

EL CERRITO CITY COUNCIL

MINUTES

REGULAR CITY COUNCIL MEETING

Tuesday, April 3, 2018 – 7:00 p.m.

City Council Chambers

Meeting Location

El Cerrito City Hall

10890 San Pablo Avenue, El Cerrito

Gabriel Quinto – Mayor

Mayor Pro Tem Rochelle Pardue-Okimoto
Councilmember Paul Fadelli

Councilmember Janet Abelson
Councilmember Greg Lyman

ROLL CALL

Councilmembers Abelson, Fadelli, Lyman, Pardue-Okimoto, and Mayor Quinto all present.

7:00 p.m. CONVENE REGULAR CITY COUNCIL MEETING

Mayor Quinto convened the regular City Council meeting at 7:00 p.m.

1. **PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF MOMENT OF SILENCE** was led by Councilmember Fadelli.

2. COUNCIL / STAFF COMMUNICATIONS

Mayor Pro Tem Pardue-Okimoto reported on her attendance at the annual St. Peter Christian Methodist Episcopal Church breakfast. Former Chief of Police, Sylvia Moir, initially reached out to the church to meet with the African American community. Police Chief Keith and officers in his department have continued this tradition. Mayor Pro Tem Pardue-Okimoto expressed appreciation for the Police Department's extra effort toward building bridges in the community and also invited all to attend the celebration of extended library hours tomorrow.

Councilmember Lyman reported that the Charter Committee last met on March 22 and has concluded its work. The Committee recommended a charter that the City Council will consider in the future. Councilmember Lyman thanked all of the committee members for their work. Regarding, Marin Clean Energy (MCE), Councilmember Lyman announced that rates will remain the same as last year. MCE is rolling out its energy programs and services to nine new communities in Contra Costa County.

Councilmember Abelson invited all to attend the local Earth Day Celebration and work parties on April 21. It is not too late to sign up for a work party if you would like to volunteer. Registration information can be accessed on-line. The festivities will include free lunch.

Councilmember Fadelli acknowledged the Public Works Department for the great new signage, seating and recycling bins that have been placed along the Ohlone Greenway. Councilmember Fadelli also praised the City for its involvement in the West Contra Costa Unified School District intern program and stated that he is happy about the pool re-opening and new improvements at the Swim Center. He recommended that tonight's City Council meeting be adjourned in memory of Martin Luther King, Jr.; Councilmember Fadelli's greatest American hero.

Mayor Quinto stated that the West County Mayors received a presentation on March 22 from West Contra Costa Transportation Advisory Committee Executive Director, John Nemeth regarding an upcoming transportation ballot measure and also received a presentation on homelessness in the county. A quarter of the entire homeless population in the County resides in West Contra Costa County. Mayor Quinto also attended the League of California Cities East Bay Division meeting in Fremont and received a presentation about emergency management in California. On March 30 he attended the Chamber of Commerce and Rotary Club mixer with Councilmember Fadelli at the Country Club located in El Cerrito. On February 27, Mayor Quinto visited home-bound and disabled seniors as part of the Meals on Wheels program. Mayor Quinto also attended a Good Friday breakfast at St. Peters CME Church with other City Councilmembers and police officers and invited all to join him in celebrating extended hours at the Library on April 4.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Richard Bell, El Cerrito, stated that the CIVIC program that is being thrown out of the West Contra Costa County Detention Center punishes the most vulnerable population. Mr. Bell said he is looking forward to seeing what the City Council will do.

Robin Mitchell, El Cerrito, expressed appreciation for the work of the Charter Committee and City Attorney. She was very impressed with how professional and thoughtful the committee members were. Ms. Mitchell also spoke about the plight of rising rents and how it affects residents and local businesses.

Al Miller, El Cerrito, expressed his gratitude for the extended hours at the library. Mr. Miller said that there will be a work project at the library on Earth Day and invited volunteers to join. The Library has a great program, "Books for the Homebound" that is available for use and includes a visit and delivery of books to homebound seniors and the disabled. Mr. Miller also stated, as Director of the Stege Sanitary District, that Stege rates have not increased in the past two years.

Judith Tannenbaum, El Cerrito, urged the City Council to take a public stand against the Sheriff rescinding access to the CIVIC (now called Freedom for Immigrants) visiting and hotline program. Abuses aren't limited to those reported by detainees but also extend to everyone particularly African Americans who are detained at the jail. Ms. Tannenbaum also said there is a great deal wrong with Sheriff Livingston's jails in the practice of his, and his deputies, consistent use of threats, retaliation and willingness to put County residents in danger via the threats and retaliation. Ms. Tannenbaum also reported that she attended a Charter Committee meeting and was very impressed and grateful to staff for looking at mechanisms which will allow residents to have the services they want.

Sherry Drobner, El Cerrito, also urged the City Council to pass a resolution and take a stand regarding reinstatement of the former CIVIC program at the West County detention center/jail. Ms. Drobner stated that Sheriff Livingston's action was retaliatory. Sheriff Livingston was investigated with a conclusion that things were fine and will be investigated again. Ms. Drobner stated that the Richmond City Council passed a resolution and emphasized that the City Council needs to take a stand.

Miguel Espiño, El Cerrito, urged the City Council to take a stand against the expulsion of the CIVIC program at the West County jail. Detainees are being treated inhumanely and are being denied their rights. People are detained in jail because of their immigration status. Last year El Cerrito voted to become a Sanctuary City. Mr. Espiño urged the City Council to pass a resolution asking for reinstatement of the CIVIC program and hold Sheriff Livingston accountable for things that take place at the jail.

Howdy Goudey, El Cerrito, urged the City Council to take a position reinstating CIVIC services and also spoke about follow up associated with the Climate Action Plan. Mr. Goudey noted that the Plan requires a full greenhouse gas inventory report, including municipal operations and the City's carbon footprint. The report needs to be presented to the City Council. Mr. Goudey encouraged funding for it in the next budget cycle.

Nicholas Galloro, El Cerrito, also spoke in support of reinstatement of the CIVIC program at the West County Detention Center and also expressed support for Consent Calendar Item No. 4(F) regarding Senate Bill 912 which will create more housing for low-income individuals. Mr. Galloro said he keeps seeing more homeless people in El Cerrito and noted that he supports the repeal of Costa Hawkins and enactment of a rent control measure in the City similar to what Richmond and Berkeley have.

Linda Olvera, Oakland, stated that she is a CIVIC program volunteer and asked for the City Council's support for reinstatement of the program. The program had been operating for seven years. Most of the immigrants in jail have done nothing criminal and are incarcerated and treated like criminals while they are waiting for immigration court hearings.

4. ADOPTION OF THE CONSENT CALENDAR – Item Nos. 4(A) through 4(F)

Moved, seconded (Pardue-Okimoto/Abelson) and carried unanimously to approve Consent Calendar Item Nos. 4(A) through 4(F) in one motion as indicated below.

A. Approval of Minutes

Approve the March 20, 2018 Regular City Council meeting minutes.

Action: Approved minutes.

B. Earth Day Proclamation

Approve a proclamation designating April 21, 2018 as "Earth Day" in the City of El Cerrito and encouraging all residents and businesses to help make El Cerrito a greener, healthier, and more sustainable place for all.

Action: Approved proclamation.

C. Parking Demand and Management Strategy Consultant Award

Adopt a resolution authorizing the City Manager to execute a professional services agreement with Nelson/Nygaard Consulting Associates in an amount not to exceed \$65,000 to assist with development of a Del Norte Station Area Parking Demand and Management Strategy and authorizing change orders in an amount not to exceed \$5,000.

Action: Adopted Resolution 2018-17.

D. Accept the Engineer's Report on Landscape and Lighting Assessment District No. 1988-1, Adopt a Resolution of Intention to Order Improvements and Set the Public Hearing

Accept the Engineer's Report specifying assessments for the Landscaping and Lighting Assessment District No. 1988-1 and adopt a Resolution of Intention to order improvements for Assessment District No. 1988-1 pursuant to the Landscape and Lighting Act of 1972, and set the time, date, and place of the public hearing as April

17, 2018 at 7:00 p.m.

Action: Adopted Resolution No. 2018-18.

E. 2018 Slurry Seal Program, City Project No. C3027.20

Adopt a resolution taking the following actions: 1) Approving plans for the 2018 Slurry Seal Program, City Project No. C3027.20 (Project); 2) Accepting the nine submitted bids for the Project; and 3) Authorizing the City Manager to execute a contract in the amount of \$175,981 with Telfer Pavement Technologies, LLC and approving change orders in an amount not to exceed \$50,000 for the construction of the Project including additional street work. *Exempt from CEQA.*

Action: Adopted Resolution 2018-19.

F. Support for Senate Bill 912 (Beall and Skinner)

At the request of Mayor Quinto, authorize the Mayor to sign and send a letter in support of Senate Bill 912 – Housing: homelessness programs and affordable housing.

Action: Approved recommendation.

5. PRESENTATIONS

A. Household Hazardous Waste Program Update – Presentation by Nicole Forte, Republic Services.

Action: Received presentation.

B. Update from the League of California Cities

Samantha Caygill, Regional Public Affairs Manager/East Bay Division, will discuss the League's work and priorities. Ms. Caygill will also highlight upcoming ballot measures that the League has analyzed.

Action: Received presentation.

6. PUBLIC HEARINGS – None

7. POLICY MATTERS

A. Annual Parcel Assessment for the National Pollution Discharge Elimination System (NPDES) Program and Drainage Maintenance Activities for Fiscal Year 2018-19

Adopt a resolution establishing the annual parcel assessment for the National Pollution Discharge Elimination System (NPDES) program and Drainage Maintenance activities at the current rate of \$38.00 per Equivalent Run-off Unit (ERU), and authorizing the Contra Costa County Flood Control & Water Conservation District to adopt Stormwater Utility Area (SUA) levies based on said amount for Fiscal Year 2018-19.

Presenter: Will Provost, Public Works Analyst.

Speaker: Howdy Goudey, El Cerrito, expressed appreciation for the work staff has done with limited resources. Mr. Goudey said it would be great to broaden green infrastructure projects to residential areas in the community in a concise, prescriptive way.

Action: Moved, seconded (Lyman/Pardue-Okimoto) and carried to adopt Resolution No. 2018–20.

B. Hazard Mitigation Plan

Adopt a resolution accepting all of Volume One and the City of El Cerrito's portion of Volume Two of the Contra Costa County Operational Area Hazard Mitigation Plan Update.

Presenters: Michael Pigoni, Acting Fire Chief and Michael Bond, Retired Fire Marshall.

Action: Moved, seconded (Pardue-Okimoto/Lyman) and carried to adopt Resolution No. 2018-21.

8. CITY COUNCIL LOCAL AND REGIONAL LIAISON ASSIGNMENTS

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

Councilmember Abelson stated that the West Contra Costa Transportation Advisory Committee was cancelled due to lack of quorum and noted the importance of attending meetings that one is assigned to.

Councilmember Fadelli reported that the Arts and Culture Commission looked at a new art project associated with new development that is proposed as part of the City's One Percent for Art for new development program. Most of the commissioners thought it was part of the building's architectural design and did not view it as an art object. Councilmember Fadelli stated that he thought the issue was something the City should think about.

9. ADJOURNED REGULAR CITY COUNCIL MEETING at 9:05 p.m. in memory of Martin Luther King, Jr., who was assassinated at the Lorraine Motel in Memphis, Tennessee, on April 4, 1968.

SUPPLEMENTAL REPORTS AND COMMUNICATIONS

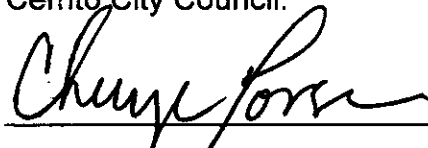
Item No. 5(B) Update from the League of California Cities

1. Powerpoint presentation – *Submitted by Samantha Caygill, Regional Public Affairs Manager/East Bay Division, League of California Cities.*

Item No. 7(A) Annual Parcel Assessment for the National Pollution Discharge Elimination System (NPDES) Program and Drainage Maintenance Activities for Fiscal Year 2018-19

2. Powerpoint presentation – *Submitted by Yvetteh Ortiz, Public Works Director.*

THIS IS TO CERTIFY that the foregoing is a true and correct copy of the minutes of the Regular City Council meeting of April 3, 2018 as approved by the El Cerrito City Council.



Cheryl Morse, City Clerk



Gabriel Quinto, Mayor