

EL CERRITO CITY COUNCIL

MINUTES

CITY COUNCIL CLOSED SESSION
Tuesday, August 16, 2016 – 6:30 p.m.
Hillside Conference Room

REGULAR CITY COUNCIL MEETING
Tuesday, August 16, 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

6:30 p.m. ROLL CALL

Councilmembers Abelson, Bridges, Friedman, Quinto and Mayor Lyman all present.

CONVENE CITY COUNCIL CLOSED SESSION

Mayor Lyman convened the City Council Closed Session at 6:30 p.m.

ANNOUNCEMENT OF CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATORS (*Pursuant to Government Code Section 54956.8*)

Property: Former Portola Middle School site, 1021 Navellier Street, El Cerrito, CA

Agency Negotiators: Scott Hanin, City Manager

Under Negotiation: Price and terms of payment

ORAL COMMUNICATIONS FROM THE PUBLIC

Cordell Hindler, Richmond, stated that he had heard from others in his community that the property could be used for a Charter School.

RECESSED INTO CLOSED SESSION at 6:33 p.m.

ADJOURNED CITY COUNCIL CLOSED SESSION at 7:02 p.m.

ROLL CALL

Councilmembers Abelson, Bridges, Friedman, Quinto and Mayor Lyman all present.

7:00 p.m. CONVENE REGULAR CITY COUNCIL MEETING

Mayor Lyman convened the regular City Council meeting at 7:05 p.m.

1. PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF MOMENT OF SILENCE was led by Councilmember Gabriel Quinto.

2. COUNCIL / STAFF COMMUNICATIONS

Mayor Lyman reported that the City Council gave direction to its real property negotiators at the Closed Session meeting held earlier in the evening.

Mayor Pro Tem Abelson announced that Lucy Wilson, who is recognized on the City's Wall of Fame, passed away on August 14, 2016. Mayor Pro Tem Abelson stated that Ms. Wilson's passing was a moment of great sadness for all who knew her and requested that an official tribute document be prepared in her memory to honor her life and service.

Mayor Lyman also expressed his sorrow regarding the passing of Ms. Wilson and announced the details of Ms. Wilson's memorial service. Mayor Lyman also recognized the passing of Pat Jones, former Assistant Executive Director of the Association of Bay Area Governments from 1998-2013. Mayor Lyman also announced that August 17 is the City's birthday. The City will be 99 years old tomorrow and the day will launch the beginning of the City's centennial celebration which will culminate in a special party. The City Council's Centennial Celebration Task Force is already working on ways to celebrate the occasion.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Cordell Hindler, Park Plaza Neighborhood Association, Richmond, stated that city departments are a good place for young people to work. Mr. Hindler also expressed support for the induction of David Weinstein into the El Cerrito Wall of Fame.

Sean O'Conner, El Cerrito, stated that he is a member of the El Cerrito Green Team and provided an update on trash clean-up that occurs at five different locations in the City. Mr. O'Conner also invited all to participate in upcoming clean ups.

Dave Weinstein, President, El Cerrito Trail Trekkers, presented the City Council with a \$2,186 check that was raised at the Hillside Festival. The funds are to be spent on maintenance, including cutting grasses and the elimination of invasive vegetation in an environmentally responsible way at the Madera Open Space. Mr. Weinstein also reported that good progress is being made in working with PG&E to protect the natural habitat. PG&E owns land adjacent to the Hillside Natural Area. Chuck Lewis, El Cerrito resident and PG&E attorney, is working on formalizing an easement in the area. It will not cost the city anything and will provide other benefits to the city.

4. PRESENTATIONS

A. El Cerrito Wall of Fame Ceremony

Adopt a resolution recognizing David Weinstein for his leadership and effort preserving the history and natural areas of El Cerrito, educating the community about environmental sustainability and enhancing El Cerrito's sense of place and inducting Mr. Weinstein into the El Cerrito Wall of Fame.

Speakers: Jenny Hammer, El Cerrito, stated that there are many reasons why Mr. Weinstein is deserving of the honor. Ms. Hammer thanked the City Council for passing the resolution inducting Mr. Weinstein into the Wall of Fame. Trail Trekkers would not exist if it were not for Mr. Weinstein and his dog who walked the trails and derelict pathways. Ms. Hammer noted that Trail Trekkers has an impressive history of environmental advocacy and work in the community.

Dave Weinstein, El Cerrito, stated that El Cerrito is a great town and noted that the community which works very hard, the City Council and staff make things happen. Mr. Weinstein said he loves El Cerrito and when he sees something that needs to be done such as protecting the beautiful murals in the Cerrito Theater, protecting open space or enhancing the trails he can't just sit back and do nothing. He cares about the community and fights for it. City staff have done so much for the city too.

Cordell Hindler, Board Member Park Plaza Neighborhood Council, expressed his appreciation for Mr. Weinstein's work and thanked the City Council for honoring him.

Howdy Goudey, El Cerrito, thanked Mr. Weinstein for his contributions to the community, including his work on the Environmental Quality Committee and stated that the community is lucky to have him.

Action: Moved, seconded (Friedman/Abelson) and carried unanimously to adopt Resolution No. 2016-63 inducting David Weinstein into the El Cerrito Wall of Fame.

B. Introduction of Maw Shein Win as El Cerrito Poet Laureate

Introduction of Maw Shein Win as El Cerrito's first Poet Laureate.

Presenter: Christopher Sterba, Chair, Arts & Culture Commission.

Speaker: Cordell Hindler, El Cerrito, thanked the Mayor and Council for the Poet Laureate Program.

Action: Received presentation.

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

Moved, seconded (Friedman/Bridges) and carried unanimously to approve Consent Calendar Item Nos. 5A, 5B and 5D through 5E in one motion as indicated below. Item No. 5C was removed from the Consent Calendar for additional comment and discussion as indicated below.

A. Anti-Bullying Proclamation

Approve a proclamation declaring October 16-22, 2016 as "Freedom from Bullies Week" in the City of El Cerrito.

Action: Approved proclamation.

B. Constitution Week Proclamation

Approve a proclamation declaring the week of September 17 through 23, 2016 as Constitution Week in the City of El Cerrito and asking the City's residents to reflect on the ideals outlined in the Constitution of the United States as amended over time and recognize the efforts and sacrifices of not only our Nation's Founding Fathers in crafting the Constitution, but also the brave individuals that have defended it and the great movements that have sought to engage the public and the Nation's leaders in the continuing discussion about human rights, dignity, equality, fairness, justice, liberty and freedom for all.

Action: Approved proclamation.

C. Resolution Opposing Sutter Health Corporation's Plan to Cease Acute Care Hospital Operations at Alta Bates Hospital in Berkeley

At the request of Mayor Lyman and Councilmember Quinto, adopt a resolution opposing Sutter Health Corporation's plan to close its acute care and emergency services at Alta Bates Summit Medical Center Berkeley Campus, and requesting Sutter Health to begin the planning and execution required to bring the Alta Bates Campus up to the necessary standards to comply with Senate Bill 1953 in order to provide an acute care hospital and emergency services at Alta Bates.

Mayor Lyman noted for the record that he received an email in support of the item from Councilmember Kris Worthington (Berkeley).

Rochelle Pardue-Okimoto, El Cerrito, spoke in support of the resolution opposing Sutter Health Corporation's plan to shut down the Alta Bates campus and move services to downtown Oakland. Alta Bates usually serves about 150 patients per day and Summit also serves about 150 patients per day in the Emergency Department. El Cerrito is currently underserved in terms of the number of hospital beds needed per patient. The national average is three beds per every 1000 people. Before the closure of Doctors Hospital there were 1.4 beds per 1000 people. Now, it is under 1 bed per 1000. The closure of Alta Bates Hospital will make the situation worse. Ms. Pardue-Okimoto also spoke against turning Alta Bates into a free-standing emergency room which is currently illegal in California because it does a disservice to the patient. At an urgent care facility one cannot get treated for heart attack, stroke, severe bleeding, poisoning, burns, neck injury, life threatening allergic reactions or pregnancy complications. Ms. Pardue-Okimoto stated that Alta Bates must remain open to ensure the safety of the residents of El Cerrito.

Michael Hill, El Cerrito, stated that time saves lives and what is needed is a full service emergency room not an urgent care facility. The closure of Doctors Hospital resulted in longer wait times at Summit and Alta Bates hospitals – sometimes the wait in the emergency room was 2-3 days to get into a room. It is important that Alta Bates Hospital is retrofitted or rebuilt to prevent any further decrease in services along the I-80 corridor.

Action: Removed from the Consent Calendar for the purpose of additional comment and Council discussion. Moved, seconded (Friedman/Abelson) and carried unanimously to adopt Resolution No. 2016-64.

D. 2016 Microsurfacing and Curb Ramp Project

Adopt a resolution taking the following actions: 1) Approve plans for the 2016 Microsurfacing and Curb Ramp Project, City Project No. C3027.17; 2) Accept the one submitted bid; 3) Authorize the City Manager to execute a contract in the amount of \$469,493.40 with Alaniz Construction, Inc. and approve change orders in an amount not to exceed \$90,000 for the construction of the 2016 Microsurfacing and Curb Ramp Project including additional street work; 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 \$34,494 in the Measure A Street Improvement Fund for the 2016 Microsurfacing and Curb Ramp Project, City Project No. C3027.17. *Exempt from CEQA.*

Action: Adopted Resolution No. 2016-65.

E. Ohlone Greenway BART Station Area Access, Safety and Placemaking Improvements Project

Adopt a resolution authorizing the City Manager to execute a consulting services agreement with Ghirardelli Associates (Ghirardelli) to provide construction management, inspection and materials testing services for the Ohlone Greenway BART Station Area Access, Safety and Placemaking Improvements (Ohlone ASP) Project, City Project No. C3076, Federal Project No. CML-5239(025) in the amount of \$394,236 and approve a contingency amount not to exceed \$40,000 for a contract term of August 16, 2016 to June 30, 2019. *City completed an Initial Study and Negative Declaration per CEQA in 2009. This project will not have a significant effect on the environment under CEQA or NEPA.*

Action: Adopted Resolution No. 2016-66.

6. PUBLIC HEARINGS

Correction to Master Fee Schedule for Fiscal Year 2016-17

Conduct a public hearing and upon conclusion, adopt a resolution approving corrections to the Fiscal Year 2016-17 Master Fee Schedule and amending Resolution No. 2016-40.

Presenter: Mark Rasiah, Finance Director.

Mayor Lyman opened the public hearing.

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

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

Action: Moved, seconded (Friedman/Abelson) and carried unanimously to adopt Resolution No. 2016-67.

7. POLICY MATTERS

Memorandum of Understanding for a Feasibility Study of a Transit-Oriented Development Project at the El Cerrito Plaza BART Station

Adopt a resolution authorizing the City Manager to enter into a Memorandum of Understanding (MOU) with the San Francisco Bay Area Rapid Transit District ("BART") to advance and cooperatively pursue the feasibility of Transit-Oriented Development and a potential new library facility at the El Cerrito Plaza BART Station.

Presenter: Scott Hanin, City Manager.

Speakers: Cordell Hindler, Richmond, stated that the project is a wonderful opportunity and urged the Council to approve the resolution.

Paul Fadelli, El Cerrito, stated that it is time to provide the City's families with a safe, new library and having a library at BART is exciting and provides good transit access. Mr. Fadelli also said he hopes that El Cerrito, like other cities such as Walnut Creek, Lafayette and Berkeley, can have a new library and resource center to be proud of.

George Gager, El Cerrito, urged the City Council to vote yes on transit oriented development.

Al Miller, El Cerrito, encouraged the City Council to support the proposal including a library at the BART site and get the study underway.

Nick Arzio, El Cerrito, stated that he supports a safe, modern library in El Cerrito and transit oriented development. Mr. Arzio said it is a good site for a library and hopes that the feasibility study will show that it is a good site and that construction can begin as soon as possible.

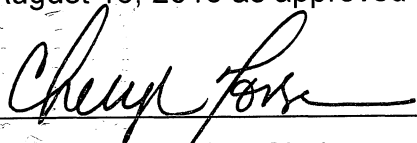
Action: Moved, seconded (Bridges/Quinto) and carried unanimously to adopt Resolution No. 2016-68 including the MOU in substantially the same form as Attachment 2.

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

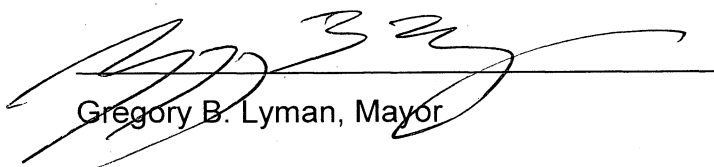
Mayor and City Council communications regarding local and regional liaison assignments and committee reports – *No reports*.

9. **ADJOURNED REGULAR CITY COUNCIL MEETING** at 8:36 p.m. in memory of Lucy Wilson, a long-time community member who was inducted into the El Cerrito Wall of Fame in 1999, and Patricia Jones, former Assistant Executive Director of the Association of Bay Area Governments, 1998-2003.

THIS IS TO CERTIFY that the foregoing is a true and correct copy of the minutes of the City Council Closed Session and Regular City Council meeting of August 16, 2016 as approved by the El Cerrito City Council.

A handwritten signature in dark ink, appearing to read "Cheryl Morse", written over a horizontal line.

Cheryl Morse, City Clerk

A handwritten signature in dark ink, appearing to read "Gregory B. Lyman", written over a horizontal line.

Gregory B. Lyman, Mayor