

EL CERRITO CITY COUNCIL MINUTES

REGULAR CITY COUNCIL MEETING

December 1, 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=ec3c8b69ae87ebb5e5e05d89a9586b3d9>

Event Number: 146 864 3302

Event Password: Join1201

or

Dial In: 1-408-418-9388

Access Code: 146 864 3302

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 07:08 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 - announced holiday closure and upcoming changes to health order restrictions.

Mayor Lyman - announced direction provided at the November 19th special meeting, reminders on wearing masks, social distancing, and fire safety.

Councilmember Abelson - reported attendance at the Urban Forest Committee meeting and relayed members' concerns on term limits.

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, Ira Sharenow, Cathy Hanville, Robin Mitchell, Amy Dertz, Allen Ling, Amy and Greg deHart, and Ruby MacDonald; and on presentation item 5A and 5B from Donald S. Honigman.

Oral Public Comments:

Dan Cloak – spoke regarding El Cerrito Plaza housing development.

Indy – comments as a new resident and on interest in volunteer opportunities.

Linda Cain – concerned about the budget and spoke regarding saving library and senior services.

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

A. Approval of Minutes for 10/6/2020 and 10/20/2020

Action Proposed: Pass a motion to approve the City Council meeting minutes for October 6 and October 20, 2020.

Contact: Holly M. Charl  ty, City Clerk, City Management

Action: Approved

B. Approve the 2021 Regular Meeting Schedule for City Council

Action Proposed: Pass a motion to approve the regular meeting schedule for 2021, which includes reducing to the third Tuesday only for the month of January, July, August and September.

Contact: Holly Charl  ty, City Clerk, City Management

Action: Approved

C. United Against Hate Week Proclamation

Action Proposed: Pass a motion to approve a proclamation designating November 29, 2020 – December 6, 2020 as "United Against Hate Week". **Contact:** Kristen Cunningham, Human Resources Manager, City Management

Action: Approved

D. Approval of an Application(s) for Proposition 68 Per Capita Grant Funds related to Parks & Recreation Facilities

Action Proposed: Adopt a resolution authorizing the City Manager and/or her designee to submit an application(s) to the State of California Department of Parks and Recreation for \$192,876 of Proposition 68, the Parks, Environment, and Water Bond Act of 2018, Per Capita funds.

Contact: Christopher Jones, Recreation Director, Recreation Department; Yvetteh Ortiz, Public Works Director, Public Works Department

Moved/Seconded: Councilmember Abelson/Councilmember Pardue-Okimoto **Action:** Pulled from consent by Mayor Lyman. Motion to Approve Resolution 2020-55, amending the first reference of PRC to read Public Resources Code (PRC).

Ayes: Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto

Noes: None

5. PRESENTATIONS

A. Proclamation upon Retirement of Lieutenant Stephen Bonini

Action Proposed: Pass a motion to approve a proclamation honoring Lieutenant Stephen Bonini's many years of service to the City of El Cerrito.

Contact: Paul Keith, Police Chief, Police Department
Moved/Seconded: Councilmember Abelson/Councilmember Quinto
Action: Approved proclamation. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

B. Proclamation upon Retirement of Captain Robert De La Campa

Action Proposed: Pass a motion to approve a proclamation honoring Captain Robert De La Campa for his many years of service to the City of El Cerrito.

Contact: Paul Keith, Police Chief, Police Department
Moved/Seconded: Councilmember Abelson/Mayor Pro Tem Fadelli
Action: Approved proclamation. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

6. PUBLIC HEARINGS

A. 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 11/21/2020

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

Public Hearing: Mayor Lyman opened the public hearing.

Public Comments: None

Moved/Seconded: Councilmember Pardue-Okimoto/Councilmember Abelson
Action: Closed 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 2020-56. **Ayes:** Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Quinto, Mayor Lyman, Councilmember Pardue-Okimoto **Noes:** None

B. Proposed East Bay Sanitary Garbage & Green Waste Collection and Post-Collection Rates and Integrated Waste Management Fees -- Effective January 1, 2021

Notice published on 11/21/2020 and 11/27/2020

Action Proposed: 1) Conduct a public hearing and upon conclusion adopt a resolution establishing maximum allowable East Bay Sanitary (EBS) garbage and green waste collection, processing and disposal rates, effective January 1, 2021; and 2) Conduct a public hearing and upon conclusion adopt a resolution fixing and setting Integrated Waste Management (IWM) Fees, effective January 1, 2021.

Contact: Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding green waste reductions mandates, impacts of inability to recycle as many materials, SB1383 implementation costs, fiscal response plan, costs included in rates proposed, offset of revenue, and use of reserves.

Public Hearing: Mayor Lyman opened the public hearing for East Bay Sanitary (EBS) Rates

Public Comments: None

Moved/Seconded: Councilmember Quinto/Mayor Pro Tem Fadelli **Action:** Close (EBS) public hearing. **Ayes:** Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Quinto, Mayor Lyman, Councilmember Pardue-Okimoto **Noes:** None

Moved/Seconded: Councilmember Abelson/Councilmember Quinto **Action:** Approve (EBS) Resolution 2020-57. **Ayes:** Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Quinto, Mayor Lyman, Councilmember Pardue-Okimoto **Noes:** None

Public Hearing: Mayor Lyman opened the public hearing for Integrated Waste Management (IWM) Fees.

Oral Public Comments:

Howdy Goudey - spoke regarding upgrading to electric operated forklift and reducing plastic waste in construction.

Linda Cain - spoke regarding reducing plastic waste.

Moved/Seconded: Councilmember Abelson/Councilmember Pardue-Okimoto **Action:** Close (IWM) public hearing. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

Moved/Seconded: Councilmember Abelson/Councilmember Pardue-Okimoto **Action:** Adopted (IWM) Resolution 2020-58. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

7. POLICY MATTERS

A. City Council Policy Subcommittee Report and Recommendations

Action Proposed: Continue the study session from November 17th on proposed City Council Administrative Policies and Rules of Order and Procedure and 2) adopt resolutions to approve the proposed policies or provide staff direction to return with revisions.

Contact: Mayor Lyman and Mayor Pro Tem Fadelli, City Council Policy Subcommittee; Holly M. Charléty, City Clerk, City Management

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding roles, accessibility, expanding ethics training, adjournment time, authorization to add items to the agenda, public comments, role as council liaison, selection process of Mayor Pro Tem, discussion and requests for future items,

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 Cordell Hindler.

Oral Public Comments:

Tessa Rudnick - expressed appreciation for work on the council policies. Howdy Goudey - commented on adjournment time.

Sherry Drobner - spoke regarding placement of items on the agenda.

Linda Cain - commented on adjournment time.

Poppy - spoke regarding requesting agenda items.

Moved/Seconded: Councilmember Quinto/Councilmember Pardue-Okimoto **Action:** Adopted Resolution 2020-59 (Administrative Policies and Rules of Order) with the following modifications: 1) Section M first sentence revised to read ""Agenda Item" means an item placed on the agenda for a vote by the City Council."; 2) Section W title revised to read "Time Limits for Public Hearings"; 3) Pledge of Allegiance referenced revised to read "Pledge of Allegiance (or moment of silence)"; 4) Section A revised to add the following language between the last two paragraphs "Liaison assignments include appointment of a Councilmember to each Board, Commission and Committee. Council liaisons shall conduct business in accordance with Resolution 2013-68 regarding Council and Staff Relations with City Commissions, Boards, Committees and Task Forces."; 5) Section GG first sentence revised to read "In order to allow for thoughtful, clear-headed consideration of City business by the public and the City Council, all City Council meetings shall adjourn no later than 11:00 p.m."; and 6) Section J is deleted.

Moved/Seconded: Councilmember Pardue-Okimoto/Councilmember Quinto **Action:** Adopted Resolution 2020-60 (Expense Reimbursement). **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

B. City Manager Employment Agreement

Action Proposed: Adopt a resolution approving a First Amended Employment Agreement for City Manager services between the City of El Cerrito and Karen Pinkos.

Contact: Sky Woodruff, City Attorney, City Management

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding timing and terms.

Moved/Seconded: Councilmember Pardue-Okimoto/Councilmember Abelson **Action:** Extended the meeting to 11:00 PM. **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 Cordell Hindler, Jan Woo, Kathy Umali, Pearson Miller, Sherry Drobner, Donald Simon, Cathy Hanville, Susan Ruiz, Ernestine Warren, Daniel Schulman, Dianne Brenner, Corinne Gustafson, Arthur Yee, Karin Rosman, Abby Dawkins, and Andrea McGrath.

Oral Public Comments:

Poppy - commented on the language and timing of extension.
John Stashik - spoke in support of approving the agreement.
Anne Oganowski - commented on the timing of the extension of the agreement.

Moved/Seconded: Councilmember Pardue-Okimoto/Councilmember Abelson **Action:** Adopted Resolution 2020-61. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

8. CITY COUNCIL LOCAL & REGIONAL LIAISON ASSIGNMENTS

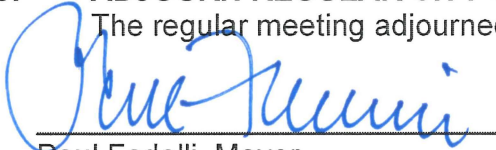
Mayor and City Council communications regarding local and regional liaison assignments and committee reports.

Councilmember Quinto - reported attendance at East Bay Division of League of California Cities meeting.

Mayor Pro Tem Fadelli - reported attendance at Transportation and Public Utilities Policy Committee.

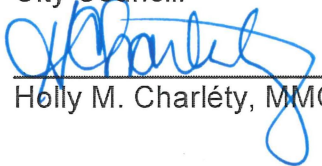
9. ADJOURN REGULAR CITY COUNCIL MEETING

The regular meeting adjourned at 10:56 PM



Paul Fadelli, Mayor

This is to certify that the foregoing is a true and correct copy of the minutes of the Regular City Council meeting of December 1, 2020 as approved by the El Cerrito City Council.



Holly M. Charléty, MMC, City Clerk