

EL CERRITO CITY COUNCIL

MINUTES

REGULAR CITY COUNCIL MEETING
Tuesday, December 19, 2017 – 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 Gabriel Quinto
Councilmember Greg Lyman

Councilmember Paul Fadelli
Councilmember Rochelle Pardue-Okimoto

ROLL CALL

Councilmembers Fadelli, Lyman, Pardue-Okimoto, Quinto and Mayor Abelson all present.

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 OR OBSERVATION OF MOMENT OF SILENCE was led by Councilmember Paul Fadelli.

2. COUNCIL / STAFF COMMUNICATIONS and CITY COUNCIL LOCAL AND REGIONAL LIAISON ASSIGNMENTS

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

STAFF ANNOUNCEMENTS

Melanie Mintz, Community Development Director, reported that the Contra Costa Housing Authority just announced that the pre-application period for the Hana Garden's Affordable Senior Housing project waitlist will run January 16, 10:00 a.m. through 5 p.m., January 21, 2018. Anyone who is interested in being placed on the waitlist will need to submit a pre-application during this period. The application will only be available online. Staff will send out a press release and will also work with the Senior Center to help applicants with online submission. The information is also available at www.el-cerrito.org/affordablehousing. The pre-application for wait listing is applicable to four different sites.

Maria Sanders, Operations and Environmental Services Manager, announced that El Cerrito was recently recognized by the Environmental Protection Agency (EPA) for being a Green Power Community and was presented with an award certificate and road sign.

The EPA's program recognizes cities throughout the nation for exceeding a minimum level of renewable use. The City is a Marin Clean Energy Clean Energy Community that has standard electricity mixes which are 25 percent more renewable than the state standard. The City also has a high percentage of residents and green businesses that have signed up to be "Deep Green;" a 100% renewable energy package. The City's municipal facilities are also Deep Green. The Green Power Communities program provides a ranking for each community. El Cerrito ranks thirteenth in the nation.

CITY COUNCIL ANNOUNCEMENTS AND REPORTS

Councilmember Pardue-Okimoto reported on the work of the Alta Bates Regional Task Force, of which she is a member. The Task Force meets to discuss the potential closure of Alta Bates Hospital and how it would affect all of the communities along the I-80 corridor. Agenda Item No. 4(I) seeks contribution for funding a health assessment that would help inform the community about what the impacts would be, what services are needed and would also assist with planning.

Mayor Pro Tem Quinto reported that he attended the funeral of San Francisco Mayor Ed Lee and asked that the meeting be adjourned in memory of Mr. Lee. Mayor Lee was a member of the League of California Cities Asian American Caucus.

Councilmember Lyman reported that the West Contra Costa Integrated Waste Management Authority (WCCIWMA or RecycleMore) continues to discuss the reorganization of the Joint Powers Authority. Councilmember Lyman also attended the Human Relations Commission (HRC) December 6 meeting. The Commission is preparing for the annual Martin Luther King Jr. Parade and Rally. The HRC also continues to discuss how to recruit a student commissioner from the high school. The Crime Prevention Committee is continuing its work on the neighborhood watch program. Councilmember Lyman also encouraged all residents to apply for commission and committee positions. Although the Charter City Committee recruitment closed December 18; the application deadline for all other boards, commissions and committees will be extended.

Councilmember Fadelli thanked Parks and Recreation Department staff for their work on the annual holiday pancake breakfast. It was a great event. Mayor Abelson also attended. Councilmember Fadelli reported that he also attended an East Bay Division League of Cities holiday event in Emeryville. Councilmember Fadelli also thanked Fire Department personnel throughout the state for their work and efforts in fighting the California firestorms.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Cordell Hindler, Richmond, emphasized the need for young voices on the City's Committees. He loved attending Centennial Task Force Committee meetings and urged the City Council to pass Consent Calendar Item 4(I).

Howdy Goudey, thanked staff for following through on affordable housing policy with Consent Calendar Item No. 4(C). For Consent Calendar Item No. 4(E), Mr. Gowdy stated that it is important to add recognition of climate related financial risk to the financial policy and referred to language he submitted by email that could be added to the policy. Mr. Goudey also encouraged the City Council to show support for Senate Bill 560 and urged the City Council to remove Item No. 4(D) from the agenda and present it at a future meeting for discussion. The purchase should be consistent with the City's Climate Action Plan and environmentally preferred purchasing policy. He encouraged City Councilmembers to be environmental leaders and consider a better purchase action.

Robin Mitchell, El Cerrito, followed up on Mr. Goudey's comments on Item No. 4(D) and informed the City Council of recent Air Resources Board actions. The state provides incentives for truck and bus fleets to go green by opting to purchase electric vehicles. Ms. Mitchell encouraged the City to investigate other options instead of purchasing diesel trucks.

Al Miller, El Cerrito, also commented on Item No. 4(D) and expressed concerns with the height of garbage and recycling trucks. Mr. Miller said he has observed trucks breaking off lower tree branches during curbside collection and suggested that height be considered during the procurement process. Mr. Miller also announced that the Sundar Shadi holiday display is looking very well this year. The display will last through the evening of December 26. The community is invited to help with dismantling the display on December 27.

Trek Porter, El Cerrito, expressed concerns with video surveillance provisions regarding remote access that are contained in the cannabis ordinance.

Sherry Drobner, El Cerrito, echoed support for comments presented by Howdy Goudey and Robin Mitchell regarding Consent Calendar Item No. 4(E) and asked the City Council to be socially and environmentally responsible with its investments and risk. She urged the City to support SB 560 and include the language in the City's financial policy.

Tenzin Rangor, El Cerrito, President, Tibetan Association of Northern California, invited the City Council to attend the Tibetan New Year Celebration on February 17 at John F. Kennedy High School in Richmond.

4. ADOPTION OF THE CONSENT CALENDAR – Item No. 4(A) through 4(I)

Moved, seconded (Lyman/Pardue-Okimoto) and carried unanimously to approve Consent Calendar Item Nos. 4(C), 4(D), 4(F), 4(G), 4(H) and 4(I) in one motion as indicated below. Consent Calendar Item Nos. 4(A), 4(B) and 4(E) were removed from the Consent Calendar at the request of Councilmember Lyman and voted on separately as indicated below.

A. Approval of Minutes

Approve the November 21, 2017 Regular City Council meeting minutes.

Action: Removed from the Consent Calendar at the request of Councilmember Lyman. Moved, seconded (Lyman/Quinto) and carried unanimously to approve the minutes as corrected to change the title of the Integrated Waste Management Authority Director from "Regional Director" to "Executive Director."

B. Commercial Cannabis Ordinance

Adopt Ordinance No. 2017-07 repealing and replacing Chapter 6.80 of the El Cerrito Municipal Code, allowing dispensaries in the City of El Cerrito.

Introduced November 21, 2017 and approved with amendments by the following vote: Ayes – Councilmembers Fadelli, Pardue-Okimoto, Quinto and Mayor Abelson; Noes – Councilmember Lyman; Abstain – None; Absent – None.

Action: Removed from the Consent Calendar by Councilmember Lyman for the purpose of recording his vote against the ordinance and to ensure that the community recognizes that the Police Department will incur increased operating costs associated with patrolling around the new facilities. Moved, seconded (Pardue-Okimoto/Fadelli: Ayes – Councilmembers Fadelli, Pardue-Okimoto, Quinto and Mayor Abelson; Noes – Councilmember Lyman; Abstain – None; Absent – None) and carried to adopt Ordinance No. 2017-07.

C. Inclusionary Zoning Program Consultant Award

Adopt a resolution authorizing the City Manager to execute a professional services agreement with Keyser Marsten Associates, Inc. in an amount not to exceed \$36,000 to assist with development of an Inclusionary Zoning program and authorizing change orders in an amount not to exceed \$5,000.

Action: Adopted Resolution No. 2017-81.

D. Lease-Purchase of Two Side-Loading Recycling Trucks

Adopt two resolutions authorizing the City Manager to: 1) Execute an equipment lease purchase agreement with Capital One Public Funding, LLC for the purpose of purchasing two side-loading recycling collection trucks for \$551,498 at a fixed interest rate not to exceed 3.0% interest for seven years; and 2) Enter into a purchase agreement through the National Joint Powers Alliance (NJPA) bid process with McNeilus Truck and Manufacturing per the amount above for said trucks, subject to Council approval of an Equipment Lease-Purchase Agreement with Capital One Public Funding.

Action: Adopted Resolution No. 2017-82 and Resolution No. 2017-83.

E. Annual Review of Investment Policy

Adopt a resolution approving the City's Investment Policy.

Action: Removed from the Consent Calendar at the request of Councilmember Lyman. Moved, seconded (Lyman/Quinto) and carried unanimously to adopt Resolution No. 2017-84 approving the investment policy and directing the Financial Advisory Board on its next review of the investment policy to incorporate the appropriate environmental sustainability portions of the Strategic Plan in future policies.

F. Designating Primary and Alternate Board Members to the Municipal Pooling Authority of Northern California (MPA)

Adopt a resolution designating the Assistant City Manager as Primary Board Member and the Senior Human Resources Analyst/Human Resources Manager as Alternate Board Member to the Municipal Pooling Authority of Northern California (MPA).

Action: Adopted Resolution No. 2017-85.

G. Recognition of the El Cerrito Centennial Celebration Task Force

Adopt a resolution thanking the Centennial Celebration Planning Task Force, acknowledging that the Task Force has fulfilled its duties in planning and carrying out the City's Centennial celebration and dissolving the Task Force.

Action: Adopted Resolution No. 2017-86.

H. Environmental Quality Committee Appointment

Approve an Environmental Quality Committee recommendation to appoint Allison Kittleson to the Environmental Quality Committee, effective December 19, 2017.

Action: Approved recommendation.

I. Support the City of Berkeley and the Alta Bates Regional Task Force in the Preparation of a Health Impact Assessment of the Proposed Closure of Alta Bates Hospital

At the request of Councilmember Pardue-Okimoto, adopt a resolution contributing \$5,000 toward the cost of preparation of a Health Impact Assessment (HIA) by the University of California at Berkeley, incorporating the proposed scope approved by the Alta Bates Task Force.

Action: Adopted Resolution No. 2017-87.

5. PRESENTATION

Recognition of the Centennial Planning Task Force and Presentation of Centennial Passport Prizes.

Speakers: Cordell Hindler, Richmond, expressed his appreciation for the Centennial Planning Task Force.

Joann Steck-Bayat, Chair, said there were almost one-hundred events that took place over the past year and that the Task Force came in under budget. Ms. Steck-Bayat said that a highlight of the celebration was the attendance of fifty-two descendants of Victor Castro who participated in the Centennial Parade. Ms. Steck-Bayat also thanked the City Council and all “point people” associated with the many organizations who participated in the celebration events.

Action: The City Council recognized the work of the Centennial Planning Task Force and thanked them for their extraordinary efforts in planning and implementing events over the past year. Mayor Abelson also thanked everyone in the community who participated in the events and staff Suzanne Iarla, Margaret Livingston and Chris Jones for their efforts. Centennial Passport Prize winners were presented with gifts.

6. PUBLIC HEARINGS – None

7. POLICY MATTERS

A. Urgency Ordinance to Repeal and Replace Chapter 6.80 of the El Cerrito Municipal Code to Adopt Local Regulations of Commercial Cannabis Uses as an Interim Measure until Ordinance No. 2017-07 Becomes Effective

Adopt an urgency ordinance repealing and replacing Chapter 6.80 of the El Cerrito Municipal Code to adopt local regulations of commercial cannabis uses as an interim measure until Ordinance No. 2017–07 becomes effective. A four-fifths vote of the City Council is necessary for approval. *Exempt from CEQA.*

Presenter: Sky Woodruff, City Attorney.

Speakers: Cordell Hindler, Richmond, urged the Council to approve the ordinance.

Action: Moved, seconded (Lyman/Quinto) and carried to adopt Ordinance No. 2017–08, an urgency ordinance repealing and replacing Chapter 6.80 of the El Cerrito Municipal Code to adopt local regulations of commercial cannabis uses as an interim measure until Ordinance No. 2017–07 becomes effective. *Effective January 1, 2018.*

B. City Council Reorganization

Annual selection of Mayor and Mayor Pro Tem, Councilmember remarks and administration of the oath of office.

Mayor Abelson highlighted the achievements of the Council, staff, residents and community members over the past year and called for reorganization of the City Council. Councilmember Lyman thanked Mayor Abelson for her service and guidance over the past year.

Councilmember Fadelli thanked Mayor Abelson for her service, particularly her work on transportation and for seniors, which is well known throughout the Bay Area.

Councilmember Pardue-Okimoto stated that she was pleased to serve while Mayor Abelson was Mayor and expressed her appreciation for Mayor Abelson’s mentoring and all that she does in the community.

Mayor Pro Tem Quinto thanked Mayor Abelson for her leadership and presented her with a plaque commemorating her service to the City. Mayor Pro Tem Quinto said he was honored to substitute for Janet while she was doing things throughout the region and state.

SELECTION OF THE MAYOR

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

Mayor Abelson nominated Mayor Pro Tem Quinto for Mayor.

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

Action: Moved, seconded (Lyman/Fadelli) and carried unanimously to close nominations for Mayor. The City Council, by unanimous vote, selected Mayor Pro Tem Quinto for Mayor.

SELECTION OF THE MAYOR PRO TEMPORE

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

Councilmember Fadelli nominated Councilmember Pardue-Okimoto for Mayor Pro Tem.

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

Actions: Moved, seconded (Lyman/Fadelli) and carried unanimously to close nominations. The City Council, by unanimous vote, selected Councilmember Pardue-Okimoto as Mayor Pro Tem.

Honorable Judge Benjamin Reyes, Contra Costa County Superior Court, administered the oath of office to Mayor Quinto and Mayor Pro Tem Pardue-Okimoto.

Mayor Pro Tem Pardue-Okimoto stated that it has been a pleasure to serve on the City Council over the past year. By serving with the first Filipino American Mayor and being an African American herself, it really shows how they each reflect the diversity of the city and the state. Mayor Pro Tem Pardue-Okimoto stated that she introduced the letter opposing the jail expansion as one her first actions as a new councilmember and it was the right thing to do. She is also proud that the Council made El Cerrito a Sanctuary City and said she and the City Council will continue the fight for individual and immigrant rights and the “little guy.” Many things that she has set out to do this year have been completed including putting more funds into the Community Emergency Response Team (CERT) program and emergency services. She is proud of public safety services in the community in making the city safe. A lot of work has been done on housing and the City is moving in the right direction. She invited everyone to attend events in El Cerrito and said she is looking forward to working with Mayor Quinto and everyone else in the New Year.

Councilmember Fadelli congratulated Mayor Pro Tem Pardue-Okimoto on her selection, particularly for her courage and compassionate work for El Cerrito. He also congratulated Mayor Quinto, noted Mayor Quinto’s many connections throughout the Bay Area and stated that he is looking forward to working with him.

Councilmember Lyman stated that he has enjoyed working with Mayor Pro Tem Pardue-Okimoto and Mayor Quinto and is looking forward to their leadership. The fresh energy of their leadership will make the City even better than it is now.

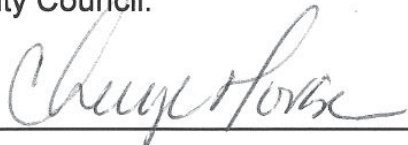
Councilmember Abelson stated that the City is in a very good place right now and that she is excited to work with Mayor Quinto and Mayor Pro Tem Pardue-Okimoto.

Mayor Quinto said he is honored to be the Mayor of El Cerrito in 2018. Mayor Quinto stated that he grew up in El Cerrito and provided information about his family background and the diverse community he grew up in. Mayor Quinto stated that hate, discrimination and deportation without due process have no place in the City of El Cerrito. He expressed his support for immigrants, the working and middle class, young families, students, people with disabilities, seniors, local small businesses and other initiatives in the city. Mayor Quinto also voiced his commitment to building affordable housing in El Cerrito and said he is proud that El Cerrito is one of the few cities in Contra Costa County that is building housing for all.

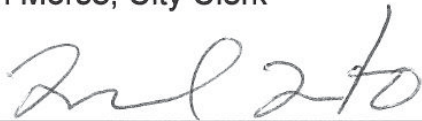
Mayor Quinto also said he hopes to make El Cerrito a City of Trees not only for future residents but to also deter climate change and also expressed his support for disaster planning and training, the senior center, a new library and El Cerrito becoming a charter city. He stated that he is honored to represent the Lesbian, Gay, Bi-sexual, Transgender community and thanked all in attendance. Mayor Quinto concluded by quoting President Franklin D. Roosevelt, *"The test of our progress is not whether we add more to the abundance of those who have much. It is whether we provide enough for those who have little."*

8. ADJOURNED REGULAR CITY COUNCIL MEETING at 8:57 p.m. in memory of Edward Lee, Mayor, City of San Francisco.

THIS IS TO CERTIFY that the foregoing is a true and correct copy of the minutes of the Regular City Council meeting of December 19, 2017 as approved by the El Cerrito City Council.



Cheryl Morse, City Clerk



Gabriel Quinto, Mayor