

EL CERRITO CITY COUNCIL

MINUTES

SPECIAL CITY COUNCIL MEETING – CLOSED SESSION

Tuesday, November 5, 2013 – 6:00 p.m.

Hillside Conference Room

CITY COUNCIL MEETING

Tuesday, November 5, 2013 – 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 Rebecca Benassini
Councilmember Mark Friedman

6:00 p.m.

ROLL CALL

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

CONVENE SPECIAL CITY COUNCIL MEETING – CLOSED SESSION

Mayor Lyman convened the Special City Council Closed Session at 6:00 p.m.

ANNOUNCEMENT OF CLOSED SESSION

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION – *Pursuant to Government*

Code Section 54957

Title: City Manager

B. CONFERENCE WITH LABOR NEGOTIATORS – *Pursuant to Government Code*
Section 54957.6

Agency Designated Representatives: City Council Subcommittee on City Manager
Performance

Designated Employee: City Manager

ORAL COMMUNICATIONS FROM THE PUBLIC – No comments.

RECESSED INTO CLOSED SESSION at 6:02 p.m.

ADJOURNED SPECIAL CITY COUNCIL – CLOSED SESSION at 7:12 p.m.

ROLL CALL

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

7:00 p.m. CONVENE CITY COUNCIL MEETING

Mayor Lyman convened the Special City Council Closed Session at 7:15 p.m.

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

2. COUNCIL / STAFF COMMUNICATIONS

Mayor Lyman reported that the City Council had met in Closed Session on October 1 to discuss a performance evaluation of the City Manager. The City Council formed a Council Subcommittee consisting of Mayor Lyman and Mayor Pro Tem Abelson to develop an evaluation process and to negotiate on behalf of the Council regarding the City Manager's contract. The City Council met in closed session this evening to deliberate the City Manager's performance evaluation and provide direction to the subcommittee about negotiations with the City Manager about his contract. The Council will resume its discussions at another meeting.

On October 26, Mayor Lyman attended a Furever Animal Rescue pet costume party and fundraiser at Petco in El Cerrito Plaza. Furever Animal Rescue has animals available for adoption at Petco. Mayor Lyman noted that there were three cats ready for adoption.

Mayor Pro Tem Abelson reported that she attended a presentation sponsored by the Committee on Aging on heart attacks, strokes and maintenance of a healthy heart on October 16. The program was well attended. On October 19 Mayor Pro Tem Abelson attended a well attended community open house on the Complete Streets Plan, the San Pablo Avenue Specific Plan, Active Transportation Plan and Urban Greening Plan. Sundar Shadi's Gifts, a documentary about Sundar Shadi's Christmas flower displays, debuted at the Cerrito Theater on October 20. Although Mr. Shadi died in 2002, the El Cerrito Community Foundation and volunteers maintain and set up the display every year. On November 1, Mayor Pro Tem Abelson attended a groundbreaking for the Family Justice Center in Richmond. The Center will provide a lot of services in the same building so they can all work together. Contra Costa County Zero Tolerance for Domestic Violence, Richmond Police Department, Contra Costa District Attorney's Office, Bay Area Legal Aid, STAND, and Community Violence Solutions will provide services at the new Center. The groundbreaking was attended by Lieutenant Governor Gavin Newsom.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Alex Aliferis, Contra Costa Taxpayers Association, talked about why Proposition 13 is important. Property is California's largest revenue source. Mr. Aliferis stated that Proposition 13 protects seniors, families, minorities, women and small business owners. It also protects pensioned employees and pension funds. A split roll will impact the California economy and will result in a loss of jobs.

Tom Kirsch, El Cerrito, spoke in support of Jerry Bradshaw, Retired Public Works Director, by acknowledging Mr. Bradshaw for time and attention spent toward solving a neighborhood flooding issue.

Tom Panas, El Cerrito, reported that the Chung Mei Home, located at the former Windrush School Site, was eligible for listing on the National Register of Historic Places on September 30. The effort that went into the application and the listing are a tribute to the city's unique heritage. Mr. Panas also stated that if Windrush School had not been such a good steward of the site, he would not be present at the meeting to make his announcement. All heritage sites need to be treated with the same love and respect. Mr. Panas expressed his hope that the same recognition will be achieved for other sites in the City.

Corey Mason, El Cerrito, informed the City Council about an award he received from the Arts and Culture Commission of Contra Costa County (AC5) for his work as an educator at El Cerrito High School where he is the founder/director of WorldOneRadio, WCCUSD Public Radio 88.1 KECG 97.7. The radio station both educates and engages the community while promoting global awareness through music, culture, nature and technology. Mr. Mason was also recognized for promoting cultural diversity through the World One Festival. Mr. Mason thanked everyone for their support.

4. PRESENTATIONS

International City Managers Association (ICMA) Voice of the People Awards – Presentation by Suzanne Iarla, Public Information Outreach Specialist.

Action: Received presentation.

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

Moved, seconded (Friedman/Bridges) and carried to approve Consent Calendar Item Nos. 5A through 5D in one motion as indicated below.

A. Minutes for Approval

Approve the October 15, 2013 Regular City Council meeting minutes.

Action: Approved minutes.

B. Ohlone Greenway Crosswalk Improvements Project, City Project No. C-3046-1, Federal Project No. HSIPL-5239 (015)

Adopt a resolution which takes the following actions: 1) Approves plans for the Ohlone Greenway Crosswalk Improvement Project. City Project No. C-3046-1, Federal Project No. HSIPL-5239 (015); 2) Accepts all submitted bids; and 3) Authorizes the City Manager to execute a contract in the amount of \$437,080.00 with Tennyson Electric, Inc. and approves change orders in an additional amount not to exceed \$22,620 for the construction of the Ohlone Greenway Crosswalk Improvements Project.

Action: Adopted Resolution No. 2013–59 as revised to include a recital regarding CEQA exemption.

C. Low and Moderate Income Housing Asset Fund Budget Adjustment

Adopt a resolution approving the following actions: 1) Acknowledging the receipt of \$531,152 in Redevelopment Property Tax Trust Fund (RPTTF) proceeds from the El Cerrito Successor Agency to the City Low and Moderate Income Housing Asset Fund (Fund 232) to be held as restricted funds to fund approved housing loan obligations pursuant to the Redevelopment Property Tax Trust Fund (RPTTF) proceeds from the El Cerrito Successor Agency to the City Low and Moderate Income Housing Asset Fund (Fund 232) to be held as restricted funds to fund approved housing loan obligations pursuant to the Recognized Obligation Payment Schedule (ROPS) 13-14A; and 2) Authorizing the appropriation of \$531,152 from the City Low and Moderate Income Housing Asset Fund from funds received through the Successor Agency pursuant to ROPS 13-14A, to fund a loan commitment to Ohlone Gardens L.P. in the amount of \$471,152 in accordance with the terms of the existing housing loan agreements.

Action: Adopted Resolution No. 2013–60.

D. 2013-2014 Winter Break and Holiday Closure

With the exception of Monday, December 30, City Hall and the Community Center will be closed for the winter holiday period beginning Tuesday, December 24, 2013 through Friday, January 3, 2014 to facilitate the consolidation of employee vacation schedules and to save energy. Regular operating hours will resume on Monday, January 6, 2014. More information and schedules will be posted on the City's website www.ci.el-cerrito.org.

Action: Approved recommendation.

6. PUBLIC HEARINGS – None

7. POLICY MATTERS

San Pablo Avenue Specific Plan and Complete Streets Update and Study Session

Receive a presentation regarding the development of the San Pablo Avenue Specific Plan and provide comment and direction regarding proposed Development Standards, Complete Streets infrastructure improvements and Multimodal Level of Service approach.

Presenters: Melanie Mintz, Community Development Director; Makul Mahotra, Principal and Director of Urban Design, MIG; Yvetteh Ortiz, Public Works Director; and Matthew Ridgeway, Principal, Fehr & Peers.

Speakers: Howdy Goudey, El Cerrito, spoke in support of bicycle improvements, particularly the buffered bike lanes. Mr. Goudey encouraged the City to show leadership in the East Bay by being the first city to consider the proposed bicycle infrastructure and prioritize it as an economic development goal. As part of the place-making and the City's identity and multi-modal interface, the buffer bike lanes and other improvements will help build economic vitality in the city and bring the community together.

Tom Panas, El Cerrito, spoke in support of the current San Pablo Avenue planning documents and thanked staff, MIG and Fehr & Peers for putting the documents together.

Steve Price, El Cerrito, stated that he is a board member of the Form Based Code Institute, and that 250 cities across the country have form based codes, particularly in the Bay Area. Mr. Price expressed some concern with El Cerrito developing a hybrid form based code. Mr. Price said the City should not be so concerned with alienating developers by determining building design and use after establishing form based code standards and to make sure we have a form based code that will deliver what the public wants.

Garland Ellis, Richmond, stated that San Pablo Avenue is not a street to ride a bike on and expressed concerns over the emphasis on bicycle infrastructure. Mr. Ellis also stated that the height of proposed buildings will block views and create shadows.

Nicholas Arzio, El Cerrito, asked questions regarding the proposed sharrows on San Pablo Avenue and how well the overall plan and regulations will affect existing businesses and buildings.

Dave Harris, Richmond Annex, expressed concerns with how proposals will affect his area. The proposed heights of buildings will block views and are out of character with the neighborhood. Mr. Harris also expressed concerns with how the plan and new buildings might affect the availability and location of BART parking and how this in turn, would affect residents of Richmond.

Action: Received presentation. Discussion held. Councilmember Friedman stated that it is a great plan, expressed concerns with costs associated with plan implementation and noted the difficulty of placing constraints on buildings when local landowners are already asking exorbitant prices for the sale or rent of existing properties. Councilmember Benassini stated that she supports the MMLOS as a performance metric and tentatively agrees with the modes but is curious about the tradeoffs that were analyzed. Mayor Pro Tem Abelson stated that the plan is visionary however cautioned staff to be aware of the non-accessible features that were discussed during the presentation. Mayor Lyman suggested that a view analysis be required for El Cerrito and Richmond Annex residents and that shading analyses be completed as well. The significance criteria should include both pedestrian and bike delay. Areas with levels of service (LOS) of two should have bicyclists routed off of San Pablo Avenue for everyone's safety. Mayor Lyman concluded by stating that the proposed MMLOS is very good.

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

A. Mayor Lyman reported that the Commission Rules Subcommittee will put forth items for the Council's consideration at the next City Council meeting. The West Contra Costa County Mayors Conference met on October 24 and received a presentation on the Integrated

Waste Management Authority's post collection services agreement and have placed an item on the agenda regarding Proposition 13 reform. The discussion may take place over the next two months.

B. Mayor Pro Tem Abelson reported that she will attend the grand opening of the Caldicott Tunnel's fourth bore on November 15. The new fourth bore will help those residents of El Cerrito that commute to Walnut Creek. The project came in under budget. The Contra Costa Transportation Authority (CCTA), of which Mayor Pro Tem Abelson is the Chair, is very excited about the project. The West Contra Costa Transportation Advisory Commission (WCCTAC) okayed final documents to join PERS as its own agency. This will help with recruitment.

C. Councilmember Benassini reported that the Planning Commission discussed Ohlone Gardens and offered positive comments on the EIR. Additionally, Hi-Tech Auto was pleased to receive a multi-year permit to conduct sales up to 10:00 p.m.

D. Councilmember Bridges – No report.

SUPPLEMENTAL COMMUNICATIONS

Item No. 5(B) Ohlone Greenway Crosswalk Improvements Project, City Project No. C-3046-1, Federal Project No. HSIPL-5239 (015)

1. Revised resolution – *Submitted by Sky Woodruff, City Attorney.*

Item No. 7 San Pablo Avenue Specific Plan and Complete Streets Update and Study Session

2. Revised powerpoint - *Submitted by Melanie Mintz, Community Development Director.*

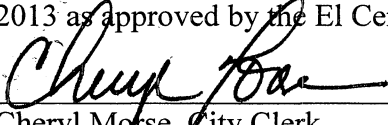
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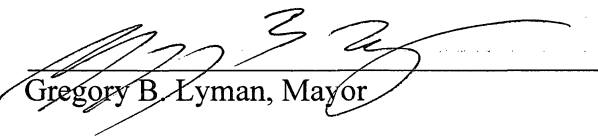
3. Californians to Stop Higher Property Taxes: History of Prop 13, The Consequences of a Split Roll, and How Prop 13 Works – *Submitted by Alex Aliferis, Contra Costa Taxpayers Association.*
4. Acknowledgement of Jerry Bradshaw, Retired Public Works Director – *Submitted by Tom Kirsch, El Cerrito.*
5. Determination by the National Register of Historic Places that the Chung Mei Home Historic District is eligible for placement on the National Register – *Submitted by Tom Panas, El Cerrito.*

Moved, seconded (Abelson/Benassini) and carried unanimously to extend the meeting to 11:00 p.m.

9. ADJOURNED REGULAR CITY COUNCIL MEETING at 11:02 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the Special City Council – Closed Session and Regular City Council meeting of November 5, 2013 as approved by the El Cerrito City Council.


Cheryl Morse, City Clerk


Gregory B. Lyman, Mayor