

EL CERRITO CITY COUNCIL

MINUTES

SPECIAL CITY COUNCIL MEETING

Tuesday, May 15, 2018 – 6:30 p.m.

Hillside Conference Room

REGULAR CITY COUNCIL MEETING

Tuesday, May 15, 2018 – 7:00 p.m.

City Council Chambers

Meeting Location

El Cerrito City Hall

10890 San Pablo Avenue, El Cerrito

Gabriel Quinto – Mayor

Mayor Pro Tem Rochelle Pardue-Okimoto

Councilmember Paul Fadelli

Councilmember Janet Abelson

Councilmember Greg Lyman

ROLL CALL

Councilmembers Abelson, Fadelli, Lyman, Pardue-Okimoto, and Mayor Quinto all present.

6:30 p.m. CONVENE SPECIAL CITY COUNCIL MEETING

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

ORAL COMMUNICATIONS FROM THE PUBLIC

Cordell Hindler, Richmond, provided thoughts on the commission appointment process.

COMMISSION INTERVIEWS, STATUS AND APPOINTMENTS

Conduct interviews of candidates for the City Boards and Commissions. Interviews may result in an announcement of appointment at the meeting.

Action: One interview completed.

ADJOURNED SPECIAL CITY COUNCIL MEETING at 6:52 p.m.

ROLL CALL

Councilmembers Fadelli, Lyman, Pardue-Okimoto, Abelson and Mayor Quinto all present.

7:00 p.m. 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 was led by Mayor Gabriel Quinto.

2. COUNCIL / STAFF COMMUNICATIONS

Mayor Quinto announced the City Council's appointment of Vanessa Hill to the Citizens' Street Oversight Committee for a term concluding on March 1, 2022.

Councilmember Lyman reminded all that there are vacancies on the City's boards commissions, and committees and invited all to apply. The application is posted on line at <http://www.el-cerrito.org> or can be obtained from the City Clerk, cmorse@ci.el-cerrito.ca.us or 215-4305.

Mayor Pro Tem Pardue-Okimoto reported that the Save Alta Bates Subcommittee formed by Berkeley Mayor Arreguin's Office is in the process of planning another community forum in the Fall. The forum will be held in Contra Costa County. Assemblymember Thurmond has sponsored Assembly Bill 2874 which could protect against the closure by making it more difficult. AB 2874 is similar to Senate Bill 687 which was sponsored by Senator Skinner and supported by the City Council.

Councilmember Fadelli expressed appreciation for the El Cerrito Hillside Festival held last week and thanked David Weinstein for his hard work. The three day festival offered the opportunity for the public to find new trails. It was a wonderful event. The Human Relations Commission invites all to join in celebrating Loving Day. There will be two events: 1) Off the Grid from 6:00 – 8:00 p.m. on June 13; and 2) June 16 from 10:00 a.m. to 12:00 p.m., a free screening and discussion with Kris Perry and Sandy Stier at the Cerrito Theater of "The Case Against 8."

Mayor Quinto reported that he and Richmond Mayor Tom Butt attended a Housing Coalition meeting and spoke about housing needs and what the cities are working on regionally. The Mayor also attended an El Cerrito Chamber of Commerce mixer with Richmond Rainbow Pride and Contra Costa Rainbow Pride. At the Contra Costa Mayors Conference in Martinez on May 3, the Mayors received a presentation on racial justice issues and family law. Mayor Quinto and Mayor Pro Tem Pardue-Okimoto also participated in the Cinco de Mayo Parade in Richmond/San Pablo. On May 8, the Mayor participated in Senior Rally Day which was attended by 600 people. Many legislators from up and down the state spoke at the Rally. Mayor Quinto delivered a "State of the City" address at Rotary and met the next generation of Rotarians. He also attended the annual Asian Pacific Islander Gala awards dinner on May 14 and attended a Chamber of Commerce luncheon today which featured Chief Keith as the speaker.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Cordell Hindler, invited all to the Richmond Promise Scholar Celebration. Mr. Hindler also requested that the Council agendize a travel policy and complained about the El Cerrito Police Department driving into the southern district of Richmond.

Dave Weinstein, Trail Trekkers, spoke about the success of the Hillside Festival and the different changes implemented this year. Approximately 350 people attended. Mr. Weinstein also expressed appreciation for the Environmental Quality Committee and the city.

4. ADOPTION OF THE CONSENT CALENDAR – Item Nos. 4(A) through 4(H)

Moved, seconded (Abelson/Fadelli) and carried unanimously to approve Consent Calendar Item Nos. 4(A) through 4(F) and 4(H) as indicated below. Item No. 4(G) was removed from the Consent Calendar at the request of Mayor Pro Tem Pardue-Okimoto and voted on separately.

A. Minutes for Approval

Approve the April 17, 2018 and May 1, 2018 City Council Special and Regular meeting minutes.

Action: Approved minutes.

B. Inclusionary Zoning Requirements for New Residential Development Projects, Including Fees In-Lieu of On-Site Affordable Units

Adopt Ordinance No. 2018–02 by title, an ordinance amending Title 19 of the El Cerrito Municipal Code to add Chapter 19.30, “Inclusionary Zoning” related to the inclusion of affordable housing units in some new residential development projects.

Action: Adopted Ordinance No. 2018-02.

C. Consolidation of the November 6, 2018 General Municipal Election

Adopt a resolution: 1) Ordering and calling for a general municipal election to be held in the City of El Cerrito on Tuesday, November 6, 2018, for the purpose of electing two members of the City Council for full terms of four years each; 2) Requesting and consenting to consolidation of the municipal election with the general election to be held on November 6, 2018; 3) Requesting the services of the Contra Costa County Registrar of Voters; 4) Providing for notice of the election; and 5) Setting specifications of the Election Order to include limiting candidate statements to 250 words, requiring candidates to pay for the costs of their statement, establishing the estimated costs of each candidate statement to be \$365.00 payable at the time of filing; and determining that, in the event of a tie vote, the winner shall be determined by lot at a time and place designated by the City Council.

Action: Adopted Resolution No. 2018-33.

D. National Public Works Month Proclamation

Approve a proclamation declaring May 20 through May 26, 2018 as “National Public Works Week” in the City of El Cerrito and encouraging all residents and civic organizations to acquaint themselves with the issues involved in providing public works infrastructure, facilities, programs and services in El Cerrito and recognizing the contributions that public works personnel make every day to our health, safety, comfort and quality of life.

Action: Approved proclamation.

E. On-Call Engineering and Project Management Services

Adopt a resolution authorizing the City Manager to execute on-call professional services agreements with four consultant firms, Parisi Design Group, BKF Engineers, Avila Project Management, and Coastland Engineering to provide on-call engineering and project management services for three years with options to extend for an additional two years in an amount not to exceed \$200,000 per fiscal year for each agreement. *Exempt from CEQA.*

Action: Adopted Resolution No. 2018-34.

F. Cash and Investments Report for Quarter Ending March 31, 2018

Receive and file the City's Quarterly Investment Report for the quarter ending March 31, 2018.

Action: Received and filed report.

G. Support for Assembly Bill 1793 Cannabis Convictions: Resentencing

At the request of Mayor Pro Tem Pardue-Okimoto, adopt a resolution supporting Assembly Bill 1793 which would require the State Department of Justice to review its database and notify the courts of all cases that are eligible for reduced sentencing or expungement unless the person does not meet the eligibility criteria or presents an unreasonable risk to public safety. The resolution also requests that the District Attorney of Contra Costa County join the District Attorneys of Alameda, San Diego, San Francisco, Sonoma and Yolo Counties in supporting these efforts. *Continued from the May 1, 2018 City Council meeting.*

Speaker: Graham Drake, Legislative Staff, Office of Assemblymember Rob Bonta, reported on the recent status of AB 1793 and noted provisions which are under negotiation with the District Attorneys Association.

Action: Removed from the Consent Calendar at the request of Mayor Pardue-Okimoto for the purpose of discussion. Moved, seconded (Pardue-Okimoto/Fadelli; Ayes – Councilmembers Abelson, Fadelli, Lyman and Mayor Pro Tem Pardue-Okimoto; Noes – None; Abstain – Mayor Quinto) and carried to adopt Resolution No. 2018-35 as amended by Mayor Pro Tem Pardue-Okimoto to revise the title of the resolution to state "Resolution of the City Council of the City of El Cerrito conditionally supporting Assembly Bill 1793 Cannabis Convictions: Resentencing," and add three additional recitals as proposed with an amendment by Councilmember Fadelli to insert funding.

The enacting clause of the resolution as proposed by Mayor Pro Tem Pardue-Okimoto and as amended by Councilmembers Fadelli and Lyman to incorporate funding concerns was approved to read as follows:

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of El Cerrito supports the passage of AB 1793, as collaboratively developed with the California District Attorneys Association, which would require the State Department of Justice to review its database and notify the courts of all cases that are eligible for reduced sentencing or expungement and allow each District Attorney adequate funding and time to review and challenge the resentencing or expungement if the person meets the eligibility criteria and does not present an unreasonable risk to public safety.

H. Support for the 2018 Veterans and Affordable Housing Bond Act

At the request of Mayor Quinto, adopt a resolution supporting the Veterans and Affordable Housing Bond Act on the November 6, 2018 ballot to infuse much needed funding to support important affordable housing projects, spur housing construction statewide and to approve listing the City of El Cerrito as a member of the Affordable Housing Now coalition.

Action: Adopted Resolution No. 2018-36.

5. PRESENTATIONS

A. Proclamation Recognizing LGBT Month in the City of El Cerrito

Approve a proclamation declaring the month of June as Lesbian, Gay, Bi-Sexual,

Transgender Pride month in the City of El Cerrito, and inviting everyone to reflect on ways we all can live and work together with a commitment to mutual respect and understanding, and further, recognizing Pride Month by flying the rainbow flag at City Hall during the month of June.

Speakers: Cordell Hindler, Richmond, said the proclamation is a wonderful commitment and invited all to attend the Richmond Rainbow Pride Celebration on June 3.

Al Miller, El Cerrito, stated that is important to raise the flag which is a reminder that the community supports the Pride community.

Action: Moved, seconded (Lyman/Abelson) and carried unanimously to approve the proclamation. Proclamation presented to Jonathan Cook and Robin Kuslits, Rainbow Community Center of Contra Costa County.

B. Age Friendly Community Presentation – Presentation by Debbie Toth, President and CEO of Choice in Aging.

Receive a presentation regarding the Contra Costa County Senior Aging Policy platform and upcoming Learning Lab goals. *Choice in Aging would like up to two Councilmembers to participate in the Learning Lab for Policy Makers on May 30, 2018 in Walnut Creek.*

Action: Received presentation.

C. Annual Crime Report – Presentation by Paul Keith, Police Chief.

Speaker: Cordell Hindler, Richmond, spoke in support of the Neighborhood Watch program and said more people are needed on the Crime Prevention Committee.

Action: Received presentation.

6. PUBLIC HEARINGS – None

7. POLICY MATTERS – None

8. CITY COUNCIL LOCAL AND REGIONAL LIAISON ASSIGNMENTS

Mayor and City Council communications regarding local and regional liaison assignments and committee reports.

Councilmember Fadelli reported that the Financial Advisory Board received a sneak preview of the city budget and referred to a recent city newsletter article that urged cleaning recyclables better.

Councilmember Lyman stated that the Marin Clean Energy (MCE) Technical Committee met on May 3 and discussed many items. As more Community Choice Aggregation (CCA) entities form, they purchase more clean energy from new greenhouse gas (GHG) free sources. Pacific Gas and Electric Company (PG&E) can reduce the amount of GHG energy they purchase, which means they will sell more clean energy to their customers resulting in PG&E emissions getting cleaner. As more CCA communities come on-line PG&E emissions are getting cleaner from a reporting perspective which is great for the environment. CCAs will need to inform the public in about two years that the reason PG&E energy is cleaner is because we are all cleaner.

Councilmember Lyman also reported that Assembly Bill 1110 “Clean Net Short” is being watched closely by the CCA community as the bill undermines the investments that CCAs have made in solar generation. It penalizes CCAs for generating clean resources during non-peak times and would result in over-purchases by CCAs to avoid some of the penalties. MCE is moving forward with an electric vehicle program. PG&E

is offering a subsidy for businesses who put in 10 or more electrical vehicle charging stations. MCE is offering a subsidy for anyone who puts in 2-20 stations. Councilmember Lyman recommended that the Council receive a presentation from JR Kiligrew, El Cerrito resident and MCE staff, regarding electric vehicles. On May 10 the West Contra Costa Integrated Waste Management Authority (RecycleMore Board) met and learned that China is becoming more strict about the quality of materials it will accept. There is a stockpile of materials within the United States that is driving prices down. This may result in a significant loss of revenue for RecycleMore due to recyclables not being for sale which would need to be considered as part of the annual rate setting process. The RecycleMore budget for the coming year is estimated by Councilmember Lyman to be \$125,000 to \$150,000 more than projected revenue. The Authority Board also discussed its Joint Exercise of Powers Agreement.

Mayor Quinto noted that the League of California Cities Environmental Quality Committee Policy Committee meeting he attended in April discussed the huge backlog of barges of recyclables that are floating off the California Coast. Mayor Quinto stated that the Committee is urging the use of "Cap N Trade" funds for a solution.

Councilmember Abelson announced that eBART, a long awaited extension to eastern Contra Costa County, will be celebrated on May 25 and opened to the public on May 26. The eBART offers a cross-platform transfer that goes out to Antioch. There is hope that it will extend to Brentwood someday and is a result of Measure J funds.

Mayor Pro Tem Pardue-Okimoto stated that the Urban Forest Committee is actively looking for additional members and is interested in revising the tree ordinance however staff has been very busy. Additional staff support could move it along faster. The Urban Forest Committee requested that funds for tree acquisition and planting be considered in the city budget.

9. ADJOURNED REGULAR CITY COUNCIL MEETING at 9:13 p.m. in observance of National Police Officers Memorial Day.

SUPPLEMENTAL REPORTS

Item No. 4(G) Support for Assembly Bill 1793 Cannabis Convictions: Resentencing

1. Additional recitals and revised enacting clause for the resolution – *Submitted by Mayor Pro Tem Pardue-Okimoto.*

THIS IS TO CERTIFY that the foregoing is a true and correct copy of the minutes of the Special and Regular City Council meeting of May 15, 2018 as approved by the El Cerrito City Council.

Cheryl Morse /kp

Cheryl Morse, City Clerk

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Gabriel Quinto, Mayor