

Community Services Building  
440 Civic Center Plaza  
Richmond, CA 94804

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**A. OPEN SESSION TO HEAR PUBLIC COMMENT BEFORE CLOSED SESSION**

The Richmond City Council Evening Open Session was called to order at 5:00 p.m. by Mayor Thomas K. Butt via teleconference.

**B. ROLL CALL**

**Present:** Councilmembers Nathaniel Bates, Claudia Jimenez, Demnlus Johnson III, Gayle McLaughlin, Melvin Willis, and Mayor Thomas K. Butt. **Absent:** Vice Mayor Eduardo Martinez arrived after the roll was called.

**C. CLOSED SESSION**

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

- SPRAWLDEF et al. v. City of Richmond
- The Guidiville Rancheria of California, et al. v. The United States of America, et. al.
- North Coast Rivers Alliance et al./Point Molate Alliance et al. v. City of Richmond
- Richard Katz, et al. v. City of Richmond, et al.

**C.2 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Significant exposure to litigation pursuant to paragraph (2) or (3) of Subdivision (d) [as applicable] of Government Code Section 54956.9)**

• **Three Cases**

In light of the California Court of Appeal's decision in Fowler v. City of Lafayette, the City Attorney's Office is attaching to this agenda four communications 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) and (e)(3).

**C.3 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)**

- Title: City Attorney
- Title: Community Police Review Commission Investigative Officer

**C.4 CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)**

- Property: Terminal One Agency negotiators: Shasa Curl and Lina Velasco  
Negotiating parties: Terminal One Development LLC  
Under negotiation: Price and terms of payment

**C.5 PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6)**

- Title: City Manager

**D. PUBLIC COMMENT BEFORE CLOSED SESSION**

There were no public comments via teleconference.

**E. ADJOURN TO CLOSED SESSION**

The Open Session adjourned to Closed Session at 5:02 p.m. Closed Session adjourned at 7:12 p.m.

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

The Regular Meeting of the Richmond City Council was called to order at 7:18 p.m. by Mayor Butt via teleconference.

**G. ROLL CALL**

**Present:** Councilmembers Nathaniel Bates, Claudia Jimenez, Demnlus Johnson III, Gayle McLaughlin, Melvin Willis, Vice Mayor Eduardo Martinez, and Mayor Thomas K. Butt. **Absent:** None.

**H. PUBLIC COMMENT INSTRUCTIONAL VIDEO**

The public comment instructional video was shown.

**I. STATEMENT OF CONFLICT OF INTEREST**

None.

**J. AGENDA REVIEW**

Item O.2 was moved for discussion immediately following the Open Forum.

City Clerk Pamela Christian announced a correction to the recommended action for Item O.1. on the second line that read, "*APPROVE a contract amendment no. 2 with SCI Consulting Group modifying the potential vacant ~~pareet~~ property tax service plan to include Phase III tasks*".

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

Interim City Attorney Dave Aleshire reported there were no reportable actions for items C.1, C.2. or C.3. The council discussed Item C.4, regarding the Terminal One negotiation, and there was a vote to ask Terminal One to provide a pro forma in connection with the property negotiations. The council discussed Item C.5, regarding making an appointment to the position of city manager, and direction was given to the city attorney to determine potential terms of an agreement.

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

Interim City Manager Shasa Curl reported that the Food Bank of Contra Costa and Solano had returned to the Richmond Civic Center for drive-through supplemental food distribution on February 24, 2022. More information was available by calling (855) 309-3663. Ms. Curl announced that the City of Richmond's Sewer Lateral Grant Program was available and accepting applications. More information was available by calling the Water Resource Recovery Division at (510) 620-6594.

**M. CRIME REPORT FROM INTERIM POLICE CHIEF - 3rd Tuesday (public comment allowed under Open Forum)**

Acting Chief Louie Tirona reported that the total violent and property crimes were reduced by 16% since the last report. Robberies increased by 1% and vehicle burglaries decreased by 39%. The total property crime reduction was 21%. Thirty-two firearms were safely recovered. Ninety-seven vehicles were towed year-to-date for expired registrations compared to 1,047 vehicles impounded in the year 2021.

**N. OPEN FORUM FOR PUBLIC COMMENT**

The following individuals gave comments via teleconference:

Marisol Cantu gave comments in support of the United Steel Workers International Union workers that were still without a contract at the Richmond Chevron Refinery. Ms. Cantu expressed concerns for the health and safety of the workers and community. Ms. Cantu advised that the workers were holding weekly rallies at the refinery every Thursday.

David Hanks expressed concerns regarding the City of Richmond's moratorium on residential tenant evictions that was causing issues for him to settle an estate.

Naomi Williams acknowledged Acting Police Chief Tirona for his work. Ms. Williams inquired about a settlement for the city manager position and advocated for Interim City Manager Shasa Curl.

Councilmember Bates gave comments regarding a previous council action to file a lawsuit against Caltrans for neglecting to clean-up the freeway. Councilmember Bates acknowledged Caltrans for its recent clean-up efforts in certain areas of Richmond and suggested the City of Richmond express its appreciation. Councilmember Bates recommended staff provide Caltrans with photos of other neglected areas in Richmond.

**O. STUDY AND ACTION SESSION**

**O.1 Receive an Update from SCI Consulting Group on the Potential Vacant Property Tax Ballot Measure and Provide Direction**

RECEIVE a presentation on the potential Vacant Property Tax ballot measure; PROVIDE DIRECTION on next steps; APPROVE a contract amendment no. 2 with SCI Consulting Group modifying the potential vacant parcel tax service plan to include Phase III tasks, increasing the payment limit by \$46,500, for a total not to exceed amount of \$111,770, and extending the term to December 31, 2022; and APPROPRIATE \$46,500 for the contract expenditure to the Fiscal Year 2021-2022 Budget - City Manager's Office (Shasa Curl/Lina Velasco 510-620-6512).

The matter was introduced by Interim City Manager Shasa Curl. Ms. Curl, Director of Community Development Lina Velasco, SCI Consultant Group President John Bliss, and Senior Consultant Chris Coulter presented a Powerpoint that highlighted the following: background and goals; SCI work and experience; vacant property tax (VPT), phases, and timeline; VPT highest priorities and exemptions; and items for council direction. Discussion ensued. The council

suggested that the proposed measure needed the support of coalitions, unions, and an advocacy group to launch a campaign. The council also recommended encouraging property owners to either sell or develop their blighted property. The council expressed concerns that there was no sunset clause included in the proposed measure. Leisa Johnson and Naomi Williams gave comments via teleconference.

**Motion by Councilmember McLaughlin**

**Seconded by Councilmember Jimenez**

To extend the SCI contract not to exceed \$46,500 for said services; return to the council on March 1, 2022, with options for placing the proposed tax measure on either the June 2022 ballot (providing there was support for a campaign) or the November 2022 ballot; and appropriate the contract expenditure.

Ayes (6): Councilmember Jimenez, Councilmember Johnson III, Councilmember McLaughlin, Councilmember Willis, Vice Mayor Martinez, and Mayor Butt

Noes (1): Councilmember Bates

Passed (6 to 1)

## **O.2 Urban Tilth Presentation**

RECEIVE a presentation from Urban Tilth related to their growth in the areas of urban agriculture, youth employment, community clean-up efforts and activities along the Richmond Greenway – City Manager’s Office/Public Works Department (Shasa Curl/Joe Leach 620-6512).

Interim City Manager Shasa Curl introduced the matter. Ms. Curl, Urban Tilth Executive Director Doria Robinson, and Director of Public Works Joe Leach presented a PowerPoint that highlighted the following: Urban Tilth's mission and growth; Community Supported Agriculture Program; Richmond Greenway activities; North Richmond Farm Project and proposed damaging development; and call to action/get involved in 2022. Discussion ensued. The council recommended staff consider easing the permitting process and a fee waiver for non-profit organizations providing beneficial services to the Richmond community. Naomi Williams and Yenny Garcia gave comments via teleconference.

## **O.3 Vacant Seats on Richmond Boards, Commissions and Committees**

APPROVE recent resignations from City of Richmond boards, commissions, and committees; and ANNOUNCE vacancies as of January 19, 2022, and ask that interested individuals send applications to the City Clerk - Office of the Mayor (Mayor Tom Butt 510-620-6503).

**Continued to the March 22, 2022, City Council meeting.**

## **P. STATE OF THE CITY**

### **P.1 State of the City Address**

RECEIVE a presentation by Mayor Tom Butt of the annual State of the City Address – Office of the Mayor (Mayor Tom Butt 510-620-6503).

Mayor Butt presented the State of the City Address published at: <http://www.ci.richmond.ca.us/3539/State-of-the-City>. Yenny Garcia gave comments via teleconference.

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

Councilmember Willis reported that he attended the League of Women Voters Solving for Housing League Day held on February 19, 2022.

**R. ADJOURNMENT**

There being no further business, the meeting adjourned at 10:41 p.m., to meet again on Thursday, February 24, 2022, at 5:00 p.m. for a special meeting.

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Clerk of the City of Richmond

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Mayor

**From:** [Cordell Hindler](#)  
**To:** [City Clerk Dept User](#)  
**Subject:** public comments- Open Session prior to closed session  
**Date:** Thursday, February 17, 2022 3:11:16 PM

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Hello Mayor Butt, Council Members and Staff,

I have Some Comments in related to the Closed Session

1. I think that The City Attorney Has Done an Outstanding Job in following the direction of the Council
2. Also I must Commend Mr. Threets for his hard work in reviewing the evidence that is being taken care of.

And I would consider that the Next City Manager Would Display Professionalism and a sense of Elegance

Sincerely  
Cordell

**From:** [Cordell Hindler](#)  
**To:** [City Clerk Dept User](#)  
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Good Evening Mayor Butt, council Members and Staff.

I have a couple of Comments for the Record

1. for the March 22nd Agenda, The Council should invite DR Hurst to Provide an Update on the District
2. Also for the 22nd,

The Council should Reinstate the Standing Committees

Sincerely  
Cordell

**From:** [David Hanks](#)  
**To:** [City Clerk Dept User](#)  
**Cc:** [David Hanks](#)  
**Subject:** public comments – Open Forum 2/22/2022 6:30pm  
**Date:** Tuesday, February 22, 2022 11:43:00 AM

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To Mayor Butts and the City Council,

On March 23, 2021, this body passed, adopted and enacted Ordinance No. 02-21 N.S. titled: An urgency ordinance of the Richmond City Council enacting a temporary moratorium on certain evictions of residential tenants in Richmond impacted by the Covid-19 Pandemic through the state of the local emergency and sixty days thereafter.

The City of Richmond has an Owner Move In provision in the "Richmond Fair Rent, Just Cause Eviction, and Homeowner Protection Ordinance" that allows an owner of a property to evict a tenant if the owner intends to occupy or a qualified person intends to occupy the property as their residence and must certify for three years that the property is still occupied by the owner or qualified person. This provision of the Richmond Rent Ordinance has been put on a moratorium as the result of emergency Ordinance No. 02-21 N.S. so I assume that this moratorium can only be modified or eliminated by action of the City Council to reinstate all or part of the provisions of the Rent Ordinance.

I am the administrator of an estate that owns a single-family home in Richmond. This property was rented out when the owner's dementia progressed to where she required 24/7 care in an assisted living facility. In that facility she contracted Covid and died as a result. Now in settling the estate I have found that because of the Richmond moratorium on their own Rent Ordinance that the only way for a buyer of this property to be able to occupy this property as their own home is to invoke the state Ellis Act provisions for removing a rental property from the market. As a result, I am discovering that many potential buyers of this property are showing no interest in buying this property when they learn that they will have to gain occupancy through the Ellis Act. This has resulted in an impairment of the property value to the estate of over \$100,000 vs. similar properties that are selling that are not tenant occupied.

The decedent in my case was not ever able to move back into her home but if she had recovered and been able to move back home, the current environment in Richmond would have enabled the tenant to retain possession of the home and forced the owner to continue living in assisted living or

renting a different property. This does not seem to me to be in the public interest. Is it Richmond's stance that we would rather have a city full of rented properties than a city with a high owner occupancy rate.

This is one unintended consequence of the emergency ordinance and another is the downward pressure on property tax revenues since a property would sell for \$100,000+ less than its market value and I would think would be a defensible reason for a lower assessed value due to government restrictions on the property. You can choose to continue the eviction moratorium for non-payment of rent or other reasons but we are at the point in this Covid Pandemic where it would seem that enabling a tenant to have a superior right over the owner to occupy a single family residence is not in the public interest.

I hope this can be discussed at tonight's City Council Meeting which I will try to join via Zoom.

Sincerely,

David L Hanks

**David Hanks, CLPF, MBA**  
North Coast Fiduciary  
CA Licensed Professional Fiduciary #237



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Good Evening Mayor Butt, Council members and Staff,

I had been in Conversation with the Principal at EL Cerrito High, and she Is interested in hearing about the Youth Council

and so I have a Meeting with her on the 28th of Feburary to go into more detail on the Functions of the Youth Council

Sincerely  
Cordell

**From:** [Cordell Hindler](#)  
**To:** [City Clerk Dept User](#)  
**Subject:** public comments P.1 State of the City  
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Good Evening Mayor Butt, Council Members and Staff

this is the most well put together presentation that I have ever witnessed

I commend the Office of the Mayor for the slides

Sincerely  
Cordell