

RICHMOND, CALIFORNIA, June 7, 2016

The Richmond City Council Evening Open Session was called to order at 5:00 p.m.

ROLL CALL

Present: Councilmembers Nathaniel Bates, Jovanka Beckles, Gayle McLaughlin, Jael Myrick, Vinay Pimplé, Vice Mayor Eduardo Martinez, and Mayor Tom Butt. **Absent:** None.

PUBLIC COMMENT

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:

CITY COUNCIL

A-1. LIABILITY CLAIMS -(Government Code Section 54956.9):

Danielle Evans vs. City of Richmond

A-2. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6):

Agency designated representatives: Bill Lindsay and Lisa Stephenson, Jack Hughes, Todd Simonson, Belinda Warner and Bruce Soublet. Employee organizations: Service Employees International Union (SEIU, Local 1021); International Federation of Professional and Technical Employees (Local 21); Richmond Police Officers Association (RPOA); Richmond Police Management Association (RPMA); Richmond International Association of Firefighters (IAFF, Local 188); and Richmond Fire Management Association (RFMA).

There were no public speakers.

The Open Session adjourned to Closed Session at 5:01 p.m. Closed Session adjourned at 5:53 p.m.

The Meeting of the Richmond City Council was called to order at 5:54 p.m., by Mayor Butt, who led the Pledge of Allegiance to the Flag.

SPECIAL BUDGET STUDY AND ACTION SESSION

ROLL CALL

Present: Councilmembers Bates, Beckles, McLaughlin, Pimplé, Myrick, Vice Mayor Martinez, and Mayor Butt. **Absent:** None.

STATEMENT OF CONFLICT OF INTEREST

None.

STUDY AND ACTION SESSION

D-1. The matter to receive status update of the draft Fiscal Year 2016-17 Annual Operating Budget and the draft Fiscal Years 2016-21 Five-Year Capital Improvement Budget was presented by City Manager Bill Lindsay and Finance Director, Belinda Warner. Risk Management Department Director, Kim Greer, Transportation Department Director, Lori Reese-Brown, and Senior Management Analyst, City Manager's Office, LaShonda White of the Environmental and Community Investment Program, presented reports. The current budget deficit is \$2.8 million. The following individuals gave comments: James Walker, Mike Parker, Marilyn Langlois, and Bea Roberson. Councilmember Beckles requested a response regarding the Fire Chief assuming the role of the Fire Marshal as well. Councilmember McLaughlin requested staff to research the option of implementing a progressive scale wage cut to avoid layoffs: 0% wage cuts for employees earning up to \$60,000; 1% cut between \$60,000 and \$80,000; 2% cut between \$80,000 and \$90,000; an additional 2% cut for each additional \$10,000 over \$90,000. These cuts would be temporary and would be fully restored to the previous level when the General Fund reached a certain point. Councilmember Myrick asked for the status of filing the Equipment Supervisor position.

D-2. The matter to staff regarding the proposed initiative to increase the real estate documentary transfer tax was presented by City Attorney, Bruce Goodmiller. Councilmember Bates asked for a report of comparable cities that have this tax. Marilyn Langlois gave comments. A motion by Councilmember Myrick, seconded by Councilmember McLaughlin to do the two tier approach as staff recommended and use the median amount cut-off of \$400,000. A property valued at \$400,000 or less will be taxed 1%; and at \$400,001 or more the tax will be 1.5%. Councilmember McLaughlin made an amendment to direct staff to research how much 2% for properties \$1 million and above would yield. Mayor Butt stated that no other cities in California tax at 2% and is concerned that doing it will cause people to contest it and there be a large campaign against the measure. Councilmember McLaughlin removed her amendment. Councilmember Pimple made an amendment that this initiative is made conditional upon the passing of the Kid's First ballot measure. Councilmember Myrick did not accept the amendment. The motion passed by the following vote: **Ayes:** Councilmembers Beckles, McLaughlin, Myrick, Vice Mayor Martinez, and Mayor Butt. **Noes:** Councilmembers Bates and Pimple. **Abstain:** None. **Absent:** None.

ADJOURNMENT

The meeting adjourned at 8:21 p.m.

REGULAR MEETING OF THE RICHMOND CITY COUNCIL

ROLL CALL

STATEMENT OF CONFLICT OF INTEREST

AGENDA REVIEW

Items G-13, G-14, and I-1 were moved to the June 21, 2016, City Council meeting.

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

City Attorney, Bruce Goodmiller, stated there was nothing to report.

REPORT FROM THE CITY MANAGER

No report.

OPEN FORUM FOR PUBLIC COMMENT

James Gouldthorpe stated his concerns regarding the East Bay Regional Park Service cutting 1,700 acres of trees, including 112 acres that are in El Dorado/Wildcat Canyon Park.

Bea Roberson stated that Vice Mayor Martinez has been harassing her.

Mirna Cervantes, Associate Director of the Multicultural Institute, stated the CDBG grant they were awarded during Fiscal Year 2014-2015, has not been received to date.

Pam Bilbo announced that the Men & Women of Valor will be hosting their third annual job fair on June 10, 2016, from 10 a.m. to 2 p.m. at 1350 Kelsey Street, Richmond.

Jackie Thompson stated that she really enjoyed the Richmond Promise Program Ceremony, however, the sound in the Richmond Auditorium is very poor and the people seated in the back could not hear. Ms. Thompson also stated that Councilmember Bates should have been a presenter at the event. She also, stated that Councilmember Bates was not invited to attend the visit of former President Clinton.

Thomas Gary and Jaden Sance thanked the Mayor and City Council for the \$15,000 grant given to the Richmond Little League, however, Mr. Gary stated they are still in need of \$2,000 for a trip and asked for the community's support. Donations can be made by visiting www.wheelhouseacademy.com/gamechangers

Rick Perez gave comments regarding the limitations of the police commission.

Texanita Bluitt asked if the Code Enforcement Department has been cut. Ms. Bluitt also stated that the Beta Phi Sigma Sorority of Business and Professional Women will be presenting awards to Women of Valor at His Lordship's on June 25, 2016.

Patricia Perez is looking forward to the Citizen's Police Review Investigative Officer that will be hired by

the city so that her grandson Pedie Perez's case can be further investigated.

Ben Therriault, president of the RPOA, stated that there needs to be heightened economic activity that, in turn, would help the city financially.

Councilmember Nat Bates gave comments regarding former President Bill Clinton's recent visit to Richmond and thanked the police and fire departments and others who assisted in the event. Councilmember Bates also stated that the city could've done more, such as having KCRT record the visit.

CITY COUNCIL CONSENT CALENDAR

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

*- **G-1.** Adopted **Resolution No. 36-16**, Calling and Giving Notice of the holding of a Municipal Election to be held on Tuesday, November 8, 2016, for the election of certain officers as required by the provisions of the Charter of the City of Richmond; requesting the Board of Supervisors of Contra Costa County to consolidate the Municipal Election with the Statewide General Election; adopt regulations for candidates pertaining to the candidates' statements submitted to the voters, cost of the candidates' statements and other fees, word limit for candidate's statement; and action to be taken for a tie vote.

*- **G-2.** Adopted **Ordinance No. 8-16 N.S.** establishing certain fees for the proposed Master Fee Schedule and after the second reading of the ordinance, ADOPT a resolution setting the dollar amount for the new fees and adjusting the dollar amount for the current fees.

*- **G-3.** Accepted and appropriated grant funds from the East Bay Community Foundation for the Office of Neighborhood Safety (ONS) in the amount of \$20,000 to provide general and emergency support services for ONS Fellowship participants.

*- **G-4.** Adopted **Resolution No. 38-16**, allowing the City of Richmond to levy the annual assessments of property owners subject to assessment under the Downtown Richmond Property and Business Improvement District (DRPBID) on the annual 2016-2017 property tax rolls.

*- **G-5.** Approved actions to update the Commission on Aging: appointed Christine Caldwell, re-appointment, seat #10, term expiring May 19, 2018.

*- **G-6.** Approved actions to update the Recreation and Parks Commission: announced the automatic resignations of Otheree Christian, seat #1, term expiration date October 26, 2018, Steven Parker, seat #3, term expiration date April 28, 2018; declared seat #1 and seat #3 vacant; and directed the City Clerk to post the vacancies.

*- **G-7.** Approved actions to update the Richmond Workforce Development Board; appointed Chuck Carpenter, new appointment, seat #19, term expiring March 1, 2020.

*- **G-8.** Approved actions to update the Urban Forest Advisory Committee: appointed Sherman Dean, new appointment, seat #9, term expiring November 17, 2018; announced the vacancy of Seat #3 previously held by Teri Katz, term expiration date November 17, 2018; and directed the City Clerk to post the vacancy.

*- **G-9.** Reviewed and approved the City's Investment and Cash Balance Report for the month of April 2016.

*- **G-10.** Received a report on the Richmond Municipal Sewer District for the month of April 2016.

*- **G-11.** Approved the minutes of the regular City Council meetings held Tuesday, May 3 and 17, 2016.

*- **G-12.** Introduced an ordinance (first reading) setting the tax rate for the Tax Override Pension Fund for Fiscal Year 2016-17 at 0.14%.

G-13. CONTINUED to the June 21, 2016, City Council meeting, to approve a contract with Renne Sloan Holtzman Sakai Public Law Group to perform compensation and classification studies for library, business and finance, and clerical positions in an amount not to exceed \$52,000 for a term beginning January 1, 2016, and ending on June 30, 2017.

*- **G-14.** CONTINUED to the June 21, 2016, City Council meeting, to approve support of the H.R. 4760 Congressional Bill titled "Blue Lives Matter" and direct staff to send a letter of support to Congressman Ken Buck.

PUBLIC HEARINGS

H-1. The matter to introduce an ordinance (first reading) adding Chapter 15.03, Interim Zoning Regulations, to Article XV, Zoning and Subdivisions of the Richmond Municipal Code was presented by City Planner, Lina Velasco and consultant, Michael Dietze. Staff recommends adding the following revised language: *Revise third paragraph of Section 15.03.020 to read as follows: It is not the intent of this ordinance to affect the rights to build out a project under the prior land use and zoning regulations for property owners and/or applicants who have approved use permits, tentative maps and parcel maps or other entitlements or have obtained the necessary building permits prior to the effective date of this ordinance or have submitted an application for a ministerial permit, such as a building permit that is under review by June 7, 2016. Applications for discretionary approvals consistent with the General Plan and deemed complete by the Director or Department of Planning and Building Services prior to the effective date of this ordinance may shall continue to be processed under the zoning in effect on the "deemed complete" date. Applications for ministerial permits consistent with the General Plan and submitted to the appropriate department prior to June 7, 2016 shall*

continue to be processed under the zoning in effect on the submission date. Mayor Butt declared the public hearing open. The following individuals gave comments: Marilyn Langlois, Dr. Linda Delgado, Arlena Ford, Mark Howe, Linda Klein, Doug Giffin, and Andre Jones. Mayor Butt closed the public hearing. A motion by Councilmember Myrick, seconded by Councilmember McLaughlin, approved first reading of said ordinance, with the addition of the revised language, passed by the following vote: **Ayes:** Councilmembers Bates, Beckles, McLaughlin, Myrick, Pimplé, and Mayor Butt. **Noes:** Vice Mayor Martinez. **Absent:** None. **Abstain:** None.

H-2. The matter to introduce an ordinance (first reading) amending Chapter 15.06 - Use and Display of Signs, repealing existing Chapters 4.04, 4.08, and 4.12 that relate to signs and other clean up changes to Section 15.04.860 of the Richmond Municipal Code was presented by City Planner, Lina Velasco, and consultant Michael Dietze. The language on page 44, under B-1 is revised to include the word: *freeways* after the word *highways*. Mayor Butt declared the public hearing open. There were no public speakers. Mayor Butt closed the public hearing. A motion by Councilmember McLaughlin, seconded by Councilmember Myrick, approved first reading of said ordinance, and passed by the unanimous vote of the City Council.

H-3. The matter to adopt a resolution on a proposed 3.02% increase in annual assessments for the Hilltop Landscape Maintenance District for the 2016-2017 fiscal year, based on the annual change in the Consumer Price Index was presented by City Manager, Bill Lindsay. Four protests were received. Mayor Butt opened the public hearing. Michelle Kaus gave comments. Mayor Butt closed the public hearing. Councilmember McLaughlin stated that a motion is required to close the public hearing. Mayor Butt replied that it is not necessary and he can declare the public hearing closed. A motion by Councilmember McLaughlin, seconded by Vice Mayor Martinez to overturn Mayor's Butt decision, failed by the following vote: **Ayes:** Councilmembers Beckles, McLaughlin, and Vice Mayor Martinez. **Noes:** Councilmembers Bates, Myrick, Pimplé, and Mayor Butt. **Absent:** None. **Abstain:** None. Consultant, Nathan Perez, stated that there was a protest received regarding a parcel that was said to be undevelopable by the owner, and therefore should not be subject to the proposed assessment. The council can still move forward and adopt the resolution and staff will continue to work with this property owner and will either accept or deny their request. A motion by Councilmember Pimplé, seconded by Councilmember McLaughlin, adopted **Resolution No. 39-16**, by the unanimous vote of the City Council.

H-4. The matter to adopt a resolution approving a proposed 3% increase in annual assessments for the Marina Bay Landscaping and Lighting Maintenance District for the 2016-2017 fiscal year, based on the inflation index rate permitted under Resolution No. 83-09 was presented by City Manager, Bill Lindsay. Mayor Butt opened the public hearing. There were no public speakers. Mayor Butt closed the public hearing. A motion by Councilmember

McLaughlin, seconded by Councilmember Myrick, adopted **Resolution No. 40-16**, by the unanimous vote of the City Council.

H-5. CONTINUED to July 5, 2016, City Council meeting, the matter to consider an appeal by Jay R. Fenton of the Planning Commission's approval of a Parcel Map (PLN15-282) to create three parcels located at 3701 Collins Avenue; and reaffirm, modify, or reverse the Planning Commission's decision.

RESOLUTIONS

I-1. CONTINUED to the June 21, 2016, City Council meeting, the matter to adopt a resolution in support of the Cybertran International, Inc. Ultra-Light Rail Transit System (ULRT) and consider co-sponsoring a regional Town Hall Meeting to introduce the ULRT system as a Global Identity Project.

COUNCIL AS A WHOLE

J-1. The matter to direct staff to develop a new process for naming and renaming streets or community centers and bring back recommendations to the City Council within 60 days; the report should include a recommendation for renaming a street for Nelson Mandela, as approved by the City Council in 2014 was presented by Councilmember Myrick. Cordell Hindler and Jackie Thompson gave comments. Recreation Director, Rochelle Monk, stated that she will be meeting with the City Manager and City Attorney and will present recommendations to the council at a later date. Staff will also move forward with the renaming of a street for Nelson Mandela.

*(11:00 p.m. – A motion by Councilmember McLaughlin, seconded by Vice Mayor Martinez, to extend the meeting only to complete Item J-2. A substitute motion by Councilmember Bates, seconded by Councilmember Pimplé, to extend the meeting until 11:30 p.m. to finish all remaining items, failed by the following vote: **Ayes:** Councilmembers Bates, Myrick, and Pimplé. **Noes:** Councilmembers Beckles, McLaughlin, Vice Mayor Martinez, and Mayor Butt. **Absent:** None. **Abstain:** None. The original motion passed by the following vote: **Ayes:** Councilmembers Bates, Beckles, McLaughlin, Myrick, Pimplé, and Vice Mayor Martinez. **Noes:** Mayor Butt. **Absent:** None. **Abstain:** None).*

J-2. The matter to approve the procedures for establishing a five (5) member Committee selected by the Council to oversee the: (1) Electric City; (2) Easy Go; and (3) Transportation programs and associated budgets as identified in the ECIA Community-Based Greenhouse Gas Reduction Program was presented by Councilmember Beckles. Cordell Hindler gave comments. A motion by Councilmember Beckles, seconded by Councilmember McLaughlin, approved the procedure for establishing a five member advisory committee appointed by the City Council to oversee the Electric City, Easy Go, and transportation programs. A substitute motion was made by Councilmember Myrick to conduct two workshops per year, failed by lack of a second. The original motion

passed by the following vote: **Ayes:** Councilmembers Bates, Beckles, McLaughlin, Myrick, and Vice Mayor Martinez. **Noes:** Councilmember Pimplé, and Mayor Butt. **Absent:** None. **Abstain:** None.

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

None.

ADJOURNMENT

The meeting adjourned at 11:12 p.m., to meet again on Tuesday, June 14, 2016.

Pamela Christian

Clerk of the City of Richmond

(SEAL)

Approved:

Tom Butt

Mayor