

RICHMOND, CALIFORNIA, June 23, 2015

The Richmond City Council Evening Open Session was called to order at 6:01 p.m. by Mayor Tom Butt.

ROLL CALL

Present: Councilmembers Nathaniel Bates, Jovanka Beckles, Eduardo Martinez, Gayle McLaughlin, Vinay Pimplé, and Mayor Tom Butt.
Absent: Vice Mayor Jael Myrick arrived after the City Council adjourned to Closed Session.

PUBLIC COMMENT

None.

CITY COUNCIL

The city clerk announced that the purpose of the Open Session was for the City Council to hear public comments on the following items to be discussed in Closed Session.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR - (Government Code Section 54956.8): Property: Point Potrero Marine Terminal (Port of Richmond)
Agency negotiators: Jim Matzorkis, Bill Lindsay
Negotiating Parties: Richmond Museum Association (Red Oak Victory), Foss Maritime, and Riggers Loft Wine Company.
Under Negotiation: Price and terms of payment

The Open Session adjourned to Closed Session at 6:03 p.m. Closed Session adjourned at 6:45 p.m.

The Special Meeting of the Richmond City Council was called to order at 6:46 p.m. by Mayor Tom Butt.

ROLL CALL

Present: Councilmembers Bates, Beckles, Martinez, McLaughlin, Pimplé, and Mayor Butt.
Absent: Vice Mayor Myrick arrived after the City Council meeting was called to order.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Moved item K-1 to the consent calendar, (“the matter to adopt a resolution in support of SCA 5 (Hancock, Mitchell), the Property Tax Fairness Amendment, to close the commercial property loophole in Proposition 13 while protecting small businesses and maintaining protections for residential properties”) ; On motion of Councilmember McLaughlin, seconded by

Councilmember Beckles **moved item J-1** (“the matter to receive a presentation regarding Just Cause for Eviction and potential policy options and provide direction to staff”), and **item J-2** (“the matter to review the fiscal year 2015-16 operating and capital budgets and provide direction to staff for City Council budget adoption at the meeting of June 30, 2015”), **immediately following the Consent Calendar** by the following vote: **Ayes:** Councilmembers Bates, Beckles, Martinez, McLaughlin, and Vice Mayor Myrick. **Noes:** Mayor Butt and Councilmember Pimplé. **Abstentions:** None. **Absent:** None.

Mayor Butt granted City Manager Bill Lindsay’s request to **move item H-2 from the consent calendar (placed on the consent calendar in error) to the end of the agenda**, (“the matter to Provide direction to staff regarding the selection of a firm to provide federal and state advocacy services to assist with obtaining funding for projects and programs. Specific options include: (1) entering into a new multi-year contract with Holland & Knight, (2) entering into a six-twelve month extension of services with Holland & Knight while staff solicits new service proposals, (3) entering into a contract with one of the two other firms that submitted a proposal to provide legislative advocacy services (Federal Advocates, Inc. or FTI Consulting), or (4) entering into a contract for federal advocacy services only with one of the three firms that submitted a proposal, and solicit separate proposals for advocacy services at the State level.”)

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

Mayor Butt presented a proclamation honoring the service of the Point Molate Citizens Advisory Committee to existing committee member Dorothy Gilbert. Mayor Butt announced that the Mayor’s Office was currently soliciting and reviewing applications for the advisory committee to appoint new members and reappoint existing members. Ms. Gilbert gave comments and accepted the proclamation on behalf of her colleagues.

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

City Attorney Bruce Goodmiller stated that there were no reportable actions.

REPORT FROM THE CITY MANAGER

City Manager Bill Lindsay reported on the following three items: (1) On June 30, 2015, the Strategic Growth Council will officially award \$5.1 million dollars for the Mira Flores affordable housing project (\$4 million will be allocated to the affordable housing component and \$1 million will be allocated to the greenbelt being constructed for the project); (2) the Marina Bay Grade Separation will open one lane in each direction on July 2, 2015, (before the grand opening event on July 3, 2015) with work continuing through September 2015; and, (3) the Richmond Swim Center Renovation Project was targeted for completion on July 14, 2015, and staff will schedule a ribbon cutting ceremony with the West Contra Costa Unified School District for later this summer.

CITY COUNCIL CONSENT CALENDAR

On motion of Councilmember Pimplé, seconded by Councilmember Martinez, all items marked with an (*) were approved by the unanimous vote of the City Council.

*- Adopted urgency **Ordinance No. 17-15 N.S.** amending the contract between the California Public Employee's Retirement System and Richmond City Council for employees sharing additional costs of three percent for classic local safety members in the Richmond Police Officers' Association and REPEAL Ordinance No. 16-15 N.S.

*- Adopted **Resolution No. 64-15** in support of SCA 5 (Hancock, Mitchell), the Property Tax Fairness Amendment, to close the commercial property loophole in Proposition 13 while protecting small businesses and maintaining protections for residential properties.

STUDY AND ACTION SESSION

In the matter to receive a presentation regarding Just Cause for Eviction and potential policy options and provide direction to staff, City Council directed staff at its February 17, 2015, meeting to draft an ordinance or provide policy recommendations to establish '*Just Cause*' requirements for eviction including engagement of stakeholders to determine a solution that would work for everyone. Staff developed four preliminary options for the City Council to consider and direct staff which option(s) to study further. City Manager Bill Lindsay's presentation included a PowerPoint presentation which highlighted; research background including eviction noticing requirements and rental unit exemptions per the Costa-Hawkins Rental Housing Act, existing policies and programs; existing fees paid by landlords; General Plan Housing Element data; community engagement process; and four policy options (A thru D), which would all require additional staffing with costs paid by landlord fees and unit applicability varying by option. Option A (Enhance Monitoring and Community Education) focuses on increased outreach and education efforts; Option B (Just Cause for

Eviction plus components of Option A) expands the scope of the existing ordinance with an increased requirement for landlords; Option C (Rent Mediation Board plus components of Options A) was based on the City of San Leandro's model; and Option D (Rent Control plus components of Options A and B) requires significantly more staffing than all of the other options and allows rent increases within guidelines and penalties for non-compliance. At the conclusion of the PowerPoint presentation, Mr. Lindsay recommended to Councilmembers a minimum of 120 to 180 days for staff to draft and begin implementing any of the proposed policy options. Mr. Lindsay also recommended Councilmembers consider adopting an "incremental approach" to implementation of a Just Cause for Eviction policy by adopting the least vigorous regulation with an option for movement to a more vigorous regulatory approach, if necessary. Councilmembers discussion with staff ensued.

(Mayor Butt announced Item I-1, to receive a presentation by East Bay Municipal Utility District Director Lesa McIntosh would be continued to a future meeting).

Mr. Lindsay concluded the discussion with Council by clarifying that the unit applicability data would require additional research and the proposed options were based on City Council directions and input from stakeholders. Mayor Butt suggested that it would be interesting to know which stakeholder groups support which option(s). The following speakers gave comments: Theresa Karr, Mark Wassburg, Melvin Willis, David Sharples, Daniel Jameyson, Armando Ruvalcaba, Brianna Williams, Zak Wear, Alejandro Monjaraz, Edith Pastrano, Ana Garza, Rebecca Auerbach, Marie Walcek, Clarita Griffin, Diana Wear, Andres Velasco, Alysabeth Alexander, Gabriel Haaland, Donnell Jones, Lydia Smith, Ryan Olds, Billy McCoy, Elizabeth Calef, Maria Mocias, Roberta Spieckerman, Susan Hybloom, Robert McCauley, Michael Beer, Monica Cross, Alice Powell, Andrea Bell, Veronica Keeton, Norma Labat, Bea Roberson, Naomi Williams, Virginia Ramirez, Marcos Banales, Stephanie Henry, Lynette Bartels, Renee Bartels, Marilyn Langlois, Jesus Perez, James Chang, Kimberly Almanza, Wilma Miller, Mike Parker, Eli Moore, and Brian Fisher. Councilmember Pimplé directed the City Manager to conduct a study on the effect of rent control on segregation rates. On motion of Vice Mayor Myrick, directing staff to return to City Council during the month of July with draft ordinances for Option C (*Rent Mediation Board plus Enhanced Monitoring and Community Education*) and Option D (*Rent Control ordinance plus Enhanced Monitoring and Community Education plus a Just Cause for Eviction ordinance*), seconded by Councilmember McLaughlin, with a friendly amendment directing staff to include the following seven points in the draft ordinance for Option D: (1) limit on annual rent increases based on Consumer Price Index, (2) establishment of a rent board, (3) Just Cause for Eviction to cover all units

possible, (4) reasonable re-location payments required for all no-fault evictions, (5) increase code enforcement and inspections on rental units, (6) require notification to tenants about Just Cause for Eviction and Rent Control ordinance, and (7) all costs associated with the ordinance to be covered by fees paid by landlords (with a suggestion that fees be set for all landlords to reduce the cost to approximately \$50 per year for each rental unit); and, directing the City Manager to convene a community working group to receive input. The friendly amendments were accepted. Councilmember Beckles offered a friendly amendment directing staff to include a moratorium (urgency ordinance) on rent increases when staff returned with the draft ordinances for Options C and D, to be effective until the policy ordinances go into effect. **Councilmember Beckles withdrew her friendly amendment** for consideration as a separate item on a future agenda. Councilmember McLaughlin added an additional friendly amendment directing staff to return to City Council on July 21, 2015, for first reading of draft ordinances to allow for second reading on July 28, 2015. The additional amendment was accepted and the motion including amendments passed by the following vote: **Ayes:** Councilmembers Beckles, Martinez, McLaughlin, and Vice Mayor Myrick. **Noes:** Councilmembers Pimplé and Mayor Butt. **Abstentions:** Councilmember Bates. **Absent:** None.

On motion of Councilmember Bates, seconded by Councilmember Beckles, **item L-1** (“the matter to approve appointments to the Richmond Promise Ad Hoc Committee”) **was moved immediately following item J-1** by the following vote: **Ayes:** Councilmembers Bates, Beckles, Martinez, and McLaughlin. **Noes:** Mayor Butt. **Abstentions:** Councilmember Pimplé and Vice Mayor Myrick. **Absent:** None.

COUNCIL AS A WHOLE

The matter to approve appointments to the Richmond Promise Ad Hoc Committee was presented by Mayor Butt announcing the following (15) appointees: George Fruehan (recommended by Councilmember Pimplé), Kathleen Sullivan (recommended by Vice Mayor Myrick), Michael Ray (recommended by Councilmember Bates), Mike Parker (recommended by Councilmember McLaughlin), Mister Phillips (recommended by Councilmember Beckles), Tyrone Weems (recommended by Councilmember Martinez), Angelica Arriaga, Anna Blackman, Dana Keith Mitchell, Sr., Joel Mackey, Karen Leong Fenton, Kimberly Aceves, Kyra Worthy, Michael Peritz, and Robert Bunce. Speaker Tom Paras gave comments. On motion of Councilmember Beckles, seconded by Vice Mayor Myrick, appointments to the Richmond Promise Ad Hoc Committee were approved by the unanimous vote of the City Council.

STUDY AND ACTION

The matter to review the Fiscal Year 2015-16 operating and capital budgets and provide direction to staff for City Council budget adoption at the meeting of June 30, 2015, was presented by City Manager Bill Lindsay. Mr. Lindsay responded to Councilmembers questions. Councilmember Beckles expressed the importance of utilizing any unanticipated one-time funds to building a new road crew and any other projects needed. Mr. Lindsay agreed to provide Councilmember McLaughlin with the non-departmental budget allocation for the Sister Cities. Councilmember McLaughlin requested an auditorium rental fee waiver for the Saffron Strand's Annual Conference.

*(11:00pm - On motion of Vice Mayor Myrick, seconded by Councilmember McLaughlin, the City Council meeting was extended to 11:30pm by the following vote: **Ayes:** Councilmembers Beckles, Martinez, McLaughlin, Pimplé, and Vice Mayor Myrick. **Noes:** Councilmember Bates and Mayor Butt. **Abstentions:** None. **Absent:** None.)*

Mr. Lindsay agreed to have the Director of Library Services attend the next council meeting to address questions related to the budget for children's librarians. Councilmember McLaughlin offered to send staff an email with proposed amendments to the budget for adoption. Mr. Lindsay advised Councilmembers of staff's plans to prepare a budget in July for City Council review and approval for funds received from the Chevron community benefit agreement for community grant programs, where a line item could be allocated for the city's youth sports groups. Councilmember Bates requested that a detailed discussion on the Measure U funds be added to the budget checklist for the City Council meeting scheduled on June 30, 2015.

Councilmember McLaughlin requested that an additional \$25,000 allocation be placed on the budget checklist for festivals and for staff to verify that a budget of \$8,000 was included for Sisters in Solidarity.

Councilmember Pimplé requested from staff a timeline for the following: (1) requirement and options for negotiating employee benefits packages with regard to the City's OPEB (Other Post-Employment Benefits); (2) budget projections for the Medium Term, five to seven years; and, (3) sample budget with 50% of Measure U funds set aside for street repairs. Mr. Lindsay agreed to provide the requested timeline to Councilmembers in the next week and a response from the Director of Library Services with the status of positions in that department at the next City Council meeting. Mr. Lindsay advised Councilmembers that staff would like to return to City Council at a later date with a comprehensive multi-year expenditure plan for the Chevron community benefit agreement funds. The following speakers gave comments: Marilyn Langlois, Mike Parker, and Rosanne Ryken. Councilmember Beckles reiterated the importance of city donations for festivals and requested consideration of a minimal budget of \$1,000 for the Pride Family Picnic.

STUDY SESSION

Continued to July 28, 2015, City Council meeting, the matter to receive a presentation by East Bay Municipal Utility District Director Lesa McIntosh concerning the water shortage and EBMUD water supply.

Continued to July 21, 2015, City Council meeting, the matter to receive a presentation and report from the National Research Center on the City of Richmond's 2015 Community Survey results, and provide direction to staff as appropriate.

Continued to July 7, 2015, City Council meeting, the mater to receive an update on the draft Health in All Policies (HiAP) annual report.

Continued to July 7, 2015, City Council meeting, the matter to provide direction to staff regarding the selection of a firm to provide federal and state advocacy services to assist with obtaining funding for projects and programs. Specific options include: (1) entering into a new multi-year contract with Holland & Knight, (2) entering into a six-twelve month extension of services with Holland & Knight while staff solicits new service proposals, (3) entering into a contract with one of the two other firms that submitted a proposal to provide legislative advocacy services (Federal Advocates, Inc. or FTI Consulting), or (4) entering into a contract for federal advocacy services only with one of the three firms that submitted a proposal, and solicit separate proposals for advocacy services at the State level.

ADJOURNMENT

There being no further business, the meeting adjourned at 11:29 p.m., to meet again on Tuesday, June 30, 2015, at 6:30 p.m.

Pamela Christian

City Clerk

(SEAL)

Approved:

Tom Butt

Mayor

Certified as a True Copy

Pamela Christian, Clerk of the City of Richmond