

# EL CERRITO CITY COUNCIL EL CERRITO PUBLIC FINANCING AUTHORITY

## MINUTES

CONCURRENT MEETING OF THE CITY COUNCIL and PUBLIC FINANCING AUTHORITY  
Tuesday, December 6, 2016 – 7:00 p.m.  
City Council Chambers

**Meeting Location**  
El Cerrito City Hall  
10890 San Pablo Avenue, El Cerrito

Greg Lyman – Mayor

Mayor Pro Tem Janet Abelson  
Councilmember Jan Bridges

Councilmember Mark Friedman  
Councilmember Gabriel Quinto

### ROLL CALL

Councilmembers Abelson, Bridges, Friedman, Quinto and Mayor Lyman all present.

7:00 p.m.

### CONVENE CONCURRENT CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING

Mayor Lyman convened the Concurrent City Council/Public Financing Authority meeting at 7:01 p.m.

1. **PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF MOMENT OF SILENCE** was led by Councilmember Gabriel Quinto.

### 2. COUNCIL / STAFF COMMUNICATIONS

#### COUNCIL COMMUNICATIONS

Mayor Pro Tem Abelson reported that she had just returned from a conference in Southern California for counties and cities that have their own sales tax measure for transportation. Contra Costa County's Measure J falls into this category. Mayor Pro Tem Abelson toured three different projects that combine housing built over Metro transit stations including one project that offered affordable housing. She learned that there is difficulty renting out bottom floor retail space in some of the projects.

Councilmember Quinto attended Senator Nancy Skinner's swearing in ceremony in Sacramento. Senator Skinner recognized Councilmember Quinto as being in attendance from El Cerrito. Councilmember Quinto congratulated all the new state legislators that were sworn in.

Mayor Lyman offered the following helpful reminders to residents from Stege

Sanitary Sewer District (Stege): 1) Call Stege first for sewer problems at 510-524-4667. Calls are answered by a real person 24/7 and Stege will attempt to send out a crew for inspection within one hour; and 2) Flushable wipes do not disintegrate in water and accumulate in sewer mains. All wipes should be placed in the trash.

Mayor Lyman also reminded all that El Cerrito's greatest strength is its diversity. Inclusiveness and Respect for Diversity is one of El Cerrito's core values as identified in the City's Strategic Plan. El Cerrito residents and staff commit themselves to upholding the City's core value of "Inclusiveness and Respect for Diversity" by resolving to be welcoming, compassionate and inclusive to all people, to promote love and stop hate, to stand up for human rights, and to work diligently to ensure that every member of the community feels accepted and safe.

## STAFF COMMUNICATIONS

### **Update on Regulation of Marijuana Related Businesses**

City staff will provide an update on the project concerning local regulation of marijuana related businesses.

**Presenters:** Paul Keith, Police Chief.

**Action:** Received presentation.

### **3. ORAL COMMUNICATIONS FROM THE PUBLIC**

Janaki Sullivan, El Cerrito, stated that she was pleased to hear Mayor Lyman's statement on inclusivity and human dignity and asked the City Council to join with other cities in formally declaring El Cerrito a Sanctuary City.

Karl Mulligan, El Cerrito, congratulated Chief Keith on his appointment, congratulated the Davis Street Wellness Center for being selected as the second marijuana dispensary in San Leandro and also congratulated the incoming Councilmembers-Elect and wished the departing councilmembers well.

Al Miller, El Cerrito, in following up on Mayor Lyman's comments about Stege said that Stege gets just as many clogs from flushable wipes and it does from non-flushable wipes. Mr. Miller also commented on the recent election and said that he and the Library Foundation do not want to lose the progress and momentum established during the election and want to move forward on a new library. Additionally, the California State Legislature's opening session passed a resolution to protect California and its values, which are significantly different from the values stated by the President-Elect.

Mikki Norris, El Sobrante, commended Police Chief Keith for his outreach meeting on marijuana and reflected on the passage of Proposition 64 in El Cerrito and Contra Costa County. Ms. Norris encouraged a lifting of the ban on marijuana in El Cerrito and encouraged permitting of Cannabis Cafés which would allow for onsite consumption.

Chis Conrad, El Sobrante, said he thought it would be great for the City Council to lift the marijuana ban, look for opportunities for people to make money and allow for dispensaries and places to consume marijuana in El Cerrito.

Olivia Lieu, Richmond, spoke against allowing marijuana sales in El Cerrito, particularly potential impacts on youth.

Zachariah Lieu, El Cerrito, said he witnessed an exchange of buying and selling

marijuana at El Cerrito High School in the restroom.

Emily Rose, El Cerrito, stated that cannabis has some amazing healing properties that are difficult to synthesize or replicate by pharmaceutical drugs. Ms. Rose said she has helped individuals with cancer and epilepsy and it is crucial to provide safe access to marijuana through regulation and allow safe places for people to get their medicine.

**4. PRESENTATION – None**

**5. ADOPTION OF THE CONSENT CALENDAR – Item Nos. 5(A) through 5(E)**

Moved, seconded (Friedman/Quinto) and carried unanimously to approve Consent Calendar Item Nos. 5(A), 5(B) and 5(D) through 5(E) in one motion as indicated below. Item No. 5(C) was removed from the Consent Calendar on voted on separately as indicated below.

**A. Approval of Minutes**

Approve the November 15, 2016 Special City Council Meeting – Closed Session and Regular City Council Meeting minutes.

**Action:** Approved minutes.

**B. Human Rights Day and Month Proclamation**

Approve a proclamation declaring December 10, 2016 as Human Rights Day and the entire month of December as Human Rights Month in the City of El Cerrito and encouraging all residents to study and promote the ideas contained in the Universal Declaration of Human Rights to the end that freedom, justice, and equality will flourish and be made available to all.

**Action:** Approved proclamation.

**C. Replacement Police Motorcycle Purchase**

Adopt a resolution authorizing the of purchase a 2015 Honda Police Motorcycle in an amount not to exceed \$29,464.88 to replace a 2010 Harley-Davidson Police Motorcycle from the current motorcycle fleet.

**Presenter:** Paul Keith, Police Chief.

**Speaker:** Howdy Goudey, El Cerrito, presented the City Council with a detailed comparison of electric and gasoline motorcycle models and features. Mr. Goudey encouraged the City Council to consider purchasing an electric motorcycle.

**Action:** Removed from the Consent Calendar. Moved, seconded (Bridges/Quinto) and carried unanimously to adopt Resolution No. 2016–95.

**D. Comprehensive Financial Policy Review**

Adopt a resolution approving the City's Comprehensive Financial Policy and rescinding Resolution No. 2015-70.

**Action:** Adopted Resolution No. 2016–96.

**E. Tree Committee Reappointment Recommendation**

Approve a Tree Committee recommendation to re-appoint Cathy Bleier to the Tree Committee effective January 1, 2017.

**Action:** Approved Tree Committee recommendation. Cathy Bleier appointed to a term beginning on January 1, 2017 and ending January 1, 2021.

**6. PUBLIC HEARINGS – None**

**7. POLICY MATTERS**

## CITY COUNCIL ITEMS

### **A. Agreement with James Chan for Information Technology Services**

Adopt a resolution authorizing the City Manager to enter into an agreement with James Chan, as a CalPERS retired annuitant, to provide Information Technology services to the City of El Cerrito.

Presenter: Karen Pinkos, Assistant City Manager.

Action: Moved, seconded (Friedman/Abelson) and carried unanimously to adopt Resolution No. 2016-97 as revised and corrected.

### **B. Refinancing of 2006 Lease Revenue Bonds (City Hall Project)**

Adopt a resolution authorizing: 1) The execution, sale and delivery of refunding certificates of participation; 2) and Directing the execution of related lease financing documents; 3) Approving a purchase contract and an official statement; and 4) Authorizing all other associated official actions.

Presenter: Mark Rasiah, Finance Director.

Action: Moved, seconded (Friedman/Bridges) and carried unanimously to adopt Resolution No. 2016-98.

## CONCURRENT CITY COUNCIL and PUBLIC FINANCING AUTHORITY ITEM

### **C. Refinancing of 2008 Sales Tax Revenue Bonds (Street and Sidewalk Improvements)**

Staff recommends the City Council adopt a resolution authorizing the issuance and sale of sales tax revenue refunding bonds to refinance an outstanding installment payment obligation and approving related agreements and actions.

Staff also recommends that the Board of Directors of the El Cerrito Public Financing Authority adopt a resolution authorizing execution and delivery of any documents required to accomplish the proposed refinancing.

Presenters: Mark Rasiah, Finance Director and Craig Hill, Principal, NHA Advisors, Josh Anzel, Bond Counsel/Shareholder, Jones Hall.

Actions: Moved, seconded (Quinto/Friedman) and carried unanimously to adopt City Council Resolution No. 2016-99.

Moved, seconded (Bridges/Abelson) and carried unanimously to adopt Public Financing Authority Resolution No. 2016-02.

## **8. COUNCIL ASSIGNMENTS/LIAISON REPORTS**

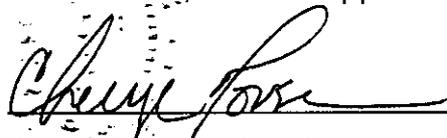
Mayor and City Council communications regarding local and regional liaison assignments and committee reports.

Councilmember Bridges reported that she attended a November 16 Tom Bates/Gilman Sports Field Joint Powers Authority (JPA) meeting. A JPA grant was submitted. The estimate for artificial turf is \$1.2 million. The City of Berkeley will be heavily involved in public outreach due to concerns expressed by parents of children who use the turf regarding what the artificial turf will consist of. The \$1.2 million estimate is based on what is there now. A product called "Greenplay," which uses coconut fiber and cork will also be investigated. It is a more expensive product, approximately \$1.5 million. Additionally, the JPA may be able to put some more field in as some of the East Bay Regional Park District land is zoned as "active recreation." All of the JPA member cities except the City of Emeryville recently contributed \$20,000 per City for a grant match. Emeryville only contributed \$10,000 so the additional money had to come out of the Sports Field reserve.

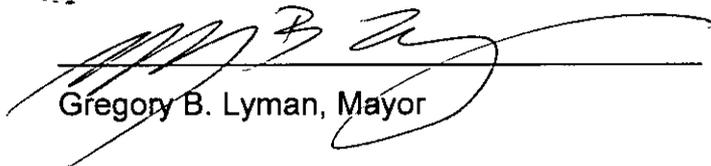
Mayor Lyman reported that the West Contra Costa County Integrated Management Authority (WCIMA) approved a new draft Joint Powers Agreement for member cities and the county's review. The WCCIMA also set rates for 2017. At the December 1 Contra Costa County Mayors Conference there was no presentation but some regional appointments were made. Mayor Mark Ross (Martinez) was elected to be the Conference's Bay Area Air Quality Management Board representative and Mayor Newell Arenrich (Danville) was re-elected to be the Contra Costa Transportation Authority representative. On December 1, Mayor Lyman also represented the City on the Marin Clean Energy Technical Committee. The Committee executed two contracts for wind power.

**9. ADJOURNED CONCURRENT CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING at 9:04 p.m.**

THIS IS TO CERTIFY that the foregoing is a true and correct copy of the minutes of the Concurrent City Council/Public Financing Authority meeting of December 6, 2016 as approved by the El Cerrito City Council.



Cheryl Morse, City Clerk



Gregory B. Lyman, Mayor