

**CITY COUNCIL MEETING  
MINUTES  
July 12, 2022**

**1. CALL TO ORDER & PLEDGE OF ALLEGIANCE IN HONOR OF THE US MILITARY TROOPS**

The City Council Meeting was held in a hybrid format (in-person and via Zoom videoconference and broadcast) from the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Salimi called the Special Meeting of the City Council to order at 6:07 p.m. and led the Pledge of Allegiance.

**2. LAND ACKNOWLEDGEMENT**

*Before we begin, we would like to acknowledge the Ohlone people, who are the traditional custodians of this land. We pay our respects to the Ohlone elders, past, present and future, who call this place, Ohlone Land, the land that Pinole sits upon, their home. We are proud to continue their tradition of coming together and growing as a community. We thank the Ohlone community for their stewardship and support, and we look forward to strengthening our ties as we continue our relationship of mutual respect and understanding.*

**3. ROLL CALL, CITY CLERK'S REPORT & STATEMENT OF CONFLICT**

*An official who has a conflict must, prior to consideration of the decision; (1) publicly identify in detail the financial interest that causes the conflict; (2) recuse himself/herself from discussing and voting on the matter; and (3) leave the room until after the decision has been made, Cal. Gov. Code § 87105.*

**A. COUNCILMEMBERS PRESENT**

Vincent Salimi, Mayor  
Devin Murphy, Mayor Pro Tem  
Norma Martinez-Rubin, Council Member  
Maureen Toms, Council Member

**COUNCILMEMBERS ABSENT**

Anthony Tave, Council Member

**B. STAFF PRESENT**

Neil Gang, Acting City Manager/Police Chief  
Heather Bell, City Clerk  
Eric Casher, City Attorney  
Alex Mog, Assistant City Attorney  
Sanjay Mishra, Public Works Director  
Markisha Guillory, Finance Director

City Clerk Heather Bell announced the agenda had been posted on Thursday, July 7, 2022 at 4:00 p.m. with all legally required written notices. Forty-nine written comments had been received in advance of the meeting, distributed to the City Council and staff and printed and were available in the Council Chambers for the public. The comments had also been posted online.

Following an inquiry, the Council reported there were no conflicts with any items on the agenda.

#### **4. CITIZENS TO BE HEARD (Public Comments)**

*Citizens may speak under any item not listed on the Agenda. The time limit is 3 minutes and is subject to modification by the Mayor. Individuals may not share or offer time to another speaker. Pursuant to provisions of the Brown Act, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The City Council may direct staff to investigate and/or schedule certain matters for consideration at a future Council meeting*

Ivette Rico, Pinole, Chair, Pinole for Fair Government, explained that enhanced communication between the public and its government was a mutual and ongoing goal. Pinole for Fair Government had made it its mission to engage, inform and educate the public on happenings in Pinole. In 2019, Pinole for Fair Government held its first Town Hall with 100 engaged members of the public. In 2020, the pandemic brought all forms of interaction to a halt. In 2021, eight virtual Town Halls had been held and had been well attended with videos of the discussions continuing to draw online viewers. In 2022, it had become obvious life was far from normal, and clear that communication needed to be re-established and five Community Conversations had been held. She provided an overview of the events held with two more Community Conversations scheduled on July 23, 2022 when the City Manager would be the guest speaker, and on July 30, 2022 when the Community Development Director would be the guest speaker. She thanked all guests and speakers who had been involved in the previous Community Conversations and the members of the City Council who had taken the opportunity to engage with their constituents at the meetings. She added the events held by Pinole Fair Government were free and open to all who wished to participate in the democratic process.

Debbie Long, Pinole, commented this would be the second meeting to consider a Charter City and given the importance of the topic she asked why a Town Hall format had not been considered. While not required, such a format would have been more transparent allowing everyone to share comments. She added that during the July 5, 2022 City Council meeting, an update had been provided on a service contract with the Contra Costa County Fire Protection District (ConFire), and she had found it objectionable that elements of the contract, whether codified or not, had not been shared with the public, particularly prior to City Council consideration of the service contract. She hoped the City Council would consider having a discussion with the public on the proposed ConFire service contract in the same way the City Council had shared its financial plan each year, given that there were many questions in the public about the service contract that should be addressed before the completion of the contract.

Bob Kopp, Pinole, referenced the three male members of the City Council and asked how long each had lived in Pinole and whether all three owned a home in Pinole and paid taxes to the City, Contra Costa County and the State of California. He commented that when the female members of the City Council had been in disagreement with their male counterparts, they had not been treated appropriately. He urged that such behavior should be prevented and all Council members be treated with respect. He otherwise reported that he was opposed to a Charter City, which would give the City Council too much authority in the future absent public opinion, and was also opposed to the Real Property Transfer Tax (RPTT).

Rafael Menis, Pinole, congratulated Kailani Tatro, a junior at Pinole Valley High School for being recognized by the Bay Area News Group for her exceptional play in softball and for being the Tri-County Athletic League Rock Division Most Valuable Player (MVP), which achievement was worthy to be recognized by the City of Pinole and the community. He also reported the City of Pinole continued to have a high level of COVID-19 transmissions, cited the number of cases still the second highest level in Contra Costa County, and urged everyone to continue masking indoors particularly in crowded areas.

Irma Ruport, Pinole, urged more respect on the City Council and respect for the taxpayers of Pinole and for all members of the Pinole community.

Mayor Salimi declared a recess at 6:26 p.m. The City Council meeting reconvened at 6:31 p.m. with all Council members and staff present either in-person or via Zoom, with the exception of Council member Tave who was absent.

## **5. WORKSHOP ITEMS**

- A. Conduct Second Public Hearing Regarding Proposal for the City of Pinole to Become a Charter City and Review the Content of Proposed Charter and Real Property Transfer Tax Ordinance [Action: Conduct Second Public Hearing and Provide Direction to Staff (Casher)]**

City Attorney Eric Casher introduced Assistant City Attorney Alex Mog who provided a PowerPoint presentation that included the background of the potential for the City of Pinole to become a Charter City, consideration of a Real Property Transfer Tax (RPTT), and receipt of survey results from the community on a potential Charter City and RPTT.

On June 7, 2022, the City Council had conducted the first public hearing on the proposed Charter City, provided direction to staff to schedule the second hearing, proceeded with public education and outreach and provided direction on the draft Charter City and scope of the RPTT. The purpose of this meeting was to hear from the public on the proposed draft charter, and RPTT Ordinance, consider whether to continue with the process for placing a measure on the ballot for voters to decide on whether Pinole should become a Charter City and provide direction to staff on the draft charter, RPTT Ordinance and related issues.

An overview of a General Law city versus Charter City, examples of municipal affairs, details of the charter, details for an RPTT, RPTT rates in neighboring properties and the potential future revenue from an RPTT in Pinole were all highlighted.

Finance Director Markisha Guillory also highlighted the financial considerations related to the RPTT.

Assistant City Attorney Mog detailed the approximate deadlines for taking statutorily required steps including the second public hearing (this meeting), placing the measure on the ballot (August 2, 2022 City Council meeting), with the charter and RPTT Ordinance to be submitted to the voters as one measure, and which would require a 4/5ths vote of the City Council. The proposed draft charter was also highlighted, was relatively short, provided the only power of a Charter City that Pinole may exercise was the power to enact an enhanced RPTT, and the City would continue to be subject to all other laws governing general law cities.

Assistant City Attorney Mog stated the status quo would be maintained except for the power to enact an RPTT, maintain the current form of government and Municipal Code, and any future change would require voter approval. The proposed charter would authorize an RPTT to be enacted by separate ordinance approved by the voters as part of the same measure. The tax imposed would be \$8 per \$1,000 value (0.8%) and the buyer and seller jointly would be responsible for and may negotiate payment between themselves. The tax would be due at the time the deed was recorded and the Finance Director would administer the tax but may contract with the County.

In addition, the RPTT included exceptions for government entities, transfers made within a marriage, or during dissolution of a marriage and other legally required exceptions. It did not include low-income exemptions. The Council may amend the RPTT Ordinance in the future, except that any expansion of tax or increase in tax rate above 0.8% would require voter approval.

The RPTT Ordinance authorized tax rebates for energy and water conservation projects, seismic upgrades and sewer lateral repair but the work must be performed one year before or after the transfer of the property and the rebate would be limited to 1/3 of the tax paid. This rebate program was similar to other rebate programs in other local jurisdictions but could be changed at the direction of the City Council.

Assistant City Attorney Mog and Finance Director Guillory also provided an overview of the community engagement outreach activities the City had already conducted and the responses received from the community mailers that had resulted in 188 responses. Of those responses, 16 individuals noted opposition to a Charter City measure and one individual had noted support. Based on the community survey, the top three priorities were identified as the City's financial sustainability, maintaining safe play places for children and keeping streets, public areas and parks clean.

Assistant City Attorney Mog asked the City Council to consider whether to move forward with the process of becoming a Charter City by directing staff to prepare the necessary materials for the City Council to place a measure on the ballot at the August 2, 2022 meeting, review the content of the Draft Charter and the Draft RPTT Ordinance and consider whether to continue education and outreach activities.

Responding to the Council, Assistant City Attorney Mog stated if the Council were to move forward to the August 2, 2022 City Council meeting, there would be City Attorney costs for preparing the ballot measure but the RPTT Ordinance and charter had already been prepared. The consultant involved in the community engagement was on a monthly retainer and there would be a cost for additional mailers, which could be substantial depending on the volume.

City Clerk Bell added that the City always budgeted \$25,000 for elections and depending on how many registered voters were in Pinole, the cost of an election could be anywhere from \$22,000 to \$25,000. There would also be additional printing costs for the voter information guide, which could range from \$3,000 to \$5,000.

City Attorney Casher also added that if the City Council were to decide to move forward to the August 2, 2022 City Council meeting, there would be additional costs for an independent analysis by the City Attorney as part of the ballot measure although that cost should be fairly minimal.

Assistant City Attorney Mog also clarified the RPTT would apply to both residential and commercial properties and the estimated revenue for the RPTT included both but it would be difficult to segregate those amounts without a more significant analysis. He noted there were fewer commercial properties than residential properties in Pinole. The mailers had been sent to all residential addresses in Pinole and while the result from the mailers was limited and not scientific, a scientific survey had previously been presented to the City Council by professional consultants.

Assistant City Attorney Mog again clarified the purpose of an RPTT and why a Charter City was required to enact an enhanced RPTT along with examples of municipal affairs. He noted that staff was unaware of any disadvantages for a neighboring city to have become a Charter City for the sole purpose of enacting an enhanced RPTT. If the voters were to approve the Charter City measure and RPTT Ordinance, and if any changes were proposed to be made to the draft documents after approval that could be considered in the 2024 statewide election or possibly be part of a Special Election.

Finance Director Guillory again walked through the financial considerations as outlined in the PowerPoint presentation. She confirmed the Mayor's understanding from the City Engineer that the City lacked the funding to fund projects on the Capital Improvement Program (CIP) list for the next ten years, with \$50 to \$100 million needed in the next ten years to fund those CIP projects. Based on the Five-Year Forecast and Long-Term Financial Plan, it had been noted that was one of the long-term obligations to be addressed through the plan and an RPTT Ordinance could be one of the funding options, but there was currently no plan in place to fund that shortfall. She again confirmed the City did not have the funds to completely fund the entire CIP list of projects.

Public Works Director Sanjay Mishra clarified for this year the City had about 37 CIP projects and out of those 37 projects there were only two staff persons dedicated to those projects, which included his time and the time of the Capital Improvement Manager. While they were currently understaffed, the City Council had approved two additional staff positions for Fiscal Year 2022/23 for an Associate Engineer and a Public Works Specialist.

Finance Director Guillory further clarified the options for additional revenue via the means of taxation included the RPTT, bond measures for capital projects and a parcel tax. An RPTT at \$8 per \$1,000 of value would generate \$1.45 million in revenue. She clarified how bond measures worked which could be through a property tax measure that would add to the annual property taxes. She acknowledged, when asked, that there had been no new revenue sources added to the City.

## **PUBLIC COMMENTS OPENED**

Roy Swearingen, Pinole, suggested a Charter City measure would affect all businesses and homeowners in Pinole. He found it inappropriate and unethical that if a Councilmember did not own property in Pinole and had no investment in the community that individual should not vote on an issue in which the individual did not equally share the impact and should recuse from voting on this matter on August 2, 2022. He also suggested the public should educate itself on the community of Bell, California and the impacts to that community after it had become a Charter City. While there were sanctions in place to prevent what had happened in Bell to other communities those sanctions did not always work.

Mr. Swearingen encouraged the public to attend the August 2, 2022 meeting to voice their opinions on this topic given its importance. He suggested there were other options for funding, the City was not in danger of not funding the projects listed in the CIP and the City could find other ways to fund projects.

Christy Lam-Julian, Pinole, emphasized it was imperative for those on the dais to educate by means of providing facts to the community and be open to feedback beyond the election cycle. She appreciated the fact that Pinole for Fair Government had hosted the Community Conversations that had brought information to the community so that informed decisions could be based on facts. She stated those sessions had empowered people to be part of the solution instead of complaining on the sidelines. She had participated in the community workshops and the community survey and looked forward to future community workshops and engagement opportunities within the community.

As a community member, community organizer for marginalized community members, and a first generation Vietnamese American in the State of California, Ms. Lam-Julian supported those efforts. While change was hard, Pinole needed to adapt and evolve to the changing world around it. She planned to continue to bring her voice to the table to ensure that all voices were heard in an effort to combat misinformation, bullying tactics and bad political behavior.

Jackie Nstaya, Pinole, stated she had watched the first hearing on this matter and had reviewed the presentation from the consultants. She was astonished the Council had decided to move forward with this and other costly actions and found it clear that the majority of citizens who had spoken at prior City Council meetings did not support a Charter City or an RPTT. The survey data presented by the consultants had shown that less than 50 percent were in favor of making changes to the City's government. The Lew Edwards Group (LEG) which had conducted the survey had stated that the City's tested measure did not meet their criteria for ballot placement and that the success of the measure would depend on changing opinions on the need for funding, which would take time for education and information. With the election less than four months away, she asked whether the City had already started this effort and found that the proposal was being rushed through. She did not support the Charter City effort and while she understood the City's position was to only use this designation to enhance the RPTT and it would not change the structure of the City's government, it was a possibility that Council members in the future may want to change the current system.

Ms. Nstaya stated the City needed more research on funding requirements and investigating funding opportunities. She would be willing to pay additional taxes only if others participated and she did not buy into the argument that homeowners should pay more in taxes, particularly given the concern for seniors who owned homes with high mortgages and were unable to pay the RPTT at the time of sale. In addition, after reading the draft measure and seeing the presentation, most people would not have the opportunity to use the rebates proposed given the restrictions identified. She urged the City Council to save money now and not move forward to place a measure on the ballot.

Irma Ruport, Pinole, urged the City Council to do what was best for Pinole residents and put the measure on the ballot in order to educate the public given the amount of misinformation in the community on this measure.

Eric Meyers, Pinole Commercial/business property owner, reported he had received no information on the Charter City or RPTT nor had out-of-town property owners and homeowners. Had the information been provided to those individuals the survey results would have been much different. He questioned the information that the RPTT would provide guaranteed income. Transfer taxes were tied to the real estate market which was already cooling on the down cycle and was tied to property values. If the measure was adopted, voters would pay \$9.10 per \$1,000 and \$1.10 would go to the County whereas currently \$1.10 went to the County with half coming back to Pinole. It had not been disclosed that \$8 per \$1,000 would go to the City plus a collection fee but the \$.55 per \$1,000 the City was receiving now went to the County. Buyers and sellers would still pay \$9.10. He suggested the data presented by staff related to a rebate program did not justify this measure and the restrictions on the rebates would not make a difference.

Laurelle Martin, Pinole, opposed the RPTT and while she understood in theory there would be some benefits and more municipal control, the RPTT would unfairly impact local businesses and seniors who may have to sell their homes through no fault of their own and which could be considered prejudicial. She urged the City Council to consider other ways to find revenue. She also agreed the rebate program was flawed and offered no real benefits.

Tyra Wright, El Cerrito, a licensed Realtor, commented on her work with clients in the I-80 corridor. She understood the City of Pinole was looking for additional funds to provide City services, but stated an RPTT was not the right option since it involved a narrow base of people including seniors and first-time homebuyers who would bear the burden of providing services for the community at-large. An RPTT would also add additional costs to a growing list of point of sale ordinances that may be included when a person was trying to sell or purchase a home. In addition, capital gain taxes along with the RPTT would penalize seniors who may have lived in their homes for over 20-years. She offered an example of a scenario of a capital gain tax and RPTT costs to a homeowner that could easily remove a first-time homebuyer from the market in Pinole. She asked the City Council to consider another revenue measure, such as a bond measure or possibility raising the Utility User Tax (UUT), in which the entire population would participate.

Ivette Rico, Pinole, thanked the Mayor for his attempt to find and explore a solution to the future financial problems of the City but he was outnumbered and outvoted. The City needed money, always would and always had. She was interested in other potential sources of revenue but suggested now was not the time given that the economy was in flux. While she found the measure to be a good idea and suggested the City would likely regret not taking this step forward, she recognized the comments from the public about distrust and the power a Charter City may offer to members of the City Council. She agreed and noted it was not long ago when a former City Council had placed Measure P on the ballot. She did not want the Council to make the public the fallback.

Rafael Menis, Pinole, referenced the results of the community survey that had identified updating the City's storm drains as the lowest priority, although he disagreed and noted that an ongoing expense would be created when a City did not properly maintain its infrastructure. He suggested the RPTT should be viewed as another form of sales tax, an RPTT was not too specific since over time it would apply to everyone, and the City had the right to tax the transfer of goods and the transfer of property was not fundamentally different from the transfer of other goods. As to the rebate program, he suggested the term for work to be performed one year before or after the transfer of property should be extended beyond one year and possibly the RPTT could be graduated to different magnitudes of tax.

Frankie Martinez, Pinole, asked the City Council to defer consideration of a Charter City and RPTT Ordinance given current national and statewide concerns with inflation, plummeting stocks and a potential recession on the horizon and because homes were a safe haven. He thanked the City Council and staff for bringing this solution forward but asked that it be considered at a time when there was a better economic climate.

Debbie Long, Pinole, suggested the full picture was not being provided for why additional taxes were needed and why a Charter City was required in order to raise those taxes. Pursuant to the City's Long-Term Strategic Financial Plan for 2026/27, the City would be raiding the 115 Trust from 2021 to 2026 in an amount over \$16 million to balance the annual budget and as previously stated and validated by all Council members and a former City Manager at the time the 115 Trust had been established in 2018, which had been done to offset the California Public Employees' Retirement System (CalPERS) rate of increases so that both the City and the employee would not have to absorb future costs. However, the current City Manager was using the 115 Trust to offset all CalPERS increases since 2018/19, including the hiring of new employees and the cost to repay the Pension Obligation Fund. Ultimately by 2026/27, \$3.2 million for that fiscal year would be transferred from the 115 Trust to the General Fund in order to cover the increase in expenditures. She suggested over \$7 million had been misused from the original intent.

Ms. Long asked if the City was in need of additional revenue why budget cuts had not been considered rather than approving increases in the budget. If an RPTT was adopted, she asked whether the funds received would be placed in a hands-off fund until they were approved for a project. She also found it coincidental the City Council was waiting to approve a contract with ConFire until it had attempted to change the City's style of government since the funds available would not be sufficient to cover the cost of two fire stations without a substantial contribution from the General Fund and/or shifting the financial obligation to other departments. She suggested the Charter City measure was a red herring for many more taxes to come since even the RPTT would not cover a budgetary shortfall when excluding the raiding of the 115 Trust nor would it cover the other necessary funds to open Fire Station 74, much less pave any roads. A Charter City would just enable future City Councils to come to the public for more taxes and the charter would have more tools to allow that to occur.

Ms. Long further commented she had not received a mailer nor had any of her neighbors and she described the poll as a push-pull with what other polls had indicated. She preferred to see discussions in a debate format as opposed to allowing the public only three minutes to speak.

Bob Kopp, Pinole, asked how much the City had spent on this effort to date including the costs for any staff and the City Attorney's Office to prepare information. He too had not received a mailer nor had other family members who were also residents of Pinole. If Pinole were to become a Charter City, he also expressed concern that future Councils may just request more and more money from residents. He used PG&E as an example of an agency that imposed multiple rate increases on ratepayers, which may happen in Pinole with a change in government. He also echoed the concerns with the current economic climate which further questioned the imposition of an RPTT on residents. He paid for his own upgrades and improvements to his residence absent any assistance from the City, and while his property value had increased, he opposed paying additional taxes to the City, particularly due to capital gains impacts. He also questioned decision makers who may not be equally impacted by the RPTT.



Peter Murray, Pinole, suggested it was up to the public to vote on a Charter City and RPTT. He referred to a prior consultant effort on a similar proposal in the past which had been shelved and which had not been supported. While polls had been done in 2019, City finances and fire were not the top priorities. Now those issues were in the top three priorities. He understood the polls did not involve anonymity which may have led to the poll results and he questioned what had changed between 2019 and 2022 to produce the current polling results. He suggested the RPTT would not be equally administered and would be imposed on a segment of the population that would pay for the larger portion of the City's administration and capital improvement needs, which was unfair. He added the RPTT was really a 9 percent tax for homeowners since they would be giving up half a percent to the County, with an 8 percent tax to the City. He urged that all information provided be appropriate and proper and he too urged consideration of a City sponsored meeting to discuss this matter further.

Mayor Salimi allowed the following speaker to again address the City Council.

Christy Lamb-Julian thanked the City Council for the opportunity to provide options for the community and for those opposed to the measure but a discussion on redline districting should also be considered to be fair to the entire community. She had spoken to people in marginalized communities in Pinole who had been stifled from speaking based on fear of retaliation if they supported this measure.

Peter Murray commented that allowing people to speak over and over with differing opinions led to arguments. People should be allowed to provide their opinions whether for or against. He was uncertain how redlining districting had come into the discussion.

#### **PUBLIC COMMENTS CLOSED**

Council member Toms commented that during the prior City Council meeting, she had embraced a good discussion to understand the City's needs but she did not support a Charter City measure. She was not offended by those who did and found the discussion to be a good one which had included community participation from those present and those online. As to the RPTT, she recognized the City had a list of unfunded CIP projects that required funding in coming years but an RPTT only taxed a minor portion of the population either first-time homebuyers or seniors, and those two segments of the population could ill-afford any additional taxes, especially when the RPTT was to benefit the community as a whole.

Council member Toms suggested the solution to the revenue needs should be applied to the community as a whole, such as a parcel tax including homeowners and apartment owners as opposed to a bond measure which involved numerous associated costs. A parcel tax would provide ongoing revenue and she asked staff whether they could move forward with polling or education to gauge whether there was an appetite for that option. Based on her calculations, a \$241 parcel tax could be considered.

Council member Toms was also concerned with spending money on an RPTT given the survey results had shown the measure would not be supported and there was an opposition campaign to the measure. She applauded the Mayor for considering outside the box, recognizing the need, but this revenue option was not the right one. She also agreed that more education to the public was needed given the polling results had not shown residents were aware there was a problem.

If voters did not see the need a measure would not be successful and Council member Toms suggested that educating the community and finding a palatable and equitable solution for possible consideration in 2024.

Mayor Salimi agreed that education was important. As to the parcel tax option Council member Toms had recommended, he suggested the parcel tax would have to be far more than \$241 and likely would not be supported by residents.

*(Please Note: Council member Martinez-Rubin's Internet connection had some difficulties and not all comments were clearly audible).*

Council member Martinez-Rubin echoed the comments offered by Council member Toms. In response to public comments about her fellow male Council members, she noted that when Council members took office there was an orientation process to learn not to take things personally. While all Council members prepared for meetings differently, given all of the different levels of public participation, Council members did not necessarily have all information at the same time and everyone did their best based on the information presented.

As to the Charter City and RPTT measure, Council member Martinez-Rubin agreed that levying a tax on a specific segment of the community was not a fair tax and a city being a Charter City in and of itself had not been explored with the public as to what that entailed, other than in this case the RPTT. There were other implications that were part of the uncertainty of a Charter City and it was not the right time to consider doing something that would affect the City beyond just the possibility of an RPTT for a select group. As a result, she stated the potential impacts of a Charter City should be discussed possibly as part of a future workshop.

Council member Martinez-Rubin could not ignore the fact that the City was short millions for CIP projects but that had been the case for years given all the economic impacts from cities to the nation itself. She recommended a future discussion on how the 115 Trust had been used in order to provide clarification to the City Council and to the public. She did not believe the intention was to do something that would harm the City in the future, the trust would have limited funds over time, but that required more discussion for clarification. She also wanted more clarification on the mailing list used to disseminate information to the public since not everyone had apparently received the mailer about the City's financial future and since the intent was to capture many more people than had responded. In addition, clarification was needed on the percentage of the amount of the RPTT tax that currently existed in the RPTT and the amount that would go to the County to better inform the public.

Mayor Pro Tem Murphy thanked everyone for their input and presence. He thanked staff for the information to understand this issue, the Mayor for allowing this discourse and for the participatory budgeting to understand the issues and discuss innovative ways to fund solutions. He found public hearings to be a good format to understand all issues that may come to the City Council and provide the public the opportunity to express and engage themselves.

Mayor Pro Tem Murphy commented the City Council had received data points throughout this process that climate action and climate resiliency programs were imperative and making sure that parks were safe for City residents, and improving fire services and investment in the senior and youth facilities were also important. Part of this process was not only about a Charter City and RPTT, but meeting the moment and the demands with the data to back it up.

Mayor Pro Tem Murphy again thanked everyone on staff who had provided valuable information to allow him to better understand this process and for the community speaking out. He noted that presently the City did not have a plan for infrastructure for climate resiliency programs but the City did have hundreds of thousands of dollars in deferred unfunded maintenance and CIP programs and the City Council and the community had to figure out how to fund the programs and how to communicate that funding to the public.

Mayor Pro Tem Murphy commented as the Finance Director had stated there had been no new forms of revenue sources for years, which was disappointing and a threat to the financial stability of the City. Financial stability was a priority of the survey respondents and he emphasized the need to meet problems that the City had faced in the past and consider new sources of revenue. He emphasized that both renters and homeowners were part of the community and it was important that City services be provided to all.

Mayor Pro Tem Murphy recognized there was a short timeline for the RPTT and Charter City. While the limited number of respondents to the mailer represented an average statistic to mailers sent out in the community, and while the City should and could do better, to those 188 respondents and to those who provided public comment in-person, online and through correspondence, he wanted everyone to know the Council heard those comments and the approaches taken for community engagement in the past year, far more than in the past, but he emphasized that more could be done.

Mayor Pro Tem Murphy commented on the many efforts to move the City forward and challenged residents to help the City Council identify ways to fund the deferred maintenance of roads, parks, senior and youth centers. He also found that change was hard but they had to be a progressive forward thinking city for future generations. In the past he had recommended community Wi-Fi and economic development strategies that could bring in more revenue and would be open to exploring others such as those recommended by Council member Toms. He also recognized the current economic challenges and the limited timeline, but again urged the community to listen to one another and not consider divide and conquer tactics but work together. He suggested this was a way to start thinking about the revenue generation and innovation that needed to happen in the City and everyone needed to be part of the conversation. He was happy to continue those conversations with the community both in the Council Chambers and outside of the Council Chambers.

Mayor Salimi spoke to his experience as a businessman and his efforts to solve issues over the past four years when he had joined the City Council with some of the same issues facing the City for years. He detailed the accomplishments of the City Council over the past few years including efforts to expand the hours of operation for the library, reopening Fire Station 74 via the allocation of Measure X funds, improvements to businesses in the downtown, the sale of former redevelopment properties and funding for the Faria House.

Mayor Salimi urged the City Council to look to the future in the next 10 years, again emphasized the issues that had been solved over the last few years, but continued to look ahead to the future and consider the City needed an additional \$52 million in the next 10 years and the money must come from someone. The longer the City waited the more expensive the needs would be. He suggested there was a window of opportunity now to make the City successful in the future and again urged everyone to look ahead and to work together.

City Attorney Casher identified the staff recommendations as earlier outlined for the City Council to consider: whether to move forward with the process of becoming a Charter City by directing staff to prepare the necessary materials for the City Council to place a measure on the ballot at the August 2, 2022 meeting, review the content of the Draft Charter and the Draft RPTT Ordinance and consider whether to continue education and outreach activities. The City Council should consider either an affirmative motion or a motion for denial.

**ACTION: Motion by Council members Toms/Martinez-Rubin to not proceed with the process of becoming a Charter City and a Real Property Transfer Tax Ordinance.**

<b>Vote:</b>	<b>Passed:</b>	<b>3-1-1</b>
	<b>Ayes:</b>	<b>Murphy, Martinez-Rubin, Toms</b>
	<b>Noes:</b>	<b>Salimi</b>
	<b>Abstain:</b>	<b>None</b>
	<b>Absent:</b>	<b>Tave</b>

Council member Toms commented on the recommendation whether to continue education and outreach activities and while not interested in making a motion at this time recommended that conversation be considered as a future agenda item when the City Council could explore other funding sources.

City Attorney Casher advised this was a Special Meeting and there was no agenda item for Requests for Future Agenda Items, although the request could be submitted at the Regular City Council meeting on July 19, 2022.

6. **ADJOURNMENT** to the Special Joint City Council and Planning Commission Meeting of July 13, 2022 in Remembrance of Amber Swartz and Mayor Salimi's Grandmother Soraya Hosseini.

At 8:34 p.m., Mayor Salimi adjourned the meeting to the Special Joint City Council and Planning Commission Meeting of July 13, 2022 in Remembrance of Amber Swartz and Soraya Hosseini.

**Submitted by:**



**Heather Bell, CMC**  
**City Clerk**

**Approved by City Council:**

