

EL CERRITO CITY COUNCIL MINUTES

SPECIAL CITY COUNCIL MEETING *(not televised)*

Tuesday, September 17, 2019 – 6:00 p.m.

Hillside Conference Room

REGULAR CITY COUNCIL MEETING

Tuesday, September 17, 2019 – 7:00 p.m.

City Council Chambers

Meeting Location:

El Cerrito City Hall

10890 San Pablo Avenue, El Cerrito

6:00 PM ROLL CALL - CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Pardue-Okimoto called the meeting to order at 6:03 p.m.

Present: Mayor Pardue-Okimoto; Councilmembers Abelson, Fadelli, Lyman, and Quinto.

1. ORAL COMMUNICATIONS FROM THE PUBLIC

Cordell Hindler commented on the good work of Officer Perez.

Buddy Akacic expressed gratitude to the council for their work.

2. CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION *Pursuant to Government Code Section 54956.9(d)(1)*

Name of Case: Perez v. City of El Cerrito (Contra Costa County Superior Court Case No. C19-01729)

Contact: Sky Woodruff, City Attorney, City Management

Action: No reportable action.

3. CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION *Pursuant to Government Code Section 54956.9(d)(2)*

Significant Exposure to Litigation: Two Potential Cases

Contact: Sky Woodruff, City Attorney, City Management

Action: One potential case discussed. No reportable action.

Council re-convened closed session at 10:01 p.m., following the regular meeting, to discuss the second case. No reportable action.

4. ADJOURN 6:00 PM SPECIAL CITY COUNCIL MEETING

The meeting adjourned at 7:04 p.m.

7:00 PM ROLL CALL – CONVENE REGULAR CITY COUNCIL MEETING

Mayor Pardue-Okimoto called the meeting to order at 7:12 p.m.

Present: Mayor Pardue-Okimoto; Councilmembers Abelson, Fadelli, Lyman, and Quinto.

1. **PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF MOMENT OF SILENCE** – *Mayor Pardue-Okimoto*

2. **PRESENTATIONS**

A. **2019 E.C.S.T.A.R.S Internship Program Presentation**

Action Proposed: Receive and file a presentation regarding the 2019 El Cerrito Students Training and Ready for Success (“EC STARS”) Internship Program.

Contact: Kristen Cunningham, Human Resources Manager, City Management

Presentation and Discussion: Kristen Cunningham, Human Resources Manager, provided an overview of the program, Cory Mason, Teacher at El Cerrito High School spoke on objectives and history of program, and presented 2019 participants to overview highlights of their participation. Participants included Michelle Li, Vonne Ng Bader, Aaradhya Poudyal, Jullisa Rodriguez, Jessenia Ponce, and Anna Madrid.

Public Comments:

Cordell Hindler commented on how well the student presentations were.

Action: Received and filed

3. **COUNCIL/STAFF COMMUNICATIONS**

Councilmember Quinto reported participation on a panel for youth to join politics, and attendance at mayors conference.

Councilmember Abelson invited attendees to see the display in the lobby about emergency preparedness, announced Bart and other transit systems transitioning to clipper only; reported attendance at Arts and Culture Commission meeting, webinar on strategies on addressing homelessness, swearing in ceremony for the police department, mayors conference, ADA update conference; and shared resources for preparing for emergency shutoffs.

Councilmember Fadelli reported attendance at BART Del Norte status meeting, webinar on strategies on addressing homelessness, swearing in ceremony for the police department, and tour at Mare Island for Mayfair module construction.

Councilmember Lyman announced recent vacancies on boards and commissions. Recognized neighboring agencies that responded to structure fire over the weekend, and overviewed contents of Wildfire Preparedness & Evacuation booklet. Announced recognition of Officer Perales for his service to the city’s Student Resource officer (SRO) program at the October 2nd meeting of the Juvenile Justice Commission.

Mayor Pardue-Okimoto reported on Alta Bates task force workplan, participation in Hana Gardens forum, and planning for a November 16th forum on keeping the hospital open.

4. ORAL COMMUNICATIONS FROM THE PUBLIC

Cordell Hindler shared details of pasta dinner at Salesian High School and spoke about commercial rents.

Buddy Akacic inquired if the San Pablo specific plan is gentrification friendly.

Gary Prost spoke on the Wildfire Preparedness & Evacuation booklet and need for additional prevention measures to be included.

Richard Bell thanked council for appointment to task force and spoke to clarify an incident of defacing property mentioned at a prior public meeting.

Lauri Schrey spoke of threat of wildfire in El Cerrito, requested additional clearing in hillside natural area, and strengthening vegetation requirements.

Sue Duncan thanked staff for Wildfire Preparedness & Evacuation booklet, and shared details about Fire wise program.

Diane Strauss expressed concern about fire insurance and costs, shared recent publications on the topic, requested city to ask citizen to self-report increases in rates.

Paul Dorran spoke regarding the request for proposals for police services in Kensington, and the lack of information regarding the ordinance requiring the contract to go to a vote.

Catherine de Neergaard spoke on the ordinance in effect in Kensington regarding contracts requiring approval by the electorate.

Nick Zamorano thanked Officer Carrion for his work on the abatement process, department efforts on the program, encouraged those out of compliance to bring their properties into compliance.

Christian Teale expressed desire to hear council comment on the lawsuit regarding Officer Perez and would like to see a firm stance against harassment and discrimination in the City.

5. ADOPTION OF THE CONSENT CALENDAR

Moved/Seconded: Councilmembers Lyman/Abelson **Action:** Passed a motion to approve consent items A, B, D E, F, & G as indicated below. **Ayes:** Mayor Pardue-Okimoto; Councilmembers Abelson, Fadelli, Lyman, and Quinto **Noes:** None

A. Hispanic Heritage Month Proclamation

Action Proposed: Pass a motion to approve a proclamation designating September 15 through October 15, 2019 as Hispanic Heritage Month.

Contact: Kristen Cunningham, Human Resources Manager, City Management

Action: Approved proclamation

B. National Suicide Prevention Month Proclamation

Action Proposed: Pass a motion declaring September as Suicide Prevention Awareness Month in El Cerrito.

Contact: Maya Williams, Assistant to the City Manager, City Management

Action: Approved proclamation

C. Fifth Amended and Restated Joint Exercise of Powers Agreement for the West Contra Costa Integrated Waste Management Authority

Action Proposed: Adopt a resolution approving the Fifth Amended and Restated Joint Exercise of Powers Agreement for the West Contra Costa Integrated Waste Management Authority, to which the City of El Cerrito is a party, and authorizing the Mayor to execute the Agreement.

Contact: Yvetteh Ortiz, Public Works Director/City Engineer

Moved/Seconded: Councilmembers Fadelli/Lyman **Action:** Pulled from consent by Councilmember Fadelli. Staff responded to comments and questions regarding voting structure, unanimous voting, and conditions for withdrawal from the agreement. Passed a motion to adopt Resolution 2019- 56 **Ayes:** Mayor Pardue-Okimoto; Councilmembers Abelson, Fadelli, Lyman, and Quinto **Noes:** None

D. Agreement with the West Contra Costa Unified School District Regarding Funding of School Resource Officers

Action Proposed: Adopt a resolution authorizing the City Manager to enter into an agreement with the West Contra Costa Unified School District (WCCUSD) to partially fund two School Resource Officer Positions.

Contact: Paul Keith, Chief of Police, Police Department

Action: Adopted Resolution 2019-57

E. Authorization of Predevelopment Loan with Mayfair Affordable, LLC, for Development of the Mayfair Block CEQA review covered by EIR prepared for the San Pablo Specific Plan

Action Proposed: Adopt a resolution authorizing the City of El Cerrito to enter into a Predevelopment Loan Agreement with the non-profit developer, Mayfair Affordable, LLC (Developer) an affiliate of BRIDGE Housing Corporation, for that certain property located at 11690 San Pablo Avenue and 1925 Kearney Street - APN 502-062-031 - (Project) for predevelopment activities related to the development of 67 affordable housing units.

Contact: Aissia Ashoori, Housing Analyst; Melanie Mintz, Community Development Director, Community Development
Action: Adopted Resolution 2019-58

F. Urban Forest Committee Appointment

Action Proposed: Pass a motion to approve an Urban Forest Committee recommendation to appoint Robin Mitchell to the Committee, effective September 17, 2019.

Contact: Stephen Prée, Environmental Programs Manager/City Arborist; Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department

Action: Approved appointment

G. Formation of a Climate Action Subcommittee

Action Proposed: Pass a motion to form a City Council ad hoc subcommittee on climate action goals, consisting of Councilmember Abelson and Mayor Pro Tem Lyman.

Contact: Karen Pinkos, City Manager, City Management

Action: Approved formation of ad hoc subcommittee.

6. PUBLIC HEARINGS

A. Amendment to the Development Agreement for the 1715 Elm Street Project *Notice published 9/6/2019, MND previously adopted, this action does not require further CEQA review.*

Action Proposed: Pass a motion to introduce by title and waive the first reading of an ordinance to approve an amendment to the Development Agreement for the 1715 Elm Street project to extend the term of the Agreement for five years, subject the project to Chapter 19.30: Inclusionary Zoning of the El Cerrito Municipal Code, and authorize the City Manager to execute the amendment.

Contact: Sean Moss, Planning Manager; Melanie Mintz, Community Development Director, Community Development Department.

Presentation and Discussion: Sean Moss, Planning Manager, provided and overview of the item and answered questions raised by members of the council including clarification on agreement modifications requiring council actions, responsiveness of applicant to date, annual review requirements, and maintenance of the property.

Public Hearing: Mayor Pardue-Okimoto opened the public hearing.

Public Comments:

Cordell Hindler spoke in support of extension of the agreement.

Howdy Goudey commented on dissatisfaction with the developer in the five years the agreement has been in place and opposed to the extension of the agreement.

Ed Shaffer, legal counsel for the developer, spoke of the work with multiple agencies to date for approvals to complete the permit processing, and of funds invested in the project in good faith.

Moved/Seconded: Councilmembers Quinto/Abelson **Action:** Passed a motion to close the public hearing. **Ayes:** Mayor Pardue-Okimoto; Councilmembers Abelson, Fadelli, Lyman, and Quinto **Noes:** None

Moved/Seconded: Councilmembers Abelson/Quinto **Action:** Passed a motion to introduce by title and waive the first reading of an ordinance to approve an amendment to the Development Agreement for the 1715 Elm Street project to extend the term of the Agreement for five years. **Ayes:** Mayor Pardue-Okimoto; Councilmembers Abelson, and Quinto **Noes:** Councilmember Lyman **Abstentions:** Councilmember Fadelli

7. POLICY MATTERS

A. Approval of the City of El Cerrito Green Infrastructure Plan *Exempt from CEQA (CEQA Guidelines §15307, Class 7)*

Action Proposed: Adopt a resolution approving the City of El Cerrito's Green Infrastructure Plan as required by the City's National Pollution Discharge Elimination System Municipal Regional Stormwater Permit.

Contact: Will Provost, Acting Operations + Environmental Services Division Manager Yvetteh Ortiz, Public Works Director/City Engineer

Presentation and Discussion: Will Provost, Acting Operations + Environmental Services Division Manager, provided an overview of the proposed plan, and answered questions raised by members of the council regarding locations and drivers in the county with higher Polychlorinated Biphenyls (PCBs), outreach on what individuals can do, accessibility concerns, reduction of pollutants, trash capture devices, and progress checks.

Moved/Seconded: Councilmembers Lyman/Quinto **Action:** Passed a motion to adopt Resolution 2019-59 **Ayes:** Mayor Pardue-Okimoto; Councilmembers Abelson, Fadelli, Lyman, and Quinto **Noes:** None

8. CITY COUNCIL LOCAL & REGIONAL LIAISON ASSIGNMENTS

Councilmember Abelson reported that the Contra Costa Transportation Authority (CCTA) will be asking for support of expenditure plan next month.

Councilmember Fadelli reported that the Bates Fields JPA asked representatives to return for additional cost contributions requested for the new restrooms.

Councilmember Lyman reported that RecycleMore passed their budget and received a presentation on SB1383 regarding food waste reductions.

The City Council re-convened to closed session at 10:01 p.m. to discuss the remaining item from the 6:00 p.m. special meeting. There was no reportable action.

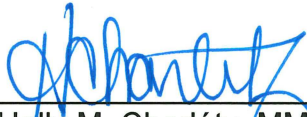
9. ADJOURN REGULAR CITY COUNCIL MEETING

The meeting adjourned at 11:03 p.m.



Rochelle Pardue-Okimoto, Mayor

This is to certify that the foregoing is a true and correct copy of the minutes of the special and regular City Council meetings of September 17, 2019 as approved by the El Cerrito City Council.



Holly M. Charléty, MMC, City Clerk