

# EL CERRITO CITY COUNCIL

## MINUTES

### REGULAR CITY COUNCIL MEETING

Tuesday, December 2, 2014 – 7:00 p.m.

City Council Chambers

#### Meeting Location

El Cerrito City Hall – City Council Chambers  
10890 San Pablo Avenue, El Cerrito

Janet Abelson – Mayor

Mayor Pro Rebecca Benassini  
Councilmember Mark Friedman  
Councilmember Elect Gabriel Quinto

Councilmember Jan Bridges  
Councilmember Greg Lyman

#### ROLL CALL

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

7:00 p.m.

#### CONVENE REGULAR CITY COUNCIL MEETING

Mayor Abelson convened the regular City Council meeting at 7:06 p.m.

1. **PLEDGE OF ALLEGIANCE TO THE FLAG** was led by Mayor Abelson.
2. **STAFF COMMUNICATIONS/COUNCIL ASSIGNMENTS/LIAISON REPORTS**

Mayor Pro Tem Benassini announced that there will be a community meeting on December 3 from 6:30-8:30 p.m. to discuss Community Choice Aggregation and the City's desire to join the the Marin Clean Energy Joint Powers Authority. As liaison to the Economic Development Committee (EDC), Mayor Pro Tem Benassini reported to the Council and public that the EDC is hosting a networking social for the business community on December 5. It is EDC's first event.

Councilmember Lyman announced that there will be a Community Blood drive on December 4 at the Community Center.

3. **PRESENTATIONS** – *None*
4. **ORAL COMMUNICATIONS FROM THE PUBLIC** – No speakers.
5. **ADOPTION OF THE CONSENT CALENDAR – Item Nos. 5A through 5D**

Moved, seconded (Friedman/Benassini) and carried unanimously to approve Consent Calendar Item Nos. 5A through 5D as indicated below. An updated Item No. 5B, which included the Registrar's and City Clerk's official certification, was distributed to the City Council and public prior to the meeting.

#### A. Minutes for Approval

Approve the November 18, 2014 Regular City Council meeting minutes.

**Action:** Approved minutes.

**B. Declaring and Confirming the Results of the November 4, 2014 General Election** *(To be delivered)*

Adopt a resolution declaring and confirming the results of the November 4, 2014 General election including the re-election of Janet Abelson and election of Gabriel Quinto to the City Council for terms ending 2018 and the passage of Measure R – El Cerrito Transactions and Use Tax.

**Action:** Adopted Resolution No. 2014–75 as updated to include the Contra Costa County Registrar of Voters' and City Clerk's Official Certifications. The Official results are as follows:

CITY COUNCIL Janet Abelson 5,320 *(elected)*, Gabriel Quinto 3,832 *(elected)*,  
Nicholas Arzio 2,999

**MEASURE R – EL CERRITO TRANSACTIONS AND USE TAX** *(Majority vote required)*

To continue to protect/ maintain City services, including fire prevention / emergency services; emergency response times; neighborhood police patrols; firefighter / police staffing; crime prevention/ investigation resources; after-school programs; library hours / programs; senior services; open space, parks, paths / playfields; other general City services, shall El Cerrito extend the existing voter-approved sales tax and set the future rate at one cent for 12 years, with citizens' oversight, annual audits, and all funds staying local, none to Sacramento?

YES 5,791

NO 2,416

**C. Confirm the Adoption of Transactions and Use Tax Ordinance No. 2014–08**

Confirm the passage and adoption of Ordinance No. 2014–08, an ordinance of the City of El Cerrito amending and restating Chapter 4.62 of the Municipal Code to extend and increase at the one cent rate a transactions and use tax to be administered by the State Board of Equalization.

**Action:** Confirmed passage and adoption of Ordinance No. 2014–08.

**D. Joint Application with Eden Housing for State Proposition 1C Infill Grant**

Adopt a resolution approving and authorizing the City as co-applicant with Eden Housing, Inc. to apply for Proposition 1C Infill Infrastructure Grant funds for the San Pablo Avenue Senior Housing Development at 10848–10860 San Pablo Avenue. *Exempt from CEQA.*

**Action:** Adopted Resolution No. 2014–76.

**6. RECOGNITION OF CITY COUNCIL MEMBER LEAVING OFFICE**

Special recognition of Mayor Pro Tem Rebecca Benassini (2010–2014).

Mayor Abelson stated that it is sad to see Mayor Pro Tem Benassini leave as she works great as a team on the Council to make things happen. Mayor Pro Tem Benassini cares deeply about the community, is consistently positive and frequently asks questions in a positive way. Mayor Abelson thanked Mayor Pro Tem Benassini for her service on the City Council and said that she will really be missed.

Councilmember Friedman stated that Mayor Pro Tem Benassini was an excellent guide and resource for Councilmember Friedman after his eight years off the City Council. She is always an inspiration who is so well prepared and is very articulate. Mayor Pro Tem Benassini picks her positions carefully and dives into matters that are presented to the Council for consideration. Councilmember Friedman noted that Mayor Pro Tem Benassini and her family are a wonderful treasure in the community and thanked her for serving on the City Council.

Councilmember Lyman expressed his appreciation for Mayor Pro Tem Benassini's four years of service on the City Council and stated that it was a pleasure working with her. She is dedicated,

diligent and passionate about the City. Councilmember Lyman said that although the City is losing a strong voice on the City Council, the City is gaining an active member of the community.

Councilmember Bridges stated that Mayor Pro Tem Benassini is one of the most well spoken members of the City Council that she has served with and has served the public very well, particularly due to the insight, skills and knowledge associated with her day job. Mayor Pro Tem Benassini is always really, really prepared and always gave excellent reasons about why she voted the way she did on difficult issues. Mayor Pro Tem Benassini is a super mom and a super councilmember and also supported staff in a very strong way. Many people may not know that Mayor Pro Tem Benassini was carrying twins, did her day job and served on the Council all at the same time which is really hard and quite admirable.

Mayor Pro Tem Benassini stated that it was gratifying to hear the Council's kind words. She was pregnant with her daughter Katie when she started her term on the Council. Every time Mayor Pro Tem Benassini would go to a Council meeting, Katie would ask if it was going to be a long or short meeting. Since Mayor Pro Tem Benassini always discussed the meetings with Katie she thought it would be suitable for Katie to attend the last one. One of the most difficult and controversial issues before the Council over the past years was the animal/chickens ordinance. Everyone that Mayor Pro Tem Benassini has worked with at the City is very professional, concerned about ethics and doing their job well. Everyone considers the policies carefully and how the policies will impact everyone. Mayor Pro Tem Benassini said she will be watching upcoming items such as Community Choice Aggregation, Implementation of the San Pablo Area Specific Plan, and the Climate Action Plan update. Mayor Pro Tem Benassini thanked her husband Scott Lyons and her family for their support, thanked the public for electing her and for their input, stated that she looks forward to being supportive of policies that will help the City in the future and also enjoyed getting to know everyone.

7. **BRIEF RECESS** (*The City Council recessed for approximately 15 minutes.*)

8. **SWEARING IN AND SEATING OF NEWLY ELECTED OFFICIALS**

**Administration of the Oath of Office and Presentation of Certificates of Election:**

Janet Abelson, re-elected to a city council term ending 2018.

Gabriel Quinto, elected to a city council term ending 2018.

Mayor Abelson and Councilmember Elect Quinto assumed their seats on the City Council Dais and recited the Oath of Office. City Clerk Morse presented both with their official Certificates of Election.

Councilmember Quinto stated that he was honored to serve on the City Council and acknowledged the presence of his partner of seventeen years, Glen Nethercut, his mother Isidra Quinto, and the many relatives, neighbors and volunteers who were present. Councilmember Quinto acknowledged and thanked the elected officials who were present including Myrna DeVera, Mayor of Hercules, and also thanked Boardmembers from the Stonewall Democratic Club who were present.

Mayor Abelson thanked her friends and family, including her husband Howard Abelson, her daughter in-law Christina Perez-Abelson, Kathy Perez, and her new grandson Marcos Antonio Perez Abelson. Mayor Abelson also thanked the many friends who helped her get elected and acknowledged the presence of her friends and former and current elected officials who were present.

Mayor Abelson highlighted the City's accomplishments over the past year. She expressed pride regarding the Council's adoption of the San Pablo Specific Plan and Complete Streets Plan and

noted that staff completed an amazing amount of work on these projects and did a great job that will make a difference in the near term and in the long term. Mayor Abelson also noted that El Cerrito is one of the first among twenty cities nationwide to achieve Star Communities Certification. Additionally, the Community Choice Aggregation Public Hearing has been scheduled, the Ohlone Gardens affordable housing project broke ground, the City acquired eight acres of the Hillside Natural Area (Madera Open Space), and the Recreation Department received thirteen *Parents Press of Contra Costa* awards for youth programs and also increased enrollment in a variety of youth, wellness and safety programs for all ages.

Mayor Abelson also noted the recent emergency preparedness exercise that was conducted in the City which simulated a major emergency and distribution of medicine to thousands. El Cerrito was the only city in the County to engage in this simulated emergency point-of-dispensary (POD) exercise on a massive scale. The City Council also adopted a Smoking Pollution Protection Ordinance, a biennial budget, completed the construction of the Central Avenue and Liberty Streetscape project and a municipal solar project. The Ohlone Greenway and Natural Rain Garden project, located on the south side of the BART station near Fairmount, is almost complete and looks beautiful. The Fire Department received a grant of over \$1 million dollars for a ladder truck along with additional grant money for apparatus and safety equipment. The Police Department added Denzel, a second canine. The Police Department also received training related to interactions with the City's growing mental health population and established a crises intervention team. Mayor Abelson concluded by thanking everyone for a great year, thanked the community for passing Measure R and stated that it is a joy to serve the City.

Councilmember Bridges thanked Mayor Abelson for the leadership she provided to the City over the past year. Councilmember Bridges stated that Mayor Abelson has an incredible sense of fairness and has an extensive network of officials and volunteers, and works well with other public officials and public agencies beyond city boundaries.

Councilmember Friedman stated that it was a joy to serve with Mayor Abelson and that he has learned a lot from her. Mayor Abelson is tremendously big-hearted, gracious to everyone and has a tremendous capacity for going to meeting after meeting after meeting with a smile on her face. She serves in many important leadership roles and is always thinking about what is best for El Cerrito residents and how to advance the community's goals. Councilmember Friedman stated that Mayor Abelson is a special person and a really great elected official.

Councilmember Lyman stated that he has worked with Mayor Abelson for the past six years, is looking forward to working with her over the next two years and thanked her for all of her contributions to El Cerrito.

Councilmember Quinto stated that Mayor Abelson has been an inspiration to him, that he has learned a lot from her and that he looks forward to working with her over the next four years.

Speakers. Chris Peeples, stated that he is a transit activist who has served on the AC Transit Board for the past seventeen years and has known Mayor Abelson for many years. Mayor Abelson has served continuously on the AC Transit Accessibility Task Force for many years and has also been its chair several times. Director Peeples also stated that he admires Mayor Abelson for being indefatigable and for showing up everywhere prepared. Mr. Peeples wished Mayor Abelson the best.

**9. PUBLIC HEARINGS – None**

**10. POLICY MATTERS**

**City Council Reorganization**

Election of City Council Officers.

## SELECTION OF THE MAYOR

Mayor Abelson called for reorganization of the City Council.

Cheryl Morse, City Clerk, declared the offices of Mayor and Mayor Pro Tempore vacant and called for nominations for the Office of Mayor.

Councilmember Lyman nominated Councilmember Friedman for Mayor.

Cheryl Morse, City Clerk, called for further nominations for which there were none.

Moved, seconded (Abelson/Lyman) and carried unanimously to close nominations.

**Action:** The City Council, by unanimous vote, elected Councilmember Friedman to the Office of Mayor.

## SELECTION OF THE MAYOR PRO TEMPORE

Mayor Friedman called for nominations for the Office of Mayor Pro Tem.

Councilmember Abelson nominated Councilmember Lyman for Mayor Pro Tem.

Mayor Friedman called for further nominations for which there were none.

Moved, seconded (Bridges/Abelson) and carried unanimously to close nominations.

**Action:** The City Council, by unanimous vote, elected Councilmember Lyman as Mayor Pro Tem.

Mayor Friedman thanked friends and family present, particularly his wife Carolyn and son Prahlad. El Cerrito is a quiet gem of a city. City staff has a long history of doing more with less. Sixteen positions have been cut in the last six years in order to balance the budget. Despite the cuts the City created a model Climate Action Plan, opened a wonderful Recycling Center, received recognition as a sustainable city and accomplished all the other projects and programs mentioned by Councilmember Abelson earlier. El Cerrito is a community of engaged volunteers who serve on the City's many boards and commissions. The City Council gets along really well and no one feels the need to make a point by diminishing a colleague. Councilmembers do not always agree but this makes for better public policy. El Cerrito has a City Council comprised of members who respect each other.

Mayor Friedman thanked everyone who attends meetings regularly to provide insights, constructive criticism and input respectfully and with passion and logic. The tone set by the City Manager and Councilmembers is one of quiet competence. The same is true for city staff who struggle with fewer resources. Mayor Friedman also expressed appreciation for every dedicated employee and the labor unions who represent them for restructuring contracts and pensions in order to preserve services for the City's residents. In the coming year, Mayor Friedman said he sees a continuing challenge to maintain a high level of service with the current tax base and few opportunities to expand the tax base. There are many vacancies among commercial properties located in the City. The City does not control these properties so it needs to work creatively with property owners and business owners who would like to establish new businesses in El Cerrito. A majority of the City Council has worked to make Transit Oriented Development a priority and must continue to look for ways to maximize the benefits of having two BART stations and AC Transit in the City. Future challenges include the need for a new library/community center/learning center/senior center. This will be a year with an extensive community engagement process that will lead up to a potential vote in 2016. The City also needs a new Public Safety building and there is a large amount of deferred maintenance on city property and parks and recreation facilities.

Mayor Friedman stated that he considers the two biggest dangers globally and locally to be global warming and the gap between rich and poor. Unfortunately, El Cerrito does not have the ability to solve either of these problems but the City can make an important difference. Mayor Friedman already spoke of the City's Climate Action Plan and designation as a Sustainable City.

Additionally, residents are regional leaders in recycling and composting. City staff is always looking for creative ways to become a greener city including the prospect of becoming a member of the Marin Clean Energy Joint Powers Authority and presenting the Council with a model smoking ordinance that was approved unanimously by the City Council with direction to develop an ordinance that regulates tobacco retailers as well. In terms of poverty, Mayor Friedman stated that he would like the City to join with several neighboring communities to increase the minimum wage. The small increases in the minimum wage have not come close to keeping up with inflation. Those that live and work in the City need and deserve a raise. The other long term poverty solution that the City can be a part of is to improve the quality of public education and work with the school district in its ongoing efforts to give young people in the community the tools they need to succeed. The City Council is not responsible for public education but cares about young children and the quality of life in the community. The Council and city staff also need to focus on the little things. Every interaction with a resident needs to be done with dignity and respect while recognizing the importance of the issue presented. Mayor Friedman would also like to see all city officials use their turn signals while driving and would also like the meetings to be a bit more efficient by refraining from dealing with controversial issues late at night. Mayor Friedman thanked his colleagues and the residents of El Cerrito for the opportunity to serve in the role of Mayor in the coming year.

Mayor Pro Tem Lyman stated that he looks forward to filling in for Mayor Friedman as Mayor Pro Tem when he is unable to attend local or regional meetings.

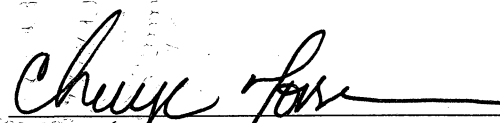
**11. ADJOURNED REGULAR CITY COUNCIL MEETING at 8:08 p.m.**

**SUPPLEMENTAL REPORTS**

**Item No. 5(B) Declaring and Confirming the Results of the November 4, 2014 General Election**

1. Resolution revised to include the County Registrar's Certification and Official Results – *Submitted by Cheryl Morse, City Clerk.*

This is to certify that the foregoing is a true and correct copy of the minutes of the Regular City Council meeting of December 2, 2014 as approved by the El Cerrito City Council.

  
 Cheryl Morse, City Clerk

  
 Mark Friedman, Mayor