EL CERRITO CITY COUNCIL

MINUTES

SPECIAL CITY COUNCIL MEETING
Tuesday, July 17, 2018 – 6:30 p.m.
Hillside Conference Room

CITY COUNCIL MEETING
Tuesday, July 17, 2018 – 7:00 p.m.
City Council Chambers

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

ROLL CALL

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

CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Quinto convened the special City Council meeting at 6:30 p.m.

ORAL COMMUNICATIONS FROM THE PUBLIC

There were no speakers.

COMMISSION INTERVIEWS, STATUS, AND APPOINTMENTS

Conduct an interview of a candidate for City Boards and Commissions. The interview may result in an announcement of appointment at the meeting.

Action: Two (2) interviews completed.

ADJOURNED SPECIAL CITY COUNCIL MEETING

ROLL CALL

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

CONVENE REGULAR CITY COUNCIL MEETING

Mayor Quinto convened the Regular City Council meeting at 7:00 p.m.

1. PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF MOMENT OF SILENCE

2. COUNCIL/STAFF COMMUNICATIONS

Mayor Quinto reported out action taken at the Closed Session meeting held on July 16, 2018. The Mayor stated that City Manager Hanin had informed the Council of his intent to retire at the end of the calendar year. At the July 16, 2018 meeting, by a unanimous vote of the Council, the Council appointed Assistant City Manager Karen Pinkos to the position of City Manager upon the City Manager's retirement. The Council also provided direction to Councilmember Lyman and the Mayor to negotiate an employment agreement with Ms. Pinkos.

Mayor Quinto thanked staff and volunteers for their work on the 4th of July events and thanked the residents who brought people from out of town to the events.

Councilmember Lyman thanked staff for their work in making the 4th of July events successful.

Mayor Pro-Tem Pardue-Okimoto stated that the Sheriff has closed the detainee facility. She thanked all the citizen activists that were part of this process as well as the Council for speaking up in support of the people being detained. She expressed hope that everyone would continue to work to make sure families are reunited and that people are not detained unnecessarily.

Councilmember Abelson thanked all the staff that worked to make the 4th of July events a success, especially all the activities for the children.

Councilmember Fadelli praised the staff for their work in making the 4th of July events a success and the Arts and Culture Commission for the events they sponsored on July 3rd.

Councilmember Fadelli echoed comments made by Mayor Pro Tem Pardue-Okimoto regarding the work done by the citizen activists in getting the Sheriff to close the detainee facility.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Cordell Hindler, Richmond, distributed a flyer for the show, *Ragtime.* He expressed his appreciation for City Manager Hanin. Mr. Hindler also invited the Council to Richmond's City Manager Bill Lindsay's retirement party, on July 27th at the Richmond Auditorium. He also suggested that a presentation on the internship program be placed on the agenda in September.

Al Miller, El Cerrito, speaking as President of the El Cerrito Library Foundation, reported that *The Adopt a Chair* program is intended to provide funding to restore 64 chairs plus miscellaneous benches at the Library. To date 38 of the chairs

have been adopted. The remaining chairs may be adopted for $250 each. This pays to have the seats, back cushions and fabric replaced and includes a placard.

Mei Mei Everson, El Cerrito, stated her support for AB 1884. She showed several replacement options for plastic straws.

Robin Mitchell, El Cerrito, stated her support for AB 1884.

Howdy Goudey, El Cerrito, thanked the Council for their support for AB 1884.

Makalia Aga, El Cerrito, informed the Council that for the past three (3) years the owners of the complex she lives in have increased rent at the rate of 20% a year. She urged the Council to implement rent control measures.

Barbara Chan, El Cerrito, stated her support for AB 1884. She said that she would like to see El Cerrito take a leadership role in being proactive and look beyond the straw ban, including looking at food-ware and other non-disposable, non-compostable plastics.

4. ADOPTION OF THE CONSENT CALENDAR

Action: Moved, seconded (Lyman/Pardue-Okimoto) and carried unanimously to approve Consent Calendar Item No. 4(B). Items No. 4(A) and 4(C) were removed from the Consent Calendar at the request of Councilmember Lyman and voted on separately.

A. National Night Out Proclamation

Approve a proclamation calling upon all residents of the City of El Cerrito to participate in "National Night Out" on Tuesday, August 7, 2018.

Presentation: Removed from the Consent Calendar by Councilmember Lyman for purposes of an update from staff.

Sergeant Wentworth and Officer Perez gave an overview of events and informed residents how they can participate in "National Night Out".

Action: Moved, seconded (Lyman/Abelson) and carried unanimously to approve the proclamation.

B. Environmental Quality Committee Appointment

Approve an Environmental Quality Committee recommendation to appoint Gisele Verrier to the Environmental Quality Committee, effective July 17, 2018.
Action: Approved appointing Gisele Verrier to the EQC.

C. Resolution in Support of AB 1884

At the request of Councilmember Fadelli, adopt a resolution in support of Assembly Bill 1884, which would prohibit specified food facilities from providing single-use plastic straws to customers except upon request.

Discussion: Removed from the Consent Calendar by Councilmember Lyman. Councilmembers Lyman and Fadelli provided background information as to efforts being made through the City's representation on the West County Integrated Waste Management Authority to make this a regional effort through RecycleMore.

Councilmember Abelson cautioned that as the City moves forward not to disenfranchise individuals who are unable to drink liquids without the use of straws. She suggested that the City get input from people that may have certain disabilities to ensure there are solutions that work for them.

Action: Moved, seconded (Lyman/Fadelli) and carried unanimously to adopt Resolution No. 2018-43.

5. PRESENTATION

Human Trafficking Prevention and Awareness Proclamation

At the request of Councilmember Abelson, approve a proclamation commending Soroptimist International for its tireless efforts in increasing awareness and education in an effort to end human trafficking; supporting the Soroptimist International Club of El Cerrito as they raise awareness, through education and other efforts; and calling upon El Cerrito residents to recognize the vital role that everyone can play in ending all forms of slavery and protecting people from human trafficking.

Speakers: Pam Parker, Soroptimist Regional Leadership, spoke about their efforts to end human trafficking.

Cordell Hindler, Richmond, stated that he sees human trafficking every day in the City of Richmond and that it is unacceptable.

Action: Moved, seconded (Abelson/Pardue-Okimoto) and carried unanimously to approve and present the proclamation.

6. PUBLIC HEARINGS

Fire Hazard Abatement

1. Adopt a resolution declaring weeds, rubbish, litter, or other flammable material on certain real property identified in the resolution constitutes a public nuisance.

   Presentation: Fire Captain Joe Gagne, presented the staff report and answered questions raised by members of the Council.

   Speakers: Howdy Goudey, El Cerrito, agreed with Councilmember Lyman's

suggestion that the timeline for abatement be moved up so that weed abatement is addressed earlier to mitigate fire hazards.

Barbara Chan, El Cerrito, suggested that the City consider stronger incentives to remind people to abate their properties earlier in the year.

Discussion: Councilmember Lyman stated his desire to see the Fire Department come up with a calendar that moves up the abatement timeline to earlier in the year. He also said he agreed with statements made in a letter from John Del Arroz suggesting that the City consider replacing eucalyptus with native trees.

Mayor Pro Tem Pardue-Okimoto agreed with Councilmember Lyman's suggestion that the timeline be adjusted to address abatement issues earlier in the year after consultation with the Fire Department.

Councilmember Abelson commented that the Council could adjust their meeting schedule if this would help with the abatement timeline.

Action: Moved, seconded (Lyman/Pardue-Okimoto) and carried unanimously to adopt Resolution No. 2018–44 including a revised Exhibit A.

2. Conduct a public hearing and upon conclusion, adopt a resolution overriding objections by property owners and ordering the City Manager or his designee to abate certain public nuisances pursuant to El Cerrito Municipal Code Chapter 16.26.

   Public Hearing: Mayor Quinto opened the public hearing. There were no speakers.

   Actions: Moved, seconded (Lyman/Pardue-Okimoto) and carried unanimously to close the public hearing.

   Moved, seconded (Lyman/Pardue-Okimoto) and carried unanimously to adopt Resolution No. 2018–45.

7. POLICY MATTERS

Direction on November 2018 City Charter Ballot Measure and associated Real Property Transfer Tax for Maintenance and Improvement of City Services and Facilities

Adopt a resolution of the City Council of the City of El Cerrito:

1. Submitting to the El Cerrito electorate a measure to approve a City Charter and the proposed Real Property Transfer Tax to develop a locally generated and controlled funding source to be used to maintain and/or increase the current level of services and facilities provided by the City, which would become effective only if adopted by 50 percent plus one vote of the El

Cerrito electorate. If voters approve the measure, the City would be converted from a General Law City to a Charter City, and the Real Property Transfer Tax would be approved.

2. Approving an ordinance authorizing a Real Property Transfer Tax to maintain and/or increase the current level of services and facilities provided by the City.
3. Requesting that the Contra Costa Board of Supervisors consent to the consolidation of this election with the statewide general election to be held on November 6, 2018 and direct the Registrar of Voters to provide all services necessary to conduct the election and print a measure on the ballot as described in Section 3 of the resolution.

Presentation: City Manager Scott Hanin and City Attorney Sky Woodruff presented the staff report and answered questions raised by members of the Council. Bryan Godbe, Godbe Research, provided information on survey results.

Speakers: Cordell Hindler, Richmond, said he hopes the Council will approve placing the measure on the ballot.

Marlene Keller, El Cerrito, stated that the City has so much at stake politically and financially if the City does not become a charter city. She expressed support for the real property transfer tax and urged the Council to place the measure on the ballot.

Al Miller, El Cerrito, agreed with comments made by Marlene Keller.

Rich Bartke, El Cerrito, said he has no objection to the real property transfer tax. He referred to several charter cities that have had financial troubles and suggested that the Council determine why these cities ran into problems before voting on becoming a charter city.

Susan Pricco, El Cerrito, stated that she doesn't like being taxed on the right to sell her home and questioned if there is an exemption for parent-child home transfers. She said that this tax would also reduce the nest egg for seniors who own their homes and want to downsize.

Jack Weir, President, Contra Costa Taxpayers Association, said that the proposed tax is a direct attack on Prop 13. He stated it is particularly hard on seniors who depend on the equity in their homes as part of their retirement assets. He reported that the City has a $15 million unfunded pension liability and he felt this tax will be used to fund these pension obligations. He stated the Contra Costa Taxpayers Association will oppose this tax rigorously.

Robin Mitchell, El Cerrito, stated she attended several charter committee meetings and that it was a good process. She said there are a lot of park and recreation capital projects that people want, but that there is no funding for them. She also expressed the belief that keeping up the City's infrastructure and providing programs that the citizens want increases

property values.

Howdy Goudey, El Cerrito, stated his support of the charter and tax measure and commended the Council on the process used to develop the proposed charter.

Bill Jones, El Sobrante, said he is supportive of the charter and tax measure. He stated that charter cities benefit in the following ways: 1) greater local control; 2) a limit to state intrusion on local affairs; and 3) changes can only be made by a vote of the residents.

Action: Councilmember Lyman proposed revised language to Section H1(b, c, d) of the ordinance related to "good cause" and including language requiring an audit and review by the Financial Advisory.

Moved, seconded (Lyman/Fadelli) and carried unanimously to adopt Resolution No. 2018–46 as shown in the revised resolution presented at the meeting and including revisions to the ordinance (Exhibit B) as provided in the revised ordinance presented at the meeting and to also include revised language to Section H1 (b, c, d) of the ordinance related to "good cause" as proposed by Councilmember Lyman and additional language to be drafted by the City Attorney to require an audit and review by the Financial Advisory Board.

8. CITY COUNCIL LOCAL AND REGIONAL LIAISON ASSIGNMENTS

Action: There were no reports.

9. ADJOURNMENT

The meeting adjourned at 9:45 p.m.

SUPPLEMENTAL REPORTS AND CORRESPONDENCE

Item 6 – Fire Hazard Abatement

1. Updated Exhibit A – Property List
2. Communication from John Del Arroz

Item 7 – Charter Ballot Measure

1. Revised Resolution
2. Revised Ordinance
3. Communication from Michael A. Fischer

Gabriel Quinto, 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 July 17, 2018.

Sherry M. Kelly
Acting City Clerk