EL CERRITO CITY COUNCIL MINUTES

SPECIAL CITY COUNCIL MEETING *(not televised)*
Tuesday, May 21, 2019 – 6:00 p.m.
Hillside Conference Room

REGULAR CITY COUNCIL MEETING
Tuesday, May 21, 2019 – 7:00 p.m.
City Council Chambers

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

Rochelle Pardue-Okimoto – Mayor

Mayor Pro Tem Greg Lyman
Councilmember Paul Fadelli
Councilmember Janet Abelson
Councilmember Gabriel Quinto

6:00 PM **ROLL CALL - CONVENE SPECIAL CITY COUNCIL MEETING**
Mayor Pardue-Okimoto called the meeting to order at 6:01 p.m.
Present: Mayor Pardue-Okimoto; Councilmembers Abelson, Fadelli, Lyman, and Quinto.

1. ORAL COMMUNICATIONS FROM THE PUBLIC
Cordell Hindler spoke on participation on boards and commissions and number of vacancies and need to fill. Requested Council hear what unions have to say.

2. CLOSED SESSION CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6

Agency Designated Representatives: Karen Pinkos, City Manager; Glenn Berkheimer, Labor Negotiator; Sky Woodruff, City Attorney; Alexandra Orologas, Assistant City Manager; and Kristen Cunningham, Human Resources Manager.
Employee Organizations: International Association of Fire Fighters Local 1230; and Public Safety management Association – Battalion Chief
Contact: Sky Woodruff, City Attorney, City Management
Action: Staff was directed to proceed with negotiations.

3. COMMISSION APPLICATION STATUS AND APPOINTMENTS

Action Proposed: Review and consider previously interviewed applications for appointment to City Boards and Commissions.
Contact: Holly M. Charléty, City Clerk, City Management
Action: No interviews were conducted. The City Council unanimously decided to appoint Andrew Adams to the Civil Service Commission and Alice Morris to the Human Relations Commission, both for a term through May 1, 2023.

4. ADJOURN SPECIAL CITY COUNCIL MEETING
The meeting adjourned at 6:52 p.m.

7:00 PM **ROLL CALL - CONVENE REGULAR CITY COUNCIL MEETING**
Mayor Pardue-Okimoto called the meeting to order at 7:04 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 – *Councilmember Lyman*

2. COUNCIL/STAFF COMMUNICATIONS
Mayor Pardue-Okimoto requested members be more succinct in communications.

Councilmember Quinto reported attendance at API legislative caucus award dinner, and LGBT Caucus Legislation Day.

Councilmember Abelson reported attendance at the grand opening for Hana Gardens, sustainability strategy forum, memorial for prior city clerk, Committee on Aging, Chamber of Commerce luncheon, and several West Contra Costa Transportation Advisory Committee meetings.

Councilmember Fadelli reported attendance at grand opening for Hana Gardens; met with Make El Cerrito Fire Safe group; and attended West County Forum.

Mayor Pardue-Okimoto reported that at the 6:00 special meeting staff was given direction to proceed with negotiations, appointment of Andrew Adams to Civil Service Commission, and Alice Morris to Human Relations Commission. Announced Alta Bates subcommittee is looking at a public meeting for Contra Costa County.

3. ORAL COMMUNICATIONS FROM THE PUBLIC
Cordell Hindler spoke on the price of commercial space for rent around the Bay Area, requested agenda item regarding travel policy and thanked the Mayor for Alta Bates participation.

Nick Zamorano spoke on residential vegetation management standards and requested a report on non-compliant properties, suggested sponsoring neighborhood cleanup days, proposed annual fire prevention fee for fire prevention and recovery, and diverting Measure V funds.

Gary Prost spoke in support of AB 38, adds fire safety regulations to CA Health and Safety Code, and urged formal support by council.

Kay Stark Weather spoke on use of Measure V rebate funds and amending to include fire hardening, and that all homes upon close of escrow should be required to meet vegetation standards.

Scott Perry thanked the fire department for work and presentation of Mega Fire the New Norm, thanked Councilmember Fadelli for attending the meeting of Make El Cerrito Fire Safe, and requested updated version of the website.

Paul Duncan stated cleanup don't burn up, requested a citywide cleanup weekend, if disposal problems were eliminated citizens may step up to do more.

Susan Duncan thanked the fire department for cleanup in hillside natural area, thanked Councilmember Fadelli for meeting with Make El Cerrito Fire Safe group, recommended adding to prevention information on front of every news and views, and using Measure V funds for prevention.

Barbara Chan spoke on the recycling center and the market for plastics, and requested council consider banning plastics and compostable food ware.

Anna Ippolito support of Make El Cerrito Fire Safe and asked part of measure V be spent on reducing risk.

4. ADOPTION OF THE CONSENT CALENDAR

A. REVISED REGULAR MEETING SCHEDULE FOR SUMMER 2019

Action Proposed: Pass a motion to approve a revised regular meeting schedule for City Council, reducing regular meetings for July thru September to the third Tuesday of the month. Meeting dates would be July 16, August 20, and September 17, 2019 with the request to keep the first Tuesday in August and September reserved for additional meetings if needed.
Contact: Holly M. Charléty, City Clerk, City Management
Moved/Seconded: Councilmembers Lyman/Abelson **Action:** Passed a motion to approve schedule. **Ayes:** Mayor Pardue-Okimoto; Councilmembers Abelson, Fadelli, Lyman, and Quinto **Noes:** None

B. Rent Registry Ordinance

Notice published on 4/27/2019, 1st Reading 5/7/2019

Action Proposed: Pass a motion to waive the second reading and adopt Ordinance 2019-03 Amending Title 10 of the El Cerrito Municipal Code to Add Chapter 10.100, "Rent Registry" to Require That Property Owners Register Rents for and Provide Other Information Regarding Residential Rental Properties with the City Annually
Contact: Aissia Ashoori, Affordable Housing Analyst; Melanie Mintz, Community Development Director, Community Development Department
Moved/Seconded: Councilmembers Lyman/Abelson **Action:** Removed from consent by Councilmember Abelson. Passed a motion to approve Ordinance 2019-03. **Ayes:** Mayor Pardue-Okimoto; Councilmembers Abelson, Fadelli, Lyman, and Quinto **Noes:** None

C. Just Cause for Eviction Ordinance

Notice published on 4/27/2019, 1st Reading 5/7/2019

Action Proposed: Pass a motion to waive the second reading and adopt Ordinance 2019-04 Amending Title 10 of the El Cerrito Municipal Code Chapter to Add Chapter 10.300, "Just Cause for Eviction and Prohibition

on Harassment of Tenants" Related to Termination of Tenancy and Other Tenant Protections
Contact: Aissia Ashoori, Affordable Housing Analyst; Melanie Mintz, Community Development Director, Community Development Department
Moved/Seconded: Councilmembers Lyman/Fadelli **Action:** Removed from consent by Councilmember Abelson. Passed a motion to approve Ordinance 2019-04. **Ayes:** Mayor Pardue-Okimoto; Councilmembers Fadelli, Lyman, and Quinto **Noes:** Councilmember Abelson

D. Annual Review of Comprehensive Financial Policy

Action Proposed: Adopt a resolution approving the City's Comprehensive Financial Policy
Contact: Mark R. Rasiah, Finance Director/City Treasurer
Staff responded to questions regarding who can call a meeting and clarification of reconstituting the council.

Moved/Seconded: Councilmembers Lyman/Fadelli **Action:** Removed from consent by Councilmember Abelson. Passed a motion to approve Resolution 2019-31, adding to the final whereas clause "including the establishment of an emergency disaster recovery fund valued at three months of payroll", and adding language to section 7.2 of Exhibit A to state all requests for city council action "in excess of the City Manger's approval limit…". **Ayes:** Mayor Pardue-Okimoto; Councilmembers Abelson, Fadelli, Lyman, and Quinto

5. PRESENTATIONS

A. Presentation by ECFD on Fire Safety for Homeowners

Action Proposed: Receive and File.
Contact: Battalion Chief David Gibson, Fire Marshal, Fire Department
Presentation and Discussion: Battalion Chief Dave Gibson, Fire Marshal, provided a presentation on history of fire in Alameda and Contra Costa County, fire behavior, elements to increase survivability, firesafe landscape, and review of community standards and projects; responded to questions raised by members of the council regarding eucalyptus trees, number of public presentations, access to early warning registration, and citizens registering with ECFD if they need assistant with power outages.

Public Comments:
Gary Prost asked for this presentation to be make available during 4th of July celebration.

Action: Receive and File.

B. East Bay Municipal Utilities District (EBMUD) Presentation in Fiscal Year 2020/2021 Proposed Rate Increases

Action Proposed: Receive and File.
Contact: Andy Katz, Board Director, EBMUD

Presentation and Discussion: Andy Katz, EBMUD Director, provided a presentation on services and operations, budget, and proposed rates; responded to questions raised by members of the council regarding wastewater treatment plant and sea level rise, water conservation and usage, (REVIEW LYMAN QUESTION 930), expected future rate increases, response to PGE policy of power shutdowns, and timeline for repairs in El Cerrito.

Public Comments:
Cordell Hindler thanked the speaker for the presentation.

Action: Receive and File.

6. PUBLIC HEARINGS

A. Master Fee Schedule Revisions for Fiscal Year 2019-20

Notice published on 5/10/19 and 5/16/19

Action Proposed: Conduct a public hearing and upon conclusion adopt a resolution approving the Fiscal Year 2019-20 Master Fee Schedule.
Contact: Shannon Collins, Finance Supervisor, Finance Department
Presentation and Discussion: Shannon Collins, Finance Supervisor, provided an overview of the proposed revisions to the Master Fee Schedule, and answered questions raised by members of the council regarding clarification of corrections related to the carryover of a formula within excel, methodology of hourly rates and potential revisit of methodology for consistent applicability, consideration of street closure permits for both residents and non-residents, reason for not increasing various police fees; clarification of descriptors, intent and applicability of various fees; process of evaluating the fees against costs; ADU's; clarification of methodology for determination of several fees; method used for rounding up versus down.

Moved/Seconded: Councilmembers Quinto/Abelson **Action:** Passed a motion to extend the meeting by 30 minutes to 11:00 p.m. **Ayes:** Mayor Pardue-Okimoto; Councilmembers Abelson, Fadelli, Lyman, and Quinto **Noes:** None

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

Public Comments:
Cordell Hindler spoke in support of adopting the item, mentioned costs for renting facilities are reasonable.

Moved/Seconded: Councilmembers Lyman/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 Lyman/Abelson **Action:** Passed a motion to adopt Resolution 2019-32 with the following changes to Exhibit A: Revise Section II Police – Traffic Collision Report Copy be $6, Police

Photograph Audiotape Plus fee be $32, Bus Zone adjustment to be corrected to zero and fee remain at $440; Section XI Miscellaneous – ADU Rates be set at 75% of full recovery rate; Section XII. Mechanical, Plumbing and Electrical (MPE) Permits - change units from hourly to each where appropriate, set Other Mechanical Inspection Rate at $148.32 per hour, set Stand Alone Plumbing Plan check at $189.52 per hour, set Other Plumbing and Gas Inspection Rate at $148.32 per hour, Set Stand Alone Electrical Plan Check at $189.52 per hour, set Other Electrical inspection at $148.32 per hour; and Section X New Construction Valuation Tables - Plan Review Only table, Plan Review Only valuation line $1 - $800 set at $51.33. **Ayes:** Mayor Pardue-Okimoto; Councilmembers Abelson, Fadelli, Lyman, and Quinto **Noes:** None

7. POLICY MATTERS

A. *Continued from May 7, 2019 Regular Meeting* Tenant Protections Taskforce

Action: Discuss and consider adopting a resolution for the formation of a Tenant Protection Taskforce.
Contact: Aissia Ashoori, Affordable Housing Analyst; Melanie Mintz, Community Development Director, Community Development Department
Council Discussion: Options for the selection process, and the makeup of the taskforce members were discussed.

Moved/Seconded: Councilmembers Lyman/Quinto **Action:** Passed a motion to adopt Resolution 2019-33 **Ayes:** Mayor Pardue-Okimoto; Councilmembers Abelson, Fadelli, Lyman, and Quinto **Noes:** None

8. CITY COUNCIL LOCAL & REGIONAL LIAISON ASSIGNMENTS

Councilmember Quinto announced the next League of California Cities meeting will have a speaker from CalPERS.

9. ADJOURN REGULAR CITY COUNCIL MEETING

The meeting adjourned in honor of Congresswoman Ellen Tauscher at 11:01 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 May 21, 2019 as approved by the El Cerrito City Council.

Holly M. Charléty, MMC, City Clerk