

# EL CERRITO CITY COUNCIL

## MINUTES

**CITY COUNCIL MEETING**  
**Tuesday, February 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

### 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 7:00 p.m.

**1. PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF MOMENT OF SILENCE** was led by Mayor Pro Tem Janet Abelson.

### **2. COUNCIL / STAFF COMMUNICATIONS**

Mayor Lyman announced that the Contra Costa County Civil Grand Jury is seeking applications for grand jury service. The deadline is March 25, 2016. More information can be obtained by contacting the Grand Jury at 925-957-5638 or [www.cc-courts.org/grandjury](http://www.cc-courts.org/grandjury).

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

Cordell Hindler, Richmond, followed up on concerns he had expressed to the City Council at previous meetings regarding the presence of El Cerrito Police Department (ECPD) vehicles in his neighborhood. He has not seen the Police on his street. There is an upcoming Community Grant Program Informational Meeting in Richmond. Mr. Hindler also reported that the Manager of Walgreens informed him that there is loitering in front of the store and that it takes the police 20-30 minutes to respond. He invited the City Council to the "The Clean House" at the Contra Costa Civic Theatre and also expressed support for the El Cerrito Stars intern program.

Julia Heath, Senior Consultant, Contra Costa Climate Leaders, encouraged the City Council to check out the organization's new website [www.cccclimateleaders.org](http://www.cccclimateleaders.org) and include the Ygreen program into its energy portfolio. Ms. Heath also commended the Council for adopting a Climate Action Plan and all of the other environmental work the City has been

doing.

Al Miller, El Cerrito, reported on the successful “*Sip and Savor Fundraiser*” event co-sponsored by the Rotary Club and the El Cerrito Library Foundation, and informed the Council that the Rotary Club showed its commitment to the community and support for a safe and modern library by contributing \$15,000 to the Library. Mr. Miller invited all to attend the next “*Sip and Savor*” event in October 2016 at the Mira Vista Country Club.

Howdy Goudey, El Cerrito, provided the City Council with a spreadsheet of additional financial and environmental information regarding the city’s purchase of a four wheel drive vs. an electric or other vehicle and encouraged the City Council to acknowledge and consider public comment in the future. Mr. Goudey stated that he provided additional information to the Council so that it could make the best decision for the City.

Gregg Visineau, El Cerrito, thanked the Public Works Department, specifically Ms. Ortiz and Ms. Tigbao for their courtesy and professionalism regarding Consent Calendar Item No. 5(B). Staff fielded many written comments and phone calls from his neighborhood. Mr. Visineau also thanked Councilmember Bridges for visiting the site and reported that he and his neighbors are supportive of staff’s recommendation however he and his neighbors have experienced many difficulties with parking, traffic flow, congestion and property damage over the years and anticipate significant difficulties from the 600 student school despite the well intentioned plans and efforts of city and school district staff. Mr. Visineau asked the City to be ready if the neighborhood needs help or intervention.

Valerie Snider, El Cerrito, commented on Consent Calendar Item No. 5(B) and expressed concerns about traffic congestion on neighboring streets surrounding the school that are near the drop off and pick up zones. Traffic will be chaotic. There isn’t enough room for the cars to park or wait in the afternoon.

Kevin O’Neal, El Cerrito, stated that Fairmount Elementary School is having a hard time being rebuilt and could use the City Council’s support to help the project move forward. The school has a very diverse population of different nationalities, religions, languages and special needs.

#### **4. PRESENTATIONS**

##### **A. Proclamation Commending Detective Aaron Leone for his Selection as Officer of the Year**

Approve a proclamation commending and congratulating Detective Aaron Leone on the occasion of his recognition by the Richmond Elks Lodge No. 1251 – Peace Officer Appreciation Night and extending the City Council’s sincere appreciation to Detective Aaron Leone for his devotion to the mission, vision and values of the El Cerrito Police Department.

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

##### **B. Contra Costa College Update – Presentation by Mojdeh Mehdizadeh, Interim President.**

Receive a presentation from Contra Costa College Interim President, Mojdeh Mehdizadeh, on current construction projects and community engagement.

**Speaker:** Cordell Hindler, Richmond, expressed his appreciation for the presentation.

**Action:** Received presentation.

## 5. ADOPTION OF THE CONSENT CALENDAR – Item Nos. 5A and 5B

Moved, seconded (Friedman/Quinto) and carried unanimously to approve Consent Calendar Item No. 5A as indicated below. Consent Calendar Item No. 5B was removed from the Consent Calendar at the request of Councilmember Bridges and voted on separately as indicated below.

### A. Approval of Minutes

Approve the February 2, 2016 Regular City Council meeting minutes.

Cheryl Morse, City Clerk, announced that there was an inadvertent clerical error on the agenda and clarified that the City Council would be considering approval of the February 2, 2016 minutes.

**Action:** Approved minutes.

### B. Various Parking Revisions around Korematsu Middle School

Adopt a resolution authorizing the Public Works Director/City Engineer to: 1) Install sixty feet of green curb marking and associated signs on the north side of Donal Avenue, just east of Norvell Street in front of Korematsu Middle School; and 2) Remove the existing eighty-four feet of yellow curb marking and replace with green curb marking and associated signs on the east side of Norvell Street in front of Castro Park clubhouse. *Exempt from CEQA.*

**Action:** Moved, seconded (Bridges/Abelson) and carried unanimously to adopt Resolution No. 2016-08.

Removed from the Consent Calendar at the request of Councilmember Bridges who expressed appreciation for staff's work with the community and noted that staff from the Police and Public Works Departments along with a cadre of parent volunteers will monitor the parking. Citations will be issued if the traffic and parking regulations are not followed.

## 6. PUBLIC HEARINGS - None

## 7. POLICY MATTERS

### Study Session Regarding Paid Sick Leave and Service Charge Regulations Relating to the City's Minimum Wage Policy

Staff requests that the Council take the following actions: 1) Discuss the development of regulations for local Paid Sick Leave Benefits and Hospitality Service Charges and provide direction to staff; and 2) Adopt a resolution approving an appropriation of \$20,000 from the General Fund balance for FY 2015-16 including \$10,000 for a temporary part-time administrative clerk specialist and \$10,000 to cover outreach materials related to implementing the City's Minimum Wage Standards.

**Presenter:** Suzanne Iarla, Assistant to the City Manager.

**Speakers:** Cordell Hindler, Richmond, stated that he liked the presentation and inquired about impacts relating to city jobs.

Sue Goldberg, El Cerrito, encouraged the City Council to adopt an ordinance that includes more paid sick days.

Al Miller, El Cerrito, encouraged the City to continue the City's outreach to the community and business owners for feedback. Mr. Miller stated that he strongly supports the requested allocation of resources to ensure that the requirements of the law are understood so that all of the businesses can comply in the least aggravating and frustrating manner.

Jessica Lynam, El Cerrito members of the California Restaurant Association, stated that service charges are very complex for the restaurant industry and are heavily regulated at the state and federal level. Ms. Lynam asked the City Council to wait and work with the restaurants in the community on service charges and paid sick leave language that everyone can agree on that will allow restaurants to continue to operate and to also look at what will

happen at the state level.

Nick Arzio, El Cerrito, encouraged the approval of \$20,000 for outreach purposes. Regarding paid sick leave, Mr. Arzio commended the staff report for mentioning effects on individuals and small businesses however it did not say much about the effect on large businesses. The model ordinance from Ensuring Opportunities says that larger businesses should give up to 72 hours per leave of sick leave. Bigger businesses have the ability to pay the extra sick leave. Mr. Arzio encouraged the City Council to pass an ordinance requiring larger businesses to give sick pay above what is being proposed at the state level now and study impacts on how it would affect small businesses.

Tom Panas, El Cerrito, stated that the Council should go beyond the state minimum sick leave. Mr. Panas said he believes the amount of sick leave should be based on hours worked. Mr. Panas said he was very disappointed that the City Council did not discuss impacts on small business when the ordinance was passed in November 2015.

Kevin O'Neal, El Cerrito, questioned the City's relationship with the Ensuring Opportunity organization and said he is of the impression that the Council hates business owners and businesses in general and small business owners in particular. The Council is considering cutting into the income of his business by 2.5% if the proposal is adopted. It is an additional administrative burden to deal with. Businesses already have to deal with the county, state and federal government. Mr. O'Neal said he does not think that [paid sick leave and service charges] should be approved, that he does not trust the City Council and that the Council is anti-business.

**Action:** By mutual consensus, the City Council deferred any further discussion on paid sick leave until the state ballot measures are finalized and will keep an eye on the development of hospitality service charges in other jurisdictions and minimum wage increase changes for now.

Moved, seconded (Quinto/Friedman) and carried unanimously to adopt Resolution No. 2016-09 approving funds for additional outreach.

## **8. COUNCIL ASSIGNMENTS/LIAISON REPORTS**

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

Councilmember Quinto reported that he attended an Association of Bay Area Governments (ABAG) meeting in Sacramento with Bay Area leaders in the Senate and Assembly to discuss possible legislation regarding affordable housing and transportation. Discussions will continue in Oakland on February 20.

Mayor Lyman reported that he attended two solid waste meetings since the Council last met. The new chair of the Integrated Waste Management Authority is Councilmember Pete Murray (City of Pinole). The Authority is discussing the future of the organization including goals and objectives. Disbursement from the Authority is going smoothly. Mayor Lyman also attended a Marin Clean Energy (MCE) budget meeting. MCE is preparing for the March 1, 2016 California Public Utilities Commission (CPUC) public hearing regarding the PCIA exit fee. On January 28, El Cerrito began hosting the West Contra Costa County Mayors Conference. The West County Mayors received a presentation from Tom Dalziel, Program Manager, Contra Costa County Clean Water Program, regarding NPDES regulations and new Municipal Regional Permit requirements. Mayor Lyman noted that the regulations will increase costs for the City. Mayor Lyman also attended a League of California Cities Environmental Policy Committee meeting in Sacramento recently and the Fred Korematsu Day Celebration at the new middle school. There were several excellent performances. The School Principal informed Mayor Lyman that the School District is taking traffic seriously and that he will personally knock on every door in the neighborhood

to introduce himself and will also distribute his business card.

**9. ADJOURNED REGULAR CITY COUNCIL MEETING at 8:25 p.m.**

**SUPPLEMENTAL REPORTS AND COMMUNICATIONS**

**Item No. 7 Study Session Regarding Paid Sick Leave and Service Charge Regulations Relating to the City's Minimum Wage Policy**

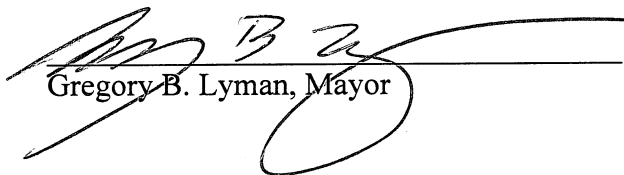
1. Comments encouraging the City Council to pass an ordinance providing at least six days of sick pay a year for those that work at least 30 hours per week – *Submitted by Lisa Hirsch, Jobs Task Force Chair and Melody Howe Weintraub, Steering Committee Chair, Multi-faith ACTION Coalition.*
2. Powerpoint presentation – *Submitted by Suzanne Iarla, Assistant to the City Manager.*

**Other:**

3. Chart comparing financial and environmental details of thirteen different vehicles that the City may consider in purchasing a vehicle for the city – *Submitted by Howdy Goudey, El Cerrito.*
4. Richmond – ECIA Community Grant Program Informational Meeting – *Submitted by Cordell Hindler, Richmond.*

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

  
Cheryl Morse, City Clerk

  
Gregory B. Lyman, Mayor