Restaurant Delivery Fee Cap Proposed

BY JOHN C. STASHIK

EVERYONE KNOWS the restaurant business is a mess and has been since the original COVID-19 shelter in place regulations shut down almost everything in March of last year. Since then, dining in El Cerrito (and elsewhere) has either been outdoors or, more recently, by take out only. Late last month the Governor announced a resumption of outdoor dining, just in time for winter storms.

Restaurant operators have lost considerable revenue, furloughed staff, spent a fortune on propane heaters for patio areas, and pay high fees to delivery services operating by so-called apps. In fact, with delivery fees often at 30% of the check, some restaurants lose money on every meal that goes to the customer via an Uber-type driver.

One of our members recently stated that capping excessive third party delivery fees would help his restaurant survive. That plea for help was sent to our City Council as a non-agenda item public comment. The idea was to raise awareness of the issue at the city government level and take action to slow the flow of red ink and keep restaurants alive and operating in our city.

Just one day after that comment was sent to City Council, a message was received from City Manager Karen Pinkos reading: “…wanted to let you know that we met the new County Administrator today at our County managers meeting. She and her staff let us know that the County will be taking up an ordinance on this issue that would be a Countywide ordinance. It would cap at 15% … The managers agreed that a County approach is the best one, especially at this time and especially for small cities like ours who do not have the bandwidth to do this on our own.

As you can see the City of El Cerrito is totally on board with this delivery fee cap proposal and Mayor Paul Fadelli has been in communication with County officials and the Chamber to get it done.

Some other communities have already capped these fees. The City and County of San Francisco put an emergency cap of 15% on the third party delivery fees last April.

Contra Costa County District 4 Supervisor, Diane Burgis, has drafted an emergency ordinance that would place a lid on these delivery fees throughout the County at 15% (with a 10% cap on other non-delivery services).

As this story is written, the Board of Supervisors will take this matter up at their February 2nd meeting (subject to change). If passed as an urgency measure, a four-fifths approval is needed by Board, in which case it takes effect immediately. The new law would be a temporary ordinance until 100% indoor dining is again permitted.

To express your support for this proposed ordinance, email is the best way to communicate to the Board of Supervisors. The meeting is by video; the agenda is online at contracosta.ca.gov.

Email comments to: clerkoftheboard@cob.cccounty.us. Every member of the Board of Supervisors will receive a copy of your comments.

In addition to the Contra Costa County proposal, there is a statewide bill being introduced by Assembly member Lorena Gonzalez. AB 286 would similarly cap delivery fees at 15%. However, if all goes well, our County ordinance will be in effect far sooner than before any state law is enacted.
Past Prez Palaver

John C. Stashik

There isn't much that upsets me. If so, I don't let it show. However, the armed insurrection of our Capitol on January 6th pushed all my buttons and made me sick to my stomach. Never in my wildest dreams did I ever imagine there would be an attempted coup in the United States of America. A failed attempt to overturn the results of a legitimate election. Incited by a President that was a mere two miles away down Pennsylvania Avenue, probably watching the mob on television. A man unwilling to even to utter a few words to urge his supporters to stop their riot. A disgrace.

Good won over evil when the vote count resumed and was certified after hours of delay. A Vice President following the Constitution after being thrown under a bus by his boss. Congress back in action. Our democratic process working as it should. Thank you to Capitol Police officer Eugene Goodman, a true hero, who saved lives including that of VP Pence, for his quick thinking. A real law enforcement pro.

What's all this have to do with local business? Everything. We need stability, rule of law, free and fair elections. President Joe Biden has plenty to do. Get the nation vaccinated (400,000 people have died from COVID-19), roll out additional pandemic stimulus relief, including aid to local governments, and rebuild the economy. Vice President Kamala Harris, a Bay Area native, will be hands on. (Maybe Chucks and pearls will someday visit our city.) Dignity and class has made a return to Washington.

Talking food. There was a steady stream of customers at Cafe Nine on opening day, January 6th. It's just the way El Cerrito welcomes new business. Coffee, breakfast burritos, sandwiches, from 8-2 weekdays; 9-2 Saturday, at 11100 San Pablo Ave. (Bank of the West Plaza). Check out a menu: thecafe9ine.com.

Pie town. Local entrepreneur Veronica Chin offers a variety of pies with ingredients that are seasonal. Get on the email list for the day's pie offerings. Then order online, visit her address between 11 a.m. and 1 p.m. on the designated day, and pick up your preordered pie.

Flavors are seasonal and depend on ingredient availability. Past flavors have included: chocolate cream, banana cream, apple butterscotch cream, ginger mango strawberry, pear cranberry, and persimmon almond panna cotta.

Contact apieinthesky.com. There's no such thing as too much pie.

They're back! Yes, the humble egg has made a triumphant return to Fatapple's in El Cerrito. The Garden Scramble with eggs, mushrooms, spinach, bell pepper, tomato, onion, and cheese is served with cottage fries. (I add bacon.) With outdoor dining again permitted until who knows when, you can enjoy breakfast on the patio, from 7 until 2. Also back: the always popular charbroiled hamburger with fries.

Liquids. Get a Margarita to sip with the aforementioned Cheesburger in Paradise (thanks, Jimmy) right here in El Cerrito. (Salt! Salt! Salt!) Try McBears Social Club at 10458 San Pablo Avenue. Or Little Hill Lounge, for cocktails at sidewalk tables, 19733 San Pablo Ave.

Update. Penn-Dell's Bakehouse opening at 6491 Portola is looking like March.

PPP version 2. Act quickly to get some financial relief from Uncle Sam for your business. 2nd Draw PPP loans are offered by the Small Business Administration. Best advice: contact your own banker. Mechanics Bank has been very good about keeping me informed. As always, information is available from your Chamber of Commerce.

One year ago a town hall meeting was held at City Hall with finances being discussed. City staff and council members answered questions from a large crowd in attendance. Everything seemed to be moving forward with no clue that one month later a pandemic would toss a monkey wrench into City business, shut down City Hall, and blow up the City's budget.

A study session to discuss this year's budget is planned for the City Council meeting on February 2nd, 7 p.m., by video. (See el-cerrito.org for login.) Budget conversations will also occupy the subsequent Council meeting on February 16th and some adjustments could be made then.

“Adjustments” may mean staff reductions which equate to service cuts. (People provide services.) We’ll just have to wait and see. Public engagement is encouraged and all comments do get read by staff and Council. In March, work begins on next year's budget.

[See Past Prez Palaver, page 3]

New: Spuds at the Market

Alan and Ashley offer big, baked potatoes with butter, bacon, cheese, sour cream, and more. A complete meal! Corn on the cob or in a cup.

New: Spuds at the Market

Saturdays, at the Farmers Market at El Cerrito Plaza.

BYLINE February 2021
Keep Supporting Local Businesses

While 2021 brings a fresh outlook, we at the Chamber are focused on supporting the business community through continuing changes as we adapt and look forward to greater ability to reopen for more in-person services and shopping experiences.

With the City and regional leaders, we are following sector concerns and issues, with restaurants currently at the forefront as the Contra Costa County Board of Supervisors considers a temporary ordinance that places a fifteen percent cap on food delivery services. Restaurants have been very hard hit. Before the pandemic, 1.4 million Californians worked in restaurants. Since March, between 900,000 to one million of these workers have either been laid off or furloughed. As many as 30% of California restaurants are unlikely to remain in business through the pandemic with no serious effort by the state to aid businesses.

El Cerrito restauranteurs continue to figure out ways to remain serving our community, persevering each day to stay open. It’s up to all of us to weather these difficult times.

Local businesses need us to keep shopping, using services, and enjoying take out meals, plus outdoor dining now that it is again permitted.

PAST PREZ PALAVER

Continued from page 2

Prop. 22. Five “gig” companies, including Uber and Lyft, dumped $220 million into that ballot proposition to defeat it. I recall the barrage of advertisements claiming that by requiring those firms to classify their workers as employees instead of independent contractors, rides and deliveries would cost more. (They even threatened to leave California.) Ha! Voters bought into that one — hook, line, and sinker — and the gig firms won their ballot proposition handily.

Guess what? It has been reported that Uber, Lyft, Grubhub, and DoorDash, have now added some fees for service to pay for the few minor increased benefits they were forced to give to their non-employee workers. The big guys bought an exemption to state law (AB-5) and I’ll bet their drivers still work for peanuts.

Small biz grants. The second round of the California Small Business COVID-19 Relief Grant Program runs through February 8th. Grant amounts range from $5,000 to $25,000. For more information about the application and qualification process see careliefgrant.com.

Helping others. Chef Merceda Crosby, owner of Cafe Nine, makes sandwiches which she distributes to the homeless and others in need. Now, that’s giving back.

Potala Palace. The lot adjacent to Noodles Fresh, vacant for so many years that nobody seems to know what was ever there, could become a classy food trailer and park. To say that would be an improvement to El Cerrito’s signature block is an understatement. A temporary ramp at the curb would allow food trailer access to the lot. Plans show a small restroom building and a landscaped dining area with socially distanced seating. The application is going through the City Hall process. Bring it on.

Sidewalk dining is planned for Noodles Fresh with a contactless ordering system making use of a bar coded menu. The application is in the works at City Hall. Maybe some day we can get rid of that dumpy abandoned oil change building on the west side of the theater block.

Cerrito Vista, also known as the Playland apartments, finally has electricity connected and that means leasing should soon begin. Finishing touches were in the works when I last checked. Next month, I’ll have more information and photos to share in this newsletter.

Crab. The seafood vendor at the El Cerrito Plaza Farmers Market is taking time off. Hudson Fish should return near April.

Our two City crab feeds are no doubt toast this year. However, St. John the Baptist School will have a drive through crab feed on Saturday, February 20th. Two pounds cleaned and cracked, pasta with sauce, salad and a roll is $55. Auction items too. 3-5 p.m. on Kearney between Potrero and Madison.

Heavy traffic. The picture shows the car caravan on San Pablo Avenue as MLK Day participants drove from the Del Norte to the El Cerrito Plaza BART stations. I’d call it the slowest trip down the avenue ever, but a total success as El Cerrito carried on an annual tradition.

Masks. They are not a political statement and are to protect you and others from a deadly virus. Even as vaccine rolls out it is expected that mask wearing will need to continue for at least much of this year.

Premier Graphics can supply your business with masks including large quantities. Printed with your logo or slogan too. To order or get additional information, contact j.stashik@4premiergraphics.com.

We need money too. Yes, the Chamber has regular bills to pay and most of our income comes from member dues. So when you receive an invoice in the mail, kindly remit your payment promptly. The Treasurer of this organization thanks you.
COVID-19 Relief for Local Entertainment

By Georgina Edwards

The new SBA Shuttered Venue Operator (SVO) Grant program passed in the December 21, 2020, stimulus bill and sets aside $15 billion for the program.

Qualifying venues can get up to $10 million in grant money through the program. Unlike PPP, it’s a grant and does not require repayment.

The SVO grants will happen in two waves: an initial grant and a supplemental grant. The maximum amount of the initial grant is equal to 45% of the venue’s 2019 gross revenue, capping out at $10 million.

A supplemental grant, equal to 50% of the amount received through the initial grant, will be available to some venues.

Supplemental grants will not be available until all initial grants submitted within the first 60 days of the program are processed.

Money from the Shuttered Venue Grant can be used for a variety of purposes including rent, payroll, and utilities. The grant cannot be combined with a PPP loan received on or after December 27, 2020.

The following qualify. Live venue/performing arts operators, promoters and theatrical producers. Motion picture operators. Museum operators. Talent agents.

During the first 60 days that the SVO Grant program is open, $2 billion will be set aside specifically for venues with 50 employees or less. The SBA is administering the grants directly, application form and due dates are pending. Up-to-date information is at: sba.gov/funding-programs/loans/coronavirus-relief-options.
SPEAKING OF El Cerrito real estate, I was looking at one of my old transaction files from 1998 regarding a home that I sold on Sea View Drive. The property was a part of a subdivision designated as Weston Village Unit No. 4 and it had restrictive covenants that were recorded February 1, 1950, that read in part "No person not of the Caucasian race shall be allowed to lease, use or occupy said real property or any part thereof, provided however, this restriction shall not be construed as prohibiting persons not of the Caucasian race from residing upon a part of said property while in the employ, as servants, of the persons occupying such part of said property.”

Even though the provisions were no longer enforceable it was still sobering to read them. These types of deed restrictions were commonplace in many areas and it is not my intention to single out and indict El Cerrito.

As a matter of fact, in my January column I made reference to W.D. Martin, the El Cerrito real estate broker who my father, Eddie M. Wright, Jr., started his real estate career with in 1964. Mr. Martin had to sue the local board of Realtors in order to join. He won the suit in 1965 and the local newspaper headline for the article stated: “Realty Board Must Admit 1st Negro: The West Contra Costa Board of Realtors will get its first Negro member. The Board of 401 members was ordered today by Superior Court Judge Richard Arnason to admit El Cerrito real estate broker William D. Martin, 45.”

“Referring to a hearing held earlier this month, Arnason decreed: “The evidence establishes that the plaintiff has been denied membership arbitrarily and unreasonably and without just cause. The defendants are commanded to forthwith admit him to membership with all the rights and privileges attendant thereto.”

Twenty-nine years later I became the first black president of that very same organization. Granted, it takes time for conditions to evolve. On Monday, January 18, 2021, El Cerrito had a great 32nd annual Martin Luther King Day Celebration. The pioneers who started the El Cerrito MLK celebration will tell you that it was not initially embraced by the local power structure and, in fact, was met with resistance. Again, time brings about a change.

Here in El Cerrito, we have one of the largest, most diverse annual MLK celebrations in the state, all under the dedicated direction of Pat Durham and committee, with great support and participation by the local power structure.

So what is my point with all this history? It is important to know what our past was so that we can have a greater appreciation for where we currently are. We also want to make sure that our collective efforts continue to move us forward. We want the residents, existing businesses and future businesses to know, understand, and appreciate that El Cerrito is a city of inclusion, welcoming all who deem that to be an important value.

IN THE WORDS of Lt. Columbo, as portrayed by the late Peter Falk, “oh, one last thing.” Special thanks to Mayor Paul Fadelli who was gracious enough to give remarks and swear in the El Cerrito Chamber of Commerce board members via Zoom for our 85th Installation Meeting on January 19, 2021.

As I stated in the beginning of my column, Elmer J. Freethy bought a lot at Arlington and Lagunitas in 1936, the same year that the El Cerrito Chamber of Commerce was founded. He built a house there in 1938. The house still stands graciously with integrity and its value over time has increased by many multiples.

As a Chamber, we too are still standing. Our desire is to continue standing with grace and integrity and to bring value to our members by many multiples over their investment. Let us all strive to increase our participation and value as members of the El Cerrito and “world community.”

Mayor Paul Fadelli
Phil Kelly, an El Cerrito coffee roaster. Twin Trees Coffee will be available at the Farmers Market at El Cerrito Plaza on Saturdays.

Twin Trees Coffee is a coffee roaster based in El Cerrito. It is a passion project and home-based business run by Phil Kelly. Phil is an outdoors enthusiast who loves to take hikes and go camping.

Phil roasts with 100% renewable energy provided by MCE. Part of the mission of this venture is to put a dent in climate change which is why every bag of coffee purchased includes a $1 offset to plant trees or reduce carbon emissions.

If you know Phil you know he really enjoys his morning cup of joe. Dark, medium, or light roast, he drinks it all. Check out twintrees.coffee for more information. The phone number is 510-960-0094.