

Proposed Terms of Commitment for Equitable Development of Point Molate

Richmond Community-owned Development Enterprise

Overview

This document represents the proposed terms of commitment for a community benefits agreement with potential developers of Point Molate, developed specifically to reflect the community visioning process led by the RCDE.

Who We Are

We are a group of Richmond residents, young adults, development professionals, legal experts, and others who in early 2018 formed the Richmond Community-owned Development Enterprise (RCDE). The RCDE is a mission-driven developer, with social equity and community governance guiding its planning and implementation of development projects. Our vision is that the city of Richmond becomes a model for democratically governed and community-owned equitable development that creates resilient, prosperous and healthy neighborhoods.

Our Engagement with Point Molate

We began our engagement with Point Molate by publishing a set of principles that reflect our values and approach to development (see <https://bit.ly/2uirQO4>). Our community engagement team was led by long-time Richmond residents Valerie Jameson (RCDE board member), Sasha Graham, and Tania Pulido, and RCDE staff Evan Bissell (MCP, MPH).

We carried out a community engagement process that included numerous interviews with residents, more than 10 meetings with Richmond-based organizations, and three public workshops attended by over 60 residents. A majority of participants were Black, Latinx, or Native American, with an age range of 18 to 70 and a balanced gender representation. The purpose of this process was to identify the needs, visions, and ideas for developing Point Molate, particularly of those Richmond residents who were not represented in the community visioning process led by the consultant WRT.

We also interviewed experts in related fields and participated in the public planning meetings organized by the city and the consultant. Finally, we identified and reached out to several developers to inform them of the project and discuss their interests and potential partnership with us. **As a result of this process, we created a detailed vision of equitable development at Point Molate** (see: <https://bit.ly/2Mve6r5>). This document garnered over 50 signatures from the broader community and is included as one of three vision documents that guides the selection process of developer proposals, as identified in Addendum 1 of the current RFP.

For more information on our work or to discuss the Terms of Commitment, please contact Valerie Jameson, equitablepointmolate@gmail.com

Proposed Commitments

The proposed commitments are to remain in effect for 15 years from the start of the project construction or until the project is finished.

1. Establishment of a community advisory board
 - a. The Community Advisory Board will be the primary group to develop the process for the implementation, monitoring, and evaluation of the achievement of the above points.
 - b. The board will consist of 17 people include a majority of Richmond residents who are people of color.
 - c. Based on the capacity and interest of the below-named organizations, the Board is proposed to consist of the following:
 - i. Two will have participated in the RCDE community vision process,
 - ii. One will represent the developer
 - iii. Two will be on the RCDE board
 - iv. One will be part of the Sogorea Te' Land Trust
 - v. One will be from Rich City Rides
 - vi. One will be from Urban Tilth
 - vii. One will be from Safe Return Project
 - viii. One will be from YES Nature to Neighborhoods
 - ix. One will be part of the Point Molate Alliance
 - x. One will be part of Richmond Workforce Development Board
 - xi. One will be part of the Contra Costa County Construction Trades
 - xii. One will be from the City Planning Department
 - xiii. One will be from the City Manager's office
 - xiv. One will be from the WCCUSD
 - xv. One will be from East Bay Regional Parks

2. No housing or other development in the south watershed, with the following parameters and exceptions:

- a. This includes the Southern Development Area, Shoreline Open Space, and Hillside Open Space as referred to on page 52 of the settlement between Upstream and the City of Richmond
 - b. A sports complex and fields that meet the requirements for ecological sensitivity as outlined by the LSA memo of July 6, 2018 can be developed in the drum lot. This shall be approved by the community advisory board
 - c. Fields built on this site will give scheduling preferences and incentives to Greater Richmond residents, WCCUSD sports teams, and Greater Richmond sports leagues
 - i. Greater Richmond includes Richmond, North Richmond, and San Pablo
 - d. The development of the types and uses of the fields (soccer, basketball, baseball, bike park, tennis, etc) will include a minimum of two public meetings to gather community input and priorities
 - e. An educational interpretive center can be built at the site of the current quonset hut according to ecological parameters outlined in 1-b
3. Twenty percent of all residential units in the project will be on-site affordable housing that includes a range of affordability levels from extremely low-income to moderate income as follows:
- a. 5% at extremely low income (30% of Area Median Income)
 - b. 5% at very low income (50% of Area Median Income)
 - c. 5% at low income (80% of Area Median Income)
 - d. 5% at moderate income (120% of Area Median Income)
 - e. All affordable units will be completed no later than the date by which 50% of all market rate units are completed and consist of a similar mix of unit types and sizes to market rate residential units constructed in the project
 - f. The City will allocate 50% of revenue of sale of Point Molate to the development and/or renovation of extremely low income, very low income, and low income housing in Central Richmond in areas designated for transit-oriented development
4. Recently displaced (post 2007) Richmond residents have first right of refusal on all affordable housing units
- a. The availability of the units will be widely advertised through the Richmond Housing Authority (or its successor agency), local churches and organizations,

school and city public forums at least two months in advance of the application date

- b. The process of establishing the validity of one's claim as a "recently displaced (post 2007) Richmond resident" will be outlined by the Community Advisory Board
5. Enact a local hire policy to achieve 50% local hire goal according to the following criteria:
- a. "Local" refers to a Greater Richmond that includes Richmond, North Richmond, and San Pablo
 - b. The local hire policy shall also include recent residents of Greater Richmond who can show proof of local residence prior to 2013
 - c. Construction workforce will receive the California Prevailing Wage and no less than a Living Wage, calculated as \$16.48 for Contra Costa County according to the MIT Living Wage calculator, 1/22/19 (<http://livingwage.mit.edu/counties/06013>)
 - d. Developer signs a Project Labor Agreement with the Contra Costa County Construction Trades that includes an agreement by both parties to create and follow protocols for achieving a 50% local hire goal
 - e. Local hire content will be measured on a trade by trade basis, in total hours worked quarterly
 - f. If developer leases land to other businesses at Point Molate, lease shall include an agreement that the lessee business employees shall receive a Living Wage (as defined in 7b)
 - g. Workers counted towards the local hire goal can also count for the Ban the Box/fair chance hiring goal (see point 6 below) if they are formerly incarcerated
6. Adopt a "Ban the Box"/fair chance policy for hiring workers and subcontractors for both construction and future lessee businesses operating on-site
- a. The goal of the policy will be a 25% hire (measured by hours worked quarterly on a trade by trade basis) of formerly incarcerated workers
 - b. Outreach for hiring should include local organizations Safe Return Project, the Office of Neighborhood Safety, Reentry Success Center, Rubicon, Greater Richmond Interfaith Project, RichmondBUILD, Solar Richmond and East Bay Conservation Corp
 - c. The hiring policy will require that employers:

- i. Do not inquire about or independently research conviction-related histories of any job applicant unless required to do so by law
 - ii. Only investigate convictions that have a direct bearing on the essential functions of the job in question
 - iii. Only conduct background investigations after a conditional offer of employment has been made
 - iv. Offer any job applicant who may be disqualified because of a background investigation the opportunity to present evidence to the Community Advisory Board regarding the circumstances or other reasons why the background investigation should not disqualify the applicant
 - d. If developer leases land to other businesses at Point Molate, the lease shall include an agreement that the lessee business follows the Ban the Box hiring protocol
 - e. Workers who are formerly incarcerated can also count toward the local hire goal if they are also residents of Greater Richmond
7. Partner with local job pathways and youth workforce development programs to develop a jobs pipeline for Greater Richmond residents to gain access to the full range of jobs created by the project. This partnership will include both direct financial support to cover costs associated with participating in the jobs pipeline and working with local organizations to develop the pipeline
- a. Programs include, but are not limited to, the following: Solar Richmond, East Bay Conservation Corp, RichmondBUILD, Rubicon, Urban Tilth, and Contra Costa Workforce Development providers
 - b. By the end of year three, place 25 employees who have gone through a local job pipeline and readiness programs
 - c. Employees hired through the job pipeline can count towards local hire goal and/or formerly incarcerated goal if they meet these criteria
8. Enact a local business policy to achieve a goal of two-thirds or more businesses at Point Molate are owned by or have leadership positions held by Greater Richmond residents that are women or people of color
- a. This includes subcontractors and consultants involved in transactions over \$25,000
 - b. A minimum of two public informational meetings for local Richmond business owners, in partnership with the city's economic development staff, Richmond

Main Street, 23rd Street Merchants Association, and other economic development entities

9. Open hillside space and other undeveloped areas (which may include the bluffs or the point) will be moved into one or more land trusts
 - a. Sogorea Te' Land trust will be the trustee of part, if not all of trust land in accordance with their capacity and interest
 - b. Other land put into trust will be decided through a minimum of two public meetings to discuss the community vision for trust land with a final decision made by the community advisory board
 - c. The land included in the trust may include recreational uses with minimal ecological and development footprint, including an Ohlone roundhouse, camping, hiking, and biking, but shall not include housing or commercial development

10. Development of green water infrastructure
 - a. Feasibility study conducted to determine appropriate uses of ecological systems to manage water supply, stormwater runoff, sewage treatment, and use of rainwater and recycled water
 - b. Incorporation of green water infrastructure feasibility study recommendations to the greatest reasonable degree

11. Development of renewable energy infrastructure
 - a. Feasibility study of renewable energy generation at Point Molate, including the potential for solar and wind systems. Study should analyze potential for generation of energy for Point Molate sites as well as for other users in the Greater Richmond area
 - b. Incorporation of renewable energy infrastructure systems feasibility study recommendations to the greatest reasonable degree

12. Development of public transportation that connects Point Molate to Central Richmond and transit centers
 - a. Establish a bicycle and pedestrian strategic plan in coordination with the community advisory board and implement a bike transit hub at Point Molate in the first development phase
 - b. For the first ten years after residential occupation or until the establishment of a public transportation system servicing Point Molate, whichever comes first, the

developer will fund a free shuttle system connecting Point Molate to Central Richmond and transit centers

- c. A minimum of one public meeting will be held to gather community input on the design of the shuttle system
- d. The scope and scale of the shuttle system will be finalized by the community advisory board in accordance with community input

13. Establish a Richmond “Blueway”

- a. Extends along the shoreline from the existing beach park to the point, extending back from the shoreline in accordance with the BCDC designation as outlined in the LSA memo of July 6, 2018
- b. Connects to the Bay Trail
- c. Developer or future lessees of site will contribute 1% of profits made on-site to the maintenance and programming of the Blueway
- d. The City will contribute 1% of revenue, from sale or tax, or a minimum of \$5,000,000 for the establishment and maintenance of the Blueway and \$50,000 per year for programming and maintenance of the Richmond Greenway over 10 years
- e. Will include a minimum of three public community planning processes to plan and design other elements of the Blueway, including consultation with participating organizations of the Richmond Greenway. Ideas voiced thus far include an orchard or garden, natural areas, basketball court, bbq and picnic areas, and a playground

14. Funding for public art storytelling projects on-site and in central Richmond that address the history of underrepresented people at Point Molate (such as the Chinese Shrimp Camp or Ohlone use of the land) and in Richmond

- a. At least \$50,000 from the developer every two years for the first ten years of the project will be allocated in grants for the creation of public community art projects and arts education
- b. The granting process will be administered by the Richmond Arts and Culture Commission
- c. Underrepresented people in this case includes Asian/Pacific Islander, Latino, African-American, Native, women, low-income people, those living with disabilities, and those who identify as LGBTQI

15. Adopt and apply principles and practices regarding public safety based on restorative justice and anti-racism to security at the site both during construction, and governance of the site post occupancy
 - a. Safety and security personnel receive community policing and restorative justice training
 - b. A minimum of two public meetings to discuss these principles, to be finalized and ratified by the community advisory board

16. Establishment of community centers that provide space for local community based organization public programs, services and retreats, which may also include space for a restorative justice center, local artists, and food producers
 - a. A minimum of 20,000 sq feet of building space will be allocated for use by community based organizations
 - b. The space uses will be decided through three public community meetings and finalized by the community advisory board
 - c. The developer will provide 50% of the funds for the development of this space
 - d. The City will commit 50% of the funds to the development of this space via the sale of Point Molate