

RICHMOND, CALIFORNIA, July 7, 2015

The Richmond City Council Evening Open Session was called to order at 5:35 p.m. by Mayor Tom Butt.

ROLL CALL

Present: Councilmembers Jovanka Beckles, Eduardo Martinez, Gayle McLaughlin, Vinay Pimplé, and Mayor Tom Butt. **Absent:** Vice Mayor Jael Myrick. Councilmember Nathaniel Bates was absent for the entire meeting.

PUBLIC COMMENT

There were no public speakers.

CITY COUNCIL

City Clerk Pamela Christian 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 LEGAL COUNSEL - EXISTING LITIGATION (Subdivision [a] of Government Code Section 54956.9):

Plummer vs. City of Richmond et al

The Open Session adjourned to Closed Session at 5:36 p.m. Closed Session adjourned at 6:21 p.m.

The Regular Meeting of the Richmond City Council was called to order at 6:33 p.m. by Mayor Tom Butt.

ROLL CALL

Present: Councilmembers Beckles, Martinez, McLaughlin, Pimplé, Vice Mayor Myrick, and Mayor Butt. **Absent:** Councilmember Bates was absent for the entire meeting.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Removed Item H-8, the matter to approve a contract with the Contra Costa County District Attorney's Office for the dedicated services of a Deputy District Attorney, who would be specifically assigned as Richmond's Community Based Prosecutor - The term of the contract is from July 1, 2015, through June 30, 2016, at a cost not to exceed \$200,000, **from the Consent Calendar for discussion at the end of the agenda; Continued Items J-1**, the matter to adopt an urgency ordinance establishing a 45-day moratorium on

rent increases until the City Council has implemented a policy to stabilize rents in the City of Richmond, and **K-2**, the matter to review the effectiveness of eliminating the Public Safety/Services and the Finance, Administrative Services and Economic Development Committees, **to July 21, 2015.**

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

Councilmember McLaughlin presented a proclamation recognizing the inaugural United Urban Warriors Society Native American Walk for Sobriety on Saturday, July 18, 2015. Courtney Cummings and Jerome Smith gave comments.

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 that the Capital Improvements Project, Wet Weather Storage Facility at the Waste Water Treatment Plant, was underway and nearing completion. He also reported that Waste Water Program Manager Chad Davisson was leaving the city to pursue other endeavors.

OPEN FORUM FOR PUBLIC COMMENT

The following speakers gave comments:

Leonard Taylor gave comments regarding the Red, White, and Blue fireworks show and the Arcade Show on July 18-19, 2015, at the Hyatt Regency in Santa Clara.

Mark Wassberg gave comments regarding immigration laws.

Courtney Cummings announced that a graduate of Kennedy High School was at the White House as a speaker for the First National Conference for Native American Youth, and she extended her condolences to her family for the death of her nephew Lehman Brightman III.

Texanita Bluitt gave comments regarding construction activity on Ohio Street (between 8th Street and Harbor Way) and the West Contra Costa Unified School District's financial situation.

Veronica Keeton gave comments regarding Just Cause for Eviction and Rent Control proposed ordinances and the Hacienda housing matter.

Naomi Williams announced that the Commission on Aging was hosting a Health Fair on

July 21, 2015, 9:00 a.m. to 1:00 p.m., at the Richmond Memorial Auditorium and a bus trip to the San Francisco Japanese Tea Garden and Conservatory Flower Garden on August 12, 2015, departing at 9:00 a.m. and return at 3:30 p.m., tickets cost \$16, limited seating, contact (510) 233-0777. Ms. Williams also gave comments regarding support of the railroad crossing project at Carlson and Cutting Boulevards.

Margaret Judkins gave comments on behalf of herself and the residents of San Pablo regarding opposition of the Richmond Rail Connector Project.

Jessica Palacios gave comments regarding opposition of the Richmond Rail Connector Project and expressed noise and safety concerns.

Eleanor Thompson gave comments and thanked all that supported the North Richmond Fourth of July Parade and Festival and requested a \$2,000 annual donation from the City.

Antwon Cloird gave comments regarding the Annual Recovery Walk and defeating addiction. He also announced the Third Annual Men and Women of Purpose BBQ on July 18, 2015, and thanked Councilmembers for their team work.

Tarnel Abbott and Suzanne Shukuru gave comments regarding the City's relationship with Sister City, Regla, Cuba.

Mike Parker gave comments to clarify misconceptions of the Richmond Progressive Alliance and invited Richmond Progressives to a summer picnic at Miller-Knox Park on Saturday, July 18, 2015, from 11:00 a.m. until 4:00 p.m.

Gary Luria gave comments regarding the Chevron Refinery, crime reduction, Indian gambling, and the election of Mayor Butt.

CITY COUNCIL CONSENT CALENDAR

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

*-Approved Lease Agreement with North Richmond Properties Inc. to lease space to store containers and equipment, located at 2801 Giant Road, Richmond, in an amount not to exceed \$13,000 per year.

*-Approved a legal services agreement with Renne Sloan Holtzman & Sakai, LLP for as-needed legal advice regarding specialized municipal law and election law matters, in an amount not to exceed \$15,000, with a term expiration of June 30, 2016

*-Approved a contract with MuniServices for business license audit services, to help ensure complete and accurate reporting and remittance of business license taxes, in an amount not to exceed \$300,000, with payment for services on a contingency basis, based on the amount of new, verifiable revenue that the contractor obtains for the City of Richmond

*-Adopted **Resolution No. 68-15** authorizing the execution of a contract with Ghilotti Bros., Inc. for construction of the Cutting/Carlson Grade Crossing Improvements Phase I Project in an amount not to exceed \$467,420.

*-Approved a standing purchase order with Universal Building Services & Supply Co. for green seal cleaning, hand soap and paper products in an amount not to exceed \$70,000.00 per fiscal year, with an option to extend the purchase order for an additional two years

*-Approved a one-year contract extension with Enterprise Holdings Incorporated to participate in the State of California rental vehicle program for the purpose of securing unmarked police vehicles, in an amount not to exceed \$170,000 and for a term from July 1, 2015 to June 30, 2016.

*-Approved a two-year contract with Contra Costa Homeless Outreach to provide homeless outreach services to the Richmond homeless population. The term of the contract is from July 15, 2015 through July 15, 2017, in an amount not to exceed \$40,000 (\$20,000 annually for two years).

H-8 The matter to approve a contract with the Contra Costa County District Attorney's Office for the dedicated services of a Deputy District Attorney, who would be specifically assigned as Richmond's Community Based Prosecutor; the term of the contract is from July 1, 2015, through June 30, 2016, at a cost not to exceed \$200,000 was presented by Police Sergeant Albert Walle. Following discussion, on motion of Councilmember Beckles, seconded by Councilmember Pimple approved a contract with the Contra Costa County District Attorney's Office for the dedicated services of a Deputy District Attorney by the following vote: **Ayes:** Councilmembers Beckles, McLaughlin, Pimple, Vice Mayor Myrick, and Mayor Butt. **Noe:** None. **Abstentions:** Councilmember Martinez. **Absent:** Councilmember Bates.

*-Approved a one-year contract with Kronos Inc. for the maintenance of the Telestaff system that manages Police Department personnel deployments and payroll, in an amount not to exceed \$15,000 for a term from July 1, 2015, through June 30, 2016.

*-Approved a Memorandum of Understanding (MOU) between the City of Richmond and the Richmond Police Activities League (RPAL) to

subsidize RPAL staff and programs in the areas of academic, athletic and life-skills services offered by RPAL for the period July 1, 2015, through June 30, 2017, in an amount not to exceed \$600,000 (\$300,000 annually for two years).

*-Approved a two-year contract with BMW Motorcycles of San Francisco for regular maintenance of the Department's BMW motorcycle fleet, in an amount not to exceed \$60,000 (\$30,000 annually for two years) from July 1, 2015, through June 30, 2017.

*-Approved a contract with R&S Erection of Richmond, Inc. to perform maintenance, repairs, and installations of commercial roll up garage doors and automatic gate systems at various City-owned buildings in an amount not to exceed \$150,000.00 over a three-year period, with an option to extend the contract for two years.

*-Adopted **Resolution No. 69-15** approving standing contracts for mold and asbestos remediation services with Plant Hazardous Services; Cal Inc.; Paul Davis; and A&J Quality Services in an amount not to exceed \$100,000.00 per firm per year over a three-year period, with an option to extend the contracts for two years

*-Adopted **Resolution No. 70-15** authorizing placement of liens and special assessments totaling \$447,190.64 for unpaid garbage collection service fees on County property tax records

*-Approved the purchase of seven (7) 2015 BMW RT1200-P motorcycles from Long Beach BMW not to exceed an amount of \$200,000.00

*-Received an update on the draft Health in All Policies (HiAP) annual report

*-Approved the minutes of the May 26, June 2 and 16, 2015, meetings

*-Approved a contract with Coplogic Inc. to provide the software, training and maintenance for an online crime reporting system, in an amount not to exceed \$46,525 for a term from July 2015 to July 2018; and the associated \$29,000 contract with New World Systems for the required CAD/RMS system upgrade for the Coplogic program (costs shared through the CAD/RMS Consortium with several other West Contra Costa County cities)

*-Approved the following appointments and re-appointments: Planning Commission: Sheryl E. Lane, re-appointment, term expiring June 30, 2017; Point Molate Community Advisory Committee: Jim Hanson, new appointment, term expiring May 30, 2017

*-Designated Mayor Tom Butt as voting delegate to represent the City of Richmond at the Annual Business Meeting of the League of California

Cities' 2015 Annual Conference, to be held at the San Jose, California Convention Center, Wednesday, September 30 through Friday, October 2, 2015.

PUBLIC HEARINGS

The city clerk announced that it was time pursuant to public notice to hold a public hearing to introduce an ordinance for first reading establishing certain fees for the proposed Master Fee Schedule. Revenue Manager Antonio Banuelos gave an overview stating that fees were last updated the summer of 2014, and the new master fee scheduled only includes a new fee under the Fire Department. Mayor Butt expressed concern regarding appeal fees. City Manager Bill Lindsay stated that the fees for appeal were inadvertently left out of the draft and staff would include the information for fee changes in the resolution for adoption on July 21, 2015, if directed by Council. Mayor Butt opened the public hearing. The following speakers gave comments: Margaret Jordan and Cesar Zepeda. On motion of Councilmember Beckles, seconded by Vice Mayor Myrick closed the public hearing by the unanimous vote of the City Council. On motion of Councilmember McLaughlin, seconded by Councilmember Beckles said ordinance received first reading and was laid over two weeks for second reading by the following vote: **Ayes:** Councilmembers Beckles, Martinez, McLaughlin, Pimplé, Vice Mayor Myrick, and Mayor Butt. **Noe:** None. **Abstentions:** None. **Absent:** Councilmember Bates. On motion of Councilmember Beckles, seconded by Councilmember McLaughlin directed staff to limit the fees for an appeal to \$50 for appeals endorsed by the Neighborhood Councils by the following vote: **Ayes:** Councilmembers Beckles, Martinez, McLaughlin, Pimplé, Vice Mayor Myrick, and Mayor Butt. **Noe:** None. **Abstentions:** None. **Absent:** Councilmember Bates.

ORDINANCES

Continued to July 21, 2015, the matter to adopt an urgency ordinance establishing a 45-day moratorium on rent increases until the City Council has implemented a policy to stabilize rents in the City of Richmond.

COUNCIL AS A WHOLE

In the matter to discuss specific regulatory components of Rent Mediation Board (Option C) and Rent Control Plus Just Cause for Eviction (Option D) ordinances and provide direction to staff, City Manager Bill Lindsay gave an overview which included a PowerPoint Presentation. Mr. Lindsay stated staff would research rate of segregation, per Councilmember Pimplé. The following speakers gave comments: Kristen Hoeger, Millie Cleveland, Melvin Willis, Gabriel Haaland, Theresa Karr, Mike Parker, Jeffrey Wright, Andrew Kolar, Norma Laba, Christina Lee,

Joseph Lawton, Bruce Hoeger, Dan Jameyson, and Michael Cheng. Mayor Butt suggested that there should be a pass-through for taxes. Councilmember Pimple discussed the charts he distributed regarding the effects of rent control. Following discussion, a **motion made by Vice Mayor Myrick, seconded by Councilmember Martinez regarding exemptions for Option C, Rent Mediation Board Plus Enhanced Monitoring and Community Education (Option A)**, directing staff to not include any exemptions was approved by the following vote: **Ayes:** Councilmember Beckles, Martinez, Pimple, and Vice Mayor Myrick. **Noe:** None. **Abstentions:** Councilmember McLaughlin and Mayor Butt. **Absent:** Councilmember Bates. **A motion was made by Councilmember McLaughlin, seconded by Councilmember Beckles regarding Option D – Rent Control and Just Cause for Eviction Plus Enhanced Monitoring and Community Education (Option A)**, to not include any exemptions beyond Costa-Hawkins. Vice Mayor Myrick requested a friendly amendment directing staff to look at best practices for exempting the hardship application process for landlords. The amendment was accepted and the motion passed by the following vote: **Ayes:** Councilmember Beckles, Martinez, McLaughlin, and Vice Mayor Myrick. **Noe:** None. **Abstentions:** Councilmember Pimplé and Mayor Butt. **Absent:** Councilmember Bates. **A motion made by Councilmember McLaughlin, seconded by Vice Mayor Myrick regarding Option D - Just Cause for Eviction Exemptions** directing staff to not include any exemptions, and expand to all units including Section 8 passed by the following vote: **Ayes:** Councilmember Beckles, Martinez, McLaughlin, and Vice Mayor Myrick. **Noe:** None. **Abstentions:** Councilmember Pimplé and Mayor Butt. **Absent:** Councilmember Bates. **A motion made by Councilmember Pimple, seconded by Vice Mayor Myrick regarding Option C – Rent Mediation Board** to approve staff’s recommendation of five members failed by the following vote: **Ayes:** Councilmember Martinez, Pimple, and Vice Mayor Myrick. **Noe:** None. **Abstentions:** Councilmembers Beckles, McLaughlin, and Mayor Butt. **Absent:** Councilmember Bates. **A motion made by Councilmember McLaughlin, seconded by Councilmember Beckles** regarding Option D – potential Rent Control Board composition – to have the City Council function as Rent Board until November 2016 passed by the following vote: **Ayes:** Councilmember Beckles, Martinez, McLaughlin, and Vice Mayor Myrick. **Noe:** None. **Abstentions:** Councilmember Pimplé and Mayor Butt. **Absent:** Councilmember Bates. **A motion made by Councilmember Pimple regarding Option C – Rent Mediation Board**, directing staff to include an aggregate of seven percent over one year. Vice Mayor Myrick seconded the motion with the following friendly amendments: (1) the rent increase is a subsequent increase in the same 12 month period; (2) mediation for individuals who received a 30 to 60 day notice; and (3)

if over the course of three years an increase of higher than 17%. The amendments were accepted. The motion failed by the following vote: **Ayes:** Councilmember Beckles, Pimplé, and Vice Mayor Myrick. **Noe:** None. **Abstentions:** Councilmembers Martinez, McLaughlin, and Mayor Butt. **Absent:** Councilmember Bates. **A motion made by Councilmember McLaughlin, seconded by Councilmember Beckles regarding Option D - Rent Control and Just Case for Eviction,** proposed a 60% of CPI in terms of allowable increases passed by the following vote: **Ayes:** Councilmember Beckles, Martinez, McLaughlin, and Vice Mayor Myrick. **Noe:** None. **Abstentions:** Councilmember Pimplé and Mayor Butt. **Absent:** Councilmember Bates. **A motion made by Councilmember McLaughlin, seconded by Councilmember Beckles regarding Option D - Fee Pass-through,** applying all costs associated with the ordinance to include all units covered for Just Cause for Eviction and no fees allowed to pass through to tenant except sewer rates passed by the following vote: **Ayes:** Councilmember Beckles, Martinez, McLaughlin, and Vice Mayor Myrick. **Noe:** None. **Abstentions:** Councilmember Pimplé and Mayor Butt. **Absent:** Councilmember Bates. **A motion was made by Councilmember McLaughlin, seconded by Councilmember Beckles regarding Option D – Relocation Payments –** to apply to all units - relocation payments of two months rents at market rate plus \$1,000 for all no-fault evictions. Vice Mayor Myrick offered a friendly amendment to include Option C. The friendly amendment was accepted and the motion passed by the following vote: **Ayes:** Councilmember Beckles, Martinez, McLaughlin, and Vice Mayor Myrick. **Noe:** Councilmember Pimplé. **Abstentions:** Mayor Butt. **Absent:** Councilmember Bates. **A motion made by Councilmember McLaughlin, seconded by Councilmember Beckles** increasing code enforcement on rental units passed by the following vote: **Ayes:** Councilmember Beckles, Martinez, McLaughlin, and Vice Mayor Myrick. **Noe:** Councilmember Pimplé. **Abstentions:** Mayor Butt. **Absent:** Councilmember Bates. **A motion made by Councilmember McLaughlin** to require notification to tenants about the Just Case and Rental Control Ordinance. Vice Mayor Myrick seconded the motion with a friendly amendment to include Option D. The amendment was accepted and the motion passed by the following vote: **Ayes:** Councilmember Beckles, Martinez, McLaughlin, Pimplé, and Vice Mayor Myrick. **Noe:** None. **Abstentions:** Mayor Butt. **Absent:** Councilmember Bates. **A motion made by Councilmember McLaughlin, seconded by Councilmember Martinez** to not include a rental registry and levy maximum legal penalties including a private right of action by tenants passed by the following vote: **Ayes:** Councilmember Beckles, Martinez, McLaughlin, and Vice Mayor Myrick. **Noe:** Councilmember Pimplé. **Abstentions:** Mayor Butt. **Absent:** Councilmember Bates. **A motion made by Councilmember McLaughlin, seconded by**

Councilmember Beckles directing staff to establish a special fund to receive fees received by landlords and not start wrapping up the staffing of the Rental Board until the fees are collected passed by the following vote:

Ayes: Councilmember Beckles, Martinez, McLaughlin, and Vice Mayor Myrick. **Noe:** Councilmember Pimplé. **Abstentions:** Mayor Butt. **Absent:** Councilmember Bates.

Continued to July 21, 2015, the matter to review the effectiveness of eliminating the Public Safety/Services and the Finance, Administrative Services and Economic Development Committees.

In 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, on motion of Councilmember McLaughlin, seconded by Vice Mayor Myrick authorizing the city manager to extend the contract with Holland & Knight for three months through September 30, 2015, and **continued the item to July 21, 2015**, by the following vote: **Ayes:** Councilmembers Beckles, Martinez, McLaughlin, Pimple, Vice Mayor Myrick, and Mayor Butt. **Noe:** None. **Abstentions:** None. **Absent:** Councilmember Bates.

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

Councilmember McLaughlin reported on her attendance to the 'Seizing an Alternative Toward an Ecological Civilization' international conference in early June held in Southern California at Pomona College.

Mayor Butt reported on his attendance to the United States Conference of Mayors in San Francisco.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:11 p.m., in memory of the Church shooting victims in Charelston, South Carolina and brothers Lehman and Lakota Brightman, to meet again on Tuesday, July 21, 2015, at 6:30 p.m.

PAMELA CHRISTIAN

City Clerk

(SEAL)

Approved:

Mayor

I certify that the foregoing is a true copy.

Pamela Christian, City Clerk of the City of Richmond