

EL CERRITO CITY COUNCIL

MINUTES

SPECIAL CITY COUNCIL MEETING
Monday, February 6, 2012 – 6:30 p.m.
Hillside Conference Room

REGULAR CITY COUNCIL MEETING
Monday, February 6, 2012 – 7:30 p.m.
City Council Chambers

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

Bill Jones – Mayor

Mayor Pro Tem Greg Lyman
Councilmember Rebecca Benassini

Councilmember/Agency Chair Ann Cheng
Councilmember Janet Abelson

6:30 p.m. ROLL CALL

Present: Councilmembers Benassini, Cheng and Mayor Jones

Absent: Councilmembers Abelson and Lyman.

CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Jones convened the Special City Council meeting at 6:30 p.m.

ORAL COMMUNICATIONS FROM THE PUBLIC – No comments.

COMMISSION INTERVIEWS, STATUS AND APPOINTMENTS

Conduct interviews of candidates for city boards and commissions. Interviews may result in an announcement of appointment at the meeting. The City Council may also discuss scheduling of future interviews.

Action: Conducted interviews. *Appointments announced at the regular City Council meeting. See below.*

ADJOURN SPECIAL CITY COUNCIL MEETING at 7:28 p.m.

ROLL CALL

Present: Councilmembers Benassini, Cheng and Mayor Jones

Absent: Councilmembers Abelson and Lyman.

7:30 p.m.

CONVENE REGULAR CITY COUNCIL MEETING

Mayor Jones convened the Regular City Council meeting at 7:33 p.m.

1. **PLEDGE OF ALLEGIANCE TO THE FLAG** was led by Mayor Jones.

2. **COUNCIL / STAFF COMMUNICATIONS**

Mayor Jones announced the City Council's appointment of Rick Murphy to the Financial Advisory Board for a term concluding on January 1, 2016.

Councilmember Cheng reported on her attendance at a National Conference entitled *New Partners for Smart Growth*, including meeting the Mayor of Ventura who introduced downtown parking on Main Street. One unexpected outcome of implementing downtown parking is an increase in security and safety in the community due to patrolling by meter maids. Ventura also installed free Wi-Fi downtown. Councilmember Cheng also announced that the City of Richmond received a planning grant for work that will complement the San Pablo Avenue Specific Plan around San Pablo and McDonald Avenues. Councilmember Cheng encouraged residents, particularly those on the north end, to participate in upcoming meetings.

Councilmember Benassini thanked the Environmental Quality Committee for organizing a showing of the film *New Metropolis* at the Cerrito Theater and the workshop that followed afterward. Residents discussed how communities can grow and how citizens can have input on growth. Councilmember Benassini also informed the public about an upcoming informational open house to discuss the innovative Interstate 80 congestion relief and safety improvement project. The open house, hosted by several regional transportation agencies, will be held on February 13 from 6-9 p.m. at the Richmond Memorial Auditorium and Convention Center. Councilmember Benassini concluded by expressing her sorrow over the tragic deaths of El Cerrito High School students Jeremy Crowder and Tyler Di Martini.

3. **ORAL COMMUNICATIONS FROM THE PUBLIC**

George McRae, El Cerrito, reported on a recent police response to a potential burglary in his neighborhood and stated that he was very impressed. Mr. McRae provided information on forensic services for DNA analysis and described the benefits of using DNA analysis to the community.

Al Miller, El Cerrito, commented on the success of the showing of the *New Metropolis* and program and favorable remarks made by Senator DeSaulnier and Assemblymember Skinner. Mr. Miller also commented on the Ohlone Greenway and requested that the new re-design of the Greenway provide special consideration of adequate view angles that can be maintained naturally so motorists can see pedestrians and bicyclists coming off the Greenway easily.

4. **PRESENTATION**

A. **Proclamation in Recognition of Ernest S. Iiyama**

Approve and present a proclamation recognizing the significant contributions of Ernest Iiyama to the El Cerrito community and the Japanese American community of the East Bay.

Speakers: Don Delcollo, El Sobrante, expressed his appreciation for Mr. Iiyama.

Chizu Iiyama and Patti Iiyama spoke of Mr. Iiyama's work and life and received the proclamation in honor of Mr. Iiyama. Ms. Chizu Iiyama stated that Mr. Iiyama felt that his

biggest contribution was speaking to children in schools about civil liberties and the importance of standing up and helping people.

Action: Proclamation approved and presented.

B. Presentation on Residential Animal Slaughter Regulations

Receive a presentation and provide direction to staff on whether to amend El Cerrito Municipal Code Title 7, "Animals," to include regulations on residential animal slaughter.

Presenter: Sky Woodruff, City Attorney.

Speakers: Valerie Snider, El Cerrito, urged the Council to ban animal slaughter.

Kitty Sharkey, Oakland, spoke in support of urban homesteading, animal husbandry and raising animals for individual consumption. Ms. Sharkey stated that the number of people who slaughter animals is very, very small.

Ian Elwood, Oakland, provided the City Council with several examples of cities who have banned animal slaughter and expressed support for enacting a ban on animal slaughter.

Mike Bonneau, Oakland, commented on the interpretation of legal cases relating to animal slaughter and encouraged the City Council to enact a ban on animal slaughter.

Jeanette Griffin, Vallejo, expressed concerns about restrictions placed on individuals by enacting a ban on animal slaughter.

Rachel, Vallejo, stated that she supported the City Attorney's recommendation, and expressed her support for urban farming and homesteading and having a choice to slaughter animals for food. Rachel said that urban farmers and homesteaders do not condone animal cruelty and are against it.

Emily Corwin, El Cerrito, stated that she believes the issue of animal slaughter should be a choice for residents who own and raise animals and noted that there is relatively small percentage of residents in the City that this issue applies to.

Emily Wood, Oakland, stated that there are a lot of slaughter and animal cruelty problems in Oakland and urged the Council to enact a ban on slaughter.

Esperanza Pallana, Oakland, stated that her raising of animals for food is part of her heritage and culture and expressed her views against a ban.

Action: Presentation heard. A majority of the Council quorum directed staff to refrain from working on an amendment to the ordinance to ban animal slaughter but carefully review any complaints or nuisance abatement actions and revisit the issue, if necessary, in 12-24 months.

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

Moved, seconded (Benassini / Cheng; Ayes – Benassini, Cheng and Mayor Jones; Noes – None; Absent – Councilmembers Abelson and Lyman) and carried to adopt Consent Calendar Item Nos. 5(A) through 5(E) in one motion as indicated below.

A. Minutes for Approval

Approve the January 17, 2012 Special City Council and Concurrent City Council/Redevelopment Agency meeting minutes.

Action: Approved minutes.

B. Application for Urban Forestry Grant Program Funds

Adopt a resolution which approves the following actions: 1) Filing an application for "Proposition 40 and 84" urban forestry grant program funds; 2) Certifies that the City has or will have sufficient funds to operate and maintain the project; 3) Certifies that funds under the jurisdiction of the City are available to begin the project; 4) Certifies that the City will expend grant funds prior to March 30, 2014; and 5) Authorizes the City Manager, or designee, to conduct all negotiations, execute and submit all documents including but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the project.

Action: Adopted Resolution No. 2012-5.

C. Transportation Development Act Article 3 Pedestrian and Bicycle Project Funding

Adopt a resolution authorizing a request to the Metropolitan Transportation Commission (MTC) by the City of El Cerrito for an allocation of Transportation Development Act Article 3 Pedestrian and Bicycle Project Funding for Fiscal Year 2012/2013 to update the City's Circulation Plan for Bicyclists and Pedestrians.

Action: Adopted Resolution No. 2012-6.

D. Award Design Services Contract to The Planning Center/DC&E for the Ohlone Greenway Natural Area and Rain Garden Project

Adopt a resolution authorizing the City Manager to execute a professional services agreement with the Planning Center/DC&E ("Consultant") in an amount not to exceed \$135,000 to provide design services for the Ohlone Greenway Natural Area and Rain Garden project, and to approve potential change orders in an amount not to exceed \$13,500.

Action: Adopted Resolution No. 2012-7.

E. Consulting Contract with the El Cerrito Municipal Services Corporation

Adopt a resolution authorizing the City Manager to enter into a contract with the El Cerrito Municipal Services Corporation to provide staffing and administrative services.

Action: Adopted Resolution No. 2012-8.

6. PUBLIC HEARINGS

A. 2007-2014 Housing Element Adoption

Conduct a public hearing and upon conclusion, adopt a Revised Housing Element, as approved by the State Department of Housing and Community Development (HCD) and the associated Initial Study/Negative Declaration.

Presenter: Jennifer Carman, Environmental and Development Services Manager.

Mayor Jones opened the public hearing.

Speakers: No speakers.

Moved, seconded (Benassini/Cheng; Ayes – Benassini, Cheng and Mayor Jones; Noes – None; Absent – Councilmembers Abelson and Lyman) and carried to close the public hearing.

Action: Moved, seconded (Cheng / Benassini; Ayes – Benassini, Cheng and Mayor Jones; Noes – None; Absent – Councilmembers Abelson and Lyman) and carried to adopt Resolution No. 2012-9 and the associated.

B. Fees Related to Revisions to the Animals Ordinance

Conduct a public hearing and upon conclusion, consider adoption of a resolution amending the master fee schedule to add fees resulting from revisions to El Cerrito Municipal Code Title 7 "Animals" and amending Resolution No. 2011-30.

Presenter: Sean Moss, Senior Planner.

Mayor Jones opened the public hearing.

Speakers: No speakers.

Moved, seconded (Benassini/Cheng; Ayes – Benassini, Cheng and Mayor Jones; Noes – None; Absent – Councilmembers Abelson and Lyman) and carried to close the public hearing.

Action: Moved, seconded (Benassini/Cheng; Ayes – Benassini, Cheng and Mayor Jones; Noes – None; Absent – Councilmembers Abelson and Lyman) and carried to adopt Resolution No. 2012-10.

7. POLICY MATTERS

East Bay Regional Communication System Radio Purchase

Adopt a resolution authorizing the City Manager or his designee to purchase new base station, vehicle and portable radios which are P25 compliant in accordance with the East Bay Regional Communication System, (EBRCS) Joint Power Authority (JPA) for the Police, Fire, Public Works, and Recreation Departments; accept a grant of \$273,000 from the El Cerrito Municipal Services Corporation and appropriate the grant fund; and appropriate \$273,000 from the Vehicle and Replacement Fund; and accepts grants for \$2,802,400 from the Federal Emergency Management Agency (FEMA) and \$605,600 in matching funds from Fire Agencies.

Presenter: Steve Bonini, Police Lieutenant.

Speakers: No speakers.

Action: Moved, seconded (Cheng/Benassini; Ayes – Benassini, Cheng and Mayor Jones; Noes – None; Absent – Councilmembers Abelson and Lyman) and carried to adopt Resolution No. 2012-11.

SUPPLEMENTAL COMMUNICATIONS

Item No. 4(B) Presentation on Residential Animal Slaughter Regulations

Statement and List of Cities that do not allow animal slaughter – *Submitted by Ian Elwood, Oakland.*

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

A. Mayor Jones reported on his attendance at the East Bay Green Corridor meeting in Berkeley. The City of Richmond announced its selection as the site for the Lawrence Berkeley Laboratory Satellite Campus. Members of the East Bay Corridor group will begin working collaboratively on developing businesses within the corridor. Mayor Jones is on a subcommittee with Mayor Bates of Berkeley. The subcommittee will look into advantages that cities have of being in the corridor and what kind of incentives cities can offer to attract green businesses.

B. Mayor Pro Tem Lyman – Absent. No report.

C. Councilmember Abelson – Absent. No report.

D. Councilmember Benassini reported on her attendance at the January 18 Arts and Culture Commission meeting which involved a tour of San Pablo Avenue to determine priority placement of public art pieces. Final direction will be given to the artists upon completion of

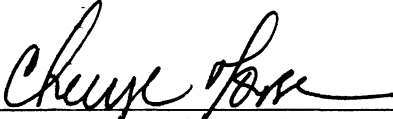
another public hearing. The Parks and Recreation Commission received updates on Tennis Courts and discussed Earth Day and the Commission's future work program.

E. Councilmember Cheng reported that the HRC met but she was unable to attend.

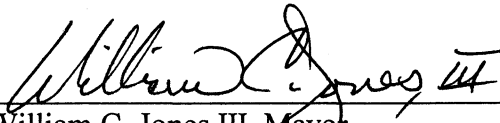
9. **ADJOURNED CITY COUNCIL MEETING** at 9:54 p.m.

A meeting of the El Cerrito Municipal Services Corporation followed immediately after this City Council meeting.

THIS IS TO CERTIFY that the foregoing is a true and correct copy of the minutes of the Special City Council and Regular City Council meetings of February 6, 2012 as approved by the El Cerrito City Council.



Cheryl Morse, City Clerk



William C. Jones III, Mayor