

# EL CERRITO CITY COUNCIL

## MINUTES

### SPECIAL CITY COUNCIL MEETING – CLOSED SESSION

Tuesday, March 5, 2013 – 6:15 p.m.

Hillside Conference Room

### REGULAR CITY COUNCIL MEETING

Tuesday, March 5, 2013 – 7:00 p.m.

City Council Chambers

#### Meeting Location

El Cerrito City Hall

10890 San Pablo Avenue, El Cerrito, California

Greg Lyman – Mayor

Mayor Pro Tem Janet Abelson  
Councilmember Jan Bridges

Councilmember Rebecca Benassini  
Councilmember Mark Friedman

#### ROLL CALL

Councilmembers Abelson, Benassini, Bridges, Friedman and Mayor Lyman all present.

6:15 p.m.

#### CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Pro Tem Abelson convened the special meeting at 6:18 p.m.

#### ANNOUNCEMENT OF CLOSED SESSION

**Conference with Real Property Negotiators** (*Pursuant to Government Code Section 54956.8*)

**Property:** A seven-acre privately owned parcel (APN 505-1420-148) that abuts the Hillside Natural Area.

**Agency Negotiators:** Scott Hanin, City Manager, Melanie Mintz, Environmental Services Division Manager and Trust for Public Land.

**Negotiating Parties:** Security Owners Corporation

**Under Negotiation:** Price and Terms

#### ORAL COMMUNICATIONS FROM THE PUBLIC

Dave Weinstein, El Cerrito, stated that the Trail Trekkers are very interested in open space connectivity across town. The Trail Trekkers Board is interested in raising funds for the property and would like to commit time to maintaining trails and the property. The Trekkers are also interested in seeing the city purchase the property at a great price.

**RECESSED INTO CLOSED SESSION** at 6:20 p.m.

**ADJOURNED SPECIAL CITY COUNCIL MEETING – CLOSED SESSION** at 7:03 p.m.

## **ROLL CALL**

Councilmembers Abelson, Benassini, Bridges, Friedman and Mayor Lyman all present.

## **7:00 p.m. CONVENE REGULAR CITY COUNCIL MEETING**

Mayor Lyman convened the regular City Council meeting at 7:09 p.m.

1. **PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF MOMENT OF SILENCE** was led Mayor Pro Tem Abelson.

2. **COUNCIL / STAFF COMMUNICATIONS**

Mayor Pro Tem Abelson announced that she has been elected chair of the Contra Costa Transportation Authority (CCTA). There will be a lot of ribbon cutting ceremonies to attend as projects are completed and delivered within budget throughout the County. The CCTA will be looking for more funds so it can complete even more projects and will continue to work on programs throughout West Contra Costa County. Sixty percent of funding was devoted to programs. In her role as CCTA Chair, Mayor Pro Tem Abelson will be going to Washington, DC for four days.

Mayor Pro Tem Abelson also reported that 2003 El Cerrito High School (ECHS) alumni, Justin Tipping, received a Student Academy Award for the short film, NANI. The film is about a youth that has a relationship with an older woman. It is unusual for someone his age to have the depth of understanding about older people to the degree needed to create a film. NANI will be shown at El Cerrito High School Performing Arts Center on March 29 at 7:15 and 8:30 p.m. Any money raised will go to the ECHS Archiving Committee to be used for student scholarships. Mayor Pro Tem Abelson also distributed the Contra Costa College's report to the community. The report includes a listing of supporters who have contributed funds for student scholarships at the College and teacher purchases at the school. Notably, the College received a \$1,000,000 or more contribution for the first time. The donation was made by Antonio and Trinidad Carrico who owned the Hacienda and the Lucky's Store. Mayor Pro Tem Abelson also attended the College and Career Business Education Summit with the West Contra Costa Unified School District's Linked Learning Academies. The Summit discussed college readiness. A PTA event in Sacramento discussed similar topics. The State is converting to a common core for education. The State is toward the bottom in terms of achievement. There is hope that a change in educational approach will move California towards the top in achievement. The speaker, Dr. William D. Baggett, spoke on the reform of education by using rigor, relevance and development of 21<sup>st</sup> Century workplace skills. The speech connected with the Linked Learning Program that the School District does in local high schools including the academy programs offered at ECHS. The Academies provide high school students an opportunity to work in specific job areas.

Mayor Lyman stated that the Council had met in closed session earlier this evening and directed staff to implement an arrangement with the Trust for Public Land to evaluate the possible acquisition of a seven acre parcel, APN 5051420148, also referred to as the "Busby Property."

Arbor Week will be celebrated from March 7-14, 2013. The purpose of Arbor Week is to educate Californians and others on the value of trees and the role of trees in creating a beautiful and healthy place to live. The El Cerrito Garden Club, which has sponsored annual tree plantings in El Cerrito since the 1970s, has donated funds this year for the planting of several Coast Live Oak Trees at Cerrito Vista Park. The Garden Club and the Tree Committee is working with a science class from Portola Middle School to plant the trees on March 12, 2013 from 1-2:30 p.m.

Mayor Lyman encouraged all to go off the grid and participate in *Earth Hour* on March 23, 2013 from 8:30-9:30 p.m. to save energy. Additionally, Richmond Mayor Gayle McLaughlin has encouraged everyone to become aware of the sixth annual International Women's Day event which is celebrated on March 9, 2013 in Richmond. Admission and lunch are free.

Mayor Lyman also attended the El Cerrito Youth Baseball parade at Cerrito Vista Park on March 2, 2013 and the Richmond Elks Lodge Officer Appreciation Night event with Councilmember Bridges on February 20, 2013. El Cerrito Officer Sid Hubbs was recognized for his contributions to the community.

### 3. ORAL COMMUNICATIONS FROM THE PUBLIC

Chris Dexter, El Cerrito, asked for information regarding building and permit fees and the master fee schedule. Ms. Dexter queried why calculation of fees is based on square footage rather than valuation. She stated that El Cerrito's fees appear to be more expensive than Berkeley and noted that document imaging fees also appear to be excessive.

Dave Weinstein, Chair of the El Cerrito Trail Trekkers, thanked the City Council and City for continuing to evaluate the potential purchase of the important parcel commonly referred to as the "Busby" property. Mr. Weinstein said it is exciting to be in El Cerrito right now with all the different environmental efforts underway such as community gardens, green teams, the urban greening plan and the climate action plan.

### 4. PRESENTATIONS

**Introduction of Bay Area Rapid Transit (BART) Director Rebecca Saltzman –**  
*Director Saltzman has requested ten minutes of the City Council's time to introduce herself to the City Council and Public and share her vision for the future of BART.*

**Action:** Rescheduled to a future meeting.

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

Moved, seconded (Friedman/Bridges) and carried unanimously to approve Consent Calendar Item Nos. 5A through 5E in one motion as indicated below.

#### A. Minutes for Approval

Approve the February 19, 2013 Regular City Council meeting minutes.

**Action:** Approved February 19, 2013 Regular City Council meeting minutes.

**B. Amendment of Agreement with 4Leaf, Inc for Building Official Services**

Adopt a resolution authorizing the City Manager to amend the consultant services agreement between the City of El Cerrito and 4Leaf, Inc. in an amount not to exceed \$125,000 for Building Official staffing services.

**Action:** Adopted Resolution No. 2013-08.

**C. Signature Authority for the City Treasurer/Finance Director**

Adopt a resolution authorizing the City Manager and City Treasurer/Finance Director to sign and act on all financial accounts.

**Action:** Adopted Resolution No. 2013-09.

**D. Co-Sponsorship Application – El Cerrito Community Garden Network**

Adopt a resolution authorizing the City Manager or designee to grant co-sponsorship status to the El Cerrito Community Garden Network for use of City Parks and Recreation facilities.

**Action:** Adopted Resolution No. 2013-10.

**E. Environmental Quality Committee Appointment**

Approve an Environmental Quality Committee recommendation to appoint Anh-Vu Doan to the Committee effective March 12, 2013.

**Action:** Approved recommendation.

**6. PUBLIC HEARING – None**

**7. POLICY MATTERS – None**

**8. COUNCIL ASSIGNMENTS/LIAISON REPORTS**

**A.** Mayor Lyman reported that several individuals expressed concerns at the last Tom Bates Regional Sports Field Joint Powers Authority meeting regarding burrowing owl mitigations at the Albany Plateau. Authority members also discussed raising funds for development and use of a 1.25 acre piece of land at the site.

The West County Mayors received a presentation from Supervisor Gioia and Doctors Hospital CEO Dawn Gideon. The hospital used a parcel tax from 2004 and 2011 to keep the hospital open however there is a structural deficit and the hospital is losing between \$12-17 million dollars per year. Seventy percent of services are Medi-Cal and Medicare patients. The hospital receives 80-90 cents back on each dollar for services offered to these patients. Fifteen percent of patients is uninsured and fifteen percent is commercially insured. There is not enough revenue to support services provided by the hospital. Additionally, the federal health care initiative makes the problem worse by reducing the amount paid for medicare patients to about forty cents on the dollar. This reduction will result in a \$5-6 million dollar loss in the future. The hospital would receive more money if the patients enrolled in the Healthcare Act program but statistics suggest that forty percent of those eligible for enrollment will not enroll in the program for a variety of different reasons. Ms. Gideon stated that Doctors Hospital may need to change its configuration to an emergency hospital only by the end of the year. The hospital is looking for partners such as Kaiser, John Muir or Stanford to invest in the community hospital. Unfortunately potential partners do not appear to be interested because eighty-five per cent of patients are underinsured. West Contra Costa County may be facing a significant decline in health services.

The West County Mayors also discussed appointments to the Contra Costa Mayors Conference and how to increase representation for West County. Information regarding appointments is posted on the Contra Costa Mayors Website. Each West County Mayor is notifying its respective City Council of opportunities for future appointments in advance of official notifications of upcoming vacancies.

**B.** Mayor Pro Tem Abelson reported that she attended the East Bay Division of the League of California Cities meeting in Dublin recently. The Division received a presentation titled, "After the apocalypse: Creating affordable housing in a post redevelopment world." Presenters included Senator Mark DeSaulnier and Linda Mandolini from Eden Housing. There was no good news. Ms. Mandolini talked about the impact of the federal sequester and how this could have a negative impact on funding on the Eden Project. On June 27, 2013, the East Bay Division dinner will take place in El Cerrito. It will feature gourmet food trucks and include a lecture by the operator of food trucks, *Off the Grid*. Everyone is invited.

**C.** Councilmember Benassini reported that the Planning Commission heard and approved a conditional use permit for a fence. The property abuts a trail that connects Camp Herms and goes down the hill towards Arlington Boulevard. Interestingly, a member of the El Cerrito Historical Society in attendance noted that a piece of the property was used by the quarry company. Councilmember Benassini stated that the Planning Commission will want additional direction on fences because the commission has been getting several applications for conditional use permits and will want the City Council to weigh in at some point on clarifying language.

**D.** Councilmember Bridges reported that the Park and Recreation Commission met on February 27, 2013 and re-elected Manish Doshi as Chair of the Commission. The Commission also learned that there will be a ten day closure of parking around the Community Center due to installation of solar panels. The Commission also discussed the WCCUSD Joint Use Facilities Agreement. The Cities of Richmond and Hercules are experiencing similar difficulties with the agreement. Even the ECHS soccer team has to pay \$44 per hour to practice on its own field on Saturdays. The Commission received a report on a pop up garden proposal at Fairmount Park. The Proposal, prepared by Robin Mitchell, recommends 300 square feet for families which would accommodate ten families who would each have thirty square feet of gardening area. The families have been selected with help from the Community Health for Asian Americans, a group that assists Tibetan refugees and others of Asian descent in the city. The garden will provide a good opportunity for the Tibetan refugee community to get to know each other and grow plants and vegetables that cannot be found in local stores. It is a very well designed project. The proposed project is similar to a garden that was installed at San Francisco City Hall in 2008.

**E.** Councilmember Friedman reported that Christine Sethi was elected as Chair and Nancy Donovan as Vice-Chair of the Arts and Culture Commission. The Commission received a presentation from the organizers of the El Cerrito Free Folk Festival. The Commission voted to endorse the Folk Festival however, since the Festival has previously been held at the Windrush School site it may need a new site for future festivals. Councilmember Friedman also noted that the Commission also received a presentation from Assistant City Manager Pinkos regarding the City's Arts and Culture Master Plan.

## **SUPPLEMENTAL REPORTS**

### **Other:**

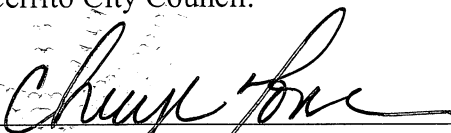
1. Contra Costa College Foundation Report – Raising Resources – *Submitted by Mayor Pro*

*Tem Abelson.*

2. Special Screening of Student Academy Award Winning Short Film, NANI – *Submitted by Mayor Pro Tem Abelson.*

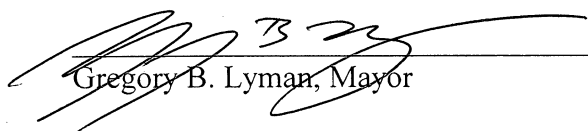
**9. ADJOURNED REGULAR CITY COUNCIL MEETING** at 7:48 p.m.

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 March 5, 2013 as approved by the El Cerrito City Council.



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Cheryl Morse, City Clerk



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Gregory B. Lyman, Mayor