

# EL CERRITO CITY COUNCIL

## MINUTES

REGULAR CITY COUNCIL MEETING  
Tuesday, October 18, 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 Lyman all present.

7:00 p.m.

### CONVENE REGULAR CITY COUNCIL MEETING

Mayor Lyman convened the Regular City Council meeting at 7:00 p.m.

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

### 2. COUNCIL / STAFF COMMUNICATIONS

Cheryl Morse, City Clerk, announced that there is an official secure ballot box located at City Hall for anyone who would like to drop off vote-by-mail ballots. Additionally, the City is also partnering with the Contra Costa County Registrar of Voters in designating City Hall as a Regional Early Voting Center October 31<sup>st</sup> through November 4<sup>th</sup>, 11:00 a.m. to 7:00 p.m. and Saturday, November 5<sup>th</sup> 8:00 a.m. to 5:00 p.m.

Councilmember Quinto reported that the Contra Costa County Board of Supervisors approved a proclamation celebrating October as Filipino American History Month. Councilmember Quinto also reported that Filipino American history will also be taught to middle schoolers and that there are three Filipino American elected officials in Contra Costa County.

Mayor Lyman thanked the Arts and Culture Commission for the Arts Month Festival kick-off event on October 1 and the October 8 Folk Festival. Mayor Lyman also acknowledged the work that the Economic Development Committee did on Restaurant Week and thanked everyone who participated. Additionally, the Rotary Club was acknowledged by Mayor Lyman for its efforts in organizing the Sip-n-Savor fundraiser event held at the Mira Vista Golf and Country Club that benefited El Cerrito High School and the Library Foundation.

### 3. ORAL COMMUNICATIONS FROM THE PUBLIC

Cordell Hindler, Richmond, said he was inspired by the kids that spoke at the Summit Charter School public hearing in July, reported that he sent a link to the City Clerk regarding Boards and Commissions and announced an upcoming performance at the Contra Costa Theatre.

Marlene Keller, El Cerrito, Volunteer for the Library Foundation and Friends of the Library, urged all to vote in favor of Measure B/New El Cerrito Library.

Chris Fritz, El Cerrito, spoke in support of Measure B/New El Cerrito Library.

Al Miller, El Cerrito, spoke in support of Measure B/New El Cerrito Library.

Sid Manchester-Jones, El Cerrito, stated that the measure of a society is how those on the lower economic spectrum or those with addictions or who have been displaced are treated. Mr. Manchester-Jones also commented on the El Dorado project.

Georgina Edwards, El Cerrito, thanked the City Council and staff for their service, affirmed her support for a new library in the future and also thanked her neighbors for their safe and informative discourse.

Bill Jones, Former El Cerrito Mayor, El Cerrito, stated that everyone agrees that El Cerrito needs to rebuild its Library and that all the details and costs will be decided through public input. The sooner the City has funding to begin the process the sooner the City will have a modern library that everyone wants. Former Mayor Jones also stated that El Cerrito was unable to apply for Library grants several years ago and urged all to vote yes on Measure B/New El Cerrito Library and participate in the planning and design process.

James M. Richardson, M.D., El Cerrito, expressed concerns regarding a parking hazard in front of his house and the City's lack of response. Dr. Richardson stated that his car has been nearly broadsided 3-4 times within the last 3-4 months.

Melanie Proctor, El Cerrito, stated that it is difficult to reconcile the City's sustainability efforts with the proposed library. Taxes have been passed for city services yet library services have not been increased beyond 35 hours. Ms. Proctor stated that she will vote no on Measure B/New El Cerrito Library and urged residents to re-think Measure B.

Rochelle Pardue-Okimoto, thanked the opposition for their questioning of Measure B and explained why she supports Measure B for a new library.

Norman LaForce, Former El Cerrito Mayor, stated that the need for a new library is established and that the time to do it is now to get it done and done right. Mr. LaForce said the City spends its tax money wisely and provided examples such as the community pool, streets and City Hall. Former Mayor LaForce spoke in support of Measure B/New El Cerrito Library.

Robin Mitchell, El Cerrito, Friends of Dorothy Rosenberg Memorial Park, stated that the Rosenberg Memorial Park Friends Group has spent many hours improving the property and have prepared an extensive workplan. The group hopes to see the house opened in the near future. After attending the El Dorado project hearings and contemplating those who had been displaced, it occurred to Ms. Mitchell that filling the caretaker position in accordance with appropriate city policies and standards would provide an opportunity for low income housing at no unusual risk.

Howdy Goudey, El Cerrito, applauded Mr. Manchester-Jones for his thoughtful comments and stated that the City Council needs to act on its conscience and make it right for the former Audiss residents. Mr. Goudey said he hopes to discuss housing at future Planning Commission and City Council meetings and urged the City Council to take meaningful action to remedy the effects of El Dorado and set policy that will avoid tragic outcomes in the future. Mr. Goudey also stated that he supports Measure B/New El Cerrito Library.

Paul Sterne, El Cerrito, stated that service from the Police Department has been good but service from the Building Department is far from exemplary so he cannot conclude that the City provides exemplary service. The City has one of the highest sales tax rates in the entire state coupled with one of the highest property tax rates in the County. Mr. Sterne also questioned the way the city spends its money to inform residents about Measure B/New El Cerrito Library. City funds should not be spent to support propositions on the ballot.

Patrice Chamberlain, El Cerrito, spoke in support of Measure B/New El Cerrito Library, which she identified as a community investment. Libraries are democracy in action and create equity and inclusion.

Jan Woo, El Cerrito, Former El Cerrito Library Commissioner, noted that although residents stated in Town Hall forums and surveys that they wanted more Library hours as facility improvements there has been no progress in extending hours. Ms. Woo stated that if El Cerrito can't afford to keep the library open for more than 35 hours per week how can it afford to do this for a much larger facility. Ms. Woo said she will vote no on Measure B/New El Cerrito Library.

Paul Fadelli, El Cerrito, stated that the Library will have a broad, transparent and review public process and noted that a real library isn't separate from the City's economic development goals.

Denise Sangster, El Cerrito, encouraged the City Council to withdraw Consent Calendar Item No. 5(J), Arlington Boulevard and Brewster Drive Intersection Safety Improvements, for additional community process.

Nicholas Arzio, El Cerrito, expressed why he is voting no on Measure B/New El Cerrito Library, and questioned the City's use of a Lew Edwards Group for the City's Library informational materials.

#### **4. PRESENTATIONS**

##### **A. Unity and Bullying Prevention Awareness Day Proclamation**

Approve a proclamation proclaiming October 19, 2016 as Unity Day in the City of El Cerrito and encouraging all schools, students, parents, recreation programs, religious institutions and community organizations to engage in a variety of awareness and prevention activities designed to make our community safer for all children and adolescents and encouraging all El Cerrito residents to wear orange on Unity Day to demonstrate the City's commitment to the prevention of bullying.

**Presenter:** Vivian Brandt, Community Services Supervisor, Recreation Department.

**Speaker:** Cordell Hindler, Richmond, shared a personal story about bullying.

**Action:** Received presentation. Moved, seconded (Friedman/Abelson) and carried unanimously to approve the proclamation.

**B. Recreation Department Update – Presentation by Chris Jones, Director, Recreation Department.**

Presenters: Chris Jones, Director, Recreation Department; Bridget Cooney, Recreation Supervisor, Sarah Di Benedetto, Recreation Analyst, Janet Bilbas, Senior Services Supervisor, Vivian Brandt, Community Services Supervisor, and Hannah Long, Recreation Supervisor.

Speakers: Cordell Hindler, Richmond, expressed his appreciation for the Recreation Department.

**Action:** Received presentation.

**C. Crime Prevention Committee Workplan – Presentation by Nicholas Arzio, Chair.**

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

Presenter: Nicholas Arzio, Chair.

Speaker: Cordell Hindler, Richmond, said he enjoyed the presentation and has presented ideas to the Committee.

**Action:** Received presentation.

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

Moved, seconded (Abelson/Friedman) and carried unanimously to approve Consent Calendar Item Nos. 5(A) through 5(G) in one action as indicated below. Consent Calendar Item No. 5(H) was removed from the Consent Calendar for the purpose of recognizing Chief Keith and approved as indicated below. Consent Calendar Item No. 5(J) was removed from the Consent Calendar by Councilmember Bridges.

**A. Approval of Minutes**

Approve the September 20, 2016 Regular City Council meeting minutes.

**Action:** Approved minutes.

**B. Arts and Humanities Month Proclamation**

Approve a proclamation declaring October 2016 as "Arts and Humanities Month" in the City of El Cerrito and encouraging all residents to participate in arts-related events in El Cerrito throughout the month.

**Action:** Approved proclamation.

**C. Proclamation Recognizing Chris Strachwitz and Down Home Music**

Approve a proclamation commending Chris Strachwitz, for his many accomplishments, recognizing the fortieth anniversary of the Down Home Music Store and declaring October 20, 2016 as "Chris Strachwitz and Down Home Music Day" in the City of El Cerrito.

**Action:** Approved proclamation.

**D. Shelter-in-Place Education Day Proclamation**

Approve a proclamation recognizing the importance of preparing for emergencies and encouraging participation in the Contra Costa Community Awareness Emergency Response Group's (CAER) public education efforts in support of the parents, teachers, students and staff that will be participating with hundreds of other schools and childcare centers in the Shelter-in-Place Drill and proclaiming November 2, 2016 as "Shelter-in-Place Education Day" in the City of El Cerrito.

**Action:** Approved proclamation.

**E. Proclamation Encouraging Autonomous Vehicle Testing as a Public Safety and Economic Development Initiative**

Approve a proclamation declaring that the City of El Cerrito welcomes the testing and operation of intelligent vehicles on the streets and roads over which the City has jurisdiction in accordance with applicable law, as a means to encourage the advancement of this technology and to create economic benefit, and will, if necessary, work collaboratively with other jurisdictions in Contra Costa County to address any issues that arise in order to best protect the safety of our residents.

**Action:** Approved proclamation.

**F. Amendments to City's Job Classification Plan**

Adopt a resolution amending the City's Job Classification Plan to: 1) Re-title and revise the class specification of "Information Services Manager" to "Information Technology Manager;" and 2) Retitle the class specification of "Administrative Analyst I, II, III" to "Management Analyst I, II, III."

**Action:** Adopted Resolution No. 2016-76.

**G. Conflict of Interest Code Update**

Adopt a resolution approving a revised Conflict of Interest Code for the City of El Cerrito, including filing requirements for related agencies, including the Public Financing Authority, the Employee Pension Board, and the Successor Agency to the former Redevelopment Agency and rescinding Resolution No. 2014-47.

**Action:** Adopted Resolution No. 2016-77.

**H. Memorandum of Understanding with the Public Safety Management Group – Police Chief**

Adopt a resolution authorizing the City Manager to execute a Memorandum of Understanding between the City of El Cerrito and the Public Safety Management Group – Police Chief.

**Presenter:** Karen Pinkos, Assistant City Manager.

**Speaker:** Denise Sangster, El Cerrito, congratulated Chief Keith.

**Action:** Removed from the Consent Calendar by Mayor Lyman at the request of Karen Pinkos, Assistant City Manager, who provided background information on Chief Keith. Moved, seconded (Abelson/Friedman) and carried unanimously to adopt Resolution No. 2016-78.

**I. Financial Support for Youth Soccer Grant for Gilman Sports Fields**

Adopt a resolution supporting the application for a California Youth Soccer Program Grant of \$1,000,000 by the Gilman Sports Fields Joint Powers Authority (JPA) and allocating \$20,000 from the City's General Fund Reserve (identified as Option 1) as local matching funds for the construction of a new youth soccer field and public restroom facility. *Exempt from CEQA.*

**Action:** Adopted Resolution No. 2016-79.

**J. Arlington Boulevard and Brewster Drive Intersection Safety Improvements, City Project No. C3071, Federal Aid Project No. HSIP-5239(023)**

Adopt a resolution taking the following actions: 1) Approve plans for the Arlington Boulevard and Brewster Drive Intersection Safety Improvements, City Project No. C3071, Federal Aid Project No. HSIP-5239(023); 2) Accept the two submitted bids; 3) Authorize the City Manager to execute a contract in the amount of \$205,268.50

with FBD Vanguard Construction, Inc. and approve change orders in an amount not to exceed \$21,000 for the construction of the Arlington Boulevard and Brewster Drive Intersection Safety Improvements Project; and 4) Amend the Fiscal Year 2016-17 Adopted Budget and Annual Program of Maintenance and Improvement pursuant to the Measure A Street Improvement Program to appropriate an additional \$40,000 in the Measure A Street Improvement Fund for the Arlington Boulevard and Brewster Drive Intersection Safety Improvements, City Project No. C3071. *Exempt from CEQA.*

**Presenter:** Yvetteh Ortiz, Public Works Director.

**Speaker:** Denise Sangster, El Cerrito, stated that neighbors asked for bumps to be placed where an individual was killed and do not want rumble strips placed in the street in front of their homes. Ms. Sangster asked that the item be delayed for two weeks so staff can meet with neighbors.

**Action:** Removed from the Consent Calendar by Councilmember Bridges. Moved, seconded (Friedman/Quinto) and carried unanimously to adopt Resolution No. 2016-80 as revised to increase the contingency and appropriation amount of the contract and direct staff to meet with residents near the project and authorize staff to exercise its own discretion in making any improvements necessary.

Councilmember Friedman noted that it is his hope that staff will attempt to achieve consensus with residents.

## 6. PUBLIC HEARINGS

### **Local Modification of the 2016 California Building Standards Code, Including Green Building Code, Building Code, Fire Code and related Construction Codes**

Conduct a public hearing and upon conclusion: 1) Adopt a resolution which makes findings justifying changes or modifications due to local climatic, geologic and topographic conditions in the 2016 California Building Standards Code, which includes the California Green Code, Building Code, Fire Code, Residential Code and related Construction Codes; and 2) Introduce by title and waive first reading of an Ordinance and set the second hearing for November 1, 2016 to adopt the 2016 California Green Code, Administrative, Building, Fire, Plumbing, Mechanical, Electrical, Energy, Residential, Existing Building Code and related Construction Codes as applicable to all construction within the City of El Cerrito, with local modifications as outlined in the ordinance. *Exempt from CEQA.*

**Presenters:** Mark Soltes, Building Official and Michael Bond, Battalion Chief.

Mayor Lyman opened the public hearing. No speakers.

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

Moved, seconded (Friedman/Quinto) and carried unanimously to adopt Resolution No. 2016-81.

Moved, seconded (Quinto/Bridges) and carried unanimously to approve Ordinance No. 2016-04 as revised to correct page five of the ordinance to change the reference in El Cerrito Municipal Code Section 16.02.120 citing Section 1905.1.8 of the California Building Code to Section 1905.1.7. *Second reading of the ordinance is scheduled for November 1, 2016.*

## 7. POLICY MATTERS

### **Presentation and Possible Action in Support of California State Proposition 55 – Tax Extension to Fund Education and Healthcare – Presentation by Tony Thurmond, California State Assemblymember, District 15.**

Receive a presentation from Assemblymember Tony Thurmond and consider adopting a resolution joining cities and school districts around the state in supporting California Proposition 55 and urging the Legislature to work with the public education community to identify stable, long-term, adequate funding solutions for public schools and support the passage of Proposition 55 because it provides needed revenue to public schools and will specifically benefit the district.

**Presenter:** Matt Duffy, Superintendent, West Contra Costa Unified School District spoke in place of Assemblymember Thurmond.

**Speaker:** Cordell Hindler, Richmond, said he is grateful for the money that will go into the District.

**Action:** Moved, seconded (Friedman/Quinto) and carried unanimously to adopt Resolution No. 2016–82.

## 8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

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

Mayor Pro Tem Abelson reported to that she attended the League of California Cities (League) Annual Conference in Long Beach. The League's Executive Director is retiring at the end of this month. A search is underway for a replacement. The East Bay Division met and elected new officers with Mayor Pro Tem Abelson rotating out of the immediate past president position. Mayor Pro Tem Abelson shared a photo of the Sculpture "Transformation" that it is San Leandro. El Cerrito could also express its vision of the city through art. League Conference Sessions included 1) Homelessness; 2) Preparing for an all active shooter event; 3) Affordable housing challenges; and 4) Sitting is the new smoking – how to get employees moving. She enjoyed connecting with officials from other jurisdictions and learning about their cities. The League Delegates also passed a resolution in support of making safety a top priority for transportation projects and policy formation. The resolution also encourages cities to pursue similar initiatives.

Councilmember Quinto reported that he also attended the League Annual Conference and was installed as a Director-at-Large of the statewide Asian Pacific Islander Caucus (API). Councilmember Quinto looks forward to representing Northern California in the coming year and will be attending a Fall reception with state API legislative leaders on October 29. The Conference provided an opportunity to meet colleagues throughout the state. Councilmember Quinto met individuals involved with hydrogen power who would like to come to El Cerrito to make a presentation at the Mayors Conference or an East Bay Division League meeting.

Councilmember Friedman reported that he moderated a panel on the minimum wage at the League Annual Conference. Suzanne Iarla, Assistant to the City Manager, did a good job organizing the presentation.

Mayor Lyman reported that he attended a Marin Clean Energy (MCE) annual retreat. There is overwhelming support by the MCE Board to proceed with inviting more communities in Contra Costa County to join with MCE. MCE grew by seven

communities in the last year. Mayor Lyman also attended a Tom Bates/Gilman Sports Fields Joint Powers Authority meeting. On October 12 Mayor Lyman attended a RecycleMore internal operations meeting and received a budget briefing. Rates will go up by about 1.5%. At the Contra Costa Mayors Conference architectural critic John King spoke about the Bay Area. Mr. King gave a special shout out to El Cerrito as an area that is not quite urban and not quite rural. It is fairly unique in the Bay Area. The Contra Costa Mayors Conference also approved its budget.

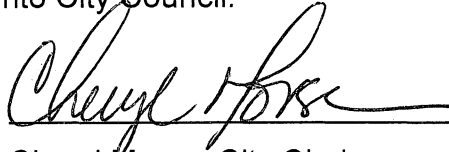
**9. ADJOURNED REGULAR CITY COUNCIL MEETING at 9:28 p.m.**

**SUPPLEMENTAL REPORTS AND COMMUNICATIONS**

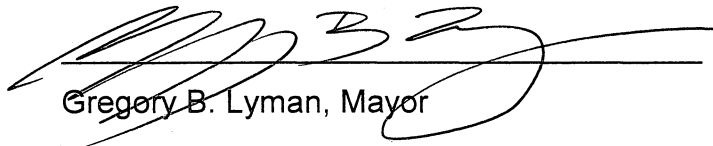
**Other:**

1. Comments in opposition to Measure B/New El Cerrito Library – Submitted by Jan Woo, Former Library Commissioner, El Cerrito.
2. Comments in favor of Measure B/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 October 18, 2016 as approved by the El Cerrito City Council.



Cheryl Morse, City Clerk



Gregory B. Lyman, Mayor