68. In sum, without such comparative information, the City failed to disclose or analyze the rezoning's true effects on current, environmental baseline conditions. Such glaring omissions and failures are yet further reasons why the EIR and subsequent Project approvals are invalid, and must be voided.

B.

The City Failed to Comply with CEQA's Mitigation Requirements

69. In addition to identifying, disclosing, and thoroughly analyzing any and all of a proposed project's potentially significant environmental effects, CEQA also requires lead agencies to identify, formulate, and consider - and impose whenever feasible - meaningful mitigation measures, to avoid or reduce the impacts to "less than significant" levels. As noted herein, by failing to properly acknowledge and analyze the Project's impacts (and improperly finding them "less than significant", without supporting, substantial evidence), the City necessarily also failed to do what CEQA requires, as to mitigation.

70. For example, due to the City's below-noted failures to identify, and treat or acknowledge as "significant", the Project's clearly dramatic, significant visual, view-related, and aesthetic impacts, the City likewise also failed to consider, formulate, or impose any mitigation measures to avoid, lessen, or compensate for such improperly ignored or downplayed impacts. Such failures render invalid and void the City's certification of the EIR, and subsequent Project approvals.

71. Similarly, by failing to analyze anything regarding the proposed use of the site's very old, very large pier(s), dock, and warehouse as a new public park - and thus failing to identify, disclose or analyze any of the effects caused by such alchemy - the City also, necessarily failed to perform its legal duties to identify and impose feasible mitigation measures, to ensure whatever is needed (to transform the old structures on the Bay into a new public park) does not cause potentially significant effects - e.g., to the immediately adjacent, underlying, valuable, and heavily-regulated bay, wetlands, tidelands, habitat and related sensitive resources.

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C.

The City Failed to Offer or Analyze a "Reasonable Range of Alternatives"

72. The EIR fails to provide or analyze a reasonable or adequate range of alternatives. For example, while the DEIR mentioned in passing the prior approvals for the Toll Brothers' project, it failed to analyze such in any meaningful way, and fails to treat the scale, density, or unit count of the previously approved Toll Brothers' project as one of several forms of alternatives to the proposed overly dense, bulky, tall, and oppressive Project.

73. As the City's Staff Reports confirmed, the Project will result in a roughly 8 percent net increase in floor area, at an additional 38,500 square feet, compared to the initially approved Toll Brothers' project, which was only 258 units and 426,320 square feet.

74. While Real Party claimed bringing the Project in line with the density of the Toll Brothers' project would "compromise the [Project's] economic viability", it provided no evidence supporting such claims. The City's failure to analyze a reasonable range of alternatives, including some akin to the previously approved, acceptable Toll Brothers' project, renders the EIR inadequate under CEQA.

D.

The City Failed to Comply with CEQA's Recirculation Requirements

75. The EIR and related Project approvals must also be voided and/or invalidated due to the City's abject failure to comply with CEQA's crucial recirculation requirements. CEQA provides, in relevant part, that "When significant new information is added to an environmental impact report after notice has been given pursuant to [Pub. Res. Code] Section 21092..., but prior to certification, the public agency shall give notice again pursuant to [Pub. Res. Code] Section 21092... before certifying the environmental impact report." (Pub. Res. Code § 21092.1; see also, 14 Cal Code Regs §15088.5.)

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76. Here, the City failed to comply by refusing to "give notice again" and recirculate the DEIR for further public review and comment, after belatedly releasing and adding "significant new information" - long after the close of DEIR comment period.

77. For example, and without limitation, rather than meaningfully clarify issues or concerns raised by the public regarding the DEIR, the FEIR's responses to comments caused more questions, uncertainty, and problems - in large part because the responses and supplemental studies added a plethora of "new information" and analysis.

78. Indeed, in trying to belatedly "fix" various problems, the FEIR responses completely changed (or purported to change) myriad aspects of the Project, compared to how it was described in the DEIR. For example, responses to comments O.3-7 to O.3-17 (FEIR pp. 4-60 to 4-63) attempted to address so-called "tunnel" or "canyon" effects - from wedging the heavily travelled, scenic Brickyard Cove Road between the Project's new, extremely tall, dense walls of condominiums (on one side), and the existing steeply-sloped Miller/Knox Park (on the other). However, these responses reference a host of supposed "aesthetic features or qualities" of the buildings and/or their orientation, that were never mentioned, referenced, discussed or analyzed anywhere in the DEIR, nor through updated visual/aesthetic simulations.

79. More specifically, the FEIR claims - completely out of thin air - that the following never-before-mentioned aesthetic qualities/features will serve to reduce the "tunnel" or "canyon" effect:

(1) the Project will "sit[e] the five condominium buildings that front Brickyard Cove Road so ...[they] are separated by open space corridors that range in width from approximately 70 feet to 35 feet."

(2) an "at grade pedestrian/bicycle mews which extends across the middle of the project opening up the site along a north/south axis, establishing a visual as well as physical connection between the Miller-Knox Park headlands to the north and the San Francisco Bay shoreline to the south, and in the process further minimizing any perceived tunnel effect."

(3) "the architecture of the condominium buildings has also been designed to address the comment's concerns regarding aesthetic impacts to the Brickyard Cove Road corridor. The northern ends of condominium

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buildings #1-#4 have been stepped down from 5 stories to 4 stories with two wing units at the northern ends of each of the 5 condominium buildings further stepping down to 3 stories. The aesthetic effect of this two-step reduction in building height is to reduce the apparent building height and mass as seen from Brickyard Cove Road, maximize corridor illumination, and emphasize the separation between the buildings, further minimizing a perceived "tunnel effect."

(4) a number of ***project modifications and revisions to the EIR*** would "reduce land use compatibility and visual concerns." Such Project modifications include:

- Modifications to reduce the maximum building height to 61.5 feet;
- Modifications to the design of the southern ends of condominium buildings #2, #3, and #4 to give the top floor a stepped-down appearance;
- Reductions in the number of condominium units from 308 to 302;
- Replacement of the attached duplex townhomes with detached single family townhomes;
- Reductions in the number of townhome units from 26 to 21; and
- Reductions in the total number of units from 334 to 323.

80. While the above responses constituted significant "new" information or analysis arising after the close of the DEIR comment period, thus warranting recirculation, they also offered no analysis as to whether such after-the-fact, purported modifications could or would actually *address* any of the aesthetic impacts of the Project's densely packed condominium buildings, nor how, or how much. The above-noted information was offered without any depictions of such changes, via aesthetic/photographic view simulations, as legally required and logically necessary to reasonably allow the City and public to evaluate if any of the eleventh-hour revisions lessen or mitigate any of the noted "tunnel" or "canyon" effects at and along scenic Brickyard Cove Road.

81. Indeed, as Petitioners repeatedly noted, even the DEIR - and its initial visual simulations - had failed to provide any analysis or view simulations, depicting

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what the condominium buildings will look like right next to scenic Brickyard Cove Road, as seen by the many pedestrians and bicyclists who use the adjacent path. Remarkably, there were no view simulations from Brickyard Cove Road adjacent to the Project, or along the bicycle/pedestrian path where the views of the Bay are most prominent, and will be most impacted.

82. Furthermore, the above FEIR "responses" were not only too late, but too little - as the proffered changes make only *minimal reductions in the Project's very imposing height, scale, and density - and thus its resulting impacts.*

83. Contrary to CEQA's mandates, the above FEIR responses impermissibly assumed that the Project modifications sufficiently address the Project's land use compatibility and aesthetic impacts on the adjacent scenic Brickyard Cove Road and pedestrian/bicycle path. As Petitioners duly noted, without aesthetic view simulations along the scenic road/path showing the Project *as it will look, both with and without* the belated modifications (purportedly meant to address the above-noted impacts), the City and the public could only guess at what the Project may look like, and what its impacts may be to the adjacent scenic road and path.

84. In light of the above failures to provide any reasonably sufficient analysis of the Project's view-related and aesthetic impacts (especially from the noted, key vantage points and on the scenic vistas of the Bay, San Francisco city skyline, and Marin Hills), the other evidence abundantly shows the impacts to such resources (as used and enjoyed by Brickyard Cove residents) will be stark and substantial. And, given the road/path's scenic character or designation, by law such impacts must be presumed potentially significant. The EIR's conclusions to the contrary, without substantial evidence, were legally inadequate.

85. Furthermore, the above-noted eleventh hour changes were not only wholly unclear, uncertain, and unstudied, but cannot serve as any legally sufficient, reasonably analyzed, mitigation.

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86. In sum, in addition to triggering CEQA's recirculation requirements, where, as here, the environmental review document fails to fully and accurately inform decision-makers, and the public, of the environmental consequences of proposed actions, it does not satisfy the basic goals of either statute. (*See* Pub. Res. Code § 21061 "The purpose of an [EIR] is to provide public agencies and the public in general with detailed information about the effect that a proposed project is likely to have on the environment; to list ways in which the significant effects of such a project might be minimized; and to indicate alternatives to such a project.")

87. The City and public had no idea what aesthetic effects the belatedly modified condominium buildings would have on the above-noted, otherwise scenic vistas. While the FEIR referenced measures adopted or taken to mitigate potential aesthetic effects on the scenic roadway and bicycle/pedestrian path, they were not supported through aesthetic visual simulations. The public was asked to simply take the FEIR at face value, and believe, without useful information or analysis, that any potential aesthetic impacts have been fully addressed. What is particularly galling about such expectations, for example, is that while there is supposedly a proposed 61.5 foot height limitation, the condominium buildings will supposedly rest on parking podiums. The public was not only left wondering how high the podiums will be, but whether the supposed height limit includes or excludes such podiums.

88. While eventually - long after the DEIR comment period had closed - the FEIR disclosed that the height of the tallest condominium buildings will be 61.5 feet "from the finished grade of the first floor of the condominium buildings", somehow the FEIR failed to mention the effect (on total building height) of the Project's parking podiums, on which the buildings will sit. In the end, the FEIR somehow never clarified exactly how high such parking podiums will rise above the site's finished grade, and thus exactly how high, in total, the condominium buildings will rise, atop them. Such failures are beyond glaring.

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89. Second, in what seemed yet another, further attempt to minimize public knowledge of, and participation and input regarding, the Project's many problems and impacts, the City Council chose to not only hold its most important Project-related hearing on Tuesday, July 5, 2016 - i.e., the day immediately after the July 4th Holiday Weekend - but also opted to release on the preceding Friday, July 1, 2016 - at the very start of said Holiday Weekend - a detailed, 17-page, single-spaced memorandum (prepared by consulting firm ESA) entitled "*Additional Information Regarding the Terminal One Project Final Environmental Impact Report, in Support of City Council Staff Report.*" ("ESA Memo"). While the memo was apparently finalized or published June 30, 2016, for whatever reason the City released it essentially *during* the July 4th holiday weekend, less than one business day before voting to certify the EIR, and initially approve the Project.

90. In terms of CEQA's recirculation requirements, the late-released, 17-page, single-spaced ESA Memo contains a plethora of yet further, new environmental analysis and information, including for example (and as noted above, in part): (1) new (apparently consultant-created) photographic and/or visual simulations, regarding the Project's very significant visual, view-related, and aesthetic impacts; (2) new, purported analysis regarding the Project's potentially significant wind-related impacts; (3) new analysis or information regarding the stability and/or safety of the site's existing pier; and (4) other, similar, new information, including responses to Petitioners' and others' comments about various aspects of the DEIR and/or FEIR.

91. Thus, Petitioners' written comments to the City included, *inter alia*, as follows:

> "There is a simple solution to avoid the Project's environmental impacts with respect to aesthetics – BCARD urges the City to require that the Project be smaller, with a scale, height and density that preserves Bay views to the greatest extent possible. [¶] Given the above, we urge you to deny the project and order a recirculation of the DEIR in order to permit an adequate understanding of the environmental issues at stake, especially with regard to the density,

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> scale aesthetics, and wind impacts of the Project. Alternatively, at the very least, please continue the City Council hearing so that the public could be afforded greater opportunity to comment on ESA's recently released Memorandum. [¶] We continue to join in the comments of several other concerned stakeholders, including Brickyard Cove residents and East Bay Regional Park District, in contending that the visual impacts of this Project along Brickyard Cove Road will result in significant environmental impacts that must be mitigated."

92. Despite such requests, at no time did the City ever afford Petitioners, other members of the public, and/or any of their experts or consultants any fair opportunity to review, and formulate and submit comments regarding, the belatedly released ESA Memo or its contents.

93. Under such circumstances, as noted in Petitioners' detailed comments to the Council, the City was required by law to both: (1) continue its July 5th meeting; and (2) give notice again and recirculate the DEIR - to thereby allow the public, and the City's authorized decision-makers (Council), sufficient, reasonable, additional time and opportunity to review, digest, and comment on the above-noted, important, new environmental information and analysis, released at the eleventh hour.

94. As to the above First Claim for Relief, Petitioners pray for the below-noted relief.

SECOND CAUSE OF ACTION/CLAIM FOR RELIEF - VIOLATIONS OF AND INCONSISTENCIES WITH THE CITY'S GENERAL PLAN, ZONING ORDINANCE, AND STATE LAW

95. Petitioners incorporate all paragraphs of this Petition and Complaint.

A.

The Project Approvals Are Fatally Inconsistent With the City's General Plan

96. The Project approvals do not allow Real Party to construct the very tall, bulky buildings envisioned. Rather, in order to construct anything exceeding the site's current 35-foot height limit, the City must properly consider, analyze the environmental impacts of, and vote to approve, a suitable general plan amendment.

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97. As noted above, the City and Real Party apparently hoped the subject Rezoning (from Coastline Commercial to PA District) could somehow validly eliminate the site's existing 35-foot building height limit, and replace it with a limit of 62 feet, or far higher. Thus, the EIR claimed the Project "may exceed the 35-height limit as part of an approved PA-Planned Area District for the site and adequate environmental analysis." (DEIR, p. 4.1-18; citing Richmond Municipal Code ("RMC") § 15.04.610.020(D).) The City and Real Party apparently believe any parcel's height limit can be eliminated, and dramatically increased, by merely rezoning it to PA District.

98. Petitioners allege, however, that is incorrect. The existing 35-foot limit was not, and cannot be, eliminated or replaced via the subject (or any) Rezoning. Rather, changing this site's height limit requires a formally-approved *general plan amendment*. The Project approvals did not include such.

99. The crux of this issue is a General Plan Amendment ("GPA") approved by the City on or about December 16, 2014. Said GPA was sought or initiated by developer Shea Homes ("Shea") to allow development of its Bottoms Property project ("Shea Bottoms Project"), which is also located in the Brickyard Cove neighborhood.

100. By law, a city's general plan (including any previously approved general plan amendments) is the controlling local law governing what development projects may, and may not, be approved. As such, the general plan is often referred to as "the constitution" that guides and govern all city land use and development decisions. (And, as corollaries, discussed further below, all city zoning ordinances must be consistent with the city's general plan, and all projects must be consistent with both the city's general plan and zoning.)

101. Here, when the aforementioned GPA was being proposed and considered, many members of the public (including Petitioners) expressed grave concerns that any effort to use the Shea Bottoms Project approvals to generally or broadly allow height limits to be relaxed on a host of coastline properties (like the Project site) would be wholly unacceptable. In response, the involved City staff, as well as City decision-

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makers, repeatedly assured the public (including Petitioners) that the GPA (being considered as to the Shea Bottoms Project) would *only apply to* (and thus only allow existing height limits to be relaxed or replaced at) *parcels (like Shea's) that were at that time, already zoned as "PA District".*

102. Thus, the City's staff and Council expressly assured and confirmed that, in order to change, replace, or increase the height limit of any parcel that was not then already zoned as PA District, the owner/applicant must first seek and obtain City approval of a general plan amendment. The notion of allowing the protective, wisely imposed height limits of coast-side properties to be removed or amended by merely "rezoning them to PA District" was expressly discussed, and soundly rejected. The above-noted limited scope and effect of the GPA were not only expressly confirmed in the relevant legislative history leading to its adoption, but also in the GPA language itself.

103. Additionally, the GPA's limited scope, applicability, and effect were also further, subsequently confirmed, by the City's own elected officials. For example, in an article published December 18, 2014, Councilmember (now Mayor) Tom Butt affirmed, in relevant part, as follows:

> "...people spoke of concern that this General Plan Amendment will somehow establish a precedent or create a new height limit **to be applied to the Terminal One project** and other projects citywide. **That is not the case, and that is why I insisted on language being added to the approval resolution that restated and clarified that.** Even if this project had not been approved, or even submitted, **the applicant for Terminal One** or any other project **would have the right, under state law, to seek a general plan amendment or variance for a change in height limit.** And it would have to go through the same process as the Shea project." (Emph. added.)

104. Nowhere did the City say or even suggest that the GPA would allow any and all parcels' height limits to be changed merely by rezoning them to PA District. Rather, they said *exactly the opposite* - changing a parcel's height limit can only be accomplished with a general plan amendment.

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105. Any notion that this or any other Rezoning could somehow trump or contradict the GPA would have "the tail wagging the dog". Both California's Planning and Zoning Law (Gov't Code section 65000, et seq.) and the City's own zoning code require all zoning regulations to be consistent with the General Plan, not the reverse. Thus, the Interim Zoning Ordinance ("IZO"; RMC Chapter 15.03) clearly prohibits any zoning provisions (or interpretations of them) that are in any way inconsistent with the General Plan: "These... [r]egulations are intended to be consistent with the General Plan and ensure that all new development and alterations and additions to existing uses that are subject to discretionary review are consistent with the General Plan. *Should any provisions of this chapter be determined inconsistent with the General Plan, the General Plan shall prevail.*" (Emph. added; IZO, § 15.03.050.)

106. In sum, the Project approvals - as currently made and adopted - do not and cannot change the Project site's 35-foot height limit. Rather, by the City's own prior edict, any such crucial, threshold change at this 13.8-acre site along the San Francisco Bay can only occur *if* the City receives a complete application for, and properly considers, studies the environmental effects of, holds public hearings on, and formally approves, a *general plan amendment*. Since there appears to be no valid way to interpret the Project approvals in a manner consistent with the GPA, they must be invalidated based on General Plan inconsistency.

8) The City Failed to Adequately Disclose, Analyze, and Address the Project's Potentially Significant Impacts on the City's Inadequate Public Storm Drainage and Sanitary Sewer Facilities

107. The EIR fails to meaningfully disclose, discuss or analyze the Project's potentially significant impacts on the City's beleaguered storm drainage and sewer treatment facilities. The City's sewer system is documented as being inadequate, and its treatment plant as having significant operating and/or capacity issues. Problems involving standing storm drainage, storm drain overflows, sewer odors, and deficient water pressure all are indicative of aging facilities, and a sewage treatment plant

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operating at (or beyond) capacity. As one drives down Canal Street past the sewage treatment plant, foul odors are pervasive and likely violate air emission standards. Relevant City Staff Reports discussing the wastewater treatment system (e.g., for the 7/28/15 City Council Meeting, at p. 3) have noted, for example: "Conducting this analysis was critical in order for staff and the Council to understand the challenges and opportunities related to providing this core city service. It is now clear that the lowest cost alternative for the City is making the necessary investment at the treatment facility. Completing these improvements is increasingly urgent as several critical components of the treatment plant are non- or marginally functional, including the grit removal system, aeration basins, secondary clarifiers and dissolved air floatation thickener process increasing the potential for violations and the discharge of inadequately treated water to the San Francisco Bay. Additionally, there are still serious concerns remaining within the collection system as well, including the required rehabilitation or relocation of the Keller Beach trunk sewer line, which presents a significant environmental risk to the City and its residents." Notably, Keller Beach is just north of the Project site on the north end of Miller-Knox Park. Also, according to the City's Wastewater Treatment Plant (WWTP) and Collection System monthly operating reports, as early as May this year, the City had experienced 80% of its target/limit of (allowable) Dry Weather Sanitary Sewer Overflows (SSOs). Due to a lawsuit filed by San Francisco BayKeeper, the City was required to address such ongoing sewer problems, and the City has a target/limit of only 10 SSOs. The failure to address the impacts caused by the addition of the Project's sewage and storm runoff to its challenged systems falls short of CEQA.

B.

The Project is Also Fatally Inconsistent with the City's Zoning Regulations

108. In addition to requiring all zoning regulations to be consistent with the general plan, the law also requires all *projects* to be consistent with applicable zoning. Thus, even if one ignores for the moment the Rezoning's above-noted fatal inconsistency with the GPA, and treated the site as having been rezoned to PA District, the PA District

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regulations only allow *residential* uses. Thus, the Project's purported inclusion of *commercial* space is impermissible, and renders the Rezoning void and invalid.

109. Also, while the IZO allows "mixed-use development... at neighborhood nodes", whether or not including commercial space qualifies the Project as "mixed use", the site is not a "neighborhood node".

110. In sum, for the above and related reasons, the Project approvals are fatally inconsistent with applicable zoning, and thus illegal, and must be invalidated or voided. Unless and until Real Party seeks and obtains valid approvals that amend or grant relief from the above restrictions, none of the Project site can be developed or used as commercial space.

C.

The Rezoning is Inconsistent with State Planning and Zoning Law

111. The Rezoning is also invalid because the City's PA District zoning provisions are inconsistent with state statutes and case law governing such "planned unit development" districts. For example, according to California courts, the intent of a planned unit development zoning district is to:

> ". . . devise a better use of undeveloped property than that which results from proceeding on a lot-to-lot basis. Control of density in the area to be developed is an essential part of the plan. The reservation of green, or at least open, spaces in a manner differing from the conventional front or back yard is another ingredient. Conformity to good landscaping, as the planners devise it, is also an objective." (*Orinda Homeowners Committee v. Board of Supervisors* (1970) 11 Cal.App. 3d 769.)

112. Notably, the aforementioned 258-unit Toll Brothers' project (that the City previously approved at the Project site) was substantially reduced from its originally-proposed 330 residential units. Although the 258-unit project was about 80 units less than the current Project, it provided for over 2 more acres of open space/parkland. In short, not only did the EIR provide no analysis of the significant impacts from adding more condominium units than feasibly possible on the site, without corresponding

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parkland or open space, but the Project removes about 2 acres of open space in the previously approved Toll Brothers' project - even though it was 80 units less dense.

113. Given the above, there is substantial evidence in the record that the Project's sheer height and density - and failure to provide sufficiently corresponding parks or open space on buildable dry land - is both contrary to state planning law, and would result in significant environmental effects.

114. As to the above First Claim for Relief, Petitioners pray for the below-noted relief.

PRAYER

WHEREFORE, Petitioners pray for the following relief:

1. Upon duly presented application, that the Court issue a restraining order, preliminary injunction, stay, or other form of interim relief to preserve the environmental status quo ante at the Project site until the matters in this litigation can be brought to full resolution through entry of final judgment upon the completion of any available appeals;

2. That, as part of its final judgment in this matter, the Court issue a permanent injunction prohibiting Respondents/Defendants and Real Party from moving forward with any aspect of the Project based on the Project approvals challenged herein;

3. For violations of CEQA, the City's General Plan, zoning ordinances, and other above-noted state laws: That the Court find that the City's approvals of the Project are void *ab initio*, and otherwise direct the Clerk of the Court to issue a Peremptory Writ of Mandate compelling the City to set aside any and all of its approvals in furtherance of the Project, including without limitation its resolution(s) certifying the EIR, its resolution(s) approving the VTM, and its ordinance(s) approving the Rezoning. Petitioners further request that the Peremptory Writ order the City to set aside its NOD, in light of the fact no Project was lawfully approved; order the City to set aside any subsequent approvals it may have issued or made in reliance on the above, invalid actions and approvals; and direct the City to fully comply with CEQA, if or to the extent it later chooses to reconsider its approvals of the Project.

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4. That the Court retain jurisdiction of the matters embraced by this action to ensure that the City fully complies with the terms of its Final Judgment and Writ;

5. That the Court order Respondents, Defendants and Real Party to pay Petitioners' costs of suit;

6. That the Court order Respondents, Defendants and Real Party to pay Petitioners' reasonable attorneys' fees related to these proceedings upon proper motion (including, without limitation, pursuant to Code Civ. Proc. §1021.5); and

7. For such other and further relief as the Court may deem proper.

Dated: August 19,_2016

Gagen, McCoy, McMahon, Koss, Markowitz & Raines
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By: _____
DANIEL A. MULLER
Attorneys for Petitioners LOUIS BRIAN LEWIS; BRICKYARD COVE ALLIANCE FOR RESONSIBLE DEVELOPMENT

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VERIFICATION

I, the undersigned, declare:

That I am a party to the foregoing proceeding; that I have read the foregoing VERIFIED PETITION FOR WRIT OF MANDATE AND COMPLAINT FOR INJUNCTIVE RELIEF and know the contents thereof; that the same is true of my own knowledge, except for the matters set forth upon my information or belief, and as to such matters that I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed August 19, 2016, at Richmond, California.

BRIAN LEWIS

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