

# 2019 Richmond Year End Review

## Mayor Tom Butt



December 31, 2019

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## Introduction

This year-end review is a departure from the format of the past few years (see [Happy New Year 2019!](#) January 1, 2019) and simply focuses on ten Richmond stories that define the year 2019. Part of my motivation for the format change is the time it takes, a commodity of which I seem to have less and less.

Despite some high profile turmoil, notably the firing of city manager Carlos Martinez and the termination of Police Chief Allyn Brown, and the usual bickering among City Council members, 2019 was a pretty good year for Richmond.

## National Community Survey



A preview of results of the 2019 [National Community Survey](#) are in, and the City of Richmond, as rated by its residents, continues to improve.

Most significantly, “Overall Quality of Life” increased nearly 19% since 2017 and 123% since 2007. After backsliding slightly in 2017, “Overall Image” increased over 13% in the past two years, more than doubling since 2007. Most ratings were similar to those of 2017.

The issue of “reducing crime and disorder” remained the number one concern of residents, with 92% rating it essential or very important. Other issues of high concern included:

- Improving environmental quality 88%
- Improving the financial stability of the city 88%
- Improving street paving conditions 88%
- Addressing blighted properties 82%
- Increasing economic development activities 82%



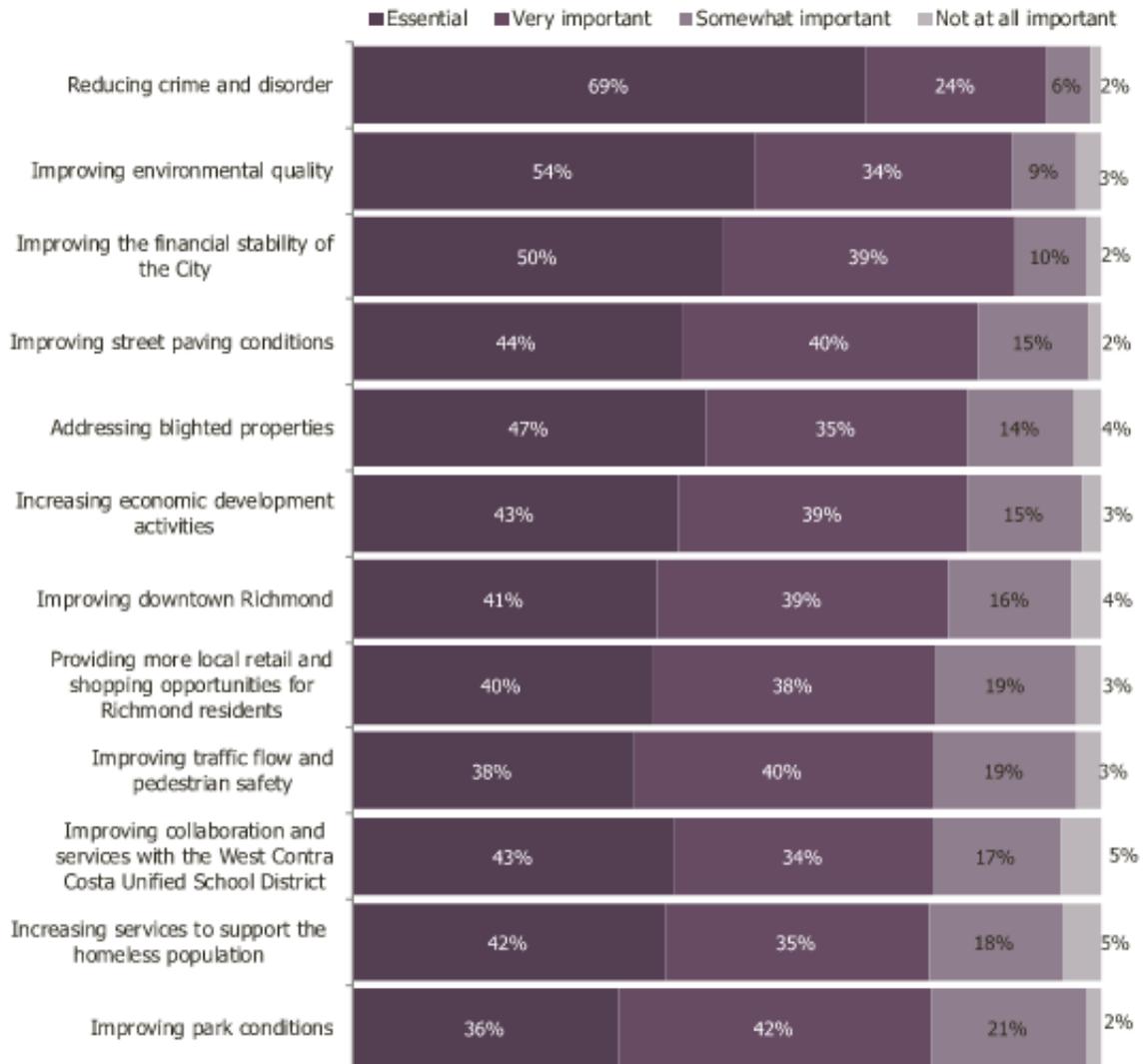
# Special Topics

The City of Richmond included five questions of special interest on The NCS, with topics related to the importance of City issues, resident health, concern of unfair treatment, and City priorities to support young people.

The City asked residents how important it was to address various issues in the next two years. Respondents felt that reducing crime and disorder, improving environmental quality, and improving the financial stability of the City were the most important, with about 9 in 10 rating these issues as essential or very important. At least half of residents felt the remaining issues were essential or very important, with the exception of expanding community wi-fi, which just under half of residents felt was at least very important (see Figure 4 and 5).

Figure 4: City Issues – Higher Importance

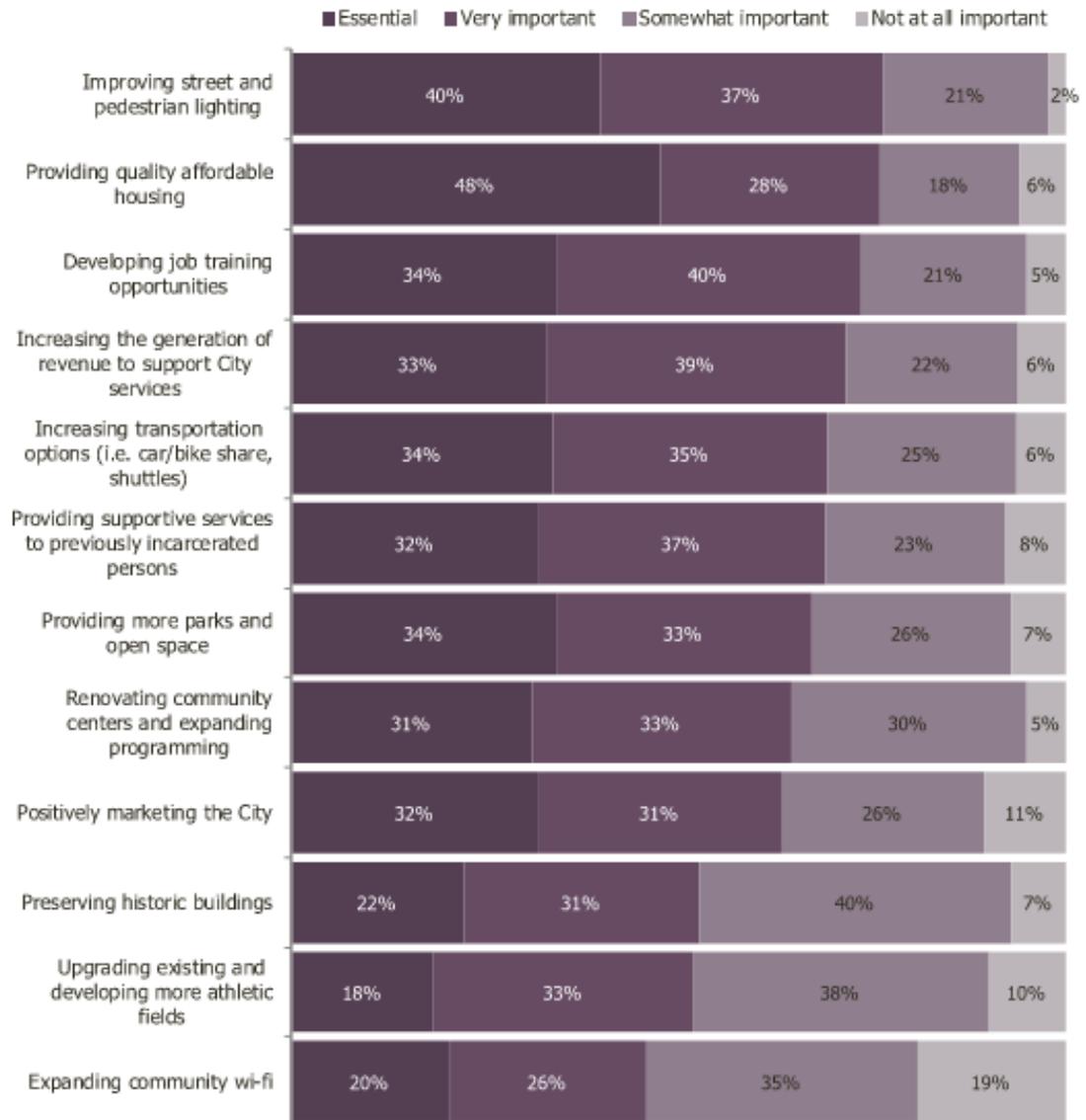
*How important, if at all, are the following issues for the City to address within the next two years?*



The National Community Survey™

Figure 5: City Issues – Lower Importance

*How important, if at all, are the following issues for the City to address within the next two years?*



## Crime

Crime, overall, has continued a downward trend, with Part 1 crimes (violent crime & Property crime) down 7% from this time last year.

We are currently at 17 homicides for the year including one officer Involved fatal shooting. We had a total of 17 homicides in 2018.

While the number of homicides so far this year is on par with our numbers from last year, we are encouraged by the reduced number of shooting victims this year. Besides the homicides, we've had 38 shooting victims, believed to be an all-time low.

## TOM BUTT E-FORUM

While I still post actively on the [TOM BUTT E-FORUM](#), I post much more frequently on Facebook, using several pages, including Tom Butt, Mayor Tom Butt and the REALRich. Facebook is much quicker than using the [TOM BUTT E-FORUM](#).

I started the E-FORUM 19 years ago in 2001 primarily to provide Richmond-related news, information and points of view not readily available in the mainstream media, although I have copied and shared a lot of articles from mainstream media over the years. Since then, the traditional print media covering Richmond has diminished even more, but on-line sources have picked up the slack, including sponsored outlets, such as [Richmond Standard](#). The academically-connected source, [Richmond Confidential](#), is active during the school year. You can sign up to receive a number of notifications from the City of Richmond, including the City Manager's Weekly Report at <http://www.ci.richmond.ca.us/list.aspx>.

The first E-FORUM was dated January 13, 2001, and carried information about obtaining public records from the City of Richmond.

E-FORUMS typically fall into three categories:

1. Copies of content from other media, including emails from other people and organizations announcing events or providing information.
2. Copies of content from other media with some preliminary editorializing by me.
3. Pieces that are primarily editorial or personal reports.

I have thousands of subscribers, including about 40 media contacts, on my current list, but I understand a lot more people get it through secondary distribution from primary addressees.

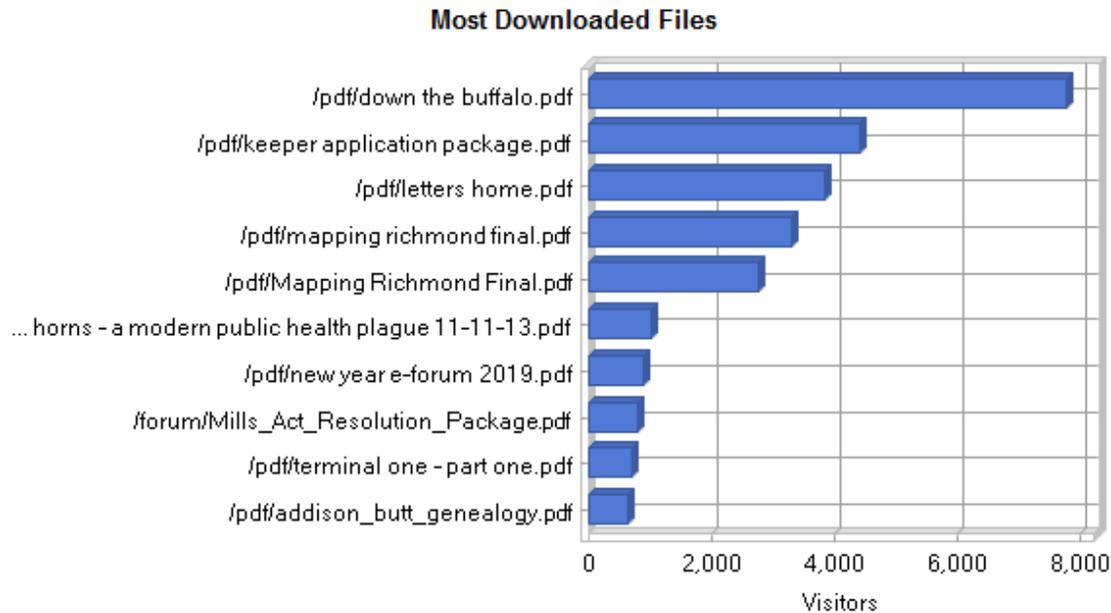
In addition to email distribution, all E-FORUMS beginning in 2001 are accessible on my website at <http://www.tombutt.com/e-forum/e-forum.htm> and <http://www.tombutt.com/archives.htm>.

The website, [www.tombutt.com](http://www.tombutt.com) gets a lot of traffic. In the past 12 months, there were 2,107,792 visitors and 3,918,583 hits.

The five most accessed posts were:

- Tom Butt E-Mail Forum, <http://tombutt.com/forum/2019/19-1-2.html>
- Confronting The Killings, <http://tombutt.com/media/010429A.htm>
- E-Mail Forum, <http://tombutt.com/forum/2013/130706a.htm>
- Tom Butt E-Mail Forum, <http://tombutt.com/forum/2016/16-12-18.html>
- Tom Butt E-Mail Forum, <http://tombutt.com/forum/2016/16-9-11b.html>

The five most downloaded files were:



- [http://tombutt.com/pdf/down the buffalo.pdf](http://tombutt.com/pdf/down%20the%20buffalo.pdf)
- [http://tombutt.com/pdf/keeper application package.pdf](http://tombutt.com/pdf/keeper%20application%20package.pdf)
- [http://tombutt.com/pdf/letters home.pdf](http://tombutt.com/pdf/letters%20home.pdf)
- [http://tombutt.com/pdf/mapping richmond final.pdf](http://tombutt.com/pdf/mapping%20richmond%20final.pdf)
- [http://tombutt.com/pdf/train horns - a modern public health plague 11-11-13.pdf](http://tombutt.com/pdf/train%20horns%20-%20a%20modern%20public%20health%20plague%2011-11-13.pdf)

## Mayoral Activities

In addition to presiding over nearly weekly meetings of the City Council, I represent Richmond directly or indirectly on the following regional agencies:

- Board member and past chair, [Local Government Commission](#)
- Commissioner, [BCDC](#)

- Chair, [Contra Costa LAFCO](#)
- Member, [League of California Cities, Environmental Quality Policy Committee](#)
- Member, [West Contra Costa Transportation Advisory Committee](#) (WCCTAC)
- Commissioner and past chair, [Contra Costa Transportation Authority](#)
- Board Member, Richmond Representative, Vice-chair, [MCE](#) (Marin Clean Energy)
- [Resilient by Design Bay Area Challenge](#), Executive Committee
- [Association of Bay Area Governments \(ABAG\)](#) Executive Committee Alternate
- Contra Costs Mayors Conference

I attended the following conferences:

- US Conference of Mayors Winter Meeting, Washington DC (included) a meeting with HUD)
- Local Government Commission Yosemite Policymakers Conference
- Climate Mayors' Summit, Honolulu
- US Conference of Mayors Summer Meeting, Honolulu
- Quarterly League of California Cities meetings
- US Conference of Mayors Youth Summit, Los Angeles
- US Conference of Mayors Committee on Arts and Culture (Burning Man)
- PromiseNet, Berkeley
- CALAFCO Annual Conference, Sacramento



Figure 1 – Being mayor is not all work and no play. This is Shirley and me at the US Conference of Mayors Committee on Arts and Culture at Reno and Black Rock City (Burning Man)

## Top Richmond Stories of 2019

### City Manager and Police Chief Purged - Five City Managers in 5 months!

#### Bill Lindsay

This story really begins in March of 2018 when City Manager Bill Lindsay announced his intention to retire ([City Manager Bill Lindsay to Retire, March 7, 2018](#)) by July 31, 2018.

The City Council scrambled to find a replacement, selected and entered into a contract with City Manager of East Palo Alto Carlos Martinez on August 8, 2018. ([Five-Year City Manager Contract with Carlos Martinez Approved](#), August 8, 2018). Councilmembers Willis and Beckles voted against hiring Martinez for reasons that are unclear other than general malcontent, perhaps a portent of what was to come.

However, due to his job at the time in East Palo Alto and vacation plans, Martinez was unable to take office until October 2018.

Less than nine months later, on July 23, 2019, the last scheduled meeting before the planned seven-week August hiatus, the City Council summarily fired City Manager Carlos Martinez on a 4-3 vote. For more details, see [The Gang that Couldn't Shoot Straight](#), July 25, 2019.



Figure 2 - Former City Manager Carlos Martinez

This surprised a lot of people. A month earlier, on June 25, 2019, the Richmond City Council had passed a balanced budget, and appeared to be on the way to an uneventful FY 2019-2020.

Unbeknownst at the time, the ouster of former City Manager Carlos Martinez probably began about March 1, 2019, when the budget process started, and the city manager:

...instructed staff to develop, based on their departmental needs a baseline budget, reallocating their resources to meet the City Council priorities.<sup>1</sup>

The initial budget report submitted to the City Council indicated a budget gap of \$7,593,162:

During the week of April 19 all city departments at a series of meetings presented and submitted their individual operational budgets to the City Manager. The purpose of this meeting was to review budget requests, to propose changes in staffing or the organizational chart, and to discuss the department reliance on cost recovery or General Fund support. Finance staff compiled the individual budgets on April 22, and on April 24, the City Manager asked Management staff to further scrub their individual budget to identify potential additional sources of revenues and reduction of expenditures while Finance staff continued refining the budget numbers. The result of these meetings was the preliminary first draft submitted to the City Council identifying a budget gap of \$7,593,162, based on \$172,796,469 of revenues, and \$180,389,631 of expenditures.<sup>2</sup>

On May 21, I met with former City Manager Martinez to discuss his plans for a balanced budget (The Charter states, "The Mayor shall work with the City Manager in preparing an annual budget for submission to the City Council.") It was in this meeting that he first showed me a plan that consolidated many departments and eliminated some department heads. He explained that it was essentially an implementation of the concepts advocated by consultant Russ Branson and a way to balance the budget without laying off any lower level employees and crippling the level of services received by residents. I was skeptical, but I appreciated the logic, and there were some on the layoff list that needed to be there.

About the same time, Martinez shared the layoff list with those affected, and the plan became more or less public knowledge. It was not received well by either employees or Council members.

On May 28, 2019, the City Council received an updated draft budget showing a \$3,298,474 deficit.

To engage the public, staff conducted two community meetings, one early in the process on May 20 during the day and another one on June 11 during the evening. This allowed residents more opportunities to ask staff questions, and participate in the process. During the City Council meetings on May 21 and 28, the Council received presentations from department representatives, providing an overview of their proposed operating and CIP budgets for FY 2019-20. Staff continued to explore options and implemented a number of measures to reduce the gap from \$7,593,162. During its meeting on May 28, the City Council received an updated draft budget that reflected a gap of \$3,298,474. Some cost-savings measures of note include: • Savings in Civic Center debt service - \$575,464 • Higher Property Tax and Sales Tax projections - \$1,714,500 • Reduction in insurance reserves allocations - \$2,427,859 Also during the May 28 meeting, the City Council received a presentation from Russ Branson of Public Financial Management (PFM) Group Consulting, LLC on the updated five-year forecast model and the organizational structure review.<sup>3</sup>

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<sup>1</sup> Item H-1 Staff Report for June 25, 2019

<sup>2</sup> *ibid*

<sup>3</sup> *Ibid.*

On May 28, 2019, Russ Branson of PFM made a real but pessimistic presentation showing the City's financial position declining steadily the next five years without significant corrections. Even worse was a projection that included a scenario of what would occur if a recession happened.. He emphasized the need to address rapidly rising personnel costs, the reduction in UUT revenue from Chevron and the potential imbalance between Kids First funding and Kids First obligations.

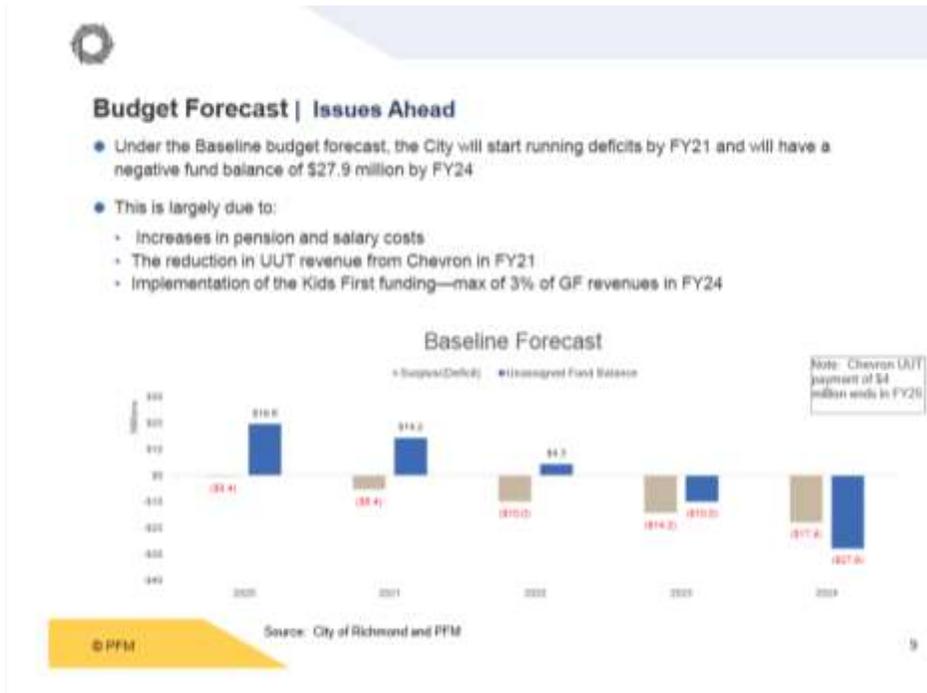


Figure 3 - Slide 9 of Russ Branson's May 28, 2019, budget presentation

Branson pointed out the comparatively high staffing levels of the Police Department and the unusually high number of departments that report directly to the city manager. He recommended a restructuring that would reduce direct reports from 21 to 8.

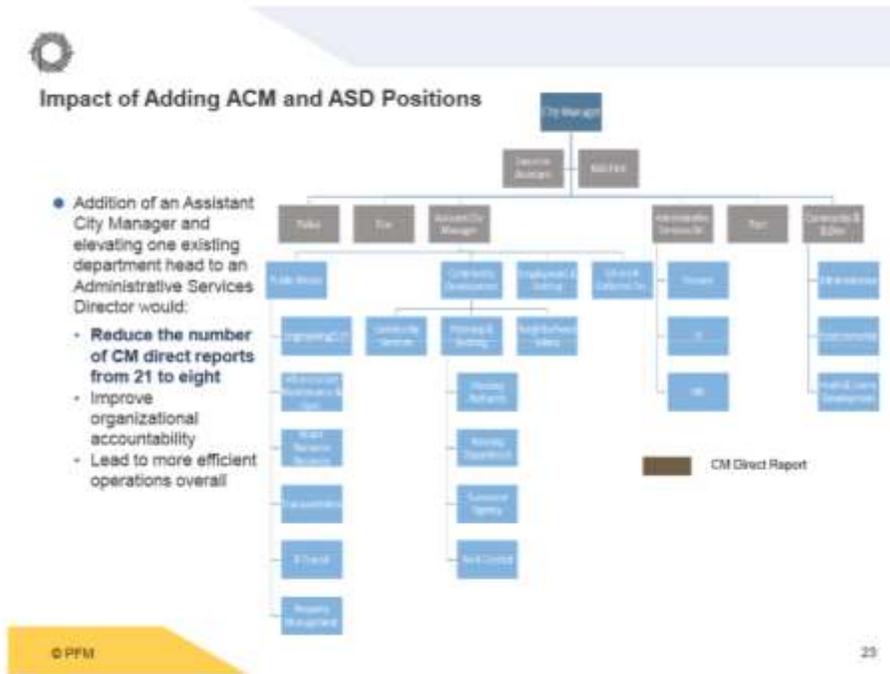


Figure 4 - Slide 23 from Russ Branson's presentation

The presentation was not well received by the City's bargaining units, including executive management, and some City Council members, who prefer good news of a rosy future consisting of rising revenues, increased wages and at least employment stability, if not an increase in the workforce. Some accused Martinez of hiding both financial data and money, misrepresenting the gravity of the situation, and not collaborating with the bargaining units, which had not had a cost of living raise in some five years.

By June, Martinez had decided to withdraw the plan and committed to find other ways to balance the budget.

At its June 4 meeting, the City Council d a revised draft budget which reflected a gap of approximately \$2 million, down from \$3.3 million. However, at that time, the budget proposal for an organizational restructuring would have bridged the \$2 million gap was withdrawn, and City staff and labor unions proceeded to collaborate on ways to close the gap without staffing reductions. A budget coordinating group convened meetings on June 10 and June 14. During these meetings the groups discussed short-term and long-term measures to reduce the budget gap and to address the projected structural deficits in future years. At its June 18 meeting, the City Council received an update on the discussions from the budget coordinating group, the balanced budget proposal for FY 2019-20. This proposal reflected a surplus of \$9,456.<sup>4</sup>

On June 25, 2019, the City Council adopted a balanced budget on a 6-1 vote, with Councilmember Bates dissenting.

<sup>4</sup> Ibid.

H-1. The matter to adopt resolutions approving: (1) Fiscal Year 2019-20 Annual Operating Budget and (2) Fiscal Years 2019-24 Five-Year Capital Improvement Plan was presented by City Manager Carlos Martinez and Finance Director Belinda Warner. Discussion ensued. The following individuals gave comments: Jill Perry, Sean Stalbaum, Bea Roberson, and Luis Padilla. A motion was made by Councilmember Martinez to approve the Fiscal Year 2019-20 Annual Operating Budget and Fiscal Years 2019-24 Five-Year Capital Improvement Plan and conduct meetings with staff, union representatives, and three members of the City Council to further discuss the budget. The motion was seconded by Councilmember Willis who offered a friendly amendment to not include the police sergeant promotion to lieutenant and keep the Fire Inspector position in the budget. City Manager Carlos Martinez stated that the Fire Inspector position would cost more than the promotion from sergeant to lieutenant; therefore, the budget would be unbalanced. Councilmember Willis withdrew his friendly amendment. The motion passed and Resolution No. 56-19, and Resolution No.57-19, respectively, were adopted by the following vote: Councilmembers Johnson III, Martinez, Myrick, Willis, Vice Mayor Choi, and Mayor Butt. Ayes: Noes: Councilmember Bates. Absent: None. Abstain: None.<sup>5</sup>

On the surface, calm was restored, but rumors persisted that the city manager's days were numbered. On July 9, I emailed City Manager Martinez:

I am hearing that there is a coup brewing that is supported by at least four councilmembers and egged on by the unions. I don't know if this means there will be a move to terminate you, or if they are simply posturing, but there are some very unhappy people out there. I don't know specifically who the four are, other than Demnlus. If I had to guess, the other three would be Nat, Eduardo and Melvin. They don't have a lot in common, but maybe they have found a common cause. My guess is that Melvin and Eduardo are carrying SEIU water, and Nat stays pretty much in a state of unhappiness.

As I understand it, the grievances include:

- Not happy about how the budget process went down with threats of massive layoffs. There is a perception that Belinda, Shasa and you collaborated on this. I don't know why the unions were so offended by this since few union members were on the list, but apparently they were.
- Appalled by the police chief's tone deafness regarding the ALPR.<sup>6</sup> He showed really poor judgment (with which I agree. I have already provided you my take on this fiasco)
- The rift between the police chief and RPOA is getting worse, not better.
- The relationship of the finance director and the police chief.
- Some people and unions believe you are inaccessible.
- People want to see you out in the community more.

I have some recommendations:

- Meet with each council member privately once a month for lunch or for at least an hour to find out what their issues are. Better sooner than later.
- Find a way to resolve the police chief related issues. This is the most serious problem.

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<sup>5</sup> Minutes of the July 25, 2019 City Council Meeting

<sup>6</sup> Despite repeated direction from the City Council, Chief Brown persisted in pushing a sole source contract with a vendor that violated City Policy for doing business with ICE.

It appears that SEIU and RPOA, who are traditional antagonists, have teamed up on this, seeing some kind of common ground.

On July 31, *The East Bay Express* reported:

In a hastily called closed session, the Richmond City Council voted Saturday to appoint a temporary city manager, which restored a degree of stability at City Hall after the council rashly fired City Manager Carlos Martinez last week.

The council appointed Henry L. Gardner by a unanimous vote. The former Oakland city manager has an impressive resume. He had the longest tenure of any city manager in Oakland's history and, in 1992, was named "The Most Valuable City Manager in the Country" by City and State Magazine. He later made his mark at Wall Street's Donaldson, Lufkin and Jenrette as the senior vice president of public finance in the Western Region. He also founded a consulting firm that advises western cities and counties on finance, governance, efficiency, and productivity.

Gardner has a working knowledge of Richmond. In February, he facilitated a retreat for city leaders to develop city priorities and goals. "Given the situation, I couldn't be happier," Mayor Tom Butt said. "We're not out of the woods yet, but we have some breathing room."

The city became suddenly rudderless last week when the council voted 4-3 to fire Martinez after just eight months on the job. The city now must pay \$350,000 in severance and begin the difficult search for a permanent manager. Councilmembers Demnlus Johnson, Eduardo Martinez, Nat Bates, and Melvin Willis voted to fire Martinez; mayor Tom Butt and councilmembers Ben Choi and Jael Myrick voted against the firing.

Martinez fell into disfavor with labor over recent contract negotiations. Some city unions have not had a Cost of Living Adjustment raise in four years. According to the SEIU representative, the delay has made it tougher for their employees to keep up in the expensive Bay Area. The city is still negotiating with Local 21, SEIU 1021, and IFPTE 21. However, Richmond has a "Me-Too" clause, which means if one union gets a raise, all five unions get a raise.<sup>7</sup>

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<sup>7</sup> East Bay Express, July 31, 2019, [Richmond Replaces City Manager Following Pressure From Unions, After suddenly firing City Manager Carlos Martinez last week, the Richmond council names temporary replacement over the weekend](#). John Geluardi

## Henry Gardner



Figure 5 - Henry Gardner

On July 27, 2019, the City Council convened in a special meeting to appoint, as a stop-gap measure, Henry Gardner as acting City Manager for a term of about two weeks.

City Attorney Bruce Goodmiller announced that Henry Gardner was appointed by the City Council to serve as acting city manager by the unanimous vote of the City Council.<sup>8</sup>

Gardner was available but had committed to another position in mid-August.

Henry L Gardner, a former city manager for Oakland who has advised dozens of cities and counties over several decades, was appointed as Richmond's interim city manager at a special council meeting today.

Gardner's appointment comes in the wake of a controversial 4-3 vote by the Richmond City Council on Tuesday to fire former City Manager Carlos Martinez, who clashed with the city's unions during negotiations over the city's budget deficit and labor contracts.

Following the decision Tuesday, the council appointed Rochelle Polk as acting city manager, apparently without her knowledge, as she declined the appointment Wednesday morning, leading to today's special council meeting.

Mayor Tom Butt, Vice-Mayor Ben Choi and Councilmember Jael Myrick voted to retain Martinez. Butt and Myrick have publicly criticized the union-pressured council decision as being done hastily and irresponsibly. The mayor detailed his take on what led to Martinez's firing here. Martinez, who leaves with a severance of one year's salary, \$260,000, per his contract, said he disagreed with his termination but respected the council's decision. He told the Standard the city and council have challenges ahead.

Gardner dives into the apparent chaos with a long resume of experience in both the private and public sectors, including in Richmond, where he facilitated a retreat in February to develop City

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<sup>8</sup> Minutes of City Council meeting of July 27, 2019.

Council priorities, according to Mayor Butt. Gardner was Oakland City Manager from 1981-1993, beginning the position at age 36, according to several biographies. He was named the nation's most valuable city manager in 1992 by City and State Magazine and has been the recipient of the National Forum for Black Public Administrators' Mark of Excellence Award, and the 1992 Selected Fellow of the National Academy of Public Administration. He would later launch a management consulting firm providing advice in finance, governance, efficiency, staff development and other areas. He served deputy executive director and executive director of the Association of Bay Area Governments (ABAG) from 2003-2010 before returning to consulting. In 2010, he headed Mayor Jean Quan's transitional team, and in 2014-2015 he served as interim Oakland city administrator to allow for transition.

Michelle Milam, head of the City's Crime Prevention Unit, was also a candidate for interim city manager.

"Henry is my mentor," Milam said. "And I am happy with the decision."<sup>9</sup>

### Steven Falk

On August 13, 2019, the City Council convened in yet another special session to confirm former City Manager of Lafayette as interim City Manager until January of 2020, presumably sufficient time to recruit a permanent city manager.

PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6): Title: Acting City Manager – the City Council appointed Steven Falk to serve as acting city manager at a contracted hourly rate of \$175, anticipated monthly hours 150, for a monthly total of \$26,250, and directed staff to place Mr. Falk's contract on the September 10, 2019, City Council agenda for final approval.<sup>10</sup>

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<sup>9</sup> Richmond Standard, [Former Oakland city manager appointed as Richmond interim city manager](#), July 27, 2019

<sup>10</sup> Minutes of City Council meeting of August 13, 2019.



Figure 6 - Former Lafayette City Manager Steven Falk was sworn in Tuesday as interim Richmond City Manager by Richmond City Clerk Pamela Christian. (Courtesy of Mayor Tom Butt)

On August 14, 2019, the Bay Area News Group reported:

RICHMOND — Weeks after Richmond’s city manager was [abruptly fired](#), former Lafayette city manager Steven Falk has been tapped to take his place on an interim basis.

Richmond city council members unanimously appointed Falk at a meeting Tuesday night where he was also sworn in, Mayor Tom Butt confirmed. City Councilman Demnlus Johnson was absent from Tuesday night’s vote.

Falk will start Thursday, Butt said. Henry Gardner — the former Oakland city manager who served as [acting city manager](#) in Richmond for the past few weeks — will be starting soon as chief of the Oakland-Alameda County Coliseum Authority. Gardner will be replacing Scott McKibben, who [resigned last week](#) amid questions over a stadium naming rights deal worth \$3 million.

Falk will be paid \$175 an hour per his contract, Butt confirmed. That’s the same as what outgoing Richmond city manager Carlos Martinez was making, the mayor said.

Falk’s contract runs until January. If a new city manager is appointed by then, the contract would end, Butt said. If a new city manager hasn’t been appointed by January, the contract could be renewed.

Falk served as city manager in Lafayette for 23 years, but resigned last September over the city’s opposition to new housing.

Voters rejected Measure L in June 2018, which would have allowed a 44-house development on a 22-acre parcel. And then Lafayette Mayor Don Tatzin and other city council members opposed AB 2923, which was approved by Gov. Gavin Newsom in October and allowed BART to authorize developments on its own properties near transit stations.

“It has become increasingly difficult for me to support, advocate for or implement policies that would thwart transit density. My conscience won’t allow it,” Falk wrote in his letter of resignation.<sup>11</sup>

Now, a matter of mere months after leaving Lafayette, Falk has been “drafted” out of retirement by the city of Richmond and its Mayor Tom Butt.

“I wasn’t looking for a job,” Falk said in an interview. “I had the fortunate experience to teach a Public Budgeting class in the masters program at CAL Berkeley this summer. It was during teaching the class that I got the call from Mayor Tom Butt, who asked if I was available to serve as interim city manager. The turnaround was essentially overnight. I learned on Thursday that I’d be starting the following Wednesday.”

Falk in late August began a five-month interim position after the previous city manager, Carlos Martinez, was fired in July 2019 after less than a year on the job. Martinez had been working to eliminate the city’s \$7.6 million budget deficit. Poor relations with labor unions and city workers and a proposed 2019-20 budget plan that included layoffs of department heads led to his precipitous departure.

“The first thing I did was ask my assistant to schedule meetings one-on-one with every department head in the city,” says Falk, two weeks into his new job. “There are 21, so I’m working my way down the list. I’m also meeting with all the union chiefs. There are six unions. I met with them today for a two-hour meeting. I pledged that I’d be open, honest and direct with them.”<sup>12</sup>

### Allwyn Brown

Meanwhile, over the 2019 Labor Day weekend, the [Richmond Police Officers Association announced a “no confidence” vote on Chief Allwyn Brown.](#)

By September 6, 2019, Chief Brown was gone, but under unclear circumstances

Mayor Butt and Richmond City Councilmembers:

Chief Allwyn Brown is currently out of the office. In his absence, I have appointed Assistant Chief Bisa French to serve as Acting Richmond Police Chief. In order to respect the privacy of Chief Brown, I am not at liberty to discuss details of this matter with you.

Thank you for understanding and for your continued support.

Steven Falk,  
Interim City Manager<sup>13</sup>

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<sup>11</sup> [Former Lafayette city manager to serve Richmond. Steven Falk was appointed interim city manager Tuesday, Ali Tadayan](#) Bay Area News Group, August 14, 2019

<sup>12</sup> East Bay Times, [Lafayette’s ex-City Manager Falk hits ground running on same role in Richmond](#), September 9, 2019

<sup>13</sup> Email from Steven Falk, September 6, 2019

By September 9, 2019, it was becoming clearer that [Brown would not be coming back](#).

The next day, September 10, it was [reported that Chief Brown had resigned](#), making the purge driven by the City's bargaining units complete.

Days after being placed on leave following an overwhelming vote of no confidence by his rank-and-file officers, Richmond Police Chief Allwyn Brown is out for good, the city manager announced Tuesday night at the start of the City Council meeting.

Interim City Manager Steven Falk acknowledged the "tumult" in the Police Department before saying he met with Brown on Tuesday and "Brown will no longer serve as police chief." He reiterated that Bisa French will move from acting police chief to interim police chief, which led to a round of applause by the audience.<sup>14</sup>



Figure 7 - Allwyn Brown

### [Laura Snideman](#)

The City Council quickly launched yet another recruitment, settling on Fairfield Assistant City Manager Laura Snideman as the next Richmond city manager. On December 17, the City Council approved the contract ([New City Manager's Contract on Agenda for December 17](#), December 15, 2019).

Since October 0f 2019, Richmond has gone through four city managers: Lindsay, Martinez, Gardner and Falk. Snideman will be the fifth in five months, probably a record.

In hindsight, if Carlos Martinez had fired Chief Brown and spent more quality time with the bargaining units, he might still be here, or at least avoided an abrupt termination.

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<sup>14</sup> San Francisco Chronicle, [Richmond police chief is out for good — new interim chief appointed](#)  
[Matthias Gafni](#) Sep. 10, 2019

## All-Male City Council Sworn In

For the first time since the early 1980s, the Richmond City Council consists of all males.<sup>15</sup> At the [swearing in of January 8, 2019](#), the Richmond Progressive Alliance contingent had been reduced from a supermajority to no more than three.<sup>16</sup>

In addition to the fresh face on the Council, the election brought about a major shift in the balance of power.

The Richmond Progressive Alliance no longer holds a supermajority. Before the election, five members of that political group held seats on the seven-member council. The RPA lost two seats in the election.

Also, the RPA's mayoral candidate, Melvin Willis, lost to Butt, though Willis retained his council seat.

When the supermajority held sway on the Council, meetings were contentious, often lasting past midnight. Members were characterized as resisting compromise.

"I'm looking forward to a City Council that is easier to work with," Butt said in an interview Tuesday. He served on the council for decades before becoming mayor in 2014. "The RPA was not willing to sit down and work through things."

In response, Martinez, a member of the RPA, said, "People who say that are looking at the RPA through an outdated political prism that has no concept of how an alliance works. The RPA makes compromises in policies, but never principles."<sup>17</sup>

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<sup>15</sup> Lavonne Niccolls retired in 1995, and she was the first female to serve in the 40 years preceding her election.

<sup>16</sup> Melvin Willis, Eduardo Martinez and Ben Choi, although Choi is rumored to have been quietly removed from RPA association.

<sup>17</sup> "Mayor, Councilmembers Sworn Into Office," Bay City News Service, Published 8:08 am PST, Wednesday, January 9, 2019



Figure 8 - New City Council members as of January 13, 2019

## Ferry Service a Huge Success

After over 15 years of advocacy, hurry and wait, and delays, ferry service from Richmond to San Francisco debuted before Sunrise on January 10, 2019.

It was great day for the City of Richmond, despite misgivings of the Richmond Progressive Alliance, expressed by Melvin Willis 2018:

But the possibility of an economic boom on the shoreline worries members of Richmond’s progressive political wing. Some are concerned that the ferry will speed up tenant displacement in one of the Bay Area’s least costly places to rent that is connected to a BART station”<sup>18</sup>

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<sup>18</sup> <https://www.sfchronicle.com/bayarea/article/Soon-to-open-Richmond-ferry-terminal-could-revive-13052464.php#>



Figure 9 - First Richmond Ferry boards at 6:10 AM, January 10, 2019

KCBS Radio reported:

The first new ferry route on San Francisco Bay in seven years made its debut on Thursday.

The 35-minute ride goes from Richmond to San Francisco and costs \$9 or \$6.75 for passengers with Clipper cards.

Richmond Mayor Tom Butt envisions it being a boon not only for commuters going into San Francisco, but also a lure to get visitors to explore the East Bay city, including the nearby national park honoring Rosie the Riveter and the country's domestic experience during World War II.

"It is a waterfront city," said Butt, noting that Richmond has more miles along the Bay's shore than any other city in the area. "Most of the significant growth in Richmond over the years has been on the waterfront."<sup>19</sup>

And the *San Francisco Chronicle* article followed with:

The first boat left the dock at 6:10 a.m. Thursday, but passengers were trotting down the gangway at Richmond's [new ferry terminal](#) long before then.

One hundred sixty-one riders were aboard the *Pisces* when it slid away from the pier, the first high-speed catamaran of a transit service that west Contra Costa residents have anticipated for years. Officials expect the 225-person capacity boat to fill up during rush hour as word spreads.

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<sup>19</sup> <https://kcbsradio.radio.com/blogs/kcbs-radio-midday-news/richmond-ferry-san-francisco-debuts?fbclid=IwAR1pn5Fhil2IUfYbH7gMdds77dm4BqAejVOPNKa9nQVkJZ6Ab0xiH8SbVxt8>

“I’ve been counting down the days,” said David Huckabay of Hercules, who normally drives Interstate 80 to get to his office in the Embarcadero area — a slog that can take up to two hours.

He’s among the commuters whose lives could be transformed by the ferry, which glides from Richmond’s shoreline to downtown San Francisco in 35 minutes.<sup>20</sup>

By the first month, ridership was 50% above expectations:

So far, Richmond Ferry service has gone on swimmingly, according to city of Richmond officials.

Nearly 14,000 passengers rode the Richmond Ferry in the first month of service, averaging 636 passengers per weekday, according to the Water Emergency Transportation Agency, which oversees San Francisco Bay Ferry.

That’s nearly 50-percent more than projected for the first year of service, according to Richmond City Manager Carlos Martinez’s weekly newsletter.<sup>21</sup>

In the first six months of service, the Richmond Ferry [had carried over 100,000 passengers](#).

#### WETA WELCOMES 100,000TH RICHMOND FERRY PASSENGER

Customer Demand for SF Bay Ferry’s East Bay Service Exceeds Expectations Richmond, CA, July 25, 2019—The San Francisco Bay Area Water Emergency Transportation Authority (WETA) today welcomed its 100,000<sup>th</sup> passenger aboard the Richmond ferry.

The service, which launched in January, has garnered tremendous public support and ridership has exceeded projections. “Richmond ferry service has been a resounding success, and that’s a testament to the partnership WETA has built with the Contra Costa Transportation Authority and the City of Richmond,” said Nina Rannells, WETA’s executive director. “Together, we identified Richmond as the right community for Contra Costa’s first public ferry terminal and developed a sustainable funding stream to make it happen. It looks like we all got it right.”

WETA’s newest ferry service runs between Ford Point in Richmond and the San Francisco Ferry Building, providing riders with an alternative commute option to the traffic-plagued I-80 corridor. The service is funded through a combination of passenger fares and Contra Costa County’s Measure J transportation sales tax. A recent survey conducted by WETA found that the majority of passengers using the service live in Richmond. Although today marks a celebratory milestone for ridership, seats and parking are still available for commuters who are interested in taking the ferry.

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<sup>20</sup> [Richmond ferry completes maiden voyage to San Francisco, commuters aboard](#)

<sup>21</sup> Richmond Standard, [Richmond Ferry ridership exceeds first month expectations](#), February 12, 2019

The success of the Richmond ferry has prompted WETA to launch weekend service on a trial basis. From August 3 through November 3, WETA will offer five round-trips on weekends between Richmond and San Francisco.<sup>22</sup>

The ferry service met its ridership goals six years early:

A ferry route launched in January from Richmond to San Francisco was expected to bring a steady stream of riders.

Instead, it brought a tide.

The new San Francisco Bay Ferry route met its ridership goals six years early, netting an average of 688 daily boardings when it launched, and upwards of 740 daily boardings in the last two months. The agency's projected ridership was roughly 480 daily boardings.<sup>23</sup>

On August 3, 2019, a three-month weekend trial service opened

For the first time Saturday, weekend travelers looking to skip the headache of bumper-to-bumper traffic down Interstate 80 into San Francisco were able to hop on the ferry in Richmond instead.

It couldn't come soon enough for some passengers, who were lined up at the dock adjacent to the Craneway Pavilion for the first departure of the day.

"It's a game-changer," said Richmond resident Ed Jerum. "I love going into San Francisco but I hardly ever do it anymore because I hate getting stuck in traffic on the Bay Bridge."<sup>24</sup>

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<sup>22</sup> Ibid.

<sup>23</sup> The SF Examiner, [New Richmond to SF ferry service nets 'incredible' ridership growth](#), Joe Fitzgerald Rodriguez, Jun. 15, 2019

<sup>24</sup> Bay Area News Service, [Popular Richmond ferry opens for weekend trips to San Francisco, The three-month pilot will assess rider demand for leisure trips](#), August 3, 2019



**Figure 10 - Ferry commuters wait in line to board the first departure of the San Francisco Bay Ferry from the Richmond terminal in Richmond, Calif., on Saturday, Aug. 3, 2019. The Water Emergency Transportation Authority began offering weekend service on Saturday for the first time of the popular route. (Ray Chavez/Bay Area News Group)**

On October 5, 2019, the sculpture at the ferry terminal was dedicated.

Richmond’s waterfront celebrated a new symbol lighting up its night sky. The iconic eelgrass-shaped sculptures installed at the Richmond Ferry Terminal, entitled “Changing Tide,” started giving off multi-colored streaks of light on the night of October 5.

Jeffrey Reed and Jennifer Madden, an artist couple whose shop is based in Richmond, undertook two years of work to build the sculptures. “We have an internal kind of mission to build inspirational forms, create places in the public domain that inspire the public to respect the natural environment,” says Reed. The city’s Public Art Program paid the sculptors \$295,000 for the installation.

The sculpture, made primarily of stainless steel, has a height of about 20 feet with solar panels on the front and LED lights in the back. Each vertical piece representing eelgrass consists of three metal blades, whose width and heaviness are meticulously calculated by the artists’ collaborator, Stephen Heinen, cantilevering away from the central stalk. At its base, there is concrete representing mudflats, which evokes a scene of coastal wetlands. “The front bow is made out of flat sheets. And that was very, very tricky to weld and keep [them] from buckling,” says Madden. What inspired these artists to create this eelgrass installation was their desire to pay homage to Richmond’s nature. “This area used to be marshland before it got filled, so we looked at some more research, and we realized Richmond has the healthiest, largest eelgrass in the bay,” says

Madden. "It's critical to bring awareness, so that the form evolved out of wanting to highlight eelgrass."

Richmond has 32 miles of shoreline, more than any other city in the San Francisco Bay Area. Mayor Tom Butt noted, Richmond accounts for 75% of all the eelgrass in the bay. The light of the sculpture as it goes up and down represents the rise and fall of the tide, but it lets visitors imagine whatever they want. "Now, our concept is they are a blank canvas for the community to make all sorts of lights, all sorts of rhythms, all sorts of patterns. So, it's not for us to say what the light should be but for everybody to be able to make different lights. That's the goal," says Madden.<sup>25</sup>



Figure 11 - "Changing Tide" sculpture at the Richmond Ferry Terminal

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<sup>25</sup> Richmond Confidential, [Stunning sculptures light up Richmond's waterfront](#), October 8, 2019

## San Rafael Bridge Bike Lane Divides Supporters and Detractors

On November 18, 2019, the long-awaited multi-use (bike-pedestrian) trail across the Richmond San Rafael Bridge opened with over 10,000 users the first two weeks.

The trail was the result of a grand bargain among MTC, BATA and CalTRANS that resulted in the opening of a third eastbound vehicle lane on the lower deck, a safe crossing of I-580 by the Bay Trail with access of Point Molate and opening of the multi-use trail on the third lane of the upper deck as a four-year pilot project.

Despite its early success and popularity, the trail continues to incite criticism from hard core commuters who blame it for the morning commute backups east of the toll plaza.

For a complete historical review, see [The Battle for the Richmond Bridge Bike Path](#), November 16, 2019

Marin County Supervisor Damon Connally has been the most strident critic among elected officials with continued but so far unsuccessful efforts to undermine the project.

On January 28, 2019, I wrote to the Transportation Authority of Marin:

I am concerned about the action the Transportation Authority of Marin took at its January 24 meeting, regarding the Richmond-San Rafael Bridge, especially [the reduction of the pilot period for the multi-use bicycle and pedestrian path from four years to six months](#).

I wish to remind you that the name of the bridge is the Richmond-San Rafael Bridge, since it appears you have ignored the fact that this crossing equally serves Richmond and Contra Costa County as well as Marin. Various options have been openly discussed at more than one stakeholders meeting at MTC to provide congestion relief without eliminating the bicycle and pedestrian path, however TAM is taking unilateral action in bad faith to change the agreed-on intent of the upper deck improvements.

I also can't help observing that the root cause of the congestion is the failure of Marin County to provide adequate affordable housing for its workforce, thus creating a massive commute from the more affordable East Bay. This is an unsustainable problem that Marin needs to confront.

Until now, this multi-year and multi-million dollar project has been a collaborative regional effort that included community groups and residents on both sides of the bridge. In anticipation of the multi-use bicycle and pedestrian path scheduled to open this spring, Richmond and Contra Costa have been investing in the infrastructure needed to create safe access and connections for bicyclists and pedestrians. Six months is not an adequate amount of time to determine whether the multi-use path should remain open for bicyclists and pedestrians or be converted into another lane for vehicle traffic, as it appears is TAM's intended outcome.<sup>26</sup>

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<sup>26</sup> [Richmond Mayor Fires Back at Marin's Attempt to Torpedo Bridge Bike Path](#)

Originally scheduled to open in the spring, construction was delayed by months of emergency repairs to the bridge and relocation of an EBMUD water line.

In February of 2019, plans were announced to begin various street improvements to connect the BART/Amtrak station, Richmond Greenway, Ferry Terminal and the Bay Trail to the Richmond San Rafael Bridge multi-use trail.

A plan is underway to construct safe routes for bicycle and pedestrians connecting the Richmond Ferry, the Richmond Greenway and the planned Richmond-San Rafael multi-use path.

The Trails for Richmond Action Committee announced today that the city of Richmond has begun to develop the Ferry to Bridge to Greenway Complete Streets Plan.

A project website has launched that provides project updates and meetings, a project map and a targeted timeline for the so-called Ferry to Bridge to Greenway Complete Streets Plan.

“Improved facilities will connect to the San Francisco Bay Trail leading into Berkeley to the south, as well as north to North Richmond and beyond,” according to the website. “Improvements will also connect to the Richmond Greenway, which leads through the heart of Richmond and connects two BART stations.”

A project analysis is expected to occur in April, with various considered concepts narrowed down to a final plan aimed for adoption in June 2020.<sup>27</sup>

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<sup>27</sup> The Richmond Standard, [Richmond ‘Ferry to Bridge to Greenway Complete Streets Plan’ unveiled](#), February 20, 2109



Figure 12 - Plan of street enhancements to facilitate bicycle access to the ferry terminal, bridge and BART

On October 1, 2019, installation of the movable barrier on the bridge began.

Construction crews were set to begin work Tuesday night on installing a movable barrier on the upper span of the Richmond-San Rafael Bridge.

The barrier is part of a \$20 million project to open the third westbound lane on the upper deck to pedestrian and bicycle traffic. Transportation planners said the project would provide the first route for bicyclists and pedestrians between Marin and the East Bay.

Dave Campbell, advocacy director for the Bike East Bay nonprofit organization, said he believes the bi-directional path will be very popular given what other Bay Area bridges have experienced when opening bike lanes.<sup>28</sup>

<sup>28</sup> Marin Independent Journal, [Richmond-San Rafael Bridge bike lane barrier installation begins](#), October 1, 2019



Figure 13 -The Richmond-San Rafael Bridge bike and pedestrian path, as depicted in a design rendering, is slated to open later this year. (Courtesy of Bay Area Toll Authority)

On November 15, 2019, the long-awaited bike path and multi-use trail finally opened, with 5,000 riders using it the first weekend and 10,000 riders the first two weeks.



Figure 14 -The toll plaza is in the background as hundreds of bicyclists ride across the newly opened bicycle and pedestrian path on the Richmond-San Rafael Bridge's upper deck on Saturday morning, November 15, 2019 in Richmond, California. (Douglas Zimmerman/Special to the Marin Independent Journal)

A horde of cyclists from both sides of San Francisco Bay met at the Richmond-San Rafael Bridge on Saturday to celebrate the grand opening of the first-ever transbay bike lane linking their communities together.

On Saturday, cyclists got their first chance to ride across the bridge's new pedestrian and bicycle lane on the upper deck that connects San Rafael to Richmond and beyond.

There was an air of excitement in the week leading up to the opening. Bjorn Gripenburg, policy and planning director for the Marin County Bicycle Coalition, said the opening fulfills a vision that people, elected officials and advocates such as the coalition's late founding leader, [Deb Hubsmit](#), have had for decades now.

"It's a major accomplishment regardless of how many people use it. I think it's still indicative of the region's commitment to healthy and active transportation," Gripenburg said.

Led by multiple transportation agencies, the \$20 million project that began in 2014 converted the unused third lane on the upper deck into the new bike lane. A movable barrier was installed by Caltrans both to provide protection from the westbound car commuters as well as to allow Caltrans to conduct maintenance when needed. The project included several agencies including the Metropolitan Transportation Commission (MTC), Bay Area Toll Authority (BATA), Caltrans, the Transportation Authority of Marin (TAM) and the Contra Costa Transportation Authority.

Former Marin County Supervisor and MTC member Steve Kinsey was planning to be among the crowd of bikers on Saturday. While there were calls to open the bike lane through the decades, the serious push didn't begin until the late 1990s, he said. The proposal was met with resistance by Caltrans for a long period, and it wasn't until 2013-2014 that the Legislature and Caltrans leadership began to be more open to making the project a reality, he said.

"We continued to promote it for over a decade and reached as high as the director of Caltrans," Kinsey said Thursday. "I think the turning point was when Caltrans realized that it's not just a highway agency, it's a multi-modal agency, and took that to heart after some very critical management reviews back in 2014 by the Legislature."

Kinsey called Saturday's opening "a very proud day for the folks that have been there from the beginning."

The bike lane was originally set to open in the spring, but was delayed after concrete fell from the upper deck, requiring several months of emergency repairs by Caltrans.<sup>29</sup>

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<sup>29</sup> The Mercury News, [Long-awaited Richmond-San Rafael Bridge transbay bike lane opens](#), November 17, 2019



Figure 15 - Amy Worth of Orinda and MTC and Mayor Tom Butt prepare to cross the bridge

## Master Developer Selected for Point Molate

On February 12, 2019, prospective developers of Point Molate made their pitches at a City Council meeting.

On Tuesday, the Richmond City Council received pitches from four developers to build waterfront housing on the pristine Point Molate shoreline.

Orton Development, Samuelson Schafer, SunCal, and Point Molate Partners each presented plans, in 20-minute chunks, to both the council and a chamber filled with protesting members of the public. The crowd, many a part of the Point Molate Alliance— a coalition of residents that seeks to halt development on the site—carried signs, pictures, paintings and an illustrated cloth banner that said “Save Pt. Molate.” Over 30 people spoke during the public comment period to criticize and oppose the proposed plans.

The developers’ proposals varied, but for the most part they depicted big-picture visions of a modern bayside town developed around a proposed 670 to 2,200 units of residential housing. They also sketched out potential amenities for the area—the number generally rising in correlation with the number of residential units to be built—including building a new hotel, transforming historical facilities into food, art and entertainment venues, restoring and preserving the local environment, and creating various means of producing green energy.<sup>30</sup>



Figure 16 - Point Molate protestors at Civic Center Plaza

On March 19, the City Council voted to enter into negotiations with SunCal:

City attorney Bruce Goodmiller also announced that the city is beginning negotiations with developer SunCal to build at Point Molate. The vote for choosing SunCal, which happened during

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<sup>30</sup> Richmond Confidential, [Developers present plans for Point Molate to Richmond City Council](#), February 20, 2019

closed session, was 5-2, with Councilmembers Melvin Willis and Eduardo Martinez voting against.<sup>31</sup>

On November 5, 2019, the City Council voted in open session to amend the Point Molate settlement agreement to bolster its continuing assertion that there was no Brown Act or CEQA violation inherent in the original agreement previously approved in closed session.

City staff expects a lawsuit claiming Richmond violated open meeting laws when discussing development on Point Molate will be more swiftly resolved after councilmembers narrowly approved an amended agreement.

But getting there proved to be a challenge Tuesday, following a comment from one councilmember who said those objecting to development at Point Molate didn't even live in Richmond.

The new language clarifies that a judgment settling a long-running lawsuit doesn't grant entitlements, or guaranteed access to benefits, financial or otherwise, for developing on Point Molate.

The current controversy stems from a 2012 lawsuit filed by the Indian tribe Guidiville Racheria of California and Upstream Point Molate. The two groups were hoping to build a casino on Point Molate, but Richmond voters rejected their proposal in a 2010 advisory referendum vote.

The lawsuit alleges the developer spent millions of dollars to obtain agreements to build the casino and the city then breached that agreement. The city settled with Guidiville and Upstream in April last year.

The city is required to build at least 670 units of housing in the region or sell the land back to the developer for \$300. In both cases the profits from selling the land will still be split between the city and Guidiville and Upstream. The city council voted to enter an "exclusive right to negotiate" agreement with developer SunCal for Point Molate in April.

In a separate lawsuit, a coalition of residents and others claim the judgement settling the original lawsuit had included entitlements to develop at Point Molate, which the city disputes. They contend city officials violated the Brown Act — a state law which requires elected officials to meet openly — by voting on a settlement, which allegedly included entitlements, in a meeting closed to the public.

The amended judgment includes language that says there are no entitlements for development at Point Molate.

The vote to amend was 4-3, with councilmembers Jael Myrick, Melvin Willis and Eduardo Martinez voting against. It came at a raucous meeting Tuesday, where roughly 20 speakers, many

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<sup>31</sup> Richmond Confidential, [Developers present plans for Point Molate to Richmond City Council](#), February 20, 2019

holding signs, almost all spoke against development at Point Molate while asking the council to reconsider the entire process.<sup>32</sup>

## North Richmond Annexation Fails

Following discussions, public meetings, surveys and fiscal analyses that began in 2015, the City Council on March 19, 2019, finally killed any prospect of annexing North Richmond:

On Tuesday, the Richmond City Council voted to not proceed with annexing the unincorporated area of North Richmond, with only Mayor Tom Butt voting in favor.

City attorney Bruce Goodmiller also announced that the city is beginning negotiations with developer SunCal to build at Point Molate. The vote for choosing SunCal, which happened during closed session, was 5-2, with Councilmembers Melvin Willis and Eduardo Martinez voting against.

North Richmond is an unincorporated area surrounded by Richmond; its governance is provided through the county. Since the 1960s, several studies have been made about whether or not to annex it to Richmond, which would mean that North Richmond would officially become a part of Richmond and be governed by the city government. The most recent push began in 2018, when city and county officials decided to let North Richmond residents decide for themselves whether to be annexed.

Tuesday night's discussion was introduced with a staff presentation which outlined the research and outreach process done to understand the feasibility of annexation. The presentation listed both benefits and potential concerns, and concluded with a recommendation to not annex.

Core to the decision—and listed first among the concerns—was that a majority of surveyed people from North Richmond said they weren't in favor of annexation, a conclusion drawn from several outreach efforts. Mailers, 3,505 of them, each containing a single yes-or-no question on annexation preference, were sent by city officials to North Richmond residents last year. According to the city's presentation, there were 235 responses, and 85 percent of respondents said no.

Other potential concerns included the fiscal impact to residents of North Richmond, who would have to pay higher sales, property, and utility taxes, as well as a cost to the city of \$2.2 million from its general fund. Potential benefits included improved government efficiency, more local representation for residents, and increased coordination of land use planning, government services, and infrastructure resources.

During the meeting, Butt outlined his reasons for voting for annexation. He talked through the history of segregation in North Richmond, mentioning how during and after World War II, it was one of the only places in West Contra Costa County where African Americans could buy property. He felt that the area hadn't been annexed by the city in the past for racist reasons.

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<sup>32</sup> Richmond Pulse, [Council Amends Point Molate Agreement, Moves Toward District Elections](#), November 7, 2019

Butt said that annexing North Richmond was one of his top goals when he was first elected to the city council in 1995, and that he took inspiration from past councilmembers who had attempted to annex the area but could never find the needed majority of votes. “It didn’t go anywhere because there was not the political will to go there,” Butt said. “I’m just following up on a commitment I made several decades ago.”

Councilmember Demnlus Johnson compared the annexation to a marriage, in which both sides have to agree before the process can go forward. Eduardo Martinez agreed with the marriage analogy, prompting Butt to refer to the tradition of “shotgun weddings,” which, he said, “didn’t all turn out that bad.”

“What I don’t believe in is colonization,” Johnson said. “And that’s what it sounds like we’d be doing if we annexed North Richmond right now.”

A few people from North Richmond also showed up to the meeting. All of them, including environmentalist Henry Clark, were against annexation. “I encourage you to live up to your words and vote no to proceeding with the annexation of North Richmond,” Clark said.<sup>33</sup>

## Zeneca Site Disposition Moves Ahead

After more than 15 years of first the San Francisco Bay Water Quality Control Board and later the California Department of Toxics Substances Control (DTSC) studying the contaminated site at the former Zeneca facility, DTSC published in 2018 the [Feasibility Study and Remedial Action Plan for Lot 1, Lot 2, and the Uplands Portion of Lot 3, Campus Bay, Richmond, California](#).

The plan outlined several alternatives for eventual remediation, the most rigorous, expensive and time-consuming being Alternate 6, essentially digging up and hauling all the contaminated materials to an out of state disposal facility. After hearing a presentation in 2018, the City Council did not take a vote on a specific alternative, but the consensus of the City Council was to support Alternate 6, and councilmembers asked the city manager to express that sense in a letter to DTSC.

By September of 2019, things had changed. Development of the site was no longer hypothetical. After a series of would-be developers had made run at over the years and faltered, an experienced brownfield developer, [Shopoff Realty Investments, L.P.](#), was making a serious play for the site. In order to proceed, they needed a final DTSC decision on the future cleanup plan.

On September 24, 2019, the City Council voted 5-2, with Willis and Martinez dissenting, to adopt a resolution supporting the DTSC Alternative 3A remediation of the Zeneca site instead of the Alternative 6 previously endorsed by the City Council.

The final decision would not actually be Richmond’s; it would be made by DTSC when they publish their final [Feasibility Study and Remedial Action Plan for Lot 1, Lot 2, and the Uplands Portion of Lot 3, Campus Bay, Richmond, California](#).

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<sup>33</sup> Richmond Confidential, [City council votes not to annex North Richmond](#) March 20, 2019

There were 45 speakers with all but about five (mostly representing the construction trades) urging the City Council to stick with backing Alternative 6.

This was 14 years after DTSC first took responsibility for the site. The Draft Remedial Action Plan (RAP) concluded with a comparison of the various alternative plans, recommending Alternative 3A based on the following:

- Meets the threshold criteria for protection of human health and the environment (e.g., meets RAOs [Remedial Action Objectives]) and would comply with applicable requirements.
- Moderate to high rankings on all of the balancing criteria, including a high overall long-term effectiveness ranking and provides cleanup to accommodate the potential future land uses set forth in the RBSP.
- Relatively high cost-effectiveness compared with other alternatives evaluated.

Essentially, those who opposed the resolution supporting Alternative 3A disagreed with the DTSC recommendation.

It is instructive to look back when this all began. At that time, many of the same people who showed up to protest the DTSC recommendation were gushing over the decision to place DTSC in charge, citing DTSC's superior expertise and experience over the discredited San Francisco Bay Regional Water Quality Control Board, and characterizing the change from the Water Board to DTSC as a "victory," with the assurance of "proper agency oversight". On May 16, 2005, the Green Party of California published the following [news release](#):

**Cal-EPA agrees to lead clean-up of highly toxic, possibly lethal San Francisco Bay sites after pressure by Green city council member**

GREEN PARTY OF CALIFORNIA NEWS RELEASE  
For immediate release: Monday, May 16, 2005

Contacts:

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RICHMOND (May 16, 2005) – The clean-up of two highly toxic – and possibly lethal – shoreline sites on San Francisco Bay will now be supervised by the state Department of Toxic Substances Control (DTSC) after a newly-elected Green Party city councilmember in Richmond led a grassroots drive to force the state agency to take immediate action.

The sites are thought to be the source of many life-threatening cancers and other ailments to people in the area, according to doctors and local activists. Both sites are contaminated with dangerous compounds, ranging from mercury and heavy metals to pesticides, PCBs and other hazardous chemicals.

The California Environmental Protection Agency (Cal-EPA) announced late last week that it has agreed – after demands by Richmond City Council member Gayle McLaughlin and area

progressives – to give DTSC chief oversight at the University of California, Berkeley's Richmond Field Station and adjacent Zeneca/Cherokee-Simeon Campus Bay .

"This is a wonderful victory for the many community groups and Richmond residents who mobilized to demand the proper agency oversight for cleanup of these extremely toxic sites. It is an incredible example of how a community rallying in its own interest can accomplish a better and healthier Richmond," said McLaughlin, who carried the unanimous resolution by the Richmond City Council calling on Cal-EPA to act more rigorously in correcting problems in the area.

Initially, the San Francisco Bay Regional Water Quality Control Board had full jurisdiction over both sites. Community mobilization late last year resulted in a DTSC/Water Board split over jurisdiction over the Zeneca site with the Water Board retaining full jurisdiction of the UC Field Station.

However, McLaughlin and others called for a full change in the oversight of these adjoining contamination sites to DTSC because the Water Board did not have, they charged, the "expertise or experience" to handle the complex cleanup.

McLaughlin worked with Bay Area Residents for Responsible Development (BARRD), West County Toxics Coalition and the Richmond Progressive Alliance, which helped elect McLaughlin to the Richmond City Council last November.

The Green Party of California  
<http://www.cagreens.org>  
P.O. Box 2828, Sacramento, CA 95812  
Phone: (916) 448-3437  
[gpc@greens.org](mailto:gpc@greens.org)

The message, of course, was that in 2005 Gayle McLaughlin, Bay Area Residents for Responsible Development (BARRD), West County Toxics Coalition and the Richmond Progressive Alliance, had full faith in DTSC to study the Zeneca site and recommend a cleanup. Now, in 2019, they were saying they don't really trust DTSC after all.

In voting for the resolution, I felt bad about defying the wishes of so many Community Advisory Group (CAG) members who have volunteered untold hours on Zeneca over the last 14 years. If it is any consolation, I assured them that their hard work made both the study and the design of a remediation plan far more rigorous than it would have been otherwise – a huge value added contribution.

The criticism continues to linger, benefitting in no small part from poor media coverage.

On October 6, 2019, in "[Cap or Cover Up?](#)" I wrote:

There is still much lingering criticism of the City Council's decision to endorse Alternative 3A of the Feasibility Study/Remedial Action Plan for the Zeneca site. Unfortunately, the media coverage of the City Council's vote was typical and all too common "he said; she said" journalism involving mostly unsubstantiated opinions (see articles at the end of this email) and failed to actually provide any objective or technical analysis of the complex issues involved.

For my previous postings on the subject, see:

- [Zeneca Clean Up Resolution](#), September 25, 2019
- [Future of the Zeneca Site - Item J-2 on the September 24 City Council Agenda](#), September 23, 2019

Contrary to assertions by many critics, a common, effective and successful method of remediating brownfield sites involves some use of a “cap” It is not simply a cheap expedient but is a proven technique, often used with other strategies, to render a brownfield suitable for uses that include even recreation and housing.

Apparently, none of the journalists who wrote the articles copied at the end of this email talked to experts at the [California Department of Toxic Substances Control \(DTSC\)](#), the federal [Environmental Protection Agency \(EPA\)](#) or nongovernmental organizations like the [Center for Creative Land Recycling](#). I doubt if any took time to actually read [Public Comment Draft Feasibility Study and Remedial Action Plan for Lot 1, Lot 2, and the Uplands Portion of Lot 3, Campus Bay, Richmond, California](#).

Most brownfield remediation, like the one proposed in Alternative 3A for the Zeneca site, involve some kind of soil cover over toxic substances left in place. You can review hundreds of success stories from DTSC at <https://dtsc.ca.gov/restoring-communities-and-protecting-california-dtsc-successes/>.

For other success stories involving remediation with caps, see

- [https://www.epa.gov/sites/production/files/2015-04/documents/a\\_citizens\\_guide\\_to\\_capping.pdf](https://www.epa.gov/sites/production/files/2015-04/documents/a_citizens_guide_to_capping.pdf) (“Capping is the traditional method for isolating landfill wastes and contaminants. It sometimes is used to address large volumes of soil or waste with low-levels of contamination. Caps made of asphalt or concrete, or even a layer of soil planted with grass, can allow some sites to be reused. Caps have been selected for use at many Superfund sites across the country.”)
- <https://semspub.epa.gov/work/HQ/196748.pdf>
- [Center for Creative Land Recycling](#)

DTSC approved the issuance of the Draft Feasibility Study and Remedial Action Plan (FS/RAP) in July 2018. DTSC also approved the FS/RAP’s preferred remedial alternative 3a. DTSC worked with the City of Richmond staff for almost two years to update the FS/RAP to ensure the preferred remedial alternative allowed the site to be used consistent with the City of Richmond’s land use plan after the cleanup.

Under state law, DTSC oversees the development of the Draft FS/RAP, which was paid for by Zeneca, Inc. because they are responsible for paying to investigate and cleanup the site. These actions occur subject to DTSC oversight. DTSC uses state and federal laws and guidance to ensure the selected cleanup protects public health and the environment.

The purpose of the proposed “cap” at Zeneca is threefold:

- Prevent further erosion of existing soils by water and wind.

- Prevent disturbance of existing contaminated soil by future activity such as excavation and grading.
- Prevent entry of water from precipitation into toxic substances that could otherwise migrate beyond the site

The proposed “cap” is not just concrete; it could consist of asphalt paving on the surface, a layer of clay, or a drained waterproof membrane overlain by a 2-foot layer of clean soil that can be used for landscaping.

Several media articles on the decision are copied below:

## Homes to Be Developed on Richmond Toxic Soil Site After Decision to Cover with Concrete Cap

By [John Ramos](#)

September 30, 2019 at 6:22 pm

<https://sanfrancisco.cbslocal.com/2019/09/30/homes-to-be-developed-on-richmond-toxic-soil-site-after-decision-to-cover-with-concrete-cap/>

RICHMOND (KPIX 5) — Last week, the Richmond City Council voted to accept a proposal to build homes on a toxic industrial site without first removing the contaminated soil. Opponents are questioning the reasons for that vote.

Much of the old Campus Bay Business Park along the Richmond waterfront has been locked away behind fences and barbed wire for years because the ground holds so many poisons. The land, owned by drug manufacturer Zeneca, used to be a toxic dumping ground.

Sherry Padgett, a member of the Citizens Advisory Group for the site, says just last year the City Council voted to recommend to the state that the contaminated soil be dug up and removed.

“This last Tuesday, they reversed their decision,” Padgett said, “and said, no, leave it here and pour a concrete cover over it with pipes in the foundations of the buildings to vent out the gasses so that humans wouldn’t be poisoned, they think.”

Developer Shopoff Realty Investments wants to build 4,000 homes on the site and proposes the dirt, which is full of arsenic, toxic metals and chemicals, be sealed under a concrete cap.

Richmond Mayor Tom Butt says he’s concerned about the dust that would be stirred up if the soil was removed before construction.

“The main argument for treating it on site is that it was actually less risky than digging it up and hauling to another state somewhere,” said Butt.

But there is another issue weighing heavily as well: money. It’s estimated that removing the Zeneca site soil could cost more than \$130 million and Butt is concerned that developers would consider that a deal-breaker.

“It may cost so much that no developer would ever show up to undertake it,” said Butt. “And it

would just sit there the way it is for another decade.”

But the project could eventually be worth billions and the city has asked for a \$52 million “community benefits” payment to help fund city programs and services.

“These community benefit agreements are not, you know, they’re not necessarily a payoff for doing something that’s less than, you know, less than desirable,” said Butt.

But those opposing the deal say it sure feels that way. Once the property is sealed and homes are built, critics say the toxic soil will sit there, slowly leaching into the bay and groundwater.

“What are we going to do then? What?” Padgett asked. “What will we do? How will we correct that problem? So now is the time to make the right decision.”

The city council’s vote expressed official support for the plan to cap the soil. But the actual approval for such a project rests with the state Department of Toxic Substances Control.



Figure 17 - Zeneca protestors at City Council meeting

### Council votes on Zeneca site clean-up and development

Richmond Confidential

[Aaron Leathley](#) and [Victoria Dmitrieva](#) on September 25, 2019

Electrician and two-time cancer survivor Sherry Padgett could throw a baseball from her 49th Street cabling business and hit what Richmond residents call “the Zeneca site:” an eighty-seven-acre property that contains more than a century’s inheritance of hazardous waste from manufacturers including the now-defunct herbicide maker Stauffer Chemical and the European pharmaceutical giant AstraZeneca. Padgett calls the chemicals on the site a “witch’s brew.”

Around 10 p.m. Tuesday, the City Council voted 5-2 to reverse its support for a cleanup plan that

would require the California Environmental Protection Agency's Department of Toxic Substances Control (DTSC) to excavate and remove the tainted soil and cinder from the Zeneca site. The council now backs a faster, cheaper plan that would leave much of the earth there and "cap" it under concrete barriers.

Six days ago, Councilmembers Demnlus Johnson III and Nat Bates had announced their proposal to switch Richmond's support to the capping plan.

"This city is not financially as sovereign as some of you may think," Bates said. "This city needs revenue. This community needs jobs. This is an opportunity for this city to be bold [and] creative to clean up this site."

"There's no such thing as a perfect project," Johnson said. "But here we have individuals who are willing to check off the right boxes to come to the city of Richmond."

The Irvine-based developer Shopoff Realty Investments, which plans to build apartments and commercial space on the Zeneca plot after cleanup, also backs the plan, and says it will give the city nearly \$38 million in grants for schools, community groups, and improvements to locales like the Booker T. Anderson Community Center. During his presentation, company president William Shopoff said the firm would increase its community investment by about \$8 million, language ultimately incorporated into the bill.

Former vice mayor and councilmember Jovanka Beckles criticized the money offer. "No amount of money can save you when you're infected with cancer," she said. Trying to entice the city with tens of millions of dollars is an insult, she added. "You're saying that you think we're stupid, you think we're desperate."

Shopoff says the development would generate an estimated \$31 million in property taxes and \$60 million in sales taxes yearly.

"We didn't have to come to this site," Shopoff said. "We came to this site because we thought it would create an interesting opportunity to create housing for California – housing that's desperately needed." The company would finish building the first homes in late 2022 or early 2023 under the capping plan, Shopoff predicted.

The original excavation solution had vocal community support when the council adopted it in 2018, and several people voiced a sense of betrayal that the body was considering supporting the capping plan instead. "Our city council members are proposing a resolution not of, by or for the people of Richmond," Padgett said.

"Until it's cleaned up, don't put people on it, or were going to have our own Love Canal situation here down in Richmond," said Eric Bloom, the chairman of a citizen advisory committee to DTSC, referring to the polluted landfill near Niagara Falls, NY.

The excavation alternative isn't perfect: removed soil could still contaminate an off-site landfill, according to a 2018 [report](#) by the Oakland-based environmental consultant Terraphase Engineering.

"I think there's some confusion about the science and that's about all I want to say about it," Shopoff told Richmond Confidential when asked about community members' critiques.

“We’re not here to take undue economic risk. We’ve got lots of projects we could go do,” Shopoff said.

Mayor Tom Butt, Vice Mayor Ben Choi and Councilmember Jael Myrick voted yes despite their initial reservations about the capping plan. Councilmembers Eduardo Martinez and Melvin Willis voted against the resolution.

“I don’t want to be known as the person who allowed citizens of Richmond to live on top of a toxic waste site,” Martinez said.

“Developments have caused nothing but displacement...developments have led to huge displacement of black and brown communities,” Willis said.

Some community members stressed that they didn’t oppose the development, only a cleanup plan they saw as cutting corners to bring construction more quickly.

“Build on it. Build on it but don’t leave the hazards there,” Padgett said.

At the meeting, the city council also declared October 16, 2019 as Food Day, aimed at expanding access to healthy food and relieving hunger in the community. Food Day activities will take place in the North Richmond Farm from 11 to 2 that day, including healthy cooking demonstrations and nutrition education as well as food giveaways. The council also declared October 2019 as Domestic Violence Awareness Month in Richmond.

In other action, the council entered into the record that last month it honored Elijah ‘Pumpsie’ Green at a community softball game.

Green, a Richmond native, was the first African American baseball player to play for the Boston Red Sox.

The city of Richmond transportation division and Richmond’s bicycle-pedestrian advisory committee also invited the residents to celebrate California Clean Air Day at a lunchtime bike ride on October 2 at noon at City Hall.

Pouring concrete over toxic soil where 4,000 apartments may rise is not OK, activists tell Richmond council

City officials gave their blessing to allow developers to cap the contaminated soil and build on



**Figure 18 - Richmond resident, entrepreneur and activist Sherry Padgett points out 30 acres of contaminated marshland in Richmond, Calif., on Wednesday, Dec. 9, 2015. For the past 11 years, the Department of Toxic Substances has been responsible for cleaning up the site of a former factory where pesticides and sulfuric acid were once manufactured, located at the edge of the San Francisco Bay. (Ray Chavez/Bay Area News Group)**

By [Ali Tadayon](#) | [atadayon@bayareanewsgroup.com](mailto:atadayon@bayareanewsgroup.com) | Bay Area News Group

PUBLISHED: September 28, 2019 at 6:21 am | UPDATED: September 28, 2019 at 6:30 am

RICHMOND — Activists are livid with the Richmond City Council's recent decision that it's OK for a developer to pour concrete over an 86-acre brownfield and plop 4,000 apartments atop it instead of removing the toxic soil altogether.

At a meeting Tuesday, they accused the council of settling for a concrete cap of the site because developer Shopoff Realty Investments offered to contribute \$52 million toward city programs and services. Capping the former shoreline toxic waste dump with concrete is a far cheaper alternative than hauling away the contaminated dirt.

The Zeneca site east of Marina Bay and west of Interstate 580 has long been a point of controversy in Richmond. Pesticide producer Stauffer Chemical Co. and later pharmaceutical company Zeneca dumped toxic byproducts — including benzene, arsenic and polychlorinated biphenyls (PCBs) — at the site for about 100 years before Zeneca — now known as AstraZeneca — stopped the practice in 1997; the site has been fenced off since.

AstraZeneca started cleaning up the property in 2000, and four years later the California Department of Toxic Substances began overseeing the work. But activists have been upset with the state's recommendation to essentially leave the toxic soil there, and now they're angry at the city for going along despite agreeing last year that soil removal is the best option. Back then, the council directed City Manager Bill Lindsay to let the state know it prefers that the dirt be

replaced.

Activists have argued that soil removal, though more expensive, is safer for the health of people who'll end up living there.

"It's one of the most complex toxic sites in the state of California," said Sherry Padgett, a cancer survivor who lives near the property and has been fighting for full cleanup for years.

Developers long have viewed the property as potentially valuable waterfront real estate. Irvington-based Shopoff Realty Investments is in the process of buying the foreclosed land with the intention of building more than 4,000 apartments — including around 400 affordable ones — but only if it can cover up the soil with concrete.

If allowed to do so, Shopoff has agreed to give the city \$52 million through a "community benefits agreement" to help finance municipal services and programs, including around \$9 million to the Richmond Promise college scholarship program and \$18 million to local schools, and for fire station upgrades.

If all goes well, Shopoff hopes to finish acquiring the land over the next few months, obtain building permits and break ground in late 2022 or early 2023.

"We didn't have to come to the site. We wanted to come to this site because it presented an interesting opportunity to create housing for Californians, housing that's desperately needed," Bill Shopoff, president and CEO of Shopoff Realty Investments, said at the council meeting.

Of the 40-plus people who spoke at the meeting, most opposed the council's decision and several activists likened the community benefits agreement to a "corporate bribe."

"The only community benefit that would be worth it would be a hospital funded and staffed forever in order to care for the future generations that will be poisoned by this toxic waste," activist Tarnell Abbott told the council.

Richmond's newest council members, Demnlus Johnson and Nat Bates, proposed supporting the concrete cap option and were joined by Mayor Tom Butt and council members Ben Choi and Jael Myrick. Council members Eduardo Martinez and Melvin Willis said they wanted to stick with the original decision for soil removal.

Shopoff said although Shopoff Realty Investments would pay for much of the cleanup, AstraZeneca would be on the hook for some of it too and the two parties are still negotiating who would pay for what.

## **25 Sep Council Approves Capping and Developing Toxic Zeneca Site**



By Edward Booth

The Richmond City Council has voted to support a development plan that includes capping and then building on the polluted Zeneca site.

The Zeneca site, which has a history of heavy contamination, is located between the Richmond Annex and Marina Bay area. The Department of Toxic Substances Control (DTSC) took control of managing the area in 2005.

The developer, Irvine-based Shopoff Realty Investments, looks to build 4,080 residential units on 320 acres along the south Richmond shoreline. The planned 65-acre development at the Zeneca site would include residential units, a grocery store, restaurants and a waterfront park, according to a 10-minute Shopoff presentation to council Tuesday.

Shopoff also promised a community benefits agreement of \$52 million, with \$40 million going to the Richmond Promise scholarship program.

On July 10 last year, after much community feedback, the council unanimously voted to pursue a full cleanup of the site prior to developing it, which would involve digging up the toxic soil and hauling it elsewhere. This was in opposition to a DTSC recommendation of capping the site, which public commenters argued wouldn't do enough to ensure the health of locals and the environment. The following month, then-city manager Bill Lindsey sent a letter to DTSC establishing the preference of cleaning, not capping, the site.

At the Tuesday meeting, community members opposed to the plan packed the council chambers, many holding colorful posters and orange signs that read: "No Sell-out! Richmond Deserves Better!" The majority of public commenters asked for a return to the full cleanup plan, though representatives from several trade unions spoke in favor of the plan.

The commenters expressed frustration about being given only five days' notice on the issue.

Many of them said they lived near the site and listed the dangers of storms, earthquakes, and rising sea levels releasing the toxins potentially into the entire bay.

Andres Soto criticized Councilmembers Nat Bates and Demnlus Johnson III, the councilmembers who sponsored the resolution and the only two who weren't on the council during the July meeting. Soto, like others, said no one was against developing the site. They only disagreed with the method of managing the toxic material.

"Nobody is disputing the need to develop," Soto said. "But the idea was we were going to clean this up, we weren't going to do the old Richmond way where you cut a backroom deal, where people's health is compromised because you want to put some change in your pocket."

Former councilmember Jovanka Beckles, who approved the full clean-up, criticized a part of the resolution that establishes an intent to buy pollution insurance.

"I tell you no amount of money can save you when you're infected with cancer or some other life-threatening disease," she said.

William Shopoff, CEO of Shopoff Realty, said that not only will capping the site cost substantially less than removing the hazardous material, but would also be less intrusive to the rest of the community. He noted that fully cleaning the soil would require the removal of half a million square yards of dirt, roughly equivalent to 65,000 truckloads. The process, he said, would release of toxic particulate matter into the air.

Those opposed to the development chose Sherry Padgett — who owns a business near the site and member of the Richmond Southeast Shoreline Area Community Advisory Group — to speak for ten minutes.

Padgett detailed the toxins present in the area. She said 30 percent of mucksucker fish, which don't leave the area, develop both ovaries and testes because of endocrine disruptors. She criticized the development plans, and said there should have been discussion of how the money being spent on community benefits could be better used to clean up the area.

Padgett said the councilmembers were voting on a resolution that favored AstraZeneca and Shopoff.

"Our city councilmembers are considering a resolution that is not of, by, or for the people of Richmond," she said.

Bates and Johnson openly supported the proposal. Bates argued that if the council had listened to those opposed the project in the case of Marina Bay, it would never have been developed.

"This city needs revenue. This community needs jobs," Bates said. "This is an opportunity for the city to be bold, creative and work with the developer to clean up the site."

Councilmembers Melvin Willis and Eduardo Martinez opposed the proposal and supported a full cleanup, saying they didn't want their names attached to the proposed project.

Willis said that though the community benefits sounded great, he had no confidence that a half-cleanup and cap would be sustainable.

"I don't want to be known as the person who allowed citizens in Richmond to live on top of a toxic waste site," Martinez said.

Councilmembers Jael Myrick and Ben Choi said there were significant problems with a full cleanup as well.

Willis made a substitute motion to table the item so the community would have a better chance to respond. This motion failed 3-3-1, with Choi, Willis and Martinez for; Butt, Bates and Johnson against; and Myrick abstaining.

The final motion passed 5-2, with Martinez and Willis voting against it.

On October 25, 2019, DTSC announced approval of the final cleanup plan for Zeneca:

<https://dtsc.ca.gov/2019/10/25/news-release-t-08-19/>

## **DTSC Approves Final Cleanup for the Zeneca Site in Richmond**

### **Cleanup Plan Minimizes Adverse Impacts, Protects Public Health and Environment**

**SACRAMENTO** – The Department of Toxic Substances Control today announced the final cleanup plan for a contaminated site in Richmond, along the San Francisco Bay shoreline, formerly owned by the chemical company Zeneca Inc. The cleanup will allow redevelopment of the site in a manner that protects public health and the environment.

"We considered all public comments and selected a remedy that minimizes adverse impacts on public health and safety compared to other alternatives," said Meredith Williams, Acting Director of DTSC. "This cleanup allows this land to be used to create needed housing and ensures that members of the community and people who live, work or play on or around the site are protected."

In approving the Remedial Action Plan, DTSC selected Alternative 3a, a remedy that removes heavily contaminated soil and installs either barrier or low-permeability caps across areas of the site where contamination will be left in place. These caps will safely prevent people from contact with contaminated material and prevent stormwater from spreading contaminants.

The remedy includes excavation of 7,900 cubic yards of contaminated soil, groundwater

treatment, and a soil vapor extraction system. Contaminated soil will be safely disposed of and replaced with clean soil. Barrier or low-permeability caps are regularly used to safely prevent people from coming into contact with waste left in place.

Out of nine potential cleanup alternatives, DTSC received the most public comments on Alternatives 3a and 6. DTSC did not select Alternative 6, which would take about 10 years to implement, require an estimated 64,370 truck trips to transport and dispose of material, and create more harmful impacts to the community, including air pollution, dangerous traffic and increased dust. Alternative 3a will take roughly two years to complete, with 1,050 truck trips.

DTSC worked with the city of Richmond for several years to ensure the remedy supports future site uses in the city's zoning plan, including residential uses. Last month, the Richmond City Council adopted a resolution in support of Alternative 3a. DTSC and the city will work together to ensure any redevelopment of the site includes all required protections.

The Department worked with the public extensively during this process. DTSC regularly attends community advisory group meetings and hosted and attended other public meetings, including Richmond City Council meetings. DTSC has also responded to each public comment in the plan's Responsiveness Summary.

Zeneca is responsible for completing the cleanup. DTSC has given Zeneca 60 days to submit its plan to implement the approved remedy.

The Stauffer Chemical Company, and later Zeneca, manufactured chemicals such as sulfuric acid and pesticides at the site from the late 1800s until the late 1990s. Oversight of large portions of the site was transferred to DTSC from the San Francisco Regional Water Control Board in 2004-05.

View details about this [decision](#) and DTSC's [responses to comments](#) received during a 2018 public comment period.

In December 2019, Shopoff purchased the delinquent note on the Zeneca property, which will enable them to soon take ownership.

## District Elections

We wondered why it had taken so long, assuming Richmond's unusually diverse City Council had dissuaded district election activists for targeting Richmond, but on September 11, 2019, Richmond finally received its letter.

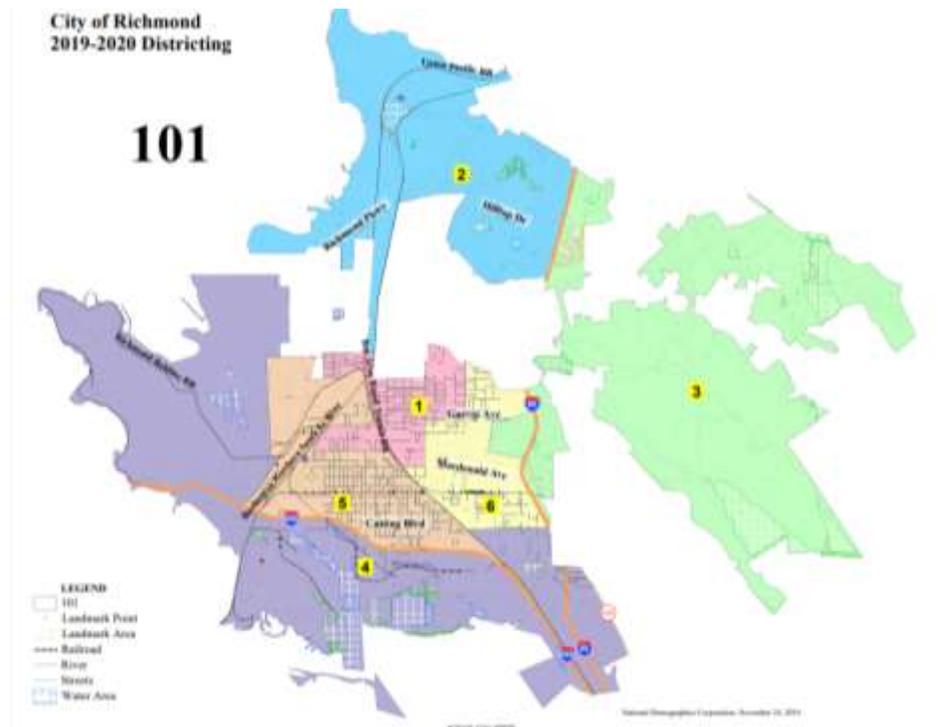
A Walnut Creek attorney has accused the city of Richmond of having a voting system that results in racially biased voting.

In a 32-page letter sent to the city Sept. 11, Scott Rafferty alleges the city's at-large voting system, in which councilmembers are elected by citywide popular vote, dilutes the Latino vote,

violating the California Voting Rights Act of 2001. Rafferty says the city must move to a district-based system, with candidates elected from separate areas, or face a lawsuit.

“Neighborhood-based elections will give every Richmond voter, regardless of race, the opportunity to vote for the candidate who will be most effective in representing the values and interests of their specific community,” Rafferty wrote.

If a city does not establish intent to change, the attorney can file a lawsuit, in an attempt to force a switch. If the switch is made, either voluntarily or forced by a lawsuit, the city would then need to gather community input at five public hearings and hire a demographer to draw district maps within 90 days.<sup>34</sup>



The City Council has to make a decision and adopt a map and an ordinance by January 14. The City’s website has complete information at <http://www.ci.richmond.ca.us/3849/District-Elections>.

The final public workshop is January 6, 2020.

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<sup>34</sup> Richmond Pulse, [Lawyer Alleges Citywide Voting in Richmond is Racially Unfair](#), September 17, 2019

# WHAT DO YOU WANT YOUR CITY DISTRICTS TO LOOK LIKE?



The City of Richmond is moving from at-large to district-based elections for the City Council. We want to hear from **YOU** on which district map best represents Richmond for future elections.

Free  
Food!

## FINAL COMMUNITY WORKSHOP

**Monday, January 6, 2020**

**6:30 PM - 8:30 PM**

(Food Served at 6:30 PM - Meeting Begins at 7:00 PM)

**Veterans Memorial Hall**

**968 23rd Street, Richmond, CA 94804**

Childcare  
and  
Translation  
Services  
Provided!

### Important Date:

Tuesday, January 14, 2020 at 6:30 PM- City Council Public Hearing on Adoption of Final Map  
440 Civic Center Plaza (City Council Chamber)

### For more information:

[www.ci.richmond.ca.us/District-Elections](http://www.ci.richmond.ca.us/District-Elections) or contact 510-620-6512 (se habla español)



## Richmond Promise Scholars Hit 1,000

In May, the Richmond Promise celebrated its 4<sup>th</sup> annual presentation of scholarships with 515 students participating, bringing the total to date to over 1,000 at over 90 colleges and universities.



Figure 19 - 4th Annual [Richmond Promise](#) Scholars Celebration with 515 students representing 16 schools!

The cost and academic rigor of college has intimidated Kennedy High senior Sam Bauzon many times before. But she's made a promise she intends to keep. Her immigrant parents sacrificed to provide her a better future, she said, and attending college is a way to give back to them.

"It's a way to end the circle of poverty," she said.

On Friday night, Bauzon also gave credit to a separate promise, this one made by the Richmond community, for helping her realize her college dreams.

Bauzon will be the first member of her family to attend college and will attend UCLA in the fall semester, focusing on anthropology and film and media, according to the [West Contra Costa Unified School District](#).

During her student keynote address at the 4th Annual Richmond Promise Scholars Celebration at Richmond Memorial Auditorium, Bauzon expressed gratitude in being among the over 500 graduating seniors from 16 high schools who are receiving scholarship money and guidance to attend higher education institutions next year. Next fall, over 1,000 recipients of the Richmond Promise program will be representing Richmond at 100 colleges and universities across the U.S., a mighty feat for a relatively new program that aims, ultimately, to build a college-going and college-success culture in the city.<sup>35</sup>



We are excited to announce that the Year 3 Annual Impact Report is live!  
[Click here for the full report.](#)

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<sup>35</sup> Richmond Standard, [Over 500 new Richmond Promise scholars celebrated](#), May 7, 2019

We are delighted to share some of the learnings and accomplishments we have had over the last year - thanks in large part to your belief in, and support of, our work. Some highlights:

- This fall, we will have over **1000 Richmond Promise Scholars** actively attending nearly 100 colleges & universities nationwide
- We hired **25 College Scholars** to support high school students through the summer, and engaged **200+ middle school students** in early college and career conversations through our [Middle School U](#) initiative at Helms & DeJean
- Our **120 students** served at Kennedy High School through our financial aid completion initiative reached **91% FAFSA completion**
- **We are deepening our college success support** for Scholars who are more likely to face barriers to graduation. We are doing this by building college partnerships, providing individualized coaching to a cohort of Scholars, and expanding our career mentorship initiative.

We are really proud of the work we have done alongside our Scholars, partners, and champions and am looking forward to achieving even more together this year.

PromiseNet, the national conference for Promise Programs, was at UC Berkeley this year, with the Richmond Promise a high profile host in partnership with the Contra Costa Community College District and UC Berkeley's Division of Equity and Inclusion! With over 400 attendees and 350 communities represented, Richmond Promise is part of the movement making education more accessible for all students.



Figure 20 - Jessie Stewart (wearing pink) is executive director of the Richmond Promise, which co-hosted PromiseNet 2019 at UC Berkeley on Monday and Tuesday, Nov. 5-6.

While President Obama’s goal to transform the U.S. into the world’s best educated, most competitive workforce by 2020 won’t come to fruition, Dr. Martha Kanter, former U.S. Undersecretary of Education during the Obama administration, says an initiative rapidly spreading across the nation is showing promise.

Dr. Kanter pointed to the Richmond Promise as one in a growing number of positive examples.

On Monday morning, Kanter, currently president of Washington D.C.-based College Promise Campaign, helped kick off PromiseNet 2019 at UC Berkeley. The two-day national conference gathers education experts, civic leaders, policymakers and philanthropists from across the country with the aim of strengthening a growing movement of Promise initiatives.

Called Bridges to Opportunity, this year’s conference is hosted by the Richmond Promise and Contra Costa Community College District, in partnership with the UC Berkeley Division of Equity & Inclusion. Its schedule featured high-profile guest speakers such as California State Superintendent of Public Instruction Tony Thurmond, University of California President Janet

Napolitano, former Michigan Gov. Jennifer Granholm, and a panel of Bay Area mayors including Richmond Mayor Tom Butt.<sup>36</sup>



Figure 21 -Jennifer Granholm, Mayor Libby Schaaf, Sam Liccardo, and Berkeley Mayor Jesse Arreguín + College Promise Campaign Student Video Award Winners + Keynote Speaker and Dean of UC Berkeley Graduate School of Education Network Prudence Carter

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<sup>36</sup> The Richmond Standard, [Richmond Promise, CCC host national conference at UC Berkeley](#), November 7, 2019

**Happy New Year!**