

# EL CERRITO CITY COUNCIL

## MINUTES

REGULAR CITY COUNCIL MEETING  
Tuesday, November 18, 2014 – 7:00 p.m.  
City Council Chambers

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

Janet Abelson – Mayor

Mayor Pro Tem Rebecca Benassini  
Councilmember Jan Bridges

Councilmember Mark Friedman  
Councilmember Greg Lyman

### ROLL CALL

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

7:00 p.m.

### CONVENE REGULAR CITY COUNCIL MEETING

Mayor Abelson convened the regular City Council meeting at 7:02 p.m.

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

### 2. COUNCIL / STAFF COMMUNICATIONS

Councilmember Bridges informed all that there are several upcoming vacancies on the City's Boards, Commissions and Committees and encouraged all to apply. The deadline to submit an application is December 8, 2014.

Mayor Pro Tem Benassini announced that the East Bay Municipal Utility District Board of Directors has been holding special meetings to discuss the drought and potential rate setting alternatives. The next meeting is November 19 at 6:30 p.m. in the Castro Valley Library.

Councilmember Friedman reported that he attended the last board meeting of the West Contra Costa Healthcare District. The Board discussed the uncertain future of Doctors Hospital. Several ideas were discussed however the hospital is still in limbo and is awaiting further development.

Councilmember Lyman announced that there will be an upcoming BART community meeting regarding a scheduled application of a city approved selective broadleaf weed suppressant on the Ohlone Greenway.

### 3. ORAL COMMUNICATIONS FROM THE PUBLIC

Tom Panas, El Cerrito, reported that the Rotary fundraiser for a new El Cerrito library raised \$11,000. Mr. Panas said the Rotary Club thanks all those who bought tickets, those who worked to support the event, and all the special sponsors for their generosity. The El Cerrito

Library Foundation is also grateful, particularly for the dedication of the local Rotary Club.

#### 4. PRESENTATION

##### A. El Cerrito Art Association Award

Brief highlight of the El Cerrito Art Association (ECAA) programs and events followed by approval and presentation of a proclamation recognizing the importance of the El Cerrito Art Association in supporting and publicizing arts and artists in the East Bay, commending all artists in the community for their skill, talent and creative expression and congratulating Catherine Woolf on her receipt of the Mayor's Award at the El Cerrito Association Annual Art Show and Sale held in October 2014.

**Action:** Proclamations presented and received by Jean Witzke, Past ECAA President, Jean Sichterman, Current ECAA President and Mayors Award recipient Catherine Woolf.

##### B. El Cerrito Tree Committee Workplan – *Presentation by Cathy Bleier, Committee Vice-Chair.*

Receive a presentation regarding the Tree Committee's accomplishments, goals and workplan.

**Action:** Received presentation.

##### C. El Cerrito Park and Recreation Commission Workplan – *Presentation by Manish Doshi, Commission Chair.*

Receive a presentation regarding the Park and Recreation Commission's accomplishments, goals and workplan.

Speaker Dave Weinstein, EC Trail Trekkers, spoke about funds the group is expecting from . Trail Trekkers has done a lot of work analyzing every single trail in town. Working with Eagle Scout. Next year ready to work with Park and Rec to

**Action:** Received presentation.

#### 5. ADOPTION OF THE CONSENT CALENDAR – Item Nos. 5A through 5H

Moved, seconded (Friedman/Benassini) and carried unanimously to approve Consent Calendar Item Nos. 5A through 5C and 5E through 5H in one motion as indicated below. Item No. 5D was removed from the Consent Calendar at the request of Mayor Pro Tem Benassini for the purpose of highlighting significant features associated with the I-80/Central Avenue improvements.

##### A. Minutes for Approval

Approve the October 21, 2014 regular City Council meeting minutes.

**Action:** Approved minutes.

##### B. I-80 Integrated Corridor Mobility Project Operations & Maintenance Cooperative Agreement No. 07W.04

Adopt a resolution authorizing the City Manager to execute Cooperative Agreement No. 07W.04 between the Contra Costa Transportation Authority (CCTA), City of El Cerrito, Contra Costa County and the Cities of Richmond, Hercules, Pinole, and the San Pablo for CCTA's funding of the operations and maintenance (O&M) of components of the I-80 Integrated Corridor Mobility (I-80 ICM) Project.

**Action:** Adopted Resolution No. 2014-67.

**C. Cooperative Agreement No. 28W.01 between the Contra Costa Transportation Authority, the City of El Cerrito, Contra Costa County and the Cities**

Adopt a resolution authorizing the City Manager to execute Cooperative Agreement No. 28W.01 between the Contra Costa Transportation Authority (CCTA), City of El Cerrito, Contra Costa County, and the Cities of Richmond, Hercules, Pinole and San Pablo to accept a one-time disbursement of \$50,000 in Measure J Subregional Transportation Needs Program (Program 28b) funds from the CCTA to the City of El Cerrito and authorizing an amendment to the Fiscal Year (FY) 2014-15 Adopted Budget to appropriate \$50,000 in the Measure J Fund for various transportation projects and programs. *Exempt from CEQA.*

**Action:** Adopted Resolution No. 2014-68.

**D. I-80/Central Avenue Operational Improvements Project – Amendment No. 1 to Cooperative Agreement No. 07W.02**

Adopt a resolution authorizing the City Manager to execute Amendment No. 1 to Cooperative Agreement No. 07W.02 between the Contra Costa Transportation Authority (CCTA), the City of El Cerrito, and the City of Richmond to complete Plans, Specifications and Estimate (final design), perform a before and after traffic study, and perform design services during construction for the I-80/Central Avenue Operational Improvements Project (Phase 1). *Exempt from CEQA.*

**Action:** Removed from the Consent Calendar by Mayor Pro Tem Benassini. Moved, seconded (Benassini/Friedman) and carried unanimously to adopt Resolution No. 2014-69.

**E. 2014 Patch Paving and Miscellaneous Repairs Project**

Adopt a resolution approving the following actions: 1) Approve plans for the 2014 Patch Paving and Miscellaneous Repairs Project; 2) Reject one submitted bid from Ransome Company as non-responsive; 3) Accept the two remaining bids; 4) Amend the Capital Improvement Program-Annual Program of Maintenance and Improvement pursuant to Measure A to add completion of the 2013-14 Street Improvement Project, C3072 and Central Avenue and Liberty Street Streetscape Improvement Project, C3063; 5) Authorize the City Manager to execute a contract in the amount of \$106,259.00 with Golden Bay Construction, Inc. and to approve change orders in an amount not to exceed \$16,946.53 for the construction of the 2014 Patch Paving and Miscellaneous Repairs Project; and 6) Amend the Fiscal Year 2014-15 Adopted Budget to appropriate unspent project funds of \$31,224 in Measure A Street Improvement Fund (Fund 211) and \$16,520 in the Capital Improvement Fund (Fund 301).

**Action:** Adopted Resolution No. 2014-70.

**F. Agreement with East Bay Sanitary Company, Inc. for Street Sweeping Services**

Adopt a resolution authorizing the City Manager to execute an agreement with East Bay Sanitary Company, Inc. (EBS) to perform street sweeping services in the City of El Cerrito effective January 1, 2015 at an initial cost of \$7,177.73 per month and total of \$43,066.38 in Fiscal Year 2014-15, with total expenditure authorization in an amount not to exceed \$110,000 in subsequent fiscal years.

**Action:** Adopted Resolution No. 2014-71.

### **G. Park In-Lieu Fund for Park and Athletic Field Improvements**

Adopt a resolution authorizing the appropriation of \$12,000 in the Park In-Lieu Fund for park and athletic field improvements as an amendment to the Fiscal Year 2014-15 budget. *Exempt from CEQA.*

**Action:** Adopted Resolution No. 2014-72.

### **H. Economic Development Committee Appointment**

Approve an Economic Development Committee recommendation to appoint George Gager to the Economic Development Committee, effective January 1, 2015.

**Action:** Approved recommendation.

## **6. PUBLIC HEARINGS**

### **Proposed Integrated Waste Management Fees and East Bay Sanitary Garbage & Green Waste Collection and Processing Rates – Effective January 1, 2015**

Staff requests that the City Council take the following actions:

- 1) Conduct a public hearing and upon conclusion adopt a resolution setting Integrated Waste Management (IWM) Fees, effective January 1, 2015; and
- 2) Conduct a public hearing and upon conclusion adopt a resolution setting maximum allowable East Bay Sanitary (EBS) garbage and green waste collection, disposal and processing rates, effective January 1, 2015. *Both public hearings exempt from CEQA.*

**Presenter:** Garth Schultz, Environmental Services and Public Works Operations Manager.

#### INTEGRATED WASTE MANAGEMENT FEE HEARING

Mayor Abelson opened the public hearing. No speakers.

Moved, seconded (Benassini/Friedman) and carried unanimously to close the public hearing.

**Action:** Moved, seconded (Friedman/Bridges) and carried unanimously to adopt Resolution No. 2014-73 setting Integrated Waste Management Fees.

#### EAST BAY SANITARY GARBAGE AND GREEN WASTE FEE HEARING

Mayor Abelson opened the public hearing. No speakers.

Moved, seconded (Friedman/Bridges) and carried unanimously to close the public hearing.

**Action:** Moved, seconded (Benassini/Lyman) and carried unanimously to adopt Resolution No. 2014-74 setting maximum allowable East Bay Sanitary (EBS) garbage and green waste collection, disposal and processing rates, effective January 1, 2015.

## **7. POLICY MATTERS**

### **Study Session to Provide Policy Direction Regarding Membership in Marin Clean Energy Community Choice Aggregation Joint Powers Agency**

Receive a presentation on the results of the “Marin Clean Energy Applicant Analysis for the City of El Cerrito” and the risks and benefits associated with joining Marin Clean Energy, and provide policy direction regarding joining Marin Clean Energy’s Community Choice Aggregation Joint Powers Authority. *Exempt from CEQA.*

**Presenters:** Maria Sanders, Environmental Analyst, Dawn Weisz, Executive Officer, MCE Clean Energy.

**Speakers:** David Gray, El Cerrito, spoke in support of El Cerrito becoming a member of

Marin Clean Energy (MCE) and encouraged the City Council to act quickly. Community Choice Aggregation (CCA) is the best way to reduce carbon emissions and climate change.

Mark Miner, El Cerrito Environmental Quality Committee (EQC) Chair, spoke in support of joining MCE and stated that there are many bright and motivated individuals who work at MCE. It would be a great organization for El Cerrito to align itself with.

Dave Weinstein, EQC member, stated that the EQC has been discussing CCA since 2007, before MCE was formed, and encouraged the City Council to join the CCA with MCE.

Howdy Gowdy, El Cerrito, spoke in support of El Cerrito becoming a member of MCE and noted that there is no additional cost to customers, there are benefits to those that already have solar installations on their property and that it allows the City to meet its 2020 [greenhouse gas reduction] goals. It is a rapidly growing national movement of democracy featuring a choice for power. It allows the community to represent its values in choices for power.

Robin Mitchell, El Cerrito, spoke in support of MCE membership and noted that the initiative starts to remove interest in an investor owned utility, puts decisions about power in the hands of a non-profit and allows the City to achieve its greenhouse gas reduction goals.

Tom Panas, El Cerrito, stated that he strongly supports CCA, expressed concerns about the short timeline for joining MCE and asked the City Council if MCE could report on the rapidity of other jurisdictional decision-making timelines, clarify bundled versus unbundled energy purchases, whether there are additional requirements for those who already have solar installed on their property and whether MCE has favorable rates similar to what PGE offers for those with electric cars.

David McCoard, El Cerrito, Co-Chair of Sierra Club Energy Committee, stated that the Sierra Club welcomes El Cerrito joining MCE. The Sierra Club would also would like to see the development of clean energy sources in the local community as soon as possible and encourage property owners to install solar.

Robert Schaadt, EQC member, encouraged the City Council to join with MCE because it allows the residents of El Cerrito to have a choice about power that is also cost effective.

**Action:** By mutual consensus the City Council directed staff to pursue membership in MCE Clean Energy and schedule first reading of the ordinance at the December 16, 2014 City Council meeting.

## **8. COUNCIL LOCAL AND REGIONAL LIAISON ASSIGNMENT REPORTS**

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

Councilmember Bridges reported that the Human Relations Commission (HRC) is about to have four vacancies. The HRC reviewed proclamations scheduled for the Council's consideration in 2015 and also discussed sponsoring a film showing about building healthy communities and budget for the annual Martin Luther King Jr. event.

Councilmember Lyman reported that the Executive Director for Recyclemore resigned effective October 31, 2014. Councilmember Lyman has been chair of the ad hoc committee focused on the search for an interim executive director of Recyclemore. The committee presented the results of its search for an interim executive director to the Integrated Waste Management Authority Board (IWMA) on November 13. The IWMA selected Paul Morsen to fill the position. Mr. Morsen has thirty years of experience, most of which is in solid waste, with extensive service at the Central Contra Costa Solid Waste Authority. Recyclemore recently had a rate workshop and will be setting rates for the other jurisdiction members and establishing household hazardous rates in December 2014.

Mayor Abelson recently attended the Contra Costa Transportation Authority (CCTA) annual training, "Focus on the Future" in Santa Clara. The training was really interesting and focused heavily on the success of sales tax measures in the last election. Mayor Abelson also

attended a League of California Cities Leaders Conference and has been selected as the President of the East Bay Division of the League of California Cities.

**9. ADJOURNED REGULAR CITY COUNCIL MEETING at 10:13 p.m.**

**SUPPLEMENTAL REPORTS AND COMMUNICATIONS**

**Item No. 4(B) El Cerrito Tree Committee Workplan**

1. El Cerrito Businesses and Trees – *Submitted by Cathy Bleier, Vice-Chair, El Cerrito Tree Committee.*

**Item No. 7 Study Session to Provide Policy Direction Regarding Membership in Marin Clean Energy Community Choice Aggregation Joint Powers Agency**

2. Powerpoint presentations – *Submitted by Maria Sanders, Environmental Analyst and Dawn Weisz, Marin Clean Energy.*

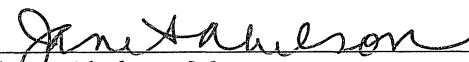
**Other:**

3. Update on Rotary fundraiser for a new El Cerrito Library – *Submitted by Tom Panas, El Cerrito.*

This is to certify that the foregoing is a true and correct copy of the minutes of the Regular City Council meeting of November 18, 2014 as approved by the El Cerrito City Council.



  
Cheryl Morse, City Clerk

  
Janet Abelson, Mayor