

EL CERRITO CITY COUNCIL

MINUTES

CITY COUNCIL MEETING
Tuesday, December 1, 2015 – 7:00 p.m.
City Council Chambers

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

Mark Friedman – Mayor

Mayor Pro Tem Greg Lyman
Councilmember Jan Bridges

Councilmember Janet Abelson
Councilmember Gabriel Quinto

ROLL CALL

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

7:00 p.m.

CONVENE CITY COUNCIL MEETING

Mayor Friedman convened the City Council meeting at 7:00 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 Pro Tem Lyman acknowledged the Stege Sanitary District for being the first special district in the East Bay Municipal Utility District to use recycled water to flush sewers. Mayor Pro Tem Lyman also informed the City Council and public that he recently testified at a public hearing on the City's behalf regarding the regional municipal stormwater permit. The permit passed with minor modifications. The City will be facing increasing requirements to reduce pollutants that leave the streets, particularly mercury and PCBs. Mayor Pro Tem Lyman also announced that the City's third City Manager, Richard "Dick" Brown, passed away on November 17, 2015 and requested that the City Council convene the meeting in his honor. Mr. Brown retired from El Cerrito in 1981.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Al Miller, El Cerrito, invited all to help set up the Sundar Shadi holiday display on December 12. Mr. Miller said that setting up the display is one of the most enjoyable and rewarding projects that he has been connected with and invited community members to take part, get involved and keep it going. Donations are also welcome to pay for restoration of the figures and other expenses involved in maintaining the display.

4. PRESENTATIONS – *None*

5. ADOPTION OF THE CONSENT CALENDAR – Item Nos. 5A through 5D

Moved, seconded (Lyman/Abelson) and carried unanimously to approve Consent Calendar Item Nos. 5A, 5B and 5D in one motion as indicated below. Consent Calendar Item No. 5C was removed from the Consent Calendar at the request of Councilmember Bridges.

A. Minutes for Approval

Approve the November 17, 2015 Special City Council Closed Session and Regular City Council meeting minutes.

Action: Approved minutes.

B. Proclamation Observing December 1, 2015 as World AIDS Day

Approve a proclamation in observance of December 1, 2015 and remembering the impacts that HIV and AIDS have had to our community.

Action: Approved proclamation.

C. Power Charge Indifference Adjustment Exit Fee Charged to Community Choice Aggregation Customers

Adopt a resolution and send a letter to the California Public Utilities Commission (CPUC) requesting that it reject a proposed increase to the Power Charge Indifference Adjustment (PCIA) exit fee charged to Community Choice Aggregation (CCA) customers and re-examine the fairness and reasonableness of the PCIA.

Presenter: Maria Sanders, Environmental Services and Operations Manager, explained that PCIA is an exit fee that applies to any customer that represents a departing load from Pacific Gas and Electric Company (PG&E). It is not just for direct access customers, it is for any customer that is exiting PG&E's generation contracts.

Speakers: Alexandra McCroskey and Alex DiGiorgio, Marin Clean Energy (MCE). At the request of Councilmember Bridges, Ms. McCroskey clarified the status and purpose of PG&E's approximate \$1 billion fund and its relationship to the PCIA fee and its calculation. At the request of Mayor Pro Tem Lyman, Ms. McCroskey reported on how PG&E differs from other utility companies in how it applies to the PCIA fee to California Alternate Rates for energy (CARE) low-income customers. PG&E is the only company that applies the PCIA fee to CARE customers. It is a significant portion of their electric bill. Ms. McCroskey said doubling the fee will definitely affect their livelihood. Mr. DiGiorgio stated that more information about the PCIA fee and how it affects Community Choice Aggregation customers is contained in MCE's most recent newsletter.

Action: Removed from the Consent Calendar at the request of Councilmember Bridges. Moved, seconded (Lyman/Abelson) and carried unanimously to adopt Resolution No. 2015-74.

D. Tree Committee Appointment

Approve a Tree Committee recommendation to appoint Robert J. Hrubes to the Tree Committee, effective December 14, 2015.

Action: Approved recommendation.

6. PUBLIC HEARINGS – *None*

7. POLICY MATTERS

City Council Reorganization

Annual election of City Council Officers.

Mayor Friedman highlighted the achievements of the Council, staff, residents and

community members over the past year. Collective achievements include passage of the smoking and tobacco retailers ordinances, an ordinance that elevated the city as one the most progressive cities in California in terms of education, control of tobacco products and smoking in public places. A minimum wage increase was also passed and acts as a model for other communities. The Ohlone Gardens project, a partnership with Resources for Community Development (RCD) opened. The Creekside housing project, located at El Cerrito Plaza also broke ground. The City ended the fiscal year with a financial budget surplus for the first time in many years and the City is in better financial shape than it has been in a long time. A survey for a new library was completed and Council directed staff to go forward with planning necessary for Council's placement of a revenue measure on the ballot in November 2016. The City acquired new open space with the assistance of Trust for Public Lands and the El Cerrito Trail Trekkers. This open space is a jewel in the community. The City Council also updated the Strategic Plan. Although the City Council voted last year to join MCE in a Community Choice Aggregation program; it was fully implemented this year. The City achieved the highest percentage of deep green customers of any community that is a member of the MCE. Mayor Friedman says there is a lot to be proud of and there is a lot to look back on in recognizing that it has been a good year for the City of El Cerrito and that there are many good years to come. El Cerrito is a beautiful community to live in. There are so many people that care about the community and are willing to volunteer their time to making El Cerrito such a great place to live. The City also has wonderful staff to help implement projects and programs. Mayor Friedman concluded by thanking everyone for a great year.

Mayor Pro Tem Lyman thanked Mayor Friedman for his leadership, patience and guidance as the City Council considered many challenging issues this past year and presented Mayor Friedman with a plaque commemorating his service to the City.

SELECTION OF THE MAYOR

Mayor Friedman called for reorganization of the City Council.

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

Councilmember Abelson nominated Mayor Pro Tem Lyman for Mayor.

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

Action: The City Council, by unanimous vote, elected Mayor Pro Tem Lyman to the Office of Mayor.

SELECTION OF THE MAYOR PRO TEMPORE

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

Councilmember Bridges nominated Councilmember Abelson for Mayor Pro Tem.

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

Moved, seconded (Abelson/Bridges) and carried unanimously to close nominations.

Action: The City Council, by unanimous vote, elected Councilmember Abelson as Mayor Pro Tem.

Mayor Lyman said that it is a privilege to serve as Mayor and thanked the City Council for this opportunity. Mayor Lyman thanked his wife Mary for her support and also thanked city staff for their integrity, responsiveness and creativity in anticipation of the year to come. As embodied in the City's vision statement, a city government provides structure for the community to thrive through public safety and civil engagement. Mayor Lyman recognized the friends, family and advocates of the community present in the Council Chambers this evening and acknowledged the many voices of the community including the environment, clean water, clean air, backyard farming, open space, views, trees, trails, parks and

recreation, a healthy community, youth sports, education, housing, property rights, businesses, historic buildings, smart development, transit, diversity, the elderly, public safety, and a new library. Everyone is advocating for a better community. Quoting the City's vision statement, Mayor Lyman stated that the City is a "safe, connected, transit oriented and environmentally focused destination with welcoming neighborhoods, thriving businesses, vibrant public spaces, and diverse cultural, educational, and recreational opportunities for people of all ages." The Council listens to the community's impassioned statements and balances the needs of the community as reflected in the City's vision statement.

As the City's Mayor, Mayor Lyman said he will do his best to continue to move the City toward its goals. Some of the initiatives he hopes to bring forward to support the City's goals are long-term financial stability, developing and rehabilitating public facilities as community focal points, ensuring the public's health and safety and fostering environmental sustainability citywide. The scale of the initiative will be limited by the resources that are available. For financial sustainability, Mayor Lyman hopes to evaluate the City's fee structure and adopt one that will encourage improvement along San Pablo Avenue, attract new businesses and support more residential permits, increase value in the City's housing stock, and increase the City's tax base. For public health and safety, Mayor Lyman wants to work with the County to improve health services for the homeless in the community and work with the City Manager and Police Chief regarding police recruitment and retention. For environmental sustainability, Mayor Lyman wants to finalize the Active Transportation Plan, address stormwater cleanliness obligations, promote more MCE deep-green enrollments, move the City's Climate Action Plan forward and work to restore native habitat plants in the Hillside Natural Area. For public facilities as a community focal point, Mayor Lyman will continue to support the Bay Area Rapid Transit's (BART) improvements at Del Norte Station and work with the West Contra Costa Unified School District (WCCUSD) on their master plan for facilities in El Cerrito. Mayor Lyman concluded by stating he promises to work hard around the effort of modernizing the library to make it safer and meet the needs of the El Cerrito community as a gathering place for all ages and re-iterated the City's mission statement "...to serve, lead and support a diverse and transit rich community by providing exemplary and innovative services, public places and infrastructure, ensuring public safety, and creating an economically and environmentally sustainable future."

Mayor Pro Tem Abelson stated that she is appreciative of the City Council's support and expressed support for Mayor Lyman and the goals he outlined. Mayor Pro Tem Abelson said she looks forward to working together with the Council, staff and community in the next year.

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS - *No reports.*

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

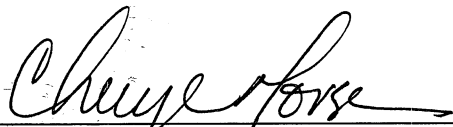
9. ADJOURNED REGULAR CITY COUNCIL MEETING at 7:31 p.m. in memory of former City Manager Richard Brown.

SUPPLEMENTAL REPORTS AND COMMUNICATIONS

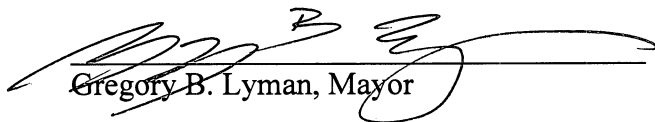
Item No. 5(C) Power Charge Indifference Adjustment Exit Fee Charged to Community Choice Aggregation Customers

1. MCE Quarterly Newsletter, "The ReSource" – *Submitted by Alex DiGiorgio and Alexandra McCrosky, MCE.*

THIS IS TO CERTIFY that the foregoing is a true and correct copy of the minutes of the Regular City Council meeting of December 1, 2015 as approved by the El Cerrito City Council.

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

Cheryl Morse, City Clerk

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

Gregory B. Lyman, Mayor