

EL CERRITO CITY COUNCIL MINUTES

REGULAR CITY COUNCIL MEETING

July 21, 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

Meeting Location:

Via Teleconference

Join Via WebEx:

<https://elcerrito.webex.com/elcerrito/onstage/g.php?MTID=e9dc00db889c317e812676c5f647b6b92>

Event Number: 146 470 8209

Event Password: 4sxQX9YKjZ6

or

Dial In: 1-408-418-9388

Access Code: 146 470 8209

Pursuant to Executive Orders N-25-20 and N-39-20, 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 also watch or listen to the meeting as follows:

- Cable T.V. Broadcast on KCRT Channel 28
- Radio Broadcast on FM 88.1 Or 97.7
- Livestream Online at www.el-cerrito.org/CouncilMeetingMaterials

Public comments may be submitted one of three ways:

- 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 #**.
- Via voicemail at (510) 306-2558. The caller must start the message by stating **public comments – not on the agenda or public comments – agenda item #** followed by their name and place of residence, followed by their comments.
- Via WebEx using the meeting instructions included above. Each period for public comment will be announced, and attendees may use the “Raise Hand” feature to request to speak.

****Please note** - If a member of the public can join via phone **only**, a request to speak must 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.

The city cannot guarantee that its network and/or the site will be uninterrupted. To ensure that the city council receives your comments prior to taking action, **you are strongly encouraged to submit your comments in writing in advance of the meeting.**

Comments received up until **12:00 p.m. the day of the meeting** will be provided in advance to the City Council, including transcribed voicemails, and posted online with meeting materials.

Comments received **during the meeting and up until the public comment period on the relevant agenda item is closed**, will be read into the record and will be limited to a maximum of 3 minutes.

Members of the public are limited to **one submission** per agenda item. If oral testimony is given AND written comments are submitted during the meeting by the same individual, the written comments *will not be read into the record* but will be included in supplemental materials posted online after the meeting.

Comments that do not conform to the city council's rules of decorum may be summarized rather than read verbatim. As allowed by the Brown Act, the Mayor may limit the total time for public comment to facilitate the completion of business on the agenda.

All comments received by the close of the public comment period will be available after the meeting as supplemental materials and will become part of the official meeting record.

Please note that all information provided in public comments including phone number called with, email addresses and any other personal information written or stated is subject to disclosure on the broadcast of the teleconferenced meeting. Comments posted online will not include personal information.

7:00 P.M. ROLL CALL – CONVENE REGULAR CITY COUNCIL MEETING
Mayor Lyman called the meeting to order at 07:20 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 updates on the current public health crisis, announced Budget Town Hall scheduled for Saturday, August 1, 2020 from 10 am- Noon and Special City Council meeting on August 11, 2020 at 4:30 to discuss the fiscal response plan.

Police Chief Keith - announced a new Frequently Asked Questions (FAQ) on police practices and policies.

Councilmember Pardue-Okimoto - announced Saturday, July 25 event to paint Black Lives Matter on the Ohlone Greenway between Schmidt Lane and Manilla.

Mayor Lyman - provided a reminder regarding vegetation management and other fire safe action items of private properties, participation in the census and voting in the November 3rd General Election.

3. ORAL 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 on matters not on the agenda were received from Cordell Hindler, Leslie DiBenedetto Adams, Daniel Schulman, Cathy Hanville, Nathaniel Walker, Jessica Rodriguez, and Kara Powell; and on presentation item 5A from Cathy Hanville.

Oral Public Comments:

Howdy Goudey - spoke regarding priorities in the budget.

Alonso Raimilla-Couture, Justin Rodriguez, Karina Ioffe, Isis Bastet, Rhea Ewing, Miguel Espino, Landry Wildwind, Sherry Drobner, Tomi Nagai-Rothe, Miguel Gravelle, Sarah Klauer, Rayah James, Elli Matejka, Dan Schoknecht, Kimberly Berger, and Dennis Calloway - spoke regarding reform in Policing and the Police Department.

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

A. FY 2019-20 Fourth Quarter Cash and Investment Report

Action Proposed: Receive and file the City's Quarterly Investment Report for the Quarter ending June 30, 2020.

Contact: Mark Rasiah, Finance Director/Treasurer, Finance Department

Action: Received and filed.

B. Human Relations Commission and Environmental Quality Committee Joint Statement on Environmental, Social, and Racial Justice

Action Proposed: Receive and file a Joint Statement from the Human Relations Commission (HRC) and Environmental Quality Committee (EQC) on Environmental, Social, and Racial Justice.

Contact: Maya Williams, Assistant to the City Manager, City Management; Will Provost, Acting Operations + Environmental Services Division Manager, Public Works

Action: Received and filed.

5. PRESENTATIONS

A. City Compensation Policies Overview

Action Proposed: Receive and file a brief presentation on the policies in place related to determination of employee compensation.

Contact: Karen Pinkos, City Manager, City Management

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding comparison cities used, statistics, goal regarding use of median or lower for determination of salary, and number of employees in departments of comparison cities.

Oral Public Comments:

Isis Bastet - Commented on salaries of public safety Chiefs in relation to comparison chart provided.

6. PUBLIC HEARINGS

A. Fire Hazard Abatement

Notice published on 7/11/2020

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 his 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 revisions to identified properties, timing of notifications, notification at vacant properties, and lien process.

Moved/Seconded: Councilmember Quinto/Councilmember Abelson

Action: Approved Resolution 2020-39 (Declaring Identified Properties) with the 7/21/20 revised Exhibit A. **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 on this item were received from Sue and Paul Duncan, and Kay Starkweather.

Oral Public Comments:

B Lee - spoke regarding notification to tenants, and status of property being on the identified list.

Kay Starkweather - spoke on exclusion of the Berkeley Country Club property from the list.

Moved/Seconded: Mayor Pro Tem Fadelli/Councilmember Quinto

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 Abelson/Councilmember Quinto

Action: Approved Resolution 2020- 40 (Overriding Objections.) **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

7. POLICY MATTERS

A. Resolution of the City Council of the City of El Cerrito In Support of Black Lives Matter

Action Proposed: Adopt a resolution in support of Black Lives Matter and to authorize the installation of a public mural on the Ohlone Greenway.

Contact: Maya Williams, Assistant to the City Manager, City Management

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 on this item were received from Rhea Ewing and Cathy Hanville.

Oral Public Comments:

Sherry Drobner - spoke in support of the resolution and police reform.

Miguel Gravelle - spoke in support of the resolution and the need to more adequately address economic injustice.

Moved/Seconded: Councilmember Quinto/Councilmember Abelson

Action: Motion to extend the meeting to 11:00 p.m. **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 revised Resolution 2020-41 incorporating the following changes: 1) insert as the 4th whereas clause "in 2018 the City of El Cerrito joined the Bay Area United Against Hate movement by calling for local civic action by people in every Bay Area community to stop the hate and implicit biases that are a dangerous threat to the safety and civility of our neighborhoods, towns, and cities; and has recognized United Against Hate week in El Cerrito each November as well as providing signs for our residents to display stating El Cerrito Stands United Against Hate; and"; modify the Police Townhall whereas clause to replace the work "improving" with the word "reimagining"; and add as the first be it further resolved clause to read "that the City Council hereby authorizes the flying of a Black Lives Matter flag in the City of El Cerrito, timing to be determined by the Human Relations Commission." **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

B. Amend Proclamation of Local Health Emergency to Approve a Temporary Outdoor Dining and Retail Program in the City of El Cerrito to Enhance Business Recovery During the COVID-19 Pandemic

Action Proposed: Adopt a resolution amending the proclamation of a local health emergency to approve a Temporary Outdoor Dining and Retail Program in the City of El Cerrito to enhance business recovery during the COVID-19 pandemic.

Contact: Melanie Mintz, Community Development Director; Sean Moss, Planning Manager; Aissia Ashoori, Community Development Analyst, Community Development Department; Yvetteh Ortiz, Public Works Director, Public Works Department

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding ability for permanent modifications, enforcement, timing of expiration, and process for transition should it become a permanent allowance.

Public Comments:

Howdy Goudey - spoke in support of the resolution and importance of incorporating reusable foodware.

Moved/Seconded: Councilmember Quinto/Mayor Pro Tem Fadelli

Action: Approved Resolution 2020-42. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

C. Adoption of a Memorandum of Understanding between the City of El Cerrito and the El Cerrito Public Safety Management Association - Police Management Unit

Action Proposed: Adopt a resolution approving an agreement between the City of El Cerrito and the El Cerrito. Public Safety Management Association - Police Management Unit (PSMA- Police Management Unit) modifying language on salaries and creating a new Memorandum of Understanding.

Contact: Alexandra Orologas, Assistant City Manager, City Management

Moved/Seconded: Councilmember Abelson/Councilmember Pardue-Okimoto **Action:** Approved Resolution 2020-43. **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.*

Mayor Lyman - reported on Marin Clean Energy (MCE) financial status.

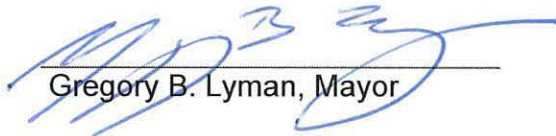
Councilmember Quinto - reported work with County Board of Supervisors on Mental Health Services.

Councilmember Fadelli - reported on Contra Costa Transportation Authority (CCTA) funding.

Councilmember Abelson - reported attendance at the Urban Forest Committee.

9. **ADJOURN REGULAR CITY COUNCIL MEETING**

The regular meeting adjourned at 10:58 PM in memory of Randy Enos,
West Contra Costa School District Board Member.



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 July 21, 2020 as approved
by the El Cerrito City Council.



Holly M. Charléty, MMC, City Clerk