

RICHMOND, CALIFORNIA, March 22, 2022

Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

A. OPEN SESSION TO HEAR PUBLIC COMMENT BEFORE CLOSED SESSION

The Richmond City Council Evening Open Session was called to order at 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 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)

- Title: City Clerk

C.2 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (paragraph (1) of Subdivision [d] of Government Code Section 54956.9)

- Bashar Zeidan v. City of Richmond, et al.
- Randy Oliver v. City of Richmond, et al.
- Ricardo Hernandez v. Hodges
- City of Richmond v. Thomas K. Butt

C.3 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.4 PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6)

- Title: Community Police Review Commission Investigative Officer

C.5 CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

- Agency Representatives: Jack Hughes
Employee organizations:
 1. Richmond Police Officers Association RPOA

D. PUBLIC COMMENT BEFORE CLOSED SESSION

There were no public speakers via teleconference.

E. ADJOURN TO CLOSED SESSION

The Open Session adjourned to Closed Session at 5:01 p.m. Closed Session adjourned at 6:29 p.m.

F. REGULAR MEETING OF THE RICHMOND CITY COUNCIL

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

G. ROLL CALL

Present: Councilmembers Bates, Jimenez, Johnson III, McLaughlin, Willis, Vice Mayor Martinez, and Mayor 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

A motion was made by Councilmember Jimenez to add an emergency item to the agenda to discuss what was happening at the Richmond Chevron Refinery with the experienced workers on strike; and hear from the workers what were the risks to the community and safety associated with workers not operating the facility. City Attorney Dave Aleshire stated the following criteria for the council to add an emergency item to an agenda during a meeting: (1) determine that the need to take action on the item arose subsequent to the posting of the agenda; and (2) a four-fifths vote to make the determination. Mayor Butt ruled the motion out of order. A motion was made by Councilmember McLaughlin, seconded by Vice Mayor Martinez, to overturn the mayor's ruling and take a vote to add said emergency item. A substitute motion made by Councilmember Bates to allow all of the Chevron workers an opportunity to speak under the Open Forum to express their positions and concerns rather than adding an emergency item died for the lack of a second. The motion to overrule the mayor and call for a vote to add the emergency item passed by the following vote: **Ayes:** Councilmembers Jimenez, Johnson III, McLaughlin, Willis, and Vice Mayor Martinez. **Noes:** Mayor Butt. **Abstained:** Councilmember Bates. **Absent:** None. A motion made by Councilmember Jimenez, seconded by Councilmember McLaughlin, to add said emergency item to the agenda and hear about what the risks from not having experienced workers at the facility would be for the community passed by the following vote: **Ayes:** Councilmembers Bates, Jimenez, Johnson III, McLaughlin, Willis, and Vice Mayor Martinez. **Noes:** Mayor Butt. **Abstained:** None. **Absent:** None. Mayor Butt ordered that the emergency item be placed at the end of the agenda. A motion made by Councilmember Jimenez, seconded by Vice Mayor Martinez, to hear said emergency item after Item O.1 passed by the following vote: **Ayes:** Councilmembers Bates, Jimenez, Johnson III, McLaughlin, Willis, and Vice Mayor Martinez. **Noes:** Mayor Butt. **Abstained:** None. **Absent:** None.

EMERGENCY ITEM (added during Agenda Review): Councilmember Jimenez introduced the matter following Item O.1 and requested that the Chevron workers start their presentation. Mayor Butt ruled the timing of the presentation out of order. A motion made by Vice Mayor Martinez, seconded by Councilmember Jimenez, to suspend the rules and allow for a presentation by Chevron workers passed by the following vote:

Ayes: Councilmembers Bates, Jimenez, Johnson III, McLaughlin, Willis, and Vice Mayor Martinez. **Noes:** Mayor Butt. **Abstained:** None. **Absent:** None. Robert Travis of the United Steelworkers gave a brief overview of the Richmond Chevron Refinery workers contract negotiations that led to a labor strike. Mr. Travis advised that Chevron was running the refinery with inexperienced replacement workers and refused a safe and orderly shutdown. Mr. Travis expressed concerns for the safety of the community and requested the council's support. Discussion ensued. The following individuals gave comments via teleconference: Mark Wassberg, Richmond Proud (anonymous), Marisol Cantu, Don Gosney, John Varga, Elvira Figueroa, Linsi Crain, Lupe (last name not stated), Joe Puleo, Alfredo Angulo, Jessi Taran, Jamin Pursell, Elsa Stevens, and Hakim Johnson.

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

Interim City Attorney Dave Aleshire reported that the council authorized settlement negotiations concerning the Bashar Zeidan existing litigation. Mr. Aleshire also reported that the council voted 4-3 to seek to reduce the verdict for the Hernandez existing litigation.

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

Interim City Manager Shasa Curl encouraged the community to participate in a Community Budget Meeting on March 24 or 31, 2022. Additional information regarding budget meetings was available by calling the City Manager's Office at (510) 620-6512. Ms. Curl announced that Clean-Slate Day to assist individuals with expungements was hosted by the Reentry Success Center located at 912 Macdonald Avenue in Richmond on April 8, 2022. Additional information regarding the program was available by calling (510) 679-2112.

M. CRIME REPORT FROM POLICE CHIEF - 4th Tuesday (public comment allowed under Open Forum)

Acting Chief of Police Louie Tirona reported the following police activity since February 22, 2022: One homicide, twenty-three robberies, and an overall reduction in violent crime by 43%. An overall reduction in property crimes by 19% with forty-five total burglaries and twenty-nine vehicle burglaries. Total calls for service were 6,120. Chief Tirona advised that the Police Department and other city departments had been in communication with the Richmond Chevron Refinery's management and labor to ensure safety during the current labor strike.

N. OPEN FORUM FOR PUBLIC COMMENT

The following individuals gave comments via teleconference:

Jeanne Kortz, Sally Tobin, Pam Stello, and Jamin Pursell gave comments in support of the council's decision at its March 18, 2022, special meeting to not move forward with the formation of a community facility district for Point Molate. Ms. Stello suggested the city considered partnering with the East Bay Park District to pursue a future development at Point Molate.

Mark Wassberg gave comments against the Richmond Progressive Alliance.

Jessi Taran expressed concerns regarding actions against the unhoused residents at the Rydin Road encampment. Ms. Taran reported that police harassment increased at the encampment. Ms. Taran gave comments in favor of a tiny home village at Point Molate. Ms. Taran advised that the contract was expired for the Housing Consortium of the East Bay.

Elsa Stevens expressed concerns regarding routine inspections, minimum maintenance standards, and enforceable compliance at the Heritage Park senior apartments in Richmond.

Santiago Morales Valasquez reported inadequate repairs, rat infestation, and habitability issues at the rental property located at 325 28th Street in Richmond. Mr. Morales urged the council to implement inspections to verify repairs were completed correctly.

Diego Garcia and Aniceto Leon gave comments in support of Item Q.3 regarding sports fields. Mr. Garcia urged the council to support the proposed construction of a sports field and recreational facilities in the Richmond Hilltop area.

Nathaniel Bates advised that MacKenzie Scott, the former wife of Amazon.com's founder, announced that she was giving away another \$2.7 billion to charity. Mr. Bates recommended the City of Richmond requested some of the charitable funds for the unhoused, low-income housing, youth programs, and other projects as deemed by the mayor, council, and staff.

O. PUBLIC HEARINGS

Deputy City Clerk Ursula De Loa announced that it was time, pursuant to public notice, to hold a public hearing on the following item.

O.1 Redistricting Public Hearing

HOLD THE FIFTH PUBLIC HEARING AT 7:00 P.M. to receive public input on draft maps of voting district boundaries as part of the City's redistricting process; SELECT a map to establish district boundaries; and determine election sequence – City Clerk's Office (Pamela Christian 510-620-6513).

Deputy City Clerk Ursula De Loa introduced the matter. Senior Consultant Shalice Tilton of National Demographics Corporation presented a PowerPoint that highlighted the following: Redistricting process, rules, and goals; demographic summary of existing districts; draft maps and summary; City of Richmond Redistricting website; proposed sequencing; and prior public hearings and discussions. Discussion ensued. Mayor Butt declared the public hearing opened. The following individuals gave comments via teleconference: Mark Wassberg, Leisa Johnson, Oscar Garcia, Michael Gliksohn, Eunice (last name not stated), Jan Mignone, Susan Wehrle, Deborah McIntyre, Hulan Barnett, Nick Desposta, Garland Ellis, David Swanson, Shawn Dunning, Andre Shumake, Jane Courant, Marisol Cantu, Santiago Morales Valasquez, Norma (last name not stated), Jessi Taran, Edith Pastrano, Emily Ross, Jim Hanson, Dow Tunis, Bhavin Khatri, Sara Cantor, Rita Barouch, Elsa Stevens, Floridalma Bac, Joe Puleo, Don Gosney, Deborah Small, Sam Lewis, Steve Bischoff, Jan Diamond, and Deborah Bayer. Mayor Butt closed the public hearing. Further discussion ensued.

Motion by Councilmember Bates

Seconded by Councilmember Johnson III

To proceed with Map 102c.

No Action

Substitute Motion by Vice Mayor Martinez

Seconded by Councilmember Jimenez

Substitute motion to select Map 201.

Ayes (4): Councilmember Jimenez, Councilmember McLaughlin, Councilmember Willis, and Vice Mayor Martinez

Noes (3): Councilmember Bates, Councilmember Johnson III, and Mayor Butt

Passed (4 to 3)

P. BUDGET SESSION

P.1 Mid-Year Report on Fiscal Year (FY) 2021-22 Operating and Capital Improvement Budgets

REVIEW the Fiscal Year 2021-2022 operating and capital improvement budgets at mid-year; and ADOPT a resolution approving the proposed Fiscal Year 2021-2022 budget adjustments – City Manager’s Office/Finance Department (Shasa Curl/Anil Comelo/LaShonda White 510-620-6740).

Interim City Manager Shasa Curl introduced the matter. Ms. Curl presented a PowerPoint that highlighted background, accomplishments, and prior council questions with responses. Discussion ensued. The council urged staff to complete the ongoing class and compensation study for the council's review. John Varga and Deborah Small gave comments via teleconference. Further discussion ensued.

Motion by Councilmember Johnson III

Seconded by Councilmember Jimenez

To adopt said resolution approving proposed budget adjustments.

Ayes (7): Councilmember Bates, Councilmember Jimenez, Councilmember Johnson III, Councilmember McLaughlin, Councilmember Willis, Vice Mayor Martinez, and Mayor Butt

Passed (7 to 0)

Adopted Resolution No. 34-22

Q. STUDY AND ACTION SESSION

Q.1 Resolution of the Richmond City Council in Support of the People of Ukraine

ADOPT a resolution of the City Council of Richmond, California, in support of the people of Ukraine – Office of the Mayor (Mayor Tom Butt 510-620-6503).

(At 10:56 p.m. - a motion made by Councilmember Willis, seconded by Vice Mayor Martinez, to extend the meeting to complete Item Q.1 passed by the unanimous vote of the City Council).

Mayor Butt introduced the matter. Discussion ensued. The following individuals gave comments via teleconference: Mark Wassberg, Jessi Taran, and Deborah Small.

Motion by Mayor Butt

Seconded by Councilmember Willis

To adopt said resolution.

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

Absent (1): Councilmember McLaughlin

Passed (6 to 0)

Adopted Resolution No. 35-22

Q.2 Presentation of a Potential Revised Project for the Terminal One Site.

RECEIVE a presentation regarding a potential revised project for the Terminal One site from Terminal One Development LLC – City Manager’s Office/Community Development Department (Shasa Curl/Lina Velasco 510-620-6512).

Continued to the April 5, 2022, City Council meeting.

Q.3 Making Waves General Plan Amendment Presentation

RECEIVE a presentation regarding a proposed general plan amendment; and PROVIDE staff policy direction regarding the proposal to change the general plan land use classification of the site from Business/Light Industrial to Public Cultural Institutional for a school related sports field – Community Development Department (Lina Velasco/Hector Lopez 510-620-6706).

Continued to the April 26, 2022, City Council meeting.

Q.4 Improve Staff Morale

RECEIVE a presentation on ideas to maximize communication, raise employee morale, and to acknowledge the dedication of staff; and PROVIDE direction to staff - Councilmembers Melvin Willis (510-412-2050) and Claudia Jiménez (510-620-6565).

Continued to the April 26, 2022, City Council meeting.

Q.5 Receive an Update from PG&E Regarding Power Outages

RECEIVE a presentation from PG&E regarding power outages in Richmond – Public Works Department/City Manager’s Office (Samantha Carr/Joe Leach 510-620-6512).

Continued to the April 26, 2022, City Council meeting.

Q.6 Richmond Intermodal Transit Center Neighborhood Transformation Project

ADOPT a resolution confirming that the funding request for this project has the support of the Richmond City Council – Office of the Mayor (Mayor Tom Butt 510-620-6503).

Continued to the April 5, 2022, City Council meeting.

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

Councilmember Bates strongly recommended the council develop an organizational structure to prioritize business items.

S. ADJOURNMENT

There being no further business, the meeting adjourned at 11:10 p.m., to meet again on April 5, 2022, at 6:30 p.m.

Clerk of the City of Richmond

Mayor