decreases allowable FAR throughout the City with no compensating upzoning.**

The City's Proposed General Plan Amendment Violates CEQA

1. The City-initiated General Plan Amendment is not an initiative and cannot avoid CEQA compliance by pointing out that the Richmond Hills Initiative (RHI) made some changes before. The RHI did not make the changes before the City Council now. If it had, there would be no need for the amendment before the Council so any reliance on the CEQA exemption for initiatives is worthless.
2. This is a general plan and zoning code amendment and it is a “project” for CEQA purposes.
3. If the city wants to claim it is making substantive upzoning decision to increase density beyond what was allowed before, it cannot avoid CEQA. If it claims that this alleged upzoning is categorically exempt that just makes the point that it is not a real upzoning. A real upzoning would require real environmental review pursuant to CEQA.
4. Material increase in density to allow for homes not previously permitted has both direct and indirect environmental impacts on multiple issues including traffic, utilities, aesthetics, schools, natural resources, not to mention the fact that it is

being finessed in such a way as to create potential internal inconsistencies in the existing zoning and general plan as noted above.

Thank you,

Habitat
851 Burlway Rd., Suite 710
Burlingame, Ca. 94010
Tel. (650)-579-4994
Fax. (650)-579-2646
Email: Habitat8@pacbell.net

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From: [Cordell Hindler](#)
To: [City Clerk Dept](#)
Subject: Open Forum for Public Comment
Date: Thursday, April 15, 2021 4:13:13 PM

good Evening, Mayor Butt, City Council and Staff. I have a couple of Comments for the Record

1. for a future Agenda, the Council should Consider Reinstating the Agenda & Rules Committee
2. The Council should Consider Having Parking Meters around the City, Berkeley Generates \$4 Million in Revenue

Sincerely
Cordell

From: [karen kirschling](#)
To: [City Clerk Dept](#)
Cc: [Tom Butt - external](#); [Nat Bates](#); [Claudia Jimenez](#); [Demnlus Johnson](#); [Gayle McLaughlin](#); [RichCityServant@gmail.com](#); [Melvin Willis](#); [Lina Velasco](#); [Laura Snideman](#); [Teresa Stricker](#)
Subject: PUBLIC COMMENT for Open Forum:
Date: Monday, April 19, 2021 1:54:01 PM

Re: No homes on the toxic Astra-Zeneca waste dumpsite until it is fully cleaned up

Greetings - I am writing in support of Richmond Shoreline Alliance and Sunflower Alliance in their call for a new Environmental Impact Report (EIR) to address a number of deficiencies in the staff report including:

Lack of protection for the people who work at adjoining properties from the toxic Volatile Organic Compounds (VOC) plumes which have been moving offsite towards neighboring properties, and in at least one case, reaching under neighboring buildings and requiring they be monitored for hazardous fumes. This has been ongoing for decades as there is no effective barrier beneath or to the sides of the 10-15 feet deep or more of contaminated soil, and there is no plan to install one. Instead the current plan is to rely solely on bio-remediation, which in past on-site tests, has lowered toxic levels for slightly less than a year before the toxicity levels climb back up; in some cases climbing even higher than they were before the bio-remediation treatment.

Lack of protection for workers and neighboring communities -- safety protocols need to cover handling hazardous material during grading and construction, including the prevention of VOCs escaping during earth moving and compaction.

Lack of protection from the chemical impacts of sea water intrusion into the contaminated soil at this shoreline site, whether by sea level rise or by liquefaction in a future earthquake. As increasing amounts of salt water inundate the contaminated soils, more and more sulfuric acid is released from the high volumes of sulfuric cinders layered deeply over the entire site, which in turn dissolve more and more of the high volumes of highly toxic arsenic, mercury, and lead, and other contaminants mixed deeply and throughout the soil of this site. Once liquefied these then move with groundwater swelled by ever-growing high tides, and are pushed with increased water pressure due to sea level rise towards the neighboring properties and under their buildings and up through their foundations and floors, as well as leaching back towards the adjacent marsh and San Francisco Bay as the tides ebb.

Lack of protection for Stege Marsh and San Francisco Bay from hazardous contaminants moving via groundwater, ie., "toxic plumes"

Lack of an archeological survey, and lack of outreach to the Ohlone representatives whose tribe has historical connections to this site, to ensure protection of historic cultural sites.

Lack of complete planning and engineering drawings of the buildings and foundations, utility connections within and without the buildings, as well as connections to the underground utility services going offsite, as well as of the mechanical sampling and monitoring hardware required to monitor changes to the 98% of the buried hazardous waste Zeneca is pushing to be left buried at this shoreline site without containment barriers.

We invoke the precautionary principle, which holds that if there is a possibility that a policy or plan will have potentially dangerous health or environmental impact—even if there is no scientific consensus—it is better to err on the side of caution. This principle was adopted by the Richmond City Council on May 18, 2011 as a formal resolution. As City Council members your first duty is to seek the highest standard of protection for human health and safety. You must put our health above short-term benefits for the few. Our health is not for sale!

Thank you.

Sincerely,

Karen Kirschling

From: [Paul A. Gustafson](#)
To: [City Clerk Dept](#)
Cc: [Tom Butt - external](#); [Nat Bates](#); [Claudia Jimenez](#); [Demnlus Johnson](#); [Gayle McLaughlin](#); [RichCityServant@gmail.com](#); [Melvin Willis](#); [Lina Velasco](#); [Laura Snideman](#); [Teresa Stricker](#)
Subject: PUBLIC COMMENT for Open Forum
Date: Monday, April 19, 2021 7:33:31 PM

To whom it may concern,

I, Paul Gustafson reside at 84 Marina Lakes Dr. Richmond CA 94804 and I am unable to attend the meeting on April 20th regarding the AstraZeneca Site however,

My neighbors and I call for a new Environmental Impact Report (EIR) because the site simply needs to be cleaned up and handled properly by someone and this can and should be done by the new developer. A “cap” is a misnomer. The site is NOT a Brownfield.

Also, I address a number of deficiencies in the staff report including:

- Lack of protection for the people who work at adjoining properties from the toxic Volatile Organic Compounds (VOC) plumes which have been moving offsite towards neighboring properties, and in at least one case, reaching under neighboring buildings and requiring they be monitored for hazardous fumes. This has been ongoing for decades as there is no effective barrier beneath or to the sides of the 10-15 feet deep or more of contaminated soil, and there is no plan to install one. Instead the current plan is to rely solely on bio-remediation, which in past on-site tests, has lowered toxic levels for slightly less than a year before the toxicity levels climb back up; in some cases climbing even higher than they were before the bio-remediation treatment.
- Lack of protection for workers and neighboring communities -- safety protocols need to cover handling hazardous material during grading and construction, including the prevention of VOCs escaping during earth moving and compaction.
- Lack of protection from the chemical impacts of sea water intrusion into the contaminated soil at this shoreline site, whether by sea level rise or by liquefaction in a future earthquake. As increasing amounts of salt water inundate the contaminated soils, more and more sulfuric acid is released from the high volumes of sulfuric cinders layered deeply over the entire site, which in turn dissolve more and more of the high volumes of highly toxic arsenic, mercury, and lead, and other contaminants mixed deeply and throughout the soil of this site. Once liquefied these then move with groundwater swelled by ever-growing high tides, and are pushed with increased water pressure due to sea level rise towards the neighboring properties and under their buildings and up through their foundations and floors, as well as leaching back towards the adjacent marsh and San Francisco Bay as the tides ebb.
- Lack of protection for Stege Marsh and San Francisco Bay from hazardous contaminants moving via groundwater, ie., "toxic plumes"
- Lack of an archeological survey, and lack of outreach to the Ohlone representatives whose tribe has historical connections to this site, to ensure protection of historic cultural sites.
- Lack of complete planning and engineering drawings of the buildings and foundations, utility connections within and without the buildings, as well as connections to the underground utility services going offsite, as well as of the mechanical sampling and monitoring hardware required to monitor changes to the 98% of the buried hazardous waste Zeneca is pushing to be left buried at this shoreline site without containment barriers.

We invoke the precautionary principle, which holds that if there is a possibility that a policy or plan will have potentially dangerous health or environmental impact—even if there is no scientific consensus—it is better to err on the side of caution. This principle was adopted by the Richmond City Council on May 18, 2011 as a formal resolution. As City Council members your first duty is to seek the highest standard of protection for human health and safety. You must put our health above short-term benefits for the few. Our health is not for sale!

Regards,

Paul Gustafson

From: [Adrienne](#)
To: [City Clerk Dept](#)
Subject: public comments agenda item #1-1
Date: Tuesday, April 20, 2021 10:15:02 AM

Hello my name is Adrienne Warmsley I am a student nurse, doula, home health aide, and lifelong resident of Richmond. I support Assembly Bill 1400 the California Guaranteed Healthcare for All Act. Richmond residents know the crippling loss of local hospitals and lack of access to quality healthcare. I have seen my clients turned away at emergency room doors from being at max capacity. Then transported to another hospital 40 minutes away. Now, the Richmond resident is being threatened again with the closure of Alta Bates Summit Medical Center by 2030, due to debts. Health is not for profit. It is a human right. Now, more than ever we need Healthcare For All to begin to ensure high quality healthcare to everyone. To our seniors, children, black mothers, people with disabilities, LGBTQ community, low-income, students, and immigrants. Thank you California Nurses Association for leading the fight for better health. Thank you for your time.

From: joneemg@aol.com
To: [City Clerk Dept](#)
Subject: Public comments agenda item #1-1. ADOPT a resolution in support of AB 1400, the California Guaranteed Health Care for All Act
Date: Monday, April 19, 2021 4:02:41 PM

Dear City Council Members,

I am a resident of Richmond and a retired nurse writing to support an endorsement of AB 1400, the California Guaranteed Health Care for All Act (CalCare). For years I have seen how our current health care system fails to serve all our residents equitably. When profit is placed before the needs of the patient, everyone suffers the consequences.

This was true before the Covid-19 pandemic and became excruciatingly apparent during the pandemic. Despite efforts under the Affordable Care Act to bring health care coverage to many, almost 3 million Californians remain uninsured. Statistics show that 80% of California's uninsured are minorities. The pandemic magnified the enormous racial disparities in health care. Indigenous, Black and Latinx people are being hospitalized from Covid-19 at around 4 times the rate of whites and are dying from Covid-19 at about twice to 4 times the rate of white people.

Many who are lucky enough to have health care coverage obtain it through their place of employment. The pandemic led to massive unemployment and the corresponding loss of health insurance. The cost of current health insurance premiums, co-pays and deductibles are making those with insurance hesitant or unable to use the coverage they have. The increases in cost in our current system are unsustainable. Meanwhile, for-profit insurance companies are reporting record-breaking profits. We can no longer afford to have our health care dollars spent on lobbying, campaign donations, and huge CEO packages of private health insurers. We deserve to get our money's worth from our health care delivery system.

Therefore, I am recommending an endorsement of AB 1400 (CalCare). This bill would establish a single-payer health care system in California that will ensure that all Californians, regardless of employment, income, immigration status, race, or gender can get the health care they need, free at the point of service. The benefits would be truly comprehensive, including all primary and preventive care, hospital and outpatient services, prescription drugs, dental, vision, mental health treatment, and more. Patients will be free to choose doctors, hospitals, and other

providers without worrying about whether a provider is “in network”. The majority of Californians believe that health care is a human right. As if this moral imperative were not enough, why would we want to continue with a health care system that bankrupts individuals and burdens all taxpayers unnecessarily? Most industrialized countries of the world provide for universal health care and spend less per capita than the United States in doing so. Studies have proven that a single payer health care financing system would save billions of dollars. The most recent State study was the PERI study of 2017/2018 when a similar single payer health care bill, SB 562, was before the Legislature. Here is a link to the PERI study: <https://www.peri.umass.edu/publication/item/996-economic-analysis-of-the-healthy-california-single-payer-health-care-proposal-sb-562>.

Just as federal MediCare has cut administrative overhead, so would a State single payer system. Further, it would institute cost controls and negotiations for pharmaceutical drugs. The best way we can guarantee the most health care for everyone with the resources we have is through an efficient single payer system.

I urge you to endorse AB 1400, the CalCare Act.

Sincerely,
Jonee Grassi, Richmond Resident, Retired RN, Member of Healthcare for All, Contra Costa County Chapter

From: [Nel Benningshof](#)
To: [City Clerk Dept](#)
Subject: Public comments agenda item # I-1. ADOPT a resolution in support of AB 1400, the California Guaranteed Health Care for All Act
Date: Monday, April 19, 2021 2:34:21 PM

Dear city council members,

My name is Nel Benningshof and I have lived in Richmond for over forty years. Four years ago on April 18, 2017 I, and others, asked the city council to adopt a resolution in support of Senate Bill 562 - The Healthy California Act. Richmond was one of the first cities to pass a resolution in support of SB 562. In 2018 that bill was stopped in the Assembly.

Now we have a new single payer bill and I want to thank council members Gayle McLaughlin and Claudia Jimenez for putting the resolution in support of Assembly Bill 1400 - The California Guaranteed Health Care for All Act on the 04/20/21agenda so that once again Richmond will be one of the first cities to pass a resolution in support of a single payer bill. AB 1400 is nicknamed CalCare and was introduced by Assembly Members Kalra, Lee, and Santiago. Buffy Wicks is a co-author.

The pandemic has made it clear that every person's access to health care affects us all. And the issue of "Black lives matter" has brought wider consensus and activism. Equity in health care will never happen with the inefficient, profit driven system we have. AB 1400 will ensure that all residents of California, regardless of age, immigration, and employment status, will have health care coverage under this bill. Nobody will be charged insurance premiums, co-pays, or deductibles.

The single-payer movement is constantly growing and learning from past efforts. One thing we know, is that when we have a moment like this, where we have a great bill, a stalwart author, and a supporter of single payer, Xavier Becerra, now confirmed as Secretary of Health and Human Services, the department that issues the ACA waivers that we need to establish and fund a single payer system in California, and a governor who ran on single payer, that we must fully grasp this moment.

What does this bill mean for the city of Richmond?

Presently the city of Richmond, other organizations, and businesses spend an inordinate amount of time evaluating and implementing complex and costly healthcare plans for employees and retirees.

Waivers from the federal government related to federal programs will be sought so that larger employers would no longer be required to provide health insurance benefits to employees. Existing retiree coverage would be phased out and replaced. Healthcare benefits for employees and retirees would no longer need to be negotiated with unions.

Just think about how much money this would save the city and how much of this money could be spent on city services for its residents instead. There are many, many more benefits that will accrue to the city and its residents. But I think you get the point.

I highly encourage you to adopt this resolution.

Sincerely,

Nel Benningshof, Membership Chair

Health Care for All - California

510-237-2036

healthcareforall.org

facebook.com/HealthCareForAllCA

twitter.com/healthcareforCA

instagram.com/healthcareforallca/

From: [Cordell Hindler](#)
To: [City Clerk Dept](#)
Subject: K-1 Council as a Whole
Date: Thursday, April 15, 2021 4:26:27 PM

good Evening Mayor Butt, City Council and Staff. I have some Wonderful News. I have spoken with the Principals at Richmond and De Anza high and they are interested in hearing about the Youth Council

Sincerely
Cordell

From: [Cordell Hindler](#)
To: [City Clerk Dept](#)
Subject: K-2 Council as a whole
Date: Thursday, April 15, 2021 4:28:31 PM

good Evening, Mayor Butt, Council Members and City staff, Let me reiterate the Comments that i had made last time, The Reason that the council should Reinstate the Finance Committee is Because the city is a Financial Situation and the community has concerns that needs to be brought forward.

so I am Asking that the Council Please Reconsider reinstate the Finance and Public Safety Committee

Sincerely
Cordell

From: [Katrinka Ruk](#)
To: [City Clerk Dept](#)
Cc: [Tom Butt - external](#); [Demnlus Johnson III](#); [Nat Bates](#); [Claudia Jimenez](#); [Eduardo Martinez](#); [Gayle McLaughlin](#); [Melvin Willis](#)
Subject: Public Comments Agenda Item #K-4: Adopt a resolution in support of the Richmond People's Strike People's Movement Assembly
Date: Monday, April 19, 2021 6:19:26 PM
Attachments: [04.19.21 K-4 People Strike Resolution.docx](#)

COUNCIL OF BUSINESS & INDUSTRIES

P.O. BOX 70088

PT. RICHMOND, CA 94807

510)215-9325 office

/email/

To: Richmond City Council

To: Richmond City Manager

To: Richmond City Clerk

Re: Public Comment – Agenda Item #K-4: Adopt a resolution in support of the Richmond People's Strike People's Movement Assembly

The resolution is unclear as to the purpose of establishing this committee and does not explain how the committee will "help increase the well-being of Richmond people."

The agenda report provides that a "process will be established through Richmond community organizers, unions, youth and community strategists." However, it is unclear as to:

<!--[if !supportLists]-->• <!--[endif]-->Who will set up this committee?

<!--[if !supportLists]-->• <!--[endif]-->Who will select the committee

members?

Many of the issues noted in the resolution, for example, homelessness and response to COVID are being addressed by current committees established by the City Council, and others by the county.

Also, in question is whether or not this resolution was reviewed with the neighborhood Council oversight committee of the RNCC since they represent the Richmond residents.

Responses to these questions, and, conversations with the community have yet to be addressed. Such a resolution calls for a more transparent review, discussion, and welcomed participation of the Richmond Community.

Thank you for your time.

Katrinka Ruk

Executive Director

Katrinka Ruk
Executive Director
Council of Business & Industries
510)260-4820 cell
www.councilofindustries.com

From: [Cordell Hindler](#)
To: [City Clerk Dept](#)
Subject: K-5 Council as a whole
Date: Thursday, April 15, 2021 4:43:47 PM

good evening Mayor Butt, Council Members and city Staff, I have a couple of comments in Related to the item.

1. It is Not Right for the council to pull Agenda Items off the consent calendar without talking to city staff at the right time.
2. I would Recommend that the Public Speak First, then the council to make a smooth transition

Sincerely
Cordell

From: [Carol Hegstrom](#)
To: [City Clerk Dept](#)
Subject: CORRECTION public comment item #K-6
Date: Tuesday, April 20, 2021 10:50:32 AM

Good evening. My name is Carol Hegstrom and I serve on the Richmond Fund for Children and Youth Oversight Board. The oversight board has shepherded the Department of Children and Youth through the development of the grant, including the creation of the strategic investment plan (which was approved by the city council on December 15, 2020), and the creation of the Request for Proposals which was released on January 1, 2021. The grant applications were due February 22, 2021 and the review of the grant applications started in early March. Several wonderful grant applications have been submitted (including some from city departments), I strongly urge you to oppose item #K-6, for the reason that it is simply too late in the process. The appropriate time to address concerns about the RFP was before the application deadline. Furthermore, stopping the review process now to allow for additional grant applications to be submitted is not only unfair to the current applicants, but it could have devastating impacts on proposed summer programs. Applicants need to know whether they will receive funding in order to prepare for their summer programs. Delaying the date by which the decisions will be released could make it extremely difficult if not impossible for organizations to hire staff and recruit participants. Hundreds of children may not be able to participate in summer programs this year if the dates are pushed back. The consequences of item K-6 are too great. If the council wishes to address the issues raised, it should do so with an eye to changing the rules for the 2022-2023 grant cycle. It is simply too late to make changes to this year's RFP. Thank you for your care and consideration for Richmond's children and youth and of the wonderful organizations that serve them.
Carol Hegstrom
510-478-4738

From: [Dennis Hicks](#)
To: [City Clerk Dept](#)
Subject: 4-20-2021 Agenda Item K-7
Date: Tuesday, April 20, 2021 9:41:26 AM

To the Honorable Mayor Butt and Members of the Richmond City Council,

As a longtime City of Richmond resident, I am sending this e-mail to you to express my deep concern regarding the recent action of the City Council that may place the City of Richmond in legal risk and financial peril. You, the Richmond City Council, have apparently made a decision not to defend the lawsuits challenging the Point Molate Project. This apparently was done in closed session and without public comment. Your decision may violate Agreements made by the previous City Council.

I spent 2-two year terms on the WCCUSD Citizens Bond Oversight Committee. During this time I gained some knowledge of the Brown Act and it appears to me that your referenced actions do not seem to follow the Brown Act mandates for public officials. If so, not only are you violating public policy, but you are putting the citizens of Richmond in financial risk.

We will be here long after you terms in office have expired.

Please do the right thing and rescind your recent decision regarding the Point Molate Project and reach out to the citizens of Richmond for public debate and discussion before you make any rash decisions.

Thank you,
Dennis Hicks
5212 Macdonald Ave.
Richmond, Ca.

From: [Derek Cole](#)
To: [City Clerk Dept](#)
Subject: Item k-7 Protect Richmond's Working Families- Defend the Pt. Molate Project-
Date: Tuesday, April 20, 2021 1:00:21 PM

Mayor and City Council;

As a member of IBEW Local 302 and Contra Costa County resident I urge you to not be reckless with Richmond's future by failing to defend the City's approval of the Pt. Molate project. The City will be in violation of a court order and its agreement with the developer if you do so. The City will be sued with the potential loss of tens of millions of funds that are needed for vital city services. Thousands of low income residents will be harmed. Defending your approval of the Pt. Molate project won't cost Richmond residents a dime since the developer is covering the City's legal fees.

We can't afford to lose the thousands of jobs, the workforce housing and the recreational opportunities the Pt. Molate project will bring our City. AND we certainly can't afford to lose millions from the General Funds that is likely to occur when we get sued!

Derek Cole Sr.

Assistant Business Manager
IBEW Local 302

1875 Arnold Drive
Martinez, CA 94553
PH: (925) 228-2302
Fax: (925) 228-0764

www.ibewlu302.com

www.norcal-jatc.com

www.norcalvdv.org



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From: [Doria Mueller-Beilschmidt](#)
To: [City Clerk Dept](#)
Cc: [Tom Butt - external](#); [Nat Bates](#); [Claudia Jimenez](#); [Demnlus Johnson](#); [Gayle McLaughlin](#); [RichCityServant@gmail.com](#); [Melvin Willis](#); [Lina Velasco](#); [Laura Snideman](#); [Teresa Stricker](#)
Subject: Public Comments – Open Session prior to Closed Session
Date: Tuesday, April 20, 2021 8:12:56 AM

Dear City Clerk, City Council Members, Mayor and Staff,

I am writing to urge you to take Item K-7 off today agenda so that the City will be able to settle the lawsuits and litigation related to Point Molate without further wasting of our limited resources.

I am in support of the Point Molate Community Plan and the efforts of the Point Molate Alliance on behalf of our entire community and beyond.

Thank you.

Doria Mueller-Beilschmidt
Richmond Resident
510-815-1681

From: [Huahui](#)
To: [City Clerk Dept](#)
Date: Tuesday, April 20, 2021 10:19:42 AM

Mayor and City Council,

As a Richmond resident I urge you to not be reckless with Richmond's future by failing to defend the City's approval of the Pt. Molate project. The City will be in violation of a court order and its agreement with the developer if you do so. The City will be sued with the potential loss of tens of millions of funds that are needed for vital city services . Thousands of low-income residents will be harmed. Defending your approval of the Pt. Molate project won't cost Richmond residents a dime since the developer is covering the City's legal fees.

We can't afford to lose the thousands of jobs, the workforce housing, and the recreational opportunities the Pt. Molate project will bring our City. AND we certainly can't afford to lose millions from our General Funds that is likely to occur when we get sued!

Thanks

From: [Huajun Feng](#)
To: [City Clerk Dept](#)
Subject: Public Hearing Item K-7 Pt. Molate
Date: Tuesday, April 20, 2021 11:05:32 AM

Mayor and City Council,

As a Richmond resident I urge you to not be reckless with Richmond's future by failing to defend the City's approval of the Pt. Molate project. The City will be in violation of a court order and its agreement with the developer if you do so. The City will be sued with the potential loss of tens of millions of funds that are needed for vital city services . Thousands of low-income residents will be harmed. Defending your approval of the Pt. Molate project won't cost Richmond residents a dime since the developer is covering the City's legal fees.

We can't afford to lose the thousands of jobs, the workforce housing, and the recreational opportunities the Pt. Molate project will bring our City. AND we certainly can't afford to lose millions from our General Funds that is likely to occur when we get sued!

Thanks

From: [Janet at Sunflower Alliance](#)
To: [Janet Johnson](#)
Cc: [Nat Bates](#); [Claudia Jimenez](#); [Demnlus Johnson](#); [Gayle McLaughlin](#); [Eduardo Martinez](#); [Melvin Willis](#); [Lina Velasco](#); [Laura Snideman](#); [Teresa Stricker](#); [City Clerk Dept](#); [Tom Butt - external](#); [Cc: John Gioia](#); [Uche](#)
Subject: Fwd: Public Comments – Agenda Item K-7: correction
Date: Tuesday, April 20, 2021 1:04:10 PM

Dear Clerk and City Council members,

I am writing on behalf of the Coordinating Committee of Sunflower Alliance. We are deeply concerned about the environmental justice and health implications of sea level rise for South Richmond communities.

In case you missed it, let me quote from an interview with Dr. Kristina Hill, who will be presenting on this topic tonight:

[A recent report by Silvestrum Climate Associates, a private environmental consulting firm, found this could affect communities with a mile of the Bay Area coast. Hill and her colleagues have analyzed data and found the water below someone's backyard is typically within 6 feet of the surface of the ground, and often just 1-2 feet below the surface.](#)

What "this" means for Richmond's Southside communities is that the toxic chemicals at the Zeneca site will migrate a mile from the site: Crescent Park, parts of Laurel Park, Easter Hill, the Panhandle Annex, the Richmond Annex, and nearly all of Marina Bay are located within a mile of the site. Unless this site is cleaned up to residential standards, vapor from such enormously toxic contaminants on the site like TCE and dioxin will penetrate concrete and sewer lines, infiltrate basements and crawl spaces, and add to the health burden already suffered by these communities.

Residents of these communities are continually exposed to other toxic air pollution from Chevron, the freeways, as well as the Levin Terminal's coal and petcoke piles—some for their whole lives. The cumulative effects of these exposures already put these people's health at risk.

If government officials in New York state could have gone back in time and prevented the Love Canal catastrophe in advance, they certainly would have done so. We can prevent a public health and environmental justice tragedy in advance. The estimate for a full cleanup is \$50 to \$100 million. Even at twice the cost, that's a fraction of the worth of the development and AstraZeneca's net worth. Besides, AstraZeneca is insured through AIG for \$100 million for the cleanup.

We're asking you to halt any progress on this development, settle the lawsuit, and demand through our state legislators to clean up the site to residential standards. That is what the community and the council has repeatedly demanded for years—and the community voted the progressive majority to the council last year for the same reason.

Thank you for your consideration.
Janet Scoll Johnson

--

Janet Scoll Johnson
pronouns: she/her
[Sunflower Alliance](#)
[Richmond Shoreline Alliance](#)

“You can’t go back and change the beginning, but you can start where you are and change the ending.” —C.S. Lewis

--

Janet Scoll Johnson
pronouns: she/her
[Sunflower Alliance](#)
[Richmond Shoreline Alliance](#)

“You can’t go back and change the beginning, but you can start where you are and change the ending.” —C.S. Lewis

From: [Jeannette Kortz](#)
To: [Gayle McLaughlin](#); [claudia jimenez](#); [richcityservant](#); [Demnlus Johnson](#); [Nat Bates](#); [Tom Butt - external](#); [Melvin Willis](#); [Lina Velasco](#); [Laura Snideman](#); [Teresa Stricker](#)
Cc: [City Clerk Dept](#)
Subject: Public Comments –1) Open Session prior to Closed Session, 2) Public Comments – Agenda Item K-7
Date: Tuesday, April 20, 2021 7:52:52 AM

Dear City Council, City Manager, City Attorney, and Community Development Director,

I urge the Mayor to take his item, K-7, off the City Council's open session agenda to protect the City's ability to settle the lawsuits and avoid further litigation. Mayor Butt has put the best interests of the City of Richmond in danger. Richmond faces multiple lawsuits over Point Molate due to the City's actions, both recent and over the years.

Almost all lawsuits are settled through negotiations that take place in closed sessions. But the Mayor has instead attacked a fellow Councilmember, Gayle McLaughlin, in public and is acting like the Point Molate lawsuits have no merit.

The Mayor's attacks and threats damage the City's ability to work out settlement options and will cost the City extra money. Lawsuits cannot be successfully negotiated or settled in public.

The City needs to explore settling the lawsuits in an open-minded fashion and take them seriously. After all, the lawsuits would not exist if the previous City Council had not made so many mistakes in its decision-making and approval processes.

Please support the City Council proceeding in closed sessions with settling the lawsuits once and for all in the interests of the people of Richmond.

Thank you for your time.

Sincerely,

Jeanne Kortz
Richmond Resident since 2006

From: [Jeffrey Kilbreth](#)
To: [Tom Butt - external](#); [Nat Bates](#); [Claudia Jimenez](#); [Demnlus Johnson](#); [Gayle McLaughlin](#); [richcityservant](#); [Melvin Willis](#); [Lina Velasco](#); [Laura Snideman](#); [Teresa Stricker](#); [City Clerk Dept](#)
Subject: Public Comments Agenda Item K7
Date: Tuesday, April 20, 2021 12:58:47 PM

The Mayor sent out an eForum newsletter suggesting that the City Attorney should not have sent a letter to SunCal and Levine's attorneys saying that the City would not defend against the two Point Molate lawsuits. It seems to me that it was a big mistake. How did the letter come to be sent out? Who authorized the letter being sent out?

Sincerely,

Jeff Kilbreth

From: [jzaldivarhn](#)
To: [City Clerk Dept](#)
Subject: Public Hearing Item K-7 Pt. Molate
Date: Tuesday, April 20, 2021 11:02:00 AM

Mayor and City Council,

As a Richmond resident I urge you to not be reckless with Richmond's future by failing to defend the City's approval of the Pt. Molate project. The City will be in violation of a court order and its agreement with the developer if you do so. The City will be sued with the potential loss of tens of millions of funds that are needed for vital city services . Thousands of low-income residents will be harmed. Defending your approval of the Pt. Molate project won't cost Richmond residents a dime since the developer is covering the City's legal fees.

We can't afford to lose the thousands of jobs, the workforce housing, and the recreational opportunities the Pt. Molate project will bring our City. AND we certainly can't afford to lose millions from our General Funds that is likely to occur when we get sued!

Atte.

Juan Zaldivar

+510 621-4047

From: [Larissa Kelly](#)
To: [City Clerk Dept](#); [Nat Bates](#); [Claudia Jimenez](#); [Demnlus Johnson](#); [Gayle McLaughlin](#);
[RichCityServant@gmail.com](#); [Melvin Willis](#); [Lina Velasco](#); [Laura Snideman](#); [Teresa Stricker](#); [Tom Butt - external](#)
Subject: 1) Public Comments – Open Session prior to Closed Session 2) Public Comments – Agenda Item K-7
Date: Monday, April 19, 2021 10:09:16 PM

Hi all,

Just wanted to say that I hope the city of Richmond will take whatever steps are necessary to push forward with the current plan for building housing at Point Molate, The Bay Area desperately needs more housing units and Point Molate is a good place to put them - it's part of a reasonably dense city with access to transit, it's a site with a long history of human use, and the issues concerning development at the site have been exhaustively studied for more than two decades. As climate change bears down on us, it's important to think about the environment from a regional and not just a local perspective. If housing isn't added in coastal cities like Richmond, that just encourages sprawl and all the accompanying problems of greenfield habitat loss, long commutes, and danger from fires.

It's been frustrating to see local homeowners try to prevent new housing by subjecting Richmond to financially draining lawsuits. I hope the council will stand up to these tactics, and that individual members will use their influence to convince the people bringing the lawsuits that such efforts are deeply counterproductive from the civic and environmental standpoints.

Thanks for your time,
Larissa Kelly
District 6

From: [Mike Lewis](#)
To: [City Clerk Dept](#)
Date: Tuesday, April 20, 2021 11:38:16 AM

Mayor and City Council,

As a Richmond resident I urge you to not be reckless with Richmond's future by failing to defend the City's approval of the Pt. Molate project. The City will be in violation of a court order and its agreement with the developer if you do so. The City will be sued with the potential loss of tens of millions of funds that are needed for vital city services. Thousands of low-income residents will be harmed. Defending your approval of the Pt. Molate project won't cost Richmond residents a dime since the developer is covering the City's legal fees.

We can't afford to lose the thousands of jobs, the workforce housing, and the recreational opportunities the Pt. Molate project will bring our City. AND we certainly can't afford to lose millions from our General Funds that is likely to occur when we get sued!

Thanks

Mike Lewis

[Sent from Yahoo for iPhone](#)

From: [Omar Duran](#)
To: [City Clerk Dept](#)
Subject: Item k-7 Protect Richmond's Working Families- Defend the Pt. Molate Project
Date: Tuesday, April 20, 2021 9:18:39 AM

Mayor and City Council;

As a Richmond resident I urge you to not be reckless with Richmond's future by failing to defend the City's approval of the Pt. Molate project. The City will be in violation of a court order and its agreement with the developer if you do so. The City will be sued with the potential loss of tens of millions of funds that are needed for vital city services. Thousands of low income residents will be harmed. Defending your approval of the Pt. Molate project won't cost Richmond residents a dime since the developer is covering the City's legal fees.

We can't afford to lose the thousands of jobs, the workforce housing and the recreational opportunities the Pt. Molate project will bring our City. AND we certainly can't afford to lose millions from our General Funds that is likely to occur when we get sued!

Respectfully, concerned Richmond resident, Omar Duran

Sent from my iPhone

From: [Tom Lawson](#)
To: [City Clerk Dept](#)
Subject: Public comments agenda item K-7
Date: Tuesday, April 20, 2021 12:10:10 PM

Good evening Mayor, Councilmembers, and staff,

Directing the City Attorney not to defend the City's approval of the Pt. Molate project puts the City in violation of its agreement with the developer and a court order. Defending your approval of the Pt. Molate project won't result in any cost to Richmond's residents as the developer is covering the City's legal fees. Please do not risk the loss of tens of millions of dollars that are needed for vital city services in Richmond.

Not only are you risking the loss of jobs, the workforce housing and recreational opportunities this project will bring, you will be risking millions from the City's General Funds if sued over this.

Please put aside any personal feelings and do what is best for all the citizens of Richmond regarding this matter.

Thank you,

Tom Lawson

Business Manager

Plumbers & Steamfitters, UA Local 159

Office: 925-229-0400

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