

EL CERRITO CITY COUNCIL

MINUTES

SPECIAL CITY COUNCIL MEETING – CLOSED SESSION

Tuesday, August 15, 2017 – 6:30 p.m.

Hillside Conference Room

REGULAR CITY COUNCIL MEETING

Tuesday, August 15, 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.

6:30 p.m. CONVENE SPECIAL CITY COUNCIL CLOSED SESSION (*Hillside Conference Room*)

Mayor Abelson convened the special City Council meeting at 6:34 p.m.

ORAL COMMUNICATIONS FROM THE PUBLIC

Speaker: Cordell Hindler, Richmond.

ANNOUNCEMENT OF CLOSED SESSION

Conference with Labor Negotiators (*Pursuant to Government Code Section 54957.6*)

Agency Designated Representatives: Scott Hanin, City Manager, Karen Pinkos, Assistant City Manager, Kristen Cunningham, Senior Human Resources Analyst, Glenn Berkheimer, Labor Negotiator and Sky Woodruff, City Attorney

Employee Organizations: Service Employees International Union Local 1021

RECESSED INTO CLOSED SESSION at 6:36 p.m.

ADJOURNED SPECIAL CITY COUNCIL MEETING at 7:04 p.m.

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 7:10 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

COUNCIL COMMUNICATIONS

Mayor Abelson announced that the City Council had just met in closed session and provided direction to staff. Mayor Abelson also highlighted upcoming Centennial Celebration events.

Councilmember Lyman stated that Marin Clean Energy (MCE) has reported that the solar eclipse on August 21 will vastly reduce solar production on that day. The State and MCE have asked everyone to do their best to limit power consumption between 9:00 a.m. and 12:00 p.m. on that day. Contra Costa County has added 9 new communities to MCE. Deep green consumers have increased by 67%. Councilmember Lyman also reported that there is electrical vehicle funding for commercial and multi-family properties through a Bay Area Air Quality Management District program which may cover up to 75% of the cost.

Councilmember Fadelli encouraged all to volunteer for the Centennial events. Interested individuals can contact Suzanne Iarla, Assistant to the City Manager, at elcerrito100.org for more information. Councilmember Fadelli also invited all to a ribbon cutting for the new Motorcycle Hill steps at Navellier and Blake on August 18 and noted that our country is stronger than Donald Trump and will make it through these difficult years.

Mayor Pro Tem Quinto announced that the Sierra Club in conjunction with Plug-In America and the Electric Auto Association will display all the electric cars and some fuel cell cars on September 9 from 11:00 a.m. to 3:00 p.m. at the Auto Mall Plaza in Richmond.

Councilmember Pardue-Okimoto encouraged all to attend the African American Centennial event August 26-27. Local author, Regina E. Mason, will be the keynote speaker. There will be many other activities.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Cordell Hindler, Richmond, encouraged young people to serve on the City's boards, commissions and committees, emphasized the importance of a senior center and highlighted the high cost of commercial rents.

Howdy Goudey, El Cerrito, encouraged the City Council to direct staff to post agenda related communications that are received prior to the agenda being printed on the City's website.

Mollie Hazen, El Cerrito, acknowledged the success of the National Night Out event and thanked everyone involved.

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

Moved, seconded (Lyman/Quinto) and carried unanimously to approve Consent Calendar Item Nos. 4(A) through 4(G) in one motion as indicated below.

A. Approval of Minutes

Approve the July 18, 2017 Special City Council Closed Session and Regular City Council meeting minutes.

Action: Approved minutes.

B. 2017 Patch Paving Project

Adopt a resolution taking the following actions: 1) Approving plans for the 2017 Patch Paving Project, City Project No. C3027.18; 2) Accepting the three submitted bids; and 3) Authorizing the City Manager to execute a contract in the amount of \$226,850.00 with PMK Contractors, LLC and to approve change orders in an amount not to exceed \$68,000 for the construction of the 2017 Patch Paving Project, City Project No. C3027.18. *Exempt from CEQA.*

Action: Adopted Resolution No. 2017-58.

C. Quarterly Investment Report

Receive and file the City's Quarterly Investment Report for the Quarter ending June 30, 2017.

Action: Received and filed.

D. Committee on Aging Appointment

Approve a Committee on Aging recommendation to appoint Carol Kehoe to the Committee on Aging, effective August 15, 2017.

Action: Approved recommendation.

E. Crime Prevention Committee Appointment

Approve a Crime Prevention Committee recommendation to appoint Rosa Esquivel to the Crime Prevention Committee, effective August 15, 2017.

Action: Approved recommendation.

F. Economic Development Committee Appointment

Approve an Economic Development Committee recommendation to appoint Rosa Esquivel to the Economic Development Committee, effective August 15, 2017.

Action: Approved recommendation.

G. Environmental Quality Committee Appointment

Approve an Environmental Quality Committee recommendation to appoint Neil Tsutsui and Jeff Sobul to the Environmental Quality Committee, effective August 15, 2017.

Action: Approved recommendation.

5. PRESENTATIONS

El Cerrito Wall of Fame Ceremony

Adopt two resolutions recognizing the leadership, contributions and achievements of Mae Ritz and Theresa Parella and inducting Ms. Ritz and Miss Parella into the El Cerrito Wall of Fame.

Speakers: Mae Ritz, El Cerrito, stated that it has been a privilege to work with so many talented and energetic people throughout the city over the years. Ms. Ritz stated that her parents stressed the importance of helping others without any expectation of a reward. Whether it was the Garden Club or another organization, Ms. Ritz' focus has always been on helping others. Ms. Ritz thanked her family and all of her Garden Club friends and noted that her volunteering life is not over. She will continue to be involved in projects where she can be of help and will continue to be active in the community.

Theresa Parella, El Cerrito, thanked Rose Vekony for nominating her and congratulated Ms. Ritz who is sharing this special day with her. As someone who was born and raised in El Cerrito, Ms. Parella said she has seen many changes in the City. Ms. Parella described the pastures and dairy land below her house on Richmond Street. Ms. Parella thanked City Officials for doing such a wonderful job of

keeping up with the times in accordance with resident's needs.

Tom Panas, El Cerrito, expressed his appreciation for Ms. Parella, who is an enormous asset to the City, for bringing the history and culture of the city alive for all of the residents of El Cerrito. Ms. Parella is an El Cerrito pioneer who has shared the story of El Cerrito with Mr. Panas and has given the El Cerrito Historical Society artifacts. Her many contributions to youth in tutoring and fundraising are truly extraordinary.

Cordell Hindler, El Cerrito, stated that he loves to help people.

Action: Moved, seconded (Lyman/Quinto) and carried unanimously to adopt Resolution No. 2017-59 inducting Mae Ritz into the El Cerrito Wall of Fame.

Moved, seconded (Quinto/Pardue-Okimoto) and carried unanimously to adopt Resolution 2017-60 inducting Theresa Parella into the El Cerrito Wall of Fame.

6. PUBLIC HEARINGS - None

7. POLICY MATTERS

A. Affordable Housing Strategy

Consideration of a resolution adopting the draft Affordable Housing Strategy.

Presenters: Melanie Mintz, Community Development Director and Sujata Srivastava, Principal, Strategic Economics.

Speakers: Cordell Hindler, Richmond, spoke about the challenges associated with affordable housing.

Howdy Goudey, El Cerrito, stated that he strongly supports adoption of the affordable housing strategy with a prompt implementation. Mr. Goudey urged the Council to direct staff to promptly implement the strategies and policies and take a strong look at rent stabilization and tenant protections and an impact fee for new construction. Mr. Goudey stated that the City needs to set clear priorities and cited several examples of regulations that have been put into place for the common good.

Steve Barton, El Cerrito, said the city desperately needs multiple sources of funding for affordable housing that will pass with a majority vote. Becoming a charter city with a real property transfer tax is worth thinking about. Mr. Barton said rents have skyrocketed in El Cerrito and landlords have taken amazing windfall profits. Mr. Barton urged the City Council to start looking at placing a measure on the November 2018 ballot to increase a business license tax on residential rental property. In 2016 the cities of Berkeley and East Palo Alto increased their business license taxes on residential rental property. In Berkeley it is now 2.88% of the rent. In El Cerrito it totals approximately 0.5 percent, a fixed amount of approximately \$100 a unit.

Anne Ogonowski, El Cerrito, said she is a retired senior whose rent went up ten percent last year. She now pays over 48 percent of her net social security income on rent. The need for affordable housing is immediate and pressing. Ms. Ogonowski said homelessness is a growing problem, particularly at Baxter Creek.

Ronnie Polonsky, El Cerrito, spoke about the changes in housing and rental stock in the area, noted that renters are not protected in El Cerrito and that she likes the mix of people and income levels in the city. From 2010 to 2017 average rent in El Cerrito increased 39 percent and there is no ceiling to how high a landlord can raise rents. It is time for rent control in El Cerrito.

Miguel Espino, El Cerrito, stated that affordable housing at market rate is an issue. Mr. Espino asked the City Council to endorse the formation of a community development corporation made up of residents, landlords, renters, small business owners, professionals and non-profits to work on policies that will benefit all residents of El Cerrito.

Sherry Drobner, El Cerrito, informed the Council about her door to door discussions with renters. She learned that many had received large rent increases. Ms. Drobner recommended that the City talk to renters and collect more data and prevent outside investors from using existing multi-family housing as cash cows for profit.

Jeff Levin, El Cerrito, Policy Director for East Bay Housing Organizations (EBHO), believes that the solution to the housing crisis involves protection of tenants and preservation of affordable housing stock and new affordable housing. Many tenants are experiencing unaffordable rent increases and threat of displacement. There is a problem with housing and it needs to be balanced in terms of what the market is providing. The City should do a nexus and feasibility study, look at impact fees and an inclusionary housing ordinance. EBHO also supports a business tax on rental property and tenant protections. State or other outside funds will need a local funding contribution.

Nicholas Galloro, El Cerrito, spoke against housing discrimination and stated that affordable housing should be a right and available to everyone. Mr. Galloro reported on homelessness in the area and ways to help renters.

Woody Karp, Eden Housing, strongly encouraged the city to do a nexus study and require inclusionary housing for future development. Mr. Karp said he believes future state funding of affordable housing projects will require a local funding contribution. Mr. Karp strongly encouraged the City Council to do a nexus study, consider an inclusionary housing ordinance and look hard at how the City can make a contribution.

Robin Mitchell, El Cerrito, stated that rent stabilization needs to be the highest priority and that something needs to be done in the near term to address rising rents. Ms. Mitchell said it is necessary to address the needs of people that are already living here now, noted that residents who are forced to leave because of high rent will change the demographic of the entire town and that rental housing is a common good that should be affordable and available to a wide range of people. Ms. Mitchell also provided her opinion about priorities listed in staff's Affordable Housing Strategy document and stated that rentals should reflect operating and maintenance costs with a small amount of profit rather than a big money making investment.

Baker Lyon, Oakland, Resources for Community Development, encouraged the City Council to direct staff to prepare a nexus study and learn about the feasibility of funding sources for affordable housing in the City. The City has great bones for affordable housing investment along San Pablo Avenue such as public transportation choices and existing policies for providing affordable housing for a variety of different groups such as seniors, those with extremely low income and those with special needs.

Action: Moved, seconded (Lyman/Pardue-Okimoto) and carried unanimously to adopt Resolution No. 2017-61 and proceed with strategies identified as "immediate status" in the Affordable Housing Strategy Implementation Plan (Exhibit A to the resolution) as amended to include: 1) Strategy 1-1 – *Conduct a nexus study*;

2) Strategy 1-2 – Consider implementing an inclusionary housing policy and/or enact new housing impact fees for affordable housing as allowed; 3) Strategy 4-2 – Consider enacting an ordinance to regulate the demolition of existing housing units, including requiring tenant relocation assistance; 4) Raise Strategy 14-1 – Consider the potential for implementing new local taxes or fees for affordable housing to immediate status; 5) Raise Strategy 6-1 – Continue to study potential tenant protection options and evaluate the success of existing programs in peer cities to immediate importance knowing that there is a potential for detrimental side effects such as short term rent increases; and at the request of Mayor Abelson and Councilmember Lyman, include a new Strategy 13.2 to explore options and mechanisms for ensuring accessibility to new units and ways to evaluate whether individuals with disabilities have obtained them. Staff was also directed to provide additional information in Appendix A, make clarifications and corrections to clerical and formatting errors as discussed, track legislation and take all of the Council's other comments into consideration.

B. Memoranda of Understanding between the City of El Cerrito and the Public Safety Management Association

Adopt resolutions approving Memoranda of Understanding between the City of El Cerrito and the Public Safety Management Association for the following bargaining units: 1) Battalion Chiefs; and 2) Fire Chief.

Presenters: Karen Pinkos, Assistant City Manager.

Speakers: Cordell Hindler, Richmond, urged the City Council to adopt the resolution.

Action: Moved, seconded (Lyman/Fadelli) and carried unanimously to adopt Resolution No. 2017-62 approving a memoranda of understanding for the Battalion Chief classification.

Moved, seconded (Lyman/Pardue-Okimoto) and carried unanimously to adopt Resolution No. 2017-63 approving a memoranda of understanding for the Fire Chief.

C. Agreement Toward a Memorandum of Understanding Between the City of El Cerrito and the United Professional Firefighters Association, Local 1230

Adopt resolution approving* an agreement between the City of El Cerrito and the United Professional Firefighters Association, Local 1230 modifying salaries and creating a new Memorandum of Understanding.

Presenters: Karen Pinkos, Assistant City Manager.

Speakers: Cordell Hindler, Richmond, urged the City Council to adopt the resolution.

Action: Moved, seconded (Pardue-Okimoto/Fadelli) and carried unanimously to adopt Resolution No. 2017-64.

D. Ordinance Enabling Expedited Building Permit Process for Electric Vehicle Charging Stations

Introduce by title and waive any further reading of an ordinance adding Chapter 16.14 to the El Cerrito Municipal Code to enable expedited permitting procedures for electric vehicle charging stations.

Presenters: Mark Soltes, Building Official.

Speakers: Howdy Goudey, El Cerrito, recommended that the permit fee be waived in the interest of supporting an emerging technology.

Action: Moved, seconded (Quinto/Pardue-Okimoto) and carried to approve Ordinance No. 2017-05, an ordinance adding Chapter 16.14 to the El Cerrito Municipal Code to enable expedited permitting procedures for electric vehicle charging stations. *Second reading scheduled for consideration on September 19, 2017.*

E. Safe Exchange Zone

Adopt a resolution authorizing the creation and installation of a Safe Exchange Zone. Safe Exchange Zones are locations designated by cities and police departments as safer alternatives for child custody exchanges or property sales from e-commerce transactions.

Presenters: Paul Keith, Chief of Police and Steve Bonini, Police Lieutenant.

Speakers: Robert Feraru, El Cerrito, spoke in support of the Safe Exchange Zone and noted that Councilmember Fadelli spearheaded the effort.

Mollie Hazen, El Cerrito, spoke in support of the Safe Exchange Zone.

Action: Moved, seconded (Fadelli/Pardue-Okimoto) and carried unanimously to adopt Resolution No. 2017-65.

8. CITY COUNCIL LOCAL AND REGIONAL LIAISON ASSIGNMENTS – No reports.

Moved, seconded (Pardue-Okimoto/Quinto) and carried unanimously to extend the City Council meeting to 11:00 p.m.

9. ADJOURNED REGULAR CITY COUNCIL MEETING at 10:58 p.m.

COMMUNICATIONS (*Received prior to printing of the agenda packet*)

Item No. 7(A) Affordable Housing Strategy

1. Comments regarding renters and housing displacement – *Submitted by Sherry Drobner, El Cerrito.*
2. Benefits of Rent Stabilization: A Brief Overview. Steve Barton, Ph.D – *Submitted by Sherry Drobner, El Cerrito.*
3. The Richmond Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance – *Submitted by Sherry Drobner, El Cerrito.*
4. El Cerrito Progressives Affordable Housing Recommendations. Originally submitted to the Planning Commission – *Submitted by Sherry Drobner, El Cerrito.*
5. Comments on the Affordable Housing Strategy – *Submitted by Howdy Goudey, El Cerrito.*

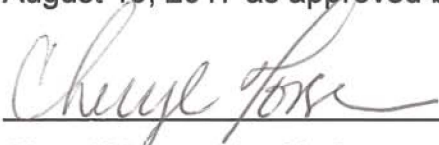
SUPPLEMENTAL REPORTS AND COMMUNICATIONS

(Received after the agenda packet went to print and at the City Council meeting)

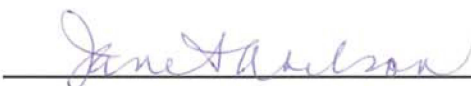
Item No. 7(A) Affordable Housing Strategy

6. Comments on the strategy and suggestions for adding new funding streams and cost-free zoning changes to encourage "missing middle" housing tools – *Submitted by Rebecca Benassini, former El Cerrito Councilmember.*
7. Comments in support of affordable housing – *Submitted by Nick Galloro, El Cerrito.*
8. Comments on affordable housing and expressing support for dense transit-oriented development and alternatives to driving autos – *Submitted by Rose Vekony, El Cerrito.*
9. Powerpoint presentation – *Submitted by Melanie Mintz, Community Development Director.*

THIS IS TO CERTIFY that the foregoing is a true and correct copy of the minutes of the Special City Council meeting and Regular City Council meeting of August 15, 2017 as approved by the El Cerrito City Council.



Cheryl Morse, City Clerk



Janet Abelson, Mayor