

EL CERRITO CITY COUNCIL

MINUTES

CITY COUNCIL MEETING
Tuesday, December 15, 2015 – 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 CITY COUNCIL MEETING

Mayor Lyman convened the regular City Council meeting at 7:01 p.m.

1. PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF MOMENT OF SILENCE was led by Mayor Pro Tem Abelson.

2. COUNCIL / STAFF COMMUNICATIONS

Mayor Lyman reminded all that the annual Sundar Shadi holiday display, located at the intersection of Sea View Drive and Moeser Lane, will be set up for everyone's enjoyment through the evening of December 26, 2015.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Al Miller, El Cerrito, encouraged all to visit the Sundar Shadi display and to check the website www.shadiholidaydisplay.com regarding the musical performances that will be held at the site. The website also contains information about Sundar Shadi, his family and the history of the display as well as ways to help provide ongoing maintenance and support of the display.

Cordell Hindler, Richmond, stated that he still has an issue with El Cerrito Police presence in his neighborhood and suggested that the City Council ask the City Attorney to conduct research and look at the City of Albany's ordinance regarding police stepping outside city boundaries. Mr. Hindler also encouraged all to attend the Contra Costa Theatre's production of "The Secret Garden."

4. PRESENTATIONS

El Cerrito Library Update – *Presentation by Liz Ruhland, Senior Community Library Manager, El Cerrito Library*

Receive a presentation regarding the El Cerrito Library’s upcoming programs for all ages and recent improvements to the current facility.

Presenters: Liz Ruhland, Senior Community Library Manager, Davia Schmidt, Youth Services Librarian, and Sherry Lochhaas, Adult Services Librarian.

Action: Received presentation.

5. ADOPTION OF THE CONSENT CALENDAR

A. Scheduling of Special City Council Meeting

Schedule a special City Council meeting on Monday, December 21, 2015 at 7:00 p.m.

Action: Moved, seconded (Friedman/Bridges) and carried unanimously to schedule a Special City Council meeting for Monday, December 21, 2015 at 7:00 p.m.

6. PUBLIC HEARINGS

A. Urban Greening Plan

Conduct a public hearing and upon conclusion adopt a resolution approving the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and adopting the City of El Cerrito Urban Greening Plan including Addendums #1 and Addendum #2.

Presenter: Melanie Mintz, Community Development Director.

Mayor Lyman opened the public hearing. One speaker.

Speakers: Howdy Goudey, El Cerrito, stated that, as a member of the Urban Greening Task Force, Environmental Quality Committee and active community member he is in support of the Urban Greening Plan and noted that the Plan is a great resource for reflecting on what is important to the community and for reference during implementation and how to move forward.

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

Action: Moved, seconded (Abelson/Bridges) and carried unanimously to adopt Resolution No. 2015–75.

B. Regulation of Medical Marijuana Cultivation and Deliveries

Conduct a public hearing and upon conclusion take the following actions: 1) Introduce by title and waive any further reading of an ordinance amending Chapter 6.80 (“Medical Marijuana Dispensaries and Cultivation”) of the El Cerrito Municipal Code; and 2) Adopt a resolution confirming that the El Cerrito Zoning Ordinance operates under the principles of permissive zoning and that marijuana cultivation is prohibited. *Exempt from CEQA.*

Presenters: Sean Moss, Senior Planner and Paul Keith, Police Captain.

Mayor Lyman opened the public hearing. Three speakers.

Speakers: Howdy Goudey, El Cerrito, stated that from a process standpoint, the portion of the ordinance prohibiting marijuana delivery may need more time and study prior to being implemented.

Tom Panas, El Cerrito, thanked staff for identifying the issue and bringing it to the City Council’s attention in a timely manner. Mr. Panas spoke in support of the proposed

ordinance and urged the Council to approve the ordinance and resolution.

Cordell Hindler, Richmond, thanked staff for the proposal and spoke in support of the proposed ordinance.

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

Actions: Moved, seconded (Abelson/Friedman) and carried unanimously to approve Ordinance No. 2016-01. *Second reading of the Ordinance is scheduled for January 19, 2016.*

Moved, seconded (Abelson/Bridges) and carried unanimously to adopt Resolution No. 2015-76.

6. POLICY MATTERS

A. West Contra Costa Integrated Waste Management Authority Disbursement of Reserve Funds to Member Cities

Staff requests that the City Council take the following actions: 1) Receive two resolutions by the Board of the West Contra Costa Integrated Waste Management Authority (“Authority”) approving disbursement of a portion of reserve funds to member cities including El Cerrito; and 2) Adopt a resolution authorizing receipt of El Cerrito’s share of funds to be disbursed by the Authority in the amount of \$527,124 and authorizing the City Manager to execute an Indemnification Agreement and any other associated agreements, subject to City Attorney approval as to form, with the Authority necessary to facilitate receipt of funds.

Presenter: Maria Sanders, Environmental Services and Operations Division Manager

Action: Moved, seconded (Friedman/Quinto) and carried unanimously to adopt Resolution No. 2015-77. The Agreement, an exhibit to Resolution No. 2015-77 and attached thereto, was moved by separate motion (Friedman/Bridges) and approved unanimously.

B. Annual City Council Regional and Local Appointments

Discuss appointment of City Council members to regional bodies and liaison to local boards, commissions, and committees and approve appointments for 2016.

Presenter: Mayor Lyman

Action: By mutual consent, the City Council approved the Mayor’s recommendations for regional and local appointments for 2016. Appointments are as follows:

Mayor Lyman – Contra Costa Mayors Conference Delegate, West County Mayors and Supervisors Conference Delegate, Marin Clean Energy Board Delegate and West County Integrated Waste Management Authority Delegate. Council Liaison to Design Review Board and Human Relations Commission.

Mayor Pro Tem Abelson – League of California Cities East Bay Division Delegate, Contra Costa Mayors Conference Alternate, West County Mayors and Supervisors Conference Alternate, West Contra Costa Transportation Advisory Committee Delegate and Contra Costa Transportation Authority Board Member (appointments made by WCCTAC). Council Liaison to Committee on Aging and Tree Committee.

Councilmember Bridges – Tom Bates Regional Sports Field JPA Delegate. Council Liaison to Arts and Culture Commission and Planning Commission.

Councilmember Friedman - Association of Bay Area Governments Alternate and West County Integrated Waste Management Authority Alternate. Council Liaison to Crime Prevention Committee and Park and Recreation Commission.

Councilmember Quinto – Association of Bay Area Governments Delegate, League of California Cities East Bay Division Alternate, Marin Clean Energy Board Alternate, West Contra Costa Transportation Advisory Committee Alternate, East Bay Green Corridor Principal and Tom Bates Regional Sports Field JPA Alternate. Council Liaison to Economic Development Committee, Environmental Quality Committee and Financial Advisory Board.

7. COUNCIL ASSIGNMENTS/LIAISON REPORTS

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

Mayor Lyman reported on his attendance at the December 3, 2015 Contra Costa Mayors Conference. Bob Simmons, Walnut Creek, was re-elected to represent the Contra Costa Mayors Conference at the East Bay Regional Park District (EBRPD). Nominations for the Contra Costa Mayors Conference Board are due soon. Mayor Lyman encouraged anyone interested in serving on the Board to let him know. At its last meeting the West Contra Costa Integrated Waste Management Authority (WCCIWMA) Board discussed the future of the Authority's responsibilities going forward.

8. ADJOURNED REGULAR CITY COUNCIL MEETING at 8:52 p.m.

SUPPLMENTAL REPORTS AND COMMUNICATIONS

Item No. 6(A) Urban Greening Plan

1. Powerpoint presentation – *Submitted by Melanie Mintz, Community Development Director.*
2. El Cerrito Urban Greening Survey – *Submitted by Melanie Mintz, Community Development Director.*

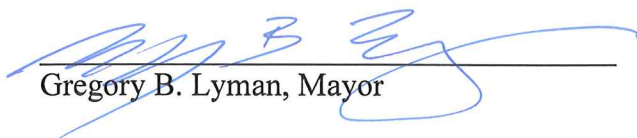
Item No. 6(B) Regulation of Medical Marijuana Cultivation and Deliveries

3. Powerpoint presentation – *Submitted by Sean Moss, Senior Planner.*
4. Comments in support of approving the ordinance – *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 December 15, 2015 as approved by the El Cerrito City Council.



Cheryl Morse, City Clerk



Gregory B. Lyman, Mayor