

# **EL CERRITO CITY COUNCIL MINUTES**

**SPECIAL CITY COUNCIL MEETING**  
Tuesday, October 16, 2018 – 6:00 p.m.  
Hillside Conference Room

**SPECIAL CITY COUNCIL MEETING**  
Tuesday, October 16, 2018 – 6:30 p.m.  
Hillside Conference Room

**REGULAR CITY COUNCIL MEETING**  
Tuesday, October 16, 2018 – 7:00 p.m.  
City Council Chambers

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

## **ROLL CALL**

**Present:** Councilmembers Abelson, Fadelli, Lyman, Pardue-Okimoto and Mayor Quinto

## **CONVENE SPECIAL CITY COUNCIL MEETING**

Mayor Quinto convened the meeting at 6: 00 p.m.

## **ORAL COMMUNICATIONS FROM THE PUBLIC**

There were no speakers.

## **COMMISSION INTERVIEWS, STATUS AND APPOINTMENTS**

Conduct interviews of candidates for the City Boards and Commissions. Interviews may result in an announcement of appointment at the meeting.

**Action:** One interview completed.

## **ADJOURNMENT**

The meeting adjourned at 6:25 p.m.

## **ROLL CALL**

**Present:** Councilmembers Abelson, Fadelli, Lyman, Pardue-Okimoto and Mayor Quinto

## **CONVENE SPECIAL CITY COUNCIL MEETING**

Mayor Quinto convened the meeting at 6:30 p.m.

## **ORAL COMMUNICATIONS FROM THE PUBLIC**

There were no speakers.

**ANNOUNCEMENT OF CLOSED SESSION  
CONFERENCE WITH LABOR NEGOTIATORS** (*Pursuant to Government Code Section 54957.6*)

**Agency Designated Representatives:** Mayor Quinto and Councilmember Lyman  
**Unrepresented Employee:** City Manager

**POSSIBLE REPORT OUT OF CLOSED SESSION**

**Action:** There was no report.

**ADJOURNED SPECIAL CITY COUNCIL MEETING**

The Council recessed the special meeting at 6:55 p.m. to reconvene after adjournment of the regular meeting. The Council reconvened at 10:05 p.m. The special meeting was adjourned at 10:45 p.m.

**ROLL CALL**

**Present:** Councilmembers Abelson, Fadelli, Lyman, Pardue-Okimoto and Mayor Quinto

**CONVENE REGULAR CITY COUNCIL MEETING**

Mayor Quinto convened the meeting at 7:00 p.m.

1. **PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF MOMENT OF SILENCE**
  
2. **COUNCIL/STAFF COMMUNICATIONS**

Councilmember Fadelli reported that Councilmember Lyman and he met with the new California Public Utilities Commission liaison for the City. He stated this gives the City a point person to work with regarding both PG&E and MCE matters or concerns.

Councilmember Fadelli stated that he also participated with the League of Women Voters and the County Elections Department in a forum regarding Measure V. He stated this forum is available for viewing on Contra Costa Television's YouTube page.

Councilmember Abelson announced that she attended a Chamber of Commerce luncheon where the speaker, Tracy Young, Rubicon Programs, spoke about "El Cerrito's Economic Health Needs – A Three Point Approach".

Councilmember Abelson reported that she attended the Senior Resource Fair. She noted there were a wide array of booths staffed by organizations providing information and resources for seniors.

Mayor Pro-Tem Pardue-Okimoto reported that the Alta Bates Subcommittee is awaiting the Health Services Impact Report being prepared by U.C. Berkeley. The report will provide an assessment of how hospital closures affect communities.

Mayor Pro-Tem Pardue-Okimoto announced that she attended the El Cerrito High junior varsity game and watched the cheerleaders perform. She asked everyone to get out and support the team and this great cheerleader squad.

Councilmember Lyman noted that in addition to regulating electricity, the California Public Utilities Commission also regulates natural gas and transportation such as UBER.

Councilmember Lyman reported that the PUC issued a decision on October 11<sup>th</sup> with regard to the PCIA, the customer indifference charge which is associated with those customers that leave PG&E and leave stranded power-generating assets behind. He stated that the decision is not favorable to CCAs in that there will be higher PCIA costs for a couple of years until PG&E retires more of their stranded assets. He further stated that MCE is committed to having their prices below those of PG&E and this means that the MCE Board, of which he is a member, is actively finding ways to reduce generation costs so that the consumer's costs will continue to be lower even though there will be higher PCIA costs.

Mayor Quinto reported on various local events that he attended since his report at the last Council meeting.

Mayor Quinto announced that he attended the ICMA (International City Managers Association) Annual Conference in Baltimore on September 24<sup>th</sup> through the 26<sup>th</sup> where he introduced Karen Pinkos, the Assistant City Manager, as she was installed as the new President of ICMA. He congratulated Ms. Pinkos on this honor.

Mayor Quinto reported that at the September West County Mayor's Association meeting, a member of County staff spoke on the use of modular housing as a way to provide affordable housing for the poor. He reported that the County has contracted for a housing project to be built of shipping crates, stacked on top of each other, which ends up looking like a nice apartment building. This housing project will be located next to the old Richmond Health Center.

Fire Chief Maples reported on vegetation management and fire abatement efforts by the Fire Department, in coordination with the City's Public Works and Police Departments, CAL FIRE and volunteers, in the Hillside Natural Area. He stated they have completed 19 projects and removed 21 dead or dying trees in this area so far this year. Chief Maples informed the Council that staff is also working with PG&E to address easement areas. The Chief asked members of the public who have specific concerns to contact the Fire Department.

### **3. ORAL COMMUNICATIONS FROM THE PUBLIC**

Cordell Hindler, Richmond, asked why El Cerrito police continue to patrol in his neighborhood of Richmond.

Michael Fischer reported that at the last Library Commission meeting, the Commission voted to recommend to the Board of Supervisors that the Board eliminate overdue fines going forward and retroactively for all existing accounts. He stated that fines adversely affect those with lower incomes and can discourage people from using the Library. He noted that libraries that have eliminated fines have determined that eliminating fines does not significantly impact the return of books. Mr. Fischer also announced that there will be another Fix It Clinic scheduled for October 27<sup>th</sup> at Library.

Davis Todhunter questioned why the City is spending City funds to send out mailers on Measure V. He said that if Measure V passes, based on his situation and the fact that his home needs to be transferred in and out of various family trusts, he will be required to pay over \$30,000 in the new real estate property tax just to be able to keep ownership of his home within his family. He also expressed concern that many of the "No on V" signs that he and others have put up have been stolen, while none of the "Yes on V" signs have been removed.

Christian Teale stated his belief that if Measure V passes it will lower property values and increase the amount renters pay. He said that the City's funding issues are a result of unfunded employee pension liabilities and high wages for City employees. He also noted that all the cities in California that have gone bankrupt are charter cities and that he doesn't want his City overspending or going bankrupt.

Al Miller, President of the El Cerrito Library Foundation, provided an update on the "One City, One Book" program, including readings and discussions about the book, *The 57 Bus*.

Susan Duncan expressed appreciation to the Fire and Public Works Departments for clearing brush away from homes in the Hillside Natural Area. She stated there is still more work to be done in clearing areas and removal of trees. Ms. Duncan announced that the neighbors are forming volunteer groups to assist as needed. She suggested that more pressure be put on East Bay Regional Park District to reduce the fuel load in Wildcat Canyon.

Scott Perry expressed concern for the lack of vegetation management in the Hillside Natural Area. He stated that several reports have been issued over the years regarding this fire hazard, but the recommendations in these reports were never adopted. He asked that the City make this a priority and reorganize the City's budget to address this issue.

Nick Galloro expressed concern for the 9,000 renters in the City who have no protection against arbitrary rent increases. He asked the Council to consider a rent increase moratorium and a just cause for eviction ordinance.

Robin Mitchell asked the Council to immediately put in place a rent increase moratorium and a just cause for eviction ordinance no matter what other programs the Council eventually decides to adopt. She stated her belief that the City should not spend resources looking at non-binding mediation as it has been proven to not be effective. Ms. Mitchell pointed to a State anti-gouging statute

that she believed the City could use to limit rent increases.

Howdy Goudey referred to a letter from Carol Lamont regarding her experience as a staff person working on affordable housing issues in other cities and her assessment that non-binding arbitration does not produce adequate results. He stated his appreciation for the work City staff has been doing on this issue. He expressed concern that what has been proposed from the prior workshop as short-term solutions will not be effective. Mr. Goudey asked the Council to move forward with an anti-gouging measure, which will give the City time to do more research and have more discussion on what measures would be most meaningful to address these issues in the City. He also stated his support for Measure V.

Sherry Drobner asked the Council to adopt a rent increase moratorium and a just cause for eviction ordinance. She handed out information on programs in other cities.

Jeff Levin, noted that hundreds of families in the City pay more than half their income for rent. He stated that while the Council debates the best policies, tenants remain at risk. He urged the Council to immediately adopt a temporary moratorium on rent increases coupled with just cause for eviction protections.

Helen Dickey, stated that she is on a fixed income and has no means of dealing with increasing rents. She asked the Council to consider the many seniors who are in the same situation.

Eduardo Torres, Bay Point, Northern California Reginal Coordinator for Tenants Together, reported that for the last two years he has been working exclusively in the City of Concord assisting tenants that have been subject to rent gouging. He informed the Council that about a year ago the City of Concord adopted a rent review program, which has been a complete failure. He stated that the City wastes over a \$100,000 for a program that is non-binding and heavily favors landlords over tenants. Mr. Torres cited cases where the review board recommended smaller rent increases than the landlord sought, but because the program is non-binding, the landlord proceeded with excessive rent increases. He recommended that the City of El Cerrito learn from the failures of non-binding arbitration and consider implementing a rent stabilization ordinance and a just cause for eviction ordinance. In the meantime, he urged the City to adopt a temporary moratorium on rent increases.

Makalia Aga stated that she has been a renter in the same place for the last 24 years and that her rent has increased 20% every year for the last three years. She said she is also paying more than 50% of her income for rent. She asked that the City adopt a temporary rent increase moratorium until a more permanent solution is put in place.

Ronnie Polonsky said she is impressed with the City's quick response to concerns citizens raised regarding fire hazards in the Hillside Natural Area. She asked the Council to move as quickly to address concerns raised by renters in the City. She stated her support for a temporary rent increase moratorium. She

said that even if Proposition 10 fails, the City still needs to implement a rent stabilization ordinance.

Mary Ghyidella stated that she lives next to the Wildwood Condominiums. She expressed concern that the five pine trees on their property, which drop tons of pine needles in the parking lot and in her yard, are a real fire hazard. She questioned what can be done regarding this matter.

#### 4. **ADOPTION OF THE CONSENT CALENDAR**

**Action:** Moved, seconded (Pardue-Okimoto/Abelson) and carried unanimously to approve the Consent Calendar as indicated below

##### **A. Minutes**

Approve the Minutes for the meeting of September 17, 2018.

**Action:** Approved minutes.

##### **B. Proclamation – Shelter-in-Place Education Day**

Approve a Proclamation proclaiming November 7, 2018 as "Shelter-in-Place Education Day".

**Action:** Approved proclamation.

##### **C. Records Retention Schedule**

Adopt a Resolution adopting a Records Retention Schedule and rescinding Resolution No. 2003-41.

**Action:** Adopted Resolution No. 2018-54.

##### **D. Conflict of Interest Code**

Adopt a Resolution adopting a revised Conflict of Interest Code and rescinding Resolution No. 2016-77.

**Action:** Adopted Resolution No. 2018-55.

##### **E. Proclamation – United Against Hate Week**

Approve a Proclamation designating November 11-17, 2018 as "United Against Hate Week".

**Action:** Approved proclamation.

#### 5. **PRESENTATIONS**

##### **A. Presentation by East Bay Regional Park District on Measure FF**

Receive a presentation from EBRPD Board Member Dee Rosario on Measure FF, a measure to extend funding for regional parks, on the November 6, 2018 ballot.

**Action:** Received presentation.

##### **B. Presentation by West Contra Costa County Unified School District - District Elections**

Receive a presentation from Marcus Walton, Director of Communications for WCCUSD, on the transition to District Elections.

**Action:** Received presentation.

**C. Presentation by East Bay Municipal Utility District – Water System Overview**

Receive a presentation from Director Andy Katz, EBMUD, on an overview of the Water System.

**Action:** Received presentation.

**D. Presentation by Contra Costa County Animal Services – Animal Services Update**

Receive a presentation from Steve Burdo, Community and Media Relations Manager, Contra Costa County Animal Services, on Animal Services.

**Action:** Received presentation.

**6. PUBLIC HEARINGS – None**

**7. POLICY MATTERS - None**

**8. CITY COUNCIL LOCAL & REGIONAL LIAISON ASSIGNMENTS**


Councilmember Abelson announced that there are several vacancies on the Crime Prevention Committee and anyone interested can get an application from the City's website and attend meetings to learn more.

Councilmember Fadelli reported that the Financial Advisory Board is presently working on the City's financial policies and that the Human Relations Commission is in discussions with staff on how best to address issues related to the rising rents and affordable housing.

Councilmember Lyman reported that there continue to be discussions at the RecycleMore meetings related to a Joint Exercise Power Authority (JEPA) agreement. He informed the Council that the California Integrated Waste Management Board has cited RecycleMore for not meeting standards related to outreach for business recycling. Councilmember Lyman pointed out that the City's recycling program operates separately from RecycleMore and is in compliance with State mandates.

**9. ADJOURNMENT**

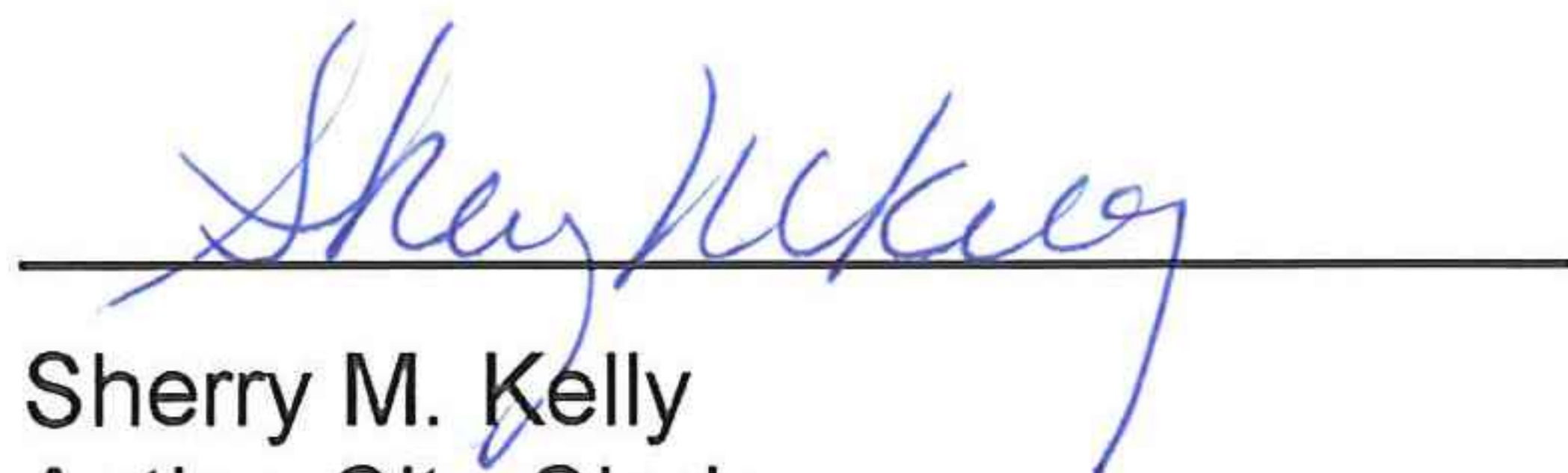
The regular meeting adjourned at 10:00 p.m.



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Gabriel Quinto, Mayor

This is to certify that the foregoing is a true and correct copy of the minutes of the City Council meetings of October 16, 2018 as approved by the El Cerrito City Council.



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Sherry M. Kelly  
Acting City Clerk