

EL CERRITO CITY COUNCIL

MINUTES

REGULAR CITY COUNCIL MEETING

Tuesday, April 21, 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 REGULAR CITY COUNCIL MEETING

Mayor Friedman 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 Councilmember Jan Bridges.

2. COUNCIL / STAFF COMMUNICATIONS

Councilmember Bridges announced that the Contra Costa Civic Theatre will be celebrating its 55th Anniversary on May 2, 2015 from 7:00 to 10:00 p.m. at 951 Pomona Avenue. Hors d'Oeuvres, hosted wine and beer and a special no-host signature cocktail called the CCT will be served. The cost is \$75.00.

Councilmember Abelson acknowledged all those who volunteered and participated in the Earth Day event on April 18. There was a large crowd and a large number of worksites. A lot of different projects were accomplished. The featured project this year was picking up cigarette butts off of San Pablo Avenue. Councilmember Quinto's team picked up approximately 5,400 butts. The Natural Grocery Annex catered the lunch this year. Each member of the City Council participated in this year's event.

Mayor Friedman thanked Councilmember Abelson for her wonderful work coordinating the Earth Day event and acknowledged her ongoing total commitment. Mayor Friedman reported that the El Cerrito chapter of the National Association for the Advancement of Colored People (NAACP) convened a forum on race relations and trust in the community at St. Peters AME Church. Mayor Friedman attended the forum with Chief Moir who did an excellent job speaking about the City's approach to policing. Richmond's deputy police chief also attended. Approximately forty people attended and engaged in a lively discussion.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Al Miller, El Cerrito, thanked Councilmember Abelson, Maintenance Superintendent Bill Driscoll, and the group of volunteers who participated in a work group at the library on Earth Day. A group of youngsters who were part of a "People to People" travel group that practices community service also participated. The group will be travelling to Europe to meet their counterparts and will learn the culture and engage in community service projects. Mr. Miller said he hopes to work with city staff to make it a regular site for future Earth Day work parties. Regarding the NAACP Race Relations and Community Trust Forum, Mr. Miller stated that the participants were impressed with how Chief Moir handled questions and that many long standing questions were answered.

Mala Mahlebashian, El Cerrito, requested that rental regulations be put into place in El Cerrito. People that are paying top dollar are being forced out of their apartments. One couple had their rent raised \$400 a month and another couple had its rent raised \$800 with just thirty days notice. High rents cause people to move farther away and cause more freeway congestion and upheaval in finding a new home. Ms. Mahlebashian said that she understands both sides of the issue and that it is time for the City to form a committee comprised of others that rent or own property to examine new rent regulations and for the Council to step up and put fair regulations that protect both parties in place. The City can design its own policy that will provide tenants with protection and stability and also allow for periodic rent adjustments for property owners.

Baker Lyon, Resources for Community Development (RCD) and East Bay Housing Organization (EBHO), thanked the City Council for its commitment to affordable housing and for the affordable housing week proclamation. May 8 through 17 is Affordable Housing Week in the East Bay. Events will include tours, informative panels and other activities. Mr. Lyon said that RCD is very grateful for the city's financial commitment to the 57 unit Ohlone Gardens project located on Portola Avenue.

Cordell Hindler, Richmond, stated that he is a member of the Park Plaza Neighborhood Council. Mr. Hindler expressed concerns regarding the El Cerrito Police Department driving through his neighborhood for the last three months.

4. PRESENTATION – *None*

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

Moved, seconded (Abelson/Bridges) and carried unanimously to approve Consent Calendar Item No. 5(A) and 5(C) through 5(H) in one motion as indicated below. Consent Calendar Item No. 5(B) was withdrawn from the Consent Calendar at the request of Councilmember Abelson for the purpose of presenting the proclamation at the meeting.

A. Minutes for Approval

Approve the April 7, 2015 Special City Council and April 7, 2015 Regular City Council meeting minutes.

Action: Approved minutes.

B. Affordable Housing Week Proclamation

Approve a proclamation recognizing May 8 through May 17, 2015 as Affordable Housing Week in the City of El Cerrito and confirming the City's commitment to work to support affordable housing at the local, regional and state level and encouraging all residents of El Cerrito to participate in Affordable Housing Week activities to raise awareness about the importance of affordable housing for families and communities.

Action: Removed from the Consent Calendar at the request of Councilmember

Abelson to present the proclamation to Baker Lyon, RCD and EBHO. Moved, seconded (Abelson/Lyman) and carried unanimously to approve the proclamation.

C. National Sexual Assault Awareness Month Proclamation

Approve a proclamation joining the United States Government and the State of California in proclaiming the month of April 2015 as Sexual Assault Awareness Month in the City of El Cerrito and recognizing the important work performed by anti-sexual violence advocates and support service programs and promoting the belief that all community members must be part of the solution to end sexual violence.

Action: Approved proclamation.

D. Portal to Portal Overtime Pay for Employees Assigned to Emergency Response

Adopt a resolution authorizing portal to portal reimbursement for all personnel assigned to emergency incidents through the California Fire Assistance Agreement (CFAA).

Action: Adopted Resolution No. 2015-28.

E. Establish Speed Limits for Arlington Blvd. from Cutting Blvd. to Thors Bay Road and Barrett Avenue from West City Limits to Arlington Blvd.

Adopt a resolution establishing the following speed limits in miles per hour (mph) on two speed zones in the City of El Cerrito to allow for enforcement of these limits using radar, laser or other electronic device in conformance with State of California requirements: 1) Arlington Blvd. – Cutting Blvd. to Thors Bay Road 25 mph; and 2) Barrett Avenue – West City Limits to Arlington Blvd. 25 mph.

Action: Adopted Resolution No. 2015-29 including the supplemental exhibit to the resolution that was placed before the Council prior to vote consisting of the engineering and traffic survey for Barrett Avenue from City Limits West to Arlington Boulevard.

F. Agreement with BKF Engineers for the Ohlone Greenway BART Station Area Access, Safety and Place-making (ASP) Improvements Project

Adopt a resolution authorizing the City Manager to execute a consulting services agreement with BKF Engineers to provide engineering and design services for the Ohlone Greenway BART Station Area Access, Safety and Place-making (ASP) Improvements Projects, City Project No. C3076, Federal Project No. CML-5239(025) in an amount not to exceed \$420,100 and contract term from April 21, 2015 to December 31, 2016.

Action: Adopted Resolution No. 2015-30.

G. Authorize Examination of Transactions and Use Tax Records, Including Amending an Existing Contract with Hinderliter, de Llamas & Associates

Adopt a resolution authorizing the City Manager and his designees to examine transactions and use tax records related to Measure R (2014) and to execute an amended agreement with Hinderliter, de Llamas & Associates (HDL) to add examination of the Measure R transaction use tax records. The resolution is required by the Board of Equalization. HDL's services have an estimated annual cost of \$4,000.

Action: Adopted Resolution No. 2015-31.

H. Quarterly Investment Report for Period Ending March 31, 2015

Receive and file the City's Quarterly Investment Report for the period ending March 31, 2015.

Action: Received and filed.

6. PUBLIC HEARING 2015-2023 Housing Element Update Adoption

Conduct a public hearing and upon conclusion consider taking the following actions: 1) Adopt a resolution making findings and approving the Initial Study/Negative Declaration prepared for the 2015-2023 Housing Element Update; and 2) Adopt a resolution adopting the 2015-2023 Housing Element Update and Amending the 1999 General Plan accordingly. *Exempt from CEQA.*

Mayor Friedman opened the public hearing. One speaker.

Speaker: Nicholas Arzio, El Cerrito, suggested the following changes to the Housing Element: 1) The Housing Element refers to the Theater Overlay Block however this has been removed from the Specific Plan and replaced by the Theater Overlay District; and 2) On page 73 APN 503233033 is listed as vacant and it is actually an occupied residence that should not be listed as vacant.

Moved, seconded (Lyman/Abelson) and carried unanimously to close the public hearing.

Actions: Moved, seconded (Bridges/Abelson) and carried unanimously to adopt Resolution No. 2015-32 making findings and approving the Initial Study/Negative Declaration prepared for the 2015-2023 Housing Element Update.

Moved, seconded (Lyman/Bridges) and carried unanimously to adopt Resolution No. 2015-33 adopting the 2015-2023 Housing Element Update and amending the 1999 General Plan with direction to staff to evaluate and make additional administrative changes to the Housing Element based on the comments made by Mr. Arzio and at the request of Mayor Pro Tem Lyman, change the title of Table III-12 on page 73 to read Existing and Future Vacant Parcels in the CC Zone El Cerrito (2014) and at the request of Mayor Friedman to include the City's partnership with Marin Clean Energy in Program H5.2 Partnerships for Energy and Water Efficiency on page 120.

Each of the councilmembers expressed appreciation for Ms. Myall's work and professionalism during her seven years with the City and wished her well in her new position in San Francisco.

7. POLICY MATTERS – *None*

8. COUNCIL LOCAL AND REGIONAL LIAISON ASSIGNMENT REPORTS

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

Councilmember Abelson reported that the Contra Costa Transportation Authority announced at a recent meeting that it is looking at the possibility of putting a sales tax measure on the November 2016 ballot.

Mayor Pro Tem Lyman reported that the Environmental Quality Committee (EQC) is researching how the City can promote additional solar panels within the city. Mayor Pro Tem Lyman informed the EQC of the City Council's recent adoption of the PACE program agreements. At the Financial Advisory Board (FAB) meeting, the FAB talked about their workplan presentation and is looking into the timing of the various documents they review.

The FAB would like to have a discussion about their requirement to do an annual report. Mayor Pro Tem Lyman suggested that a future agenda item consider changes related to commission workplan presentations. Mayor Pro Tem Lyman also reported that he attended the Marin Clean Energy Board meeting and received an extensive report about MCE's programs and meetings. The three newest communities to join MCE are San Pablo, Benicia and El Cerrito. Currently El Cerrito has 3% of households enrolled in deep green which is approximately twice any other member community. Additionally, the City's opt-out rate at 7% is one of the lowest opt out rates. Ninety percent of the El Cerrito Community is enrolled in light green. Residents of the City are demonstrating their support for the environment with their pocketbooks.

9. ADJOURNED REGULAR CITY COUNCIL MEETING at 7:52 p.m.

SUPPLEMENTAL REPORTS

Item No. 5(E) Establish Speed Limits for Arlington Blvd. from Cutting Blvd. to Thors Bay Road and Barrett Avenue from West City Limits to Arlington Blvd.

1. Additional Exhibit to Resolution consisting of engineering and traffic survey for Barrett Avenue from City Limits West to Arlington Boulevard – *Submitted by Melissa Tigbao, Engineering Manager.*

This is to certify that the foregoing is a true and correct copy of the minutes of the Regular City Council meeting of April 21, 2015 as approved by the El Cerrito City Council.


 Cheryl Morise, City Clerk


 Mark Friedman, Mayor