

EL CERRITO CITY COUNCIL MINUTES

CONCURRENT SPECIAL MEETING OF THE EL CERRITO PUBLIC FINANCING AUTHORITY, EMPLOYEE PENSION TRUST BOARD AND REGULAR CITY COUNCIL MEETING

October 6, 2020 – 7:00 p.m.

Members:

Mayor Gregory B. Lyman

Mayor Pro Tem Paul Fadelli · Councilmember Janet Abelson Councilmember
Rochelle Pardue-Okimoto · Councilmember Gabriel Quinto

Join Via WebEx:

<https://elcerrito.webex.com/elcerrito/onstage/g.php?MTID=ecfcc64e68e9da7b23437e90471fc652d>

Event Number: 146 189 1746

Event Password: Join1006

or

Dial In: 1-408-418-9388

Access Code: 146 189 1746

Pursuant to Executive Orders N-25-20 and N-29-20, Teleconference Restrictions of the Brown Act Have Been Suspended, as Well as the Requirement to Provide a Physical Location for Members of the Public to Participate in the Meeting.

Members of the public can watch or listen to City Council meetings as follows:

1. Cable T.V. Broadcast on KCRT Channel 28
2. Radio Broadcast on FM 88.1 Or 97.7
3. Livestream Online at www.el-cerrito.org/CouncilMeetingMaterials
4. Via WebEx using the meeting information listed above.

Public Comments may be submitted one of two ways:

1. Via WebEx using the “Raise Hand” feature to request to speak. Each period of public comment will be announced.

****Please note** - If a member of the public can join via phone **only**, a request to speak may be submitted via email to cityclerk@ci.el-cerrito.ca.us. The request must contain in the subject line **Request to Speak – Agenda Item #** and must include a name and the full phone number that will be used to call in.

2. Via email to cityclerk@ci.el-cerrito.ca.us. Email must contain in the subject line **Public Comments – Not on the Agenda or Public Comments – agenda item #**.

To ensure that the City Council receives your written comments prior to taking action, they must be received by **4:00 p.m. the day of the meeting**. All written comments received by this deadline will be provided to the City Council and posted online in advance of the meeting.

Written comments received after the deadline will be provided to the City Council and included with supplemental materials after the meeting. **No written comments will be read into the record.**

7:00 P.M. ROLL CALL – CONVENE REGULAR CITY COUNCIL MEETING
Mayor Lyman called the meeting to order at 7:11 PM.
Present: Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto
Absent: None

1. TELECONFERENCE AND PUBLIC COMMENT INSTRUCTIONS

2. COUNCIL/STAFF COMMUNICATIONS

Reports of closed session, commission appointments and informational reports on matters of general interest which are announced by the City Council and staff.
City Manager Pinkos - provided an update on the State Auditor beginning the city's audit.

Fire Chief Pigoni - provided an update on statewide fires and a fire in the Hillside Natural Area, upcoming presentation to City Council on fire prevention.

Mayor Lyman - reported attendance with Councilmember Fadelli at the West County Mayors, and the Contra Costa Mayor's Conference with Councilmember Quinto.

Councilmember Quinto - announced opening for the Contra Costa County representative on the Association for Bay Area Governments (ABAG) Board.

3. COMMUNICATIONS FROM THE PUBLIC

Remarks are typically limited to 3 minutes per person. The Mayor may reduce the time limit per speaker depending upon the number of speakers and may limit the total time for public comment to facilitate the completion of business on the agenda. Comments regarding non-agenda, presentation and consent calendar items will be heard first. Comments related to items appearing on the Public Hearing or Policy Matter portions of the Agenda will be heard prior to the City Council taking action on each item.

All written comments submitted prior to and during the meeting were posted online as supplemental materials and incorporated into the official meeting record. Written public comments for matters not on the agenda were received from Cordell Hindler, Sherry Drobner and Denise Sangster; and item 5A from Ira Sharenow, Daniel Schulman, and Cathy Hanville.

Oral Public Comments: Sherry Drobner - spoke about the Human Relations Commission's Black Lives Matter Flag Raising event.

Isis Bastet - spoke about the Human Relations Commission's Black Lives Matter Flag Raising event and the city's response to racism.

4. ADOPTION OF THE CONSENT CALENDAR

All items on the consent calendar shall be acted upon in one motion, unless a member of the City Council or staff request separate consideration.

Moved/Seconded: Councilmember Pardue-Okimoto/Mayor Pro Tem Fadelli **Action:** Approved item A, B, and D on the consent calendar as indicated below. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

A. National Arts and Humanities Month Proclamation

Action Proposed: Approve a proclamation in support and recognition of October 2020 as National Arts and Humanities Month in El Cerrito. **Contact:** Maya Williams, Assistant to the City Manager, City Management
Action: Approved proclamation.

B. Authorize Correspondence in Support of Plan Bay Area 2050

Action Proposed: At the request of Mayor Lyman, pass a motion authorizing the Mayor to sign and send correspondence in support of the 'Plan Bay Area 2050' Housing Allocation Methodology, in line with the Contra Costa Mayors Conference recommendations.
Contact: Holly M. Charlét, City Clerk, City Management
Action: Approved correspondence.

C. Approval of League of California Cities 2020 Annual Conference Resolutions Packet

Action Proposed: Pass a motion to authorize and provide direction to the annual conference voting delegate to vote in favor of the proposed resolutions packet for 2020.
Contact: Holly M. Charlét, City Clerk, City Management
Moved/Seconded: Councilmember Pardue-Okimoto/
Councilmember Abelson **Action:** Pulled from consent by Councilmember Pardue- Okimoto, passed a motion directing the voting delegate to vote against the proposed resolutions packet for 2020. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue- Okimoto, Councilmember Quinto
Noes: None

D. Committee on Aging Appointments

Action Proposed: Approve the Committee on Aging recommendation and appoint Bruce Yow and Pamela Wagner to the Committee, effective October 7, 2020.

Contact: Bridget Cooney, Recreation Supervisor, Recreation Department

Action: Approved appointments.

5. PRESENTATIONS

A. Presentation on Contra Costa County Measure X

Action Proposed: Receive and file a presentation on Contra Costa County Measure X on the November 3rd ballot, Imposing a Transaction and Use Tax to Be Administered by the California Department of Tax and Fee Administration.

Contact: John Gioia, Contra Costa County Supervisor

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding return to source funding, displacement, homeless, non-police mental health programs, increasing library hours, and annual needs assessment.

Moved/Seconded: Councilmember Quinto/Councilmember Abelson

Action: Passed a motion for the City Council to endorse Yes on Measure X. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

B. Citizens Street Oversight Committee Annual Report

Action Proposed: Receive and file the Citizens Street Oversight Committee annual report for FY 2018/19 to City Council and Citizens of El Cerrito.

Contact: Matthew Kelly, Committee Member, Citizens Street Oversight Committee; Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department

Moved/Seconded: Councilmember Quinto/Councilmember Abelson

Action: Received and filed. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

C. Annual Sundar Shadi Garden Club Awards

Action Proposed: Receive and file a brief presentation and acknowledgement of contest winners.

Contact: Martha Jackson, El Cerrito Garden Club President

Action: No formal action taken, presentation received and filed.

6. PUBLIC HEARINGS

A. Public Hearing for Fire Hazard Abatement

Notice published on 9/26/2020

Action Proposed: 1) Adopt a resolution declaring weeds, rubbish, litter, or other flammable material on certain real property identified in the resolution constitutes a public nuisance; and 2) Conduct a public hearing and upon conclusion, adopt a resolution overriding objections by property owners and ordering the City Manager or her designee to abate certain public nuisances pursuant to El Cerrito Municipal Code Chapter 16.26.

Contact: David R. Gibson, Fire Marshal; Michael Pigoni, Fire Chief, Fire Department

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding timing of notifications, contact with owners, effectiveness of new rules, status of camp Herms, Elm St. cleanup, and citations for Juniper.

Moved/Seconded: Councilmember Quinto/Councilmember Abelson

Action: Approved Resolution 2020-49 (Declaring Public Nuisance).

Ayes: Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

Public Hearing: Mayor Lyman opened the public hearing.

Public Comments:

All written comments submitted prior to and during the meeting were posted online as supplemental materials and incorporated into the official meeting record. Written public comments for this item was received from Nick Zamorano.

Moved/Seconded: Councilmember Quinto/Councilmember Abelson

Action: Approved the close of the public hearing. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

Moved/Seconded: Councilmember Quinto/Councilmember Abelson

Action: Approved Resolution 2020-50 (Overriding Objections). **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

B. Cost Hearing Regarding Fire Hazard Abatement of a Public Nuisance for Properties Identified and pursuant to El Cerrito Municipal Code Chapter 16.26

Notice published on 9/26/2020

Action Proposed: Conduct a public hearing and upon conclusion adopt a resolution confirming the cost of abatement of public nuisance conditions resulting from the presence of weeds, rubbish, litter or other flammable material on private properties designated in Exhibit A to the resolution as authorized by El Cerrito Municipal Code Chapter 16.26.

Contact: David R. Gibson, Fire Marshal; Michael Pigoni, Fire Chief, Fire Department

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding total cost of abatement, process for Kensington, and photos before and after abatement.

Public Hearing: Mayor Lyman opened the public hearing.

Oral Public Comments:

Isis Bastet - requested clarification on the list of public nuisance properties.

Moved/Seconded: Councilmember Quinto/Mayor Pro Tem Fadelli

Action: Approved the close of the public hearing. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

Moved/Seconded: Councilmember Pardue-Okimoto/Councilmember

Abelson **Action:** Approved Resolution 2020-51. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

7. POLICY MATTERS

A. CITY COUNCIL/PUBLIC FINANCING AUTHORITY/EMPLOYEE PENSION TRUST BOARD

Approval of the City's Fiscal Year 2020-21 Amended Budget and Spending Authority by Fund for the City, Employee Pension Board and Public Financing Authority and Approval of the FY 2020-21 Annual Gann Appropriation Limit.

Action Proposed: Staff requests that the City Council 1) Adopt a resolution authorizing Fiscal Year 2020-21 spending authority by fund for the City of El Cerrito; 2) Adopt a resolution authorizing Fiscal Year 2020-21 spending authority by fund for the El Cerrito Public Financing Authority; 3) Adopt a resolution authorizing Fiscal Year 2020-21 spending authority by fund for the El Cerrito Employee Pension Board; and 4) Adopt a resolution approving the calculation and establishing the FY 2020-21 annual Gann Appropriation Limit.

Contact: Karen Pinkos, City Manager, City Management
Mark R Rasiah, Finance Director/City Treasurer, Finance Department

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding timing for position reductions, fire department staffing levels, unfunded liabilities, pension payment methods, structural changes in public safety, monthly budget reports, public arts fund, bond rating, economic development fund, city LMI housing fund, modifications to financing costs and other financing uses.

Moved/Seconded: Councilmember Abelson/Mayor Pro Tem Fadelli

Action: Motion to extend the meeting until 11:00 p.m. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

Public Comments:

All written comments submitted prior to and during the meeting were posted online as supplemental materials and incorporated into the official meeting record. Written public comments for this item were received from Kimberly, David and Pablo Almeida, Maddie Lew, Claire Lavery, Ira Sharenow, Tomi Nagai-Rothe, Greg and Amy deHart, Cynthia Williams, Sarah Klauer, Debra Saunders, Daniel Schulman, Sherry Drobner, Cathy Hanville, Diane Straus, Marlene George, Nick Zamorano, Leslie D. Adams, Rhea Ewing, Justin Rodriguez, Sue Duncan, Miguel Gravelle, and Denise Sangster.

Moved/Seconded: Councilmember Abelson/Councilmember Quinto

Action: Motion to extend the meeting until 11:10 p.m. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

Moved/Seconded: Councilmember Abelson/Councilmember Quinto

Action: Passed a motion to approve the budget as presented, understanding that the budget is a living breathing document, to frequently examine the need to change it to ensure expenses are covered, and continue increasing reserves. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Quinto **Noes:** Councilmember Pardue-Okimoto

Moved/Seconded: Councilmember Quinto/Mayor Pro Tem Fadelli

Action: Approved City Resolution 2020-52 (Amended Budget Spending Authority). **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Quinto **Noes:** Councilmember Pardue-Okimoto

Moved/Seconded: Councilmember Pardue-Okimoto/Councilmember Quinto

Action: Approved Public Financing Authority Resolution 2020-02. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

Moved/Seconded: Councilmember Abelson/Councilmember Pardue-Okimoto **Action:** Approved Pension Board Resolution 2020-02. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

Moved/Seconded: Councilmember Pardue-Okimoto/Councilmember Abelson **Action:** Approved City Resolution 2020-53 (GANN Limit). **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

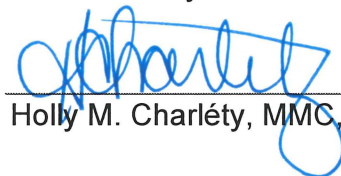
8. **CITY COUNCIL LOCAL & REGIONAL LIAISON ASSIGNMENTS** *Mayor and City Council communications regarding local and regional liaison assignments and committee reports.*
None

9. **ADJOURN REGULAR CITY COUNCIL MEETING IN MEMORY OF CHIZU IYAMA**
The next regularly scheduled City Council meeting is Tuesday, October 20, 2020 at 7:00 p.m. via teleconference.
The regular meeting adjourned at 11:07 PM.



Gregory B. Lyman, Mayor

This is to certify that the foregoing is a true and correct copy of the minutes of the Regular City Council meeting of October 6, 2020 as approved by the El Cerrito City Council.



Holly M. Charléty, MMC, City Clerk