I’ll start this month on a somber note. This past Saturday I attended the funeral for Mike Gonzalez. Many of you may have known Mike. He was the owner of El Cerrito Electric and a fellow Rotarian for many years. Mike was as generous a person as I’ve ever met. He gave his time happily and enthusiastically and was a strong supporter of the El Cerrito business community.

It struck me as I listened to his wife’s truly wonderful testimony of Mike’s life and his over the top high-energy presence that I only ever saw Mike angry only one time. Mike was a big fisherman and I had the opportunity to fish with him several times in Canada. He and I were together on a boat one day with a guide who went by the nickname of Schwartzy. It was a calm day and the fishing was slow. About mid-afternoon Mike hooked a salmon. And it was a monster, easily going 50+ pounds. For those of you who wouldn’t know it, that is a lifetime fish. Landing such a fish would be like a golfer winning the Masters or like a baseball player hitting a grand slam home run for a walk-off win in the final game of a world series.

Mike fought that fish for over an hour and finally brought it to the side of the boat. We all saw it up close. It was huge. But as Schwartzy was reaching for it with the net, it spit the hook and slowly, almost arrogantly swam away. Mike was crushed. He went totally silent. If you knew Mike you’d know that that in-itself is truly amazing. Mike was never silent. I watched his frustration turn to a slow burn. He was convinced that it was Schwartzy’s fault for missing with the net. He didn’t say much until dinner that night, again, amazing. I spent a good portion of the evening and the rest of the trip consoling Mike and trying to assuage his anger. I’m sure he finally got over the pain but to

Costa-Hawkins Repeal Not a Solution

By Chris Treadway

A trade organization representing residential property owners fully supports construction of more and denser projects to address the region’s housing crisis, but warns against enacting “extreme measures” such as rent control and just cause eviction.

That was the message from representatives of the California Apartment Association speaking at the Chamber meeting June 19th. The need for new housing is dire, they said, as new workers come into the region and compete for the limited supply of existing units.

“The Bay Area since 2011 created 531,400 new jobs but only permitted 123,801 new housing units,” according to the Building Industry Association.

“We’ve seen far more jobs created across the Bay Area and California than new housing units. We have to be more receptive to growth,” said Joshua Howard, the association’s senior vice president for Northern California. “City councils have to vote for developments that may be more dense.”

The 13,000-member association, founded more than 75 years ago, is “the nation’s largest statewide trade group representing owners, investors, developers, managers, and suppliers of rental homes and apartment communities,” according to its website (caanet.org).

Howard said 94 percent of the association’s membership are “mom and pop” landlords who own four units or fewer and typically have full-time jobs or own other businesses and would be

Welcome New Members

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216 San Carlos Ave. • El Cerrito
www.simplelifefinancial.com

 ■ See From the President, page 5
 ■ See Costa-Hawkins, page 2
Swell it! Those of you who receive this Byline in the mail may notice the nice fragrance. We’re using the new scratch-and-sniff stamps just released by the Postal Service. What’s next, stamps you can taste?

CBK: “soon.” First mentioned here in February, the new Cigar Box Kitchen next to the movie theater on San Pablo Avenue is still a work in progress. “A few more weeks,” per my most recent check-in. When opened, it will be a major enhancement to the block with food, drinks, and music. Opening a business takes time, patience, and money. Eventually, it all works out. Right?

514 Lounge. Byline announcement of this new tapas bar goes back to May 2017. Located at 11236 San Pablo Ave., just south of Potrero, the window banner still reads “coming soon.” You have to be optimistic! Stalled for what seems like forever dealing with myriad agencies (ABC, county health, Stege Sanitary, and El Cerrito building department, to name a few), construction is now underway. The owner admits to almost throwing in the towel rather than persevere. But she will continue to pay rent and soldier on in hope of opening this little 25-person bar later this year. Maybe she deserves an entrepreneur of the year award. See the above paragraph for the ingredients necessary to successfully open a business. Start with lots of money. Then build a business.

Free bags. Once again, the Chamber of Commerce will be giving away Farmers Market grocery totes at our booth in front of the Contra Costa Civic Theatre on the Fourth of July. Stop by for a visit. We’ll offer other goodies too. My shift is 11 to 1.

Business license time. It’s time to pay your annual fee to the City of El Cerrito. Payments made after July 31 are subject to penalties.

Countdown. The annual Cerrito Vista Sip & Savor will be held on Sunday, October 7th, at the Berkeley Country Club from 2:30 until 5:30 p.m. Sponsors are actively being sought right now and tickets will soon be available for purchase. I’ve attended these events since the first one and last year’s Sip & Savor was the best. I expect the 2018 edition to be even better.

Sponsored by the El Cerrito Rotary Club, this year’s Sip & Savor will benefit the Contra Costa Civic Theatre and the Milo Foundation. Mark your calendar.

Let’s eat. The fourth annual El Cerrito Restaurant Week is scheduled for October 11-17. It’s a way to showcase the varied cuisine available at El Cerrito’s over 60 dining establishments and is sponsored by the city’s Economic Development Committee and this chamber of commerce.

More information will be coming about the event in the next Byline. Your restaurant is encouraged to participate. Contact the Chamber at (510) 705-1202 or call Jennifer Peat at City Hall at (510) 215-4362.

Summer is here. No luncheons until September when city manager Scott Hanin visits. Note the super mixer this month at Bankston Immigration. It’ll be fun. Details on page 6. See you there.

COSTA-HAWKINS

Continued from page 1 hurt if cities enact “draconian” measures such as rent control (as Richmond recently did) or just cause evictions.

“Rent control and just cause eviction are band-aids and very costly,” said Rhovy Antonio, CAA vice president of public affairs, adding that just cause “makes it very difficult for property owners to get rid of bad tenants.”

Rent control programs are currently restricted by the 1995 Costa-Hawkins legislation that is the focus of a repeal initiative that has qualified for the November ballot in California.

Repeal “would not build one new unit of housing. It would do the opposite,” Antonio said. “Repeal would wipe out protections for property development and single family homeowners. We ask the Chamber board to oppose the measure.”

Renters make up about 40 percent of El Cerrito households and city Community Development Director Melanie Mintz said the City Council will hold a study session on the topic on Aug. 21st and invited the association to offer its input on housing solutions.

Contact the Byline byline@elcerritochamber.org
When will politicians and lawyers (although I repeat myself) understand that merchants, either online or brick and mortar, do not pay sales taxes except on the business to business transactions they initiate?

Consumers pay sales taxes. And American consumers pay massive amounts of taxes including hundreds of billions in sales taxes on a vast array of goods, and services. To state the obvious, Americans, in general, and Californians in particular, are overtaxed, not under-taxed. Governments at every level, federal, state, and local, are spending record amounts of taxes on salaries, benefits, programs, and services. Many of which are notoriously rife with waste, fraud, and abuse.

In the Supreme Court’s majority opinion in South Dakota vs. Wayfair (an unfortunate majority to say the least), it is suggested the existing sales tax collection regime “costs” states $33 billion a year “in collected sales taxes.” This once again implies these “uncollected” dollars belong to state governments. They don’t! These so-called uncollected taxes belong to the people who earned the money in the first place. The money belongs to the American worker, investor, producer…and yes, the American consumer; i.e., we the people.

The money Americans earn by working hard belongs to them, not the government. This is continually lost on politicians and the tax and spend lobby from sea to shining sea.

Moreover, to now require online merchants to comply with over 12,000 separate and independent tax jurisdictions in order to do business on the Internet, which is what this decision does, is to deal a devastating blow to small Web-based businesses nationwide that already have razor-thin profit margins. Ultimately, all this will do is raise prices on millions of American consumers who shop online, rather than at a brick and mortar business. It also gives a competitive edge to all of these yesterday’s economy brick and mortar businesses because they will now have the advantage of not being forced to comply with 12,000 tax jurisdictions including the expensive software programs required to do that.

Today’s opinion is wrong on many levels…but perhaps what it does most of all is once again further blur the lines of the separation of powers written so carefully into our Constitution. Men and women in black robes, who serve for life, with little or no accountability to voters, shouldn’t be making tax law. That is the job of Congress. Remarkably, Justice Roberts of all people, understood this truth in his dissenting opinion. How Thomas, Alito and Gorsuch missed this is anyone’s guess.

The views expressed here are mine and do not necessarily represent those of the Chamber Board. Email: l.martinengo@elcerritochamber.org; cell: (510) 778-5883.

People in Black Robes Shouldn’t Write Tax Law

Manager’s Musings
LISA MARTINENGO

Guest column courtesy of Fox & Hounds. By Joe Armendariz, former Carpinteria City Councilman and Executive Director of the Santa Barbara County Taxpayers Association.

City of El Cerrito
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Celebrating Independence Day!

4th of July Festival
FREE ADMISSION!

Wednesday, July 4th, 2018
10am-6pm (Music until 6:30pm)

Cerrito Vista Park
950 Pomona Ave (at Moeser Lane)

Carnival games and rides for kids. Live music and entertainment. Delicious food. Art, vendor and informational booths, and more!

Plus, free performance by Circus Imagination, concert featuring Halau O’nalua Te Orama + Otea Api-Tahiti FETE and food trucks on July 3rd, 4-7pm.

More details online at www.el-cerrito.org/July4
or call (510) 559-7000

The City of El Cerrito and worldOne radio thanks Honda of El Cerrito, and all our sponsors!
Behind the New El Cerrito
Mr. Pickle’s are Two Ms. Pickle’s!

BY LISA MARTINENGO

If you haven’t seen the dancing green pickle near the corner of San Pablo Avenue and Schmidt Lane, you really aren’t getting around our town often enough. The lively human-sized green dill made its first appearance in April, creatively announcing the opening of the new fast casual lunch place in town, Mr. Pickle’s Sandwich Shop.

The shop owners are two hard-working local ladies who are in the store seven days a week to ensure the business is a successful one. From what I observe, they are off to a really good start, establishing themselves as a clear cut above other sandwich chains. For one thing, the bread rolls are baked fresh every day along with chocolate chip cookies which are given out free with every sandwich! That’s hard to top. Plus, they have a wonderful selection of fresh ingredients, various classic salads, nice seating, and a friendly crew. Wi-Fi is free and you can even order online and save time on your lunch break.

Yang Ja Kwon came to the United States in 1983, from Seoul, Korea, after she finished her upper education in music studies. Her parents had already emigrated here, looking for a better life in retirement. About the same time, her brother Mark also left Korea and came to the East Bay to help at their uncle’s women’s clothing store in Oakland. Mark’s experience and education in economics helped him eventually start his own clothing store in Fremont. Yang Ja started working in bookkeeping in the late 1980s, then eventually stopped to concentrate on raising a family. Her brother, meanwhile, got married and his bride, Jung Kwon, came to the U.S. Over the years, as situations and economic conditions changed, the sisters-in-law talked about going into business for themselves and began to investigate their possibilities.

Buying a franchise seemed to be the most feasible and after a few months of research, they found the Mr. Pickle’s company, based in Loomis, California, that seemed to be a good fit. After numerous interviews and pages of documents, the application was approved by the head pickle himself, Frank Fagundes, the chain’s founder, originally from San Mateo. The next issue was where to launch. At that time, both women lived at the foot of Mt. Diablo in Alamo. Nothing in that part of Contra Costa County was affordable, and as they looked farther afield, they found the The Village at Town Center, El Cerrito, with its apartments above and retail space on our avenue. After months of preparation and remodeling with lots of support from the Mr. Pickle’s corporate staff, the El Cerrito location opened its doors on April 23rd. Yang Ja decided to move closer to the shop and now lives in El Cerrito, while Jung still makes the trip to and from Alamo. They are both community oriented, generously bringing complimentary sandwiches to the police station and the fire crews during their first days of operation. There’s also an extensive catering menu, which makes organizing your next party or business gathering very easy.

Next time you’re wondering what to eat for lunch, walk, drive, or bike down to Mr. Pickle’s Sandwich Shop seven days a week. If the dancing pickle is taking a break, here’s the address: 10810 San Pablo Avenue at Schmidt Lane.
BY CHRIS TREADWAY

JOE CONWILL, longtime owner of Tradeway Furniture and behind-the-scenes benefactor to the community, died at home June 7. He was 82.

Conwill grew up in and expanded the family business, founded the year he was born, 1936. Conwill typically ducked personal publicity, but supported community organizations with sponsorships or merchandise.

“He really, really helped a lot of people,” said his wife, Marsha Conwill. “He had friends in many different venues. I don’t think there was a school or group he didn’t give carpet to, give something to. He certainly liked helping them.”

He also didn’t want a fuss made over his passing. “He didn’t want to have a funeral. He said, ‘I want to fade away,’” Marsha Conwill said.

Conwill was born in Berkeley to Fred and Doris Conwill, who had just bought a former feed store in El Cerrito next door to the Mabuchi family, who ran a florist shop. Conwill and the Mabuchis were lifelong friends. The Mabuchi daughters “were his babysitters when he was little,” Marsha Conwill said. During World War II Fred Conwill preserved the florist shop and attached home when the Mabuchi family was imprisoned with other Japanese Americans on the West Coast.

In later years the florist shop was renovated as the longtime home of the family business, founded the year he was born, 1936. Conwill typically ducked personal publicity, but supported community organizations with sponsorships or merchandise.

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FROM THE PRESIDENT

Continued from page 1

my knowledge, he never completely forgave ol’ Schwartz. Well, maybe he did, but because I liked to tease him about it over the years I never could quite tell. We had a lot of fun together Mike. I’ll miss you.

For those of you unable to attend our June lunch, we were joined by Joshua Howard and Rhovy Antonio, both with the California Apartment Association. They spoke about the upcoming initiative effort to overturn the Costa-Hawkins rental housing act that took effect in 1995. As you might imagine, theirs was a position opposing it. We had what might be the highest attendance I think I’ve ever experienced at one of our lunches and given the current critical housing shortage and skyrocketing rents we are experiencing here in the Bay Area I feared there might be a bit of anger or animosity directed at our speakers. But I’m happy to report that we had a great presentation followed by a thoughtful question and answer session. Mayor Gabe Quinto and councilmember Janet Abelson were present and able to hear several perspectives from the business community.

It was a great meeting with another great lunch provided by Café N!ne. Thanks to Bill Kuhlman for arranging our speakers. Our efforts to find interesting and relevant speakers for our business community continue. If you have any suggestions in that regard, please let us know. As I said, attendance this time was fantastic, and we’d like it to continue. Once again, thanks to Lisa Martinengo for putting it all together.

On a personal note, I’m happy to report that the upcoming crazy high-altitude adventure I spoke about in last month’s Byline doesn’t seem quite as crazy anymore. So far, I have completed three 10-mile practice hikes with a 40 lb. backpack on as well as a 20-mile hike and each time felt better than the last. Several clichés come to mind, “face your fears,” “when you put your mind to it…”. They might really be true.

I’m assuming you all will receive this month’s Byline prior to the Fourth of July so I’d like to take one more opportunity to invite you to attend the El Cerrito Fourth of July Festival. If you can make it, please stop by the El Cerrito Chamber of Commerce booth and say hello. As always, we like hearing from our members. Best wishes for a successful and profitable summer season.
A major commercial vacancy in town is scheduled to be filled August 18th, when 24 Hour Fitness will hold the grand opening of its Super Sport gym at the Moeser Lane shopping center.

The 35,000-square-foot facility will have "all the amenities," including a lap pool, sauna and steam rooms, spa, classes, equipment, and trainers, said Joe Beckles, general manager of the El Cerrito location.

The gym will be open 24 hours and the location has ample free parking at a central location, he said.

“We have a team of about 60 people being trained right now and over the next couple of months,” Beckles said. “Clean, friendly and well-maintained is our service promise.”

Plans for the gym were announced a year ago and crews have been working to complete the remodel of the former Safeway supermarket at 10636 San Pablo Avenue. The building has been vacant since Safeway closed the location, an anchor for the center, in 2011.

“It wasn’t a complicated process to get done,” said Beckles, a nine-year veteran of the fitness industry who has been with 24 Hour Fitness six years. “More so to get the right location for the El Cerrito community. Once we found out last year, it’s been on a roll. There is no other major fitness facility in the El Cerrito area.”

San Ramon-based 24 Hour Fitness was founded more than 30 years ago and now has more than 400 locations.

Space is limited for a VIP sneak preview on August 16th and admission can be reserved at https://bit.ly/2lt3bRW.
City Sells Cerrito Theater to Rialto Cinemas

By Chris Treadway

The sale of the city-owned Cerrito Theater was finalized June 27th when the transaction turning it over to the current operator was approved by the Oversight Board to the former El Cerrito Redevelopment Agency.

The sale to Great Falls Entertainment, already approved by the City Council, comes just ahead of a July 1st deadline imposed by the state mandating that redevelopment agencies in California dispose of property and distribute the proceeds to taxing agencies.

The estimated value of the 81-year-old movie house was set at $891,000 by a city consultant firm and the official purchase price of $790,000 “was established and negotiated considering the estimated property value, desired use, condition/maintenance requirements of the building and property, existing lease and accompanying restrictions on the property,” according to the staff report.

Great Falls was selected based on its success since 2009 in running the cinema, its commitment to the community and its agreement to key restrictions intended to protect and preserve the historic property.

Restrictions include maintaining the theater as “a public venue offering feature-length motion pictures, or programs, live performance and a restaurant” for a 99-year term; providing at least 12 “community use days” annually; and protection of historic elements.

The city also has right of first refusal in the event of an offer to sell or transfer the property.

Dave Weinstein, of the community group Friends of the Cerrito Theater, noted the groundswell of support that led the city to acquire the cinema in 2002 and invest in its renovation, and said the project has revitalized the area. “The theater itself has really succeeded in being a community space,” he added.

While the cinema business is seeing great change and competitive threats, “We would love to see the theater continue to be a movie theater forever,” said Ky Boyd, director and CEO of Great Falls.

The operators are already in the process of acquiring new seating and increasing the capacity of the two-screen cinema.

Community Development Director Melanie Mintz said Great Falls was selected on success, community commitment and agreement to the restrictions. Only two operators, Speakeasy (the original choice) and Rialto, submitted bids when requests originally were sought in 2006, so it made sense to negotiate with the current operator. “We did invest in the restoration and that restoration is protected,” she said.

“A better way to think about it is not just how much value (the cinema itself) generates over time, but also how it impacts the properties around it.”
EC Marijuana Business Proposed

BY JOHN C. STASHIK

It was announced that John Oram, of ECWC Partners, Inc., applied for an operating permit for a retail cannabis business at San Pablo and Conlon avenues in the Bishop Center. The city will act on the application following public comment which is due by July 3rd.

The proposal is for a 4,125 sq. ft. facility to operate between 8 a.m. and 10 p.m. seven days a week and would sell various cannabis products and accessories. The planned business would contribute five percent of gross revenue to the city to support public safety and other services, plus an additional one percent to support quality of life issues described as homeless outreach, graffiti abatement, litter clean-up, etc.

ECWC is the same entity that sought to open a marijuana business in June 2016 at the abandoned Taco Bell next to The Home Depot. At that time they proposed a nine percent business license fee. The three percent decrease in the amount of money to be contributed to the city likely reflects the current reality of operating this type of business. At this point ECWC would have the only such store in town.