

EL CERRITO CITY COUNCIL

MINUTES

SPECIAL CITY COUNCIL MEETING
Tuesday, March 21, 2017 – 6:00 p.m.
Hillside Conference Room

REGULAR CITY COUNCIL MEETING
Tuesday, March 21, 2017 – 7:00 p.m.
City Council Chambers

Meeting Location
El Cerrito City Hall
10890 San Pablo Avenue, El Cerrito

Janet Abelson – Mayor

Mayor Pro Tem Gabriel Quinto
Councilmember Greg Lyman

Councilmember Paul Fadelli
Councilmember Rochelle Pardue-Okimoto

ROLL CALL

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

6:00 p.m.

CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Abelson convened the special City Council meeting at 6:02 p.m.

ORAL COMMUNICATIONS FROM THE PUBLIC – No speakers.

COMMISSION INTERVIEWS, STATUS AND APPOINTMENTS

Conduct interviews of candidates for city boards and commissions. Interviews may result in an announcement of appointment at the meeting. The City Council may also discuss and determine the scheduling and structure of future interviews.

Speakers: Cordell Hindler, Richmond, advocated for more youth involvement on the Crime Prevention Committee.

Action: Six interviews completed. The City Council, by mutual consensus, made the following appointments:

Patrick Riley is appointed to the Design Review Board for a four year term ending March 1, 2021.

Jessica Laird is appointed to the Human Relations Commission to fill an unexpired vacancy ending March 1, 2018.

ADJOURNED SPECIAL CITY COUNCIL SESSION at 6:57 p.m.

ROLL CALL

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

7:00 p.m.

CONVENE REGULAR CITY COUNCIL MEETING

Mayor Abelson convened the regular City Council meeting at 7:04 p.m.

1. PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF MOMENT OF SILENCE was led by Councilmember Rochelle Pardue-Okimoto.

2. COUNCIL / STAFF COMMUNICATIONS

Mayor Pro Tem Quinto reported that he and Councilmember Pardue-Okimoto attended a meeting at Berkeley City Hall along with other Councilmembers and Mayors who represent cities along the San Pablo Avenue corridor. Everyone pledged to do whatever is possible to keep Alta Bates Hospital in Berkeley open. It is important for West County and El Cerrito residents to know that we need to keep Alta Bates Hospital open. Mayor Pro Tem Quinto also attended an East Bay Regional Parks District economic forum at the newly restored BridgeYard building (the historic Interurban Electric Railway Bridge Yard Shop) in Oakland with Councilmember Fadelli and encouraged residents to take a look at the new building.

Councilmember Fadelli reported that the Warm Springs BART Station will be opening in Fremont on March 25. Councilmember Fadelli will be attending a ribbon cutting ceremony with Mayor Abelson and Mayor Pro Tem Quinto on March 24.

Mayor Abelson stated that she met the new chancellor of the Contra Costa College system, Fred Woods, yesterday. Mayor Abelson said she believes that Chancellor Woods will serve the colleges well. Mayor Abelson also represented the city at the memorial service of Dr. Sally Williams, wife of St. Peter Christian Methodist Episcopal Church's pastor. Mayor Abelson reported that the El Cerrito Senior Center is doing many interesting things and offering new programming and presentations for seniors. Senior Center Manager, Janet Bilbas and her staff are doing a fantastic job.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Cordell Hindler, Richmond, said that the managers of Walgreens and McDonalds have complained about people hanging around in front of their businesses who bother customers and also noted that rents for commercial sites are high and that Alta Bates Hospital should be saved.

Dave Weinstein, El Cerrito, on behalf of Trail Trekkers, reported that work crews cleared a lot of brush and trees at Fairview Open Space and destroyed riparian and upland habitat along one of the most beautiful creeks in El Cerrito. Mr. Weinstein urged the City to prevent this type of damage from happening again. Mr. Weinstein, on behalf of the Historical Society, urged the City Council to direct staff to work on a historic preservation ordinance and prepare a survey of all historical places in the City.

Elli Matelka, El Cerrito, reported that she attended Lunafest at El Cerrito High School and it was a great event. Ms. Matelka encouraged the City to continue to host associations and events like Lunafest.

4. PRESENTATIONS

West Contra Costa County High Capacity Transit Study – Presented by John Nemeth, WCCTAC Executive Director; Leah Greenblat, WCCTAC Project Manager; and Rebecca Kohlstrand, WSP/Parsons Brinckerhoff Project Manager.

Speaker: Cordell Hindler, Richmond, said there is a good opportunity for different transit choices.

Action: Received presentation.

5. ADOPTION OF THE CONSENT CALENDAR – Item No. 5(A) through 5(D)

Moved, seconded (Lyman/Quinto) and carried to approve Consent Calendar Item Nos. 5(A) through 5(D) as indicated below.

A. Approval of Minutes

Approve the March 4, 2017 Special City Council and March 7, 2017 Special City Council Closed Session and Regular City Council meeting minutes.

Action: Approved minutes.

B. Consulting Services Agreement with Restoration Design Group, Inc. for the Fairmont Park Phase 1 Improvements Project, City Project No. C5037

Adopt a resolution authorizing the City Manager to execute a consulting services agreement with Restoration Design Group, Inc., (“Consultant”) to provide design services for the Fairmont Park Phase I Improvements Project, City Project No. C5037, in an amount not to exceed \$55,095. *Project falls under the Urban Greening Plan’s Initial Study/Mitigated Negative Declaration and is in compliance with Section 15097 of CEQA.*

Action: Adopted Resolution No. 2017-12.

C. Computer Aided Dispatch Software

Adopt a resolution authorizing the City Manager to enter into an agreement with Tiburon to provide Computer Aided Dispatch Software in an amount not to exceed \$114,954 with terms and conditions to be approved by the City Manager and City Attorney.

Action: Adopted Resolution No. 2017-13.

D. 2015 and 2016 General Plan Annual Progress Reports

Action: Received and filed.

6. PUBLIC HEARINGS – None

7. POLICY MATTERS

A. Affirming the City’s Values and Declaring El Cerrito a Sanctuary City and Supporting Senate Bill 54, the California Values Act

The Human Relations Commission requests that the City Council take the following actions: 1) Adopt a resolution affirming the City’s commitment to the values of dignity, inclusivity and respect for all individuals regardless of ethnic or national origin, gender identity, race, religious affiliation, sexual orientation, age, disability, or immigration status and declaring El Cerrito a Sanctuary City; and 2) Adopt a resolution supporting Senate Bill 54, “The California Values Act” (de León).

Presenters: Georgina Edwards, Chair, Human Relations Commission and Karen

Pinkos, Assistant City Manager.

Speakers: Cordell Hindler, Richmond, said he trusts the police because they honor and serve the community and that he agrees with Police Chief Keith. Mr. Hindler urged the City Council to adopt the resolution.

Margaret Cunningham, California Sanctuary Campaign, Oakland, urged the City Council to pass the resolution and support Senate Bill 54 and encouraged the City to provide education, workshops and fund legal aid. Ms. Cunningham urged the City Council to look at the ACLU Freedom Cities Model Rules posted on peoplepower.org.

Jean Rabovsky, El Cerrito, encouraged the City Council to declare the City a Sanctuary City and support SB 54.

Judith Tannenbaum, El Cerrito, said she strongly supports the resolution and thanked everyone who worked so hard together on the resolution.

Jess Laird, El Cerrito, encouraged the City Council to pass a resolution opposing County level cooperation with the United States Immigration and Customs Enforcement Department (ICE) and to help make the County and State a safe place for all.

Janaki Sullivan, El Cerrito, encouraged the City Council to support the resolution and SB 54 and encourage the Human Relations Commission to look at ways to work with the City's vulnerable populations. Ms. Sullivan also said the County should be dissuaded from contracting with ICE.

Sherry Drobner, El Cerrito, encouraged the City Council to support the resolution and to also dissuade the County from contracting with ICE and oppose the West County jail expansion.

Carl Groch, El Cerrito, urged the City Council to pass the resolution

Ted Lam, El Cerrito, expressed his support for the resolution and SB 54.

Pam Ramirez, Richmond, Wellstone Democratic Club and California Nurses Association, notified the City Council that Richmond sponsored a "Know Your Rights" forum, including Spanish translation, and that the Nurses Association supports the resolution and SB 54. Ms. Ramirez also urged support for SB 562, Single-Payer health coverage.

Paul Hughes, El Cerrito, said he has dear friends that are at risk of deportation, that they are among the finest people he has ever known, and that he supports the resolution and SB 54 and opposes ICE and the West County jail expansion.

George McRae, El Cerrito, representing Del Norte Indivisible, expressed support for the resolution and urged the City Council to declare El Cerrito a Sanctuary City.

Michelle Mitchell, El Cerrito, encouraged the City Council to declare the City a Sanctuary City, adopt the resolution and support SB 54.

Cesar Zepeda, Richmond, encouraged the City Council to declare the City a Sanctuary City, adopt the resolution and support SB 54.

Sue Goldberg, El Cerrito, encouraged the City Council to declare the City a Sanctuary City, adopt the resolution and support SB 54.

Miguel Gravelle, El Cerrito, encouraged the City Council to declare the City a Sanctuary City, adopt the resolution, support SB 54 and oppose the West County jail expansion.

Carrie Cangelesi, El Cerrito, encouraged the City Council to declare the City a Sanctuary City, adopt the resolution and support SB 54.

Actions: Moved, seconded (Lyman/Quinto) and carried to adopt Resolution No. 2017-14 as amended by Councilmember Lyman to add an additional enacting clause to state, "BE IT FURTHER RESOLVED that the mayor sign a letter transmitting the resolution to the Contra Costa County Board of Supervisors requesting that it adopt a comparable resolution," and as further amended by Councilmember Pardue-Okimoto to add a Section 6 to the enacting clause which states, "the El Cerrito Police Department will report back to the City Council at least annually regarding the implementation of this resolution."

Moved, seconded (Fadelli/Pardue-Okimoto) to adopt Resolution No. 2017-15 supporting Senate Bill 54, "The California Values Act" (de León).

B. Reauthorization of the Public, Educational and Governmental Fee on State Cable Franchisees Operating within the City of El Cerrito

The City Attorney requests that the City Council: 1) Waive the reading of and adopt, by a four-fifths vote, an Urgency Ordinance reauthorizing the Public, Educational and Governmental (PEG) fee on state cable franchisees operating within the City of El Cerrito; and 2) Waive the reading of and introduce an Ordinance reauthorizing the Public, Educational, and Governmental (PEG) fee on state cable franchises operating within the City of El Cerrito and amending Section 14.12.170 of the El Cerrito Municipal Code.

Presenter: Sky Woodruff, City Attorney.

Actions: Moved, seconded (Lyman/Quinto) and carried to approve Ordinance No. 2017-02, an ordinance reauthorizing the Public, Educational and Governmental (PEG) fee on state cable franchisees operating within the City of El Cerrito. *Second reading scheduled for consideration on April 4, 2017.*

Moved, seconded (Quinto/Lyman) and carried to adopt Ordinance No. 2017-03, an urgency ordinance reauthorizing the Public, Educational and Governmental (PEG) fee on state cable franchisees operating within the City of El Cerrito and amending Section 14.12.170 of the El Cerrito Municipal Code.

C. Public Safety Dispatch Services

Adopt a resolution authorizing the City Manager or his designee to enter into agreements with the Office of the Sheriff of Contra Costa County and the Contra Costa County Fire Protection District for the provision of public safety dispatch services from July 1, 2017 to June 30, 2022 for police dispatch and June 1, 2017 to December 31, 2019 for fire dispatch.

Presenter: Paul Keith, Chief of Police.

Speakers: Cordell Hindler, Richmond, encouraged the City Council to adopt the resolution.

Action: Moved, seconded (Lyman/Quinto) and carried to adopt Resolution No. 2017-16.

8. CITY COUNCIL LOCAL AND REGIONAL LIAISON ASSIGNMENTS

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

Councilmember Pardue-Okimoto reported on her attendance at the Gilman Fields Joint Powers Authority Board meeting. One of the issues the Board will be voting on soon is the replacement of artificial turf. There is a public meeting scheduled for 10:00 a.m. on March 25, 2017 at San Pablo Park in Berkeley to discuss the various types of artificial turf that are being proposed.

Mayor Pro Tem Quinto reported that he will be attending an Association of Bay Area Governments / Metropolitan Transportation Commission workshop with Councilmember Fadelli in Sacramento on March 22.

Councilmember Lyman reported that he attended the West County Integrated Waste Management Authority Joint Powers Authority Board meeting on March 9. The Authority Board discussed the Joint Powers Authority agreement at length. The Authority Board may not have given staff enough direction to resolve comments raised by the City of Richmond. Richmond's representatives on the Board said that Richmond will withdraw from the Authority if comments and concerns raised last December are not addressed. Councilmember Lyman said that if costs for El Cerrito continue to rise and are not commensurate with services provided, staff may have to evaluate the cost and time that is put into the Authority.

Councilmember Fadelli reported on his participation in Arbor Day. The City Arborist and some Tree Committee members and students from Prospect Sierra planted some coast live oak trees. The Committee also expressed concerns with the brush cutting that was done at Fairview Park.

9. ADJOURNED REGULAR CITY COUNCIL MEETING at 10:25 p.m.

SUPPLEMENTAL COMMUNICATIONS I

Item No. 7(A) **Affirming the City's Values and Declaring El Cerrito a Sanctuary City and Supporting Senate Bill 54, the California Values Act**

1. Petition in support of the resolution – Submitted by Wendy Fiering, El Cerrito.
2. Comments in support of proposed resolution – *Submitted by Rachel Henderson, El Cerrito.*
3. Comments in support of proposed resolution – *Submitted by Sandy Davis, El Cerrito.*
4. Comments in support of proposed resolution – *Submitted by Carrie Cangelosi, El Cerrito.*
5. Sample support letter for SB 29 (Lara) – Immigration Detention – *Submitted by Judith Tannenbaum, El Cerrito.*

Other:

6. Statement from Trail Trekkers about damage to Fairview Open Space – *Submitted by David Weinstein, El Cerrito.*
7. Preserving El Cerrito's Heritage: A proposal from the El Cerrito Historical Society – Submitted by David Weinstein, El Cerrito.

SUPPLEMENTAL COMMUNICATIONS 2 *(Received after Supplemental No. 1 was printed or received at the City Council meeting.)*

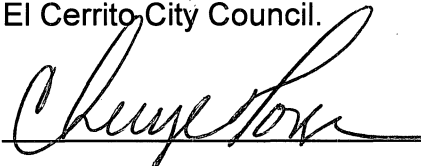
Item No. 7(A) Affirming the City's Values and Declaring El Cerrito a Sanctuary City and Supporting Senate Bill 54, the California Values Act

- 8. Comments in support of proposed resolution – *Submitted by Megan Cooper, El Cerrito.*
- 9. Comments in support of proposed resolution – *Submitted by George McRae on behalf of Poinsett Indivisible.*

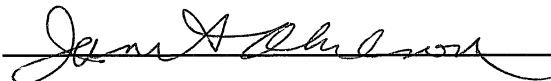
Other:

- 10. East Bay Regional Park District Informational Packet – *Submitted by Councilmember Quinto.*

THIS IS TO CERTIFY that the foregoing is a true and correct copy of the minutes of the Regular City Council meeting of March 21, 2017 as approved by the El Cerrito City Council.



Cheryl Morse, City Clerk



Janet Abelson, Mayor