



**Interim Staff Liaison**

Alexandra Orologas |  
510-215-4302

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## AGENDA

### REGULAR MEETING OF THE HUMAN RELATIONS COMMISSION

Wednesday, May 5, 2021 at 7:00 p.m.

VIA TELECONFERENCE

[https://zoom.us/j/92444686090?pwd=OTgxUHJMWDIKbEdXaU5CME42U  
VBzZz09](https://zoom.us/j/92444686090?pwd=OTgxUHJMWDIKbEdXaU5CME42U<br/>VBzZz09)

**Join by Phone:** 1-213-338-8477 or 1-408-638-0968

**Webinar ID:** 924 4468 6090

**Passcode:** 827319

Pursuant to Executive Orders N-25-20 and N-29-20, and in Response to the COVID-19 Pandemic 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.

Any person wishing to speak to the Human Relations Commission on any of these matters is invited to participate via teleconference as described above.

The City encourages submission of written comments in advance to the Human Relations Commission via email to [aorologas@ci.el-cerrito.ca.us](mailto:aorologas@ci.el-cerrito.ca.us) prior to the meeting or by contacting the staff liaison listed above.

#### **7:00 p.m. CONVENE MEETING**

- 1. ROLL CALL** – Chair Walter Williams Members: Buddy Akacić, Julia Conant, Alice Morris, Mina Wilson, Indy Singh, and Diane Johnson
- 2. COMMISSIONERS' REPORTS, COUNCIL LIAISON AND STAFF LIAISON REPORTS**
- 3. COMMENTS FROM THE PUBLIC**  
*Comments are typically limited to three minutes per person and are limited to items not on the meeting agenda. Comments can also be heard at the time the item is discussed.*
- 4. APPROVAL OF MINUTES**  
Consider approval of the minutes of the April 7, 2021 meeting.
- 5. OHLONE GREENWAY DISCUSSION**  
Discussion and possible action regarding the Ohlone Greenway presentation.
- 6. OVERVIEW OF THE BROWN ACT AND MEMBER ROLES**  
Receive a presentation from the City Clerk on requirements of the Brown Act and an overview of roles and responsibilities.

**7. COMMUNITY LISTENING FORUM SERIES**

Discussion and possible action regarding 2021 Listening Forums.

**8. LOVING DAY**

Discussion and possible action regarding Loving Day Event in June.

**9. ITEMS FOR NEXT MEETING**

**10. ADJOURNMENT**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Staff Liaison, (510) 215-4302. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title I).

Any writings or documents provided to a majority of the members regarding any item on this agenda will be made available for public inspection at [www.el-cerrito.org/106/Human-Relations-Commission](http://www.el-cerrito.org/106/Human-Relations-Commission).



## MINUTES

### REGULAR MEETING OF THE HUMAN RELATIONS COMMISSION

Wednesday, April 7, 2021 at 7:00 p.m.

#### Staff Liaison

Alexandra Orologas | 510.215.4315

[aorologas@ci.el-cerrito.ca.us](mailto:aorologas@ci.el-cerrito.ca.us)

VIA TELECONFERENCE

CONVENE REGULAR MEETING: Chair Williams called the meeting to order at 7:06 p.m.

1. **ROLL CALL** – Present: Chair Walter Williams (arrived at 7:00 pm), Buddy Akacić, Julia Conant, Mina Wilson (arrived at 7:50 pm). Absent: Alice Morris

#### 2. COMMISSIONERS' REPORTS, COUNCIL LIAISON AND STAFF LIAISON REPORTS

Staff Liaison Alexandra Orologas re-shared an update that the HRC Staff Liaison role is in transition since former Staff Liaison Kristen Cunningham's departure. Alexandra explained the plan is to have HR Specialist, Shannon Bassi, transition in as the permanent Staff Liaison. Shannon Bassi provided an update that the Black Lives Matter flag is anticipated to be delivered at the end of April and will be put up as soon as it is delivered. Shannon Bassi also mentioned there is a virtual Town Hall meeting regarding the current budget on Saturday, April 10 and encouraged all to attend. Council Member Lisa Motoyama updated the group that she provided the HRC information regarding the ongoing efforts with Anti-Asian hate and violence.

#### 3. COMMENTS FROM THE PUBLIC

Comments are typically limited to three minutes per person and are limited to items not on the meeting agenda. Comments can also be heard at the time the item is discussed.

No members of the public requested to speak.

#### 4. APPROVAL OF MINUTES

Minutes from the April 7, 2021 meeting were approved.

#### 5. ELECTION OF THE CHAIR AND VICE CHAIR

Motion was made to postpone this item until additional members of the HRC were present. After the arrival of Commissioner Wilson, the item resumed at the end of the meeting. A motion was made to elect Chair Walter Williams again as HRC Chair and commissioners present voted yes. A motion was made to elect Julia Conant as Vice Chair and all commissioners present voted yes.

#### 6. OHLONE GREENWAY DISCUSSION

Guest speaker Sherry Drobner discussed possible next steps after her presentation in the last HRC meeting. Council Member Lisa Motoyama responded that she will report out at the next HRC meeting regarding any outcomes from the Sogorea Te' Land Trust meeting.

## **7. COMMUNITY LISTENING FORUM SERIES**

Further discussion regarding the continued Community Listening Forums. Commissioners agreed to continue focusing on Asian-Americans within the community. Commissioners will reach out to members of the community to find additional interested participants. Flyers will be distributed within the community to gather support and increase interest.

## **8. LOVING DAY**

Further discussion regarding the Loving Day Event in June 2021. Commissioners agreed to focus on a virtual event due to the Shelter in Place restrictions and overall health and safety of the community. Commissioner Wilson proposed a movie screening and discussion idea for the virtual event. Chair Williams and Commissioner Wilson volunteered to help organize the virtual movie screening. The movie proposed is the Loving Day movie.

## **9. FORMER TRADEWAY STORE HISTORY**

Tom Panas presented information on the history of Asians migrating to El Cerrito and neighboring areas. The presentation included the importance of preserving history and suggestions on how to proceed with the Listening Sessions. Tom Panas offered to reach out to connections he has in the community to gather interested volunteers to participate in the listening sessions.

## **10. ITEMS FOR NEXT MEETING**

- Former Tradeway Store History
- Ohlone Greenway
- Listening Session Update
- Loving Day

## **11. ADJOURNMENT**

The meeting unanimously adjourned at 9:02 p.m.

# ADVISORY BODY TRAINING THE BROWN ACT ROLES & RESPONSIBILITIES

May 2021



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## Part 1: Brown Act Overview

- Definitions
- Types of Meetings
- Agendas and Materials
- Meeting Discussion
- Teleconference
- Meeting Remotely
- Enforcement and Penalties



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## The Ralph M. Brown Act

- Part of Government Code - an access to information law regarding open **meetings** and open **deliberations**
- Meetings must be open and public with a posted agenda, all persons are permitted to attend, all persons are allowed to speak before a vote is taken on any action item, and must be held within the jurisdiction
- All city advisory body meetings are subject to the requirements of the Brown Act
  - Not applicable to Ad-Hoc committees



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## Definitions

- **Meeting** – when a majority of members meet to hear, discuss, deliberate or take action on an item within its subject matter jurisdiction
- **Ad-Hoc Committee** – sometimes referred to as a “temporary Committee” is less than a quorum of members formed for a limited period of time, for a single or limited purpose, and dissolved when the task is complete (NOT subject to the Act)
- **Standing Committee** – less than a quorum of members permanently formed for discussion on a particular and ongoing topic within the advisory body’s jurisdiction



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## Regular Meetings

- Occur at a date, time, and location set by resolution or ordinance
- Require an agenda to be posted **72** hours in advance (physical and online by law)
- Public comments can be made on any matter within the subject matter jurisdiction of the advisory body



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## Special Meetings

- Any meeting held outside of the date, time, and location set by resolution or ordinance
- Require an agenda to be posted **24** hours in advance (physical and online by law)
- Public comments can be made **only on items on the agenda**



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## Serial Meetings

- **Serial Meetings** are illegal!
- A majority of members engaging in a series of communication (direct or indirect) to discuss, deliberate, or take action on any item of business or potential business
  - **Daisy Chain** – verbal or written  
Member A calls Member B, Member B calls Member C, Member C calls Member D, etc.
  - **Hub and Spoke** – A person or a document  
Member A calls Member B, Member A calls Member C, Member A calls Member D, etc.



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## Agendas

- Must include the time, date and location of meeting, ADA accommodations, and a description of each item of business (typically limited to 20 words)
  - **Items not listed on the agenda CANNOT be discussed**
- Public comment on agenda items (any meeting type) or anything within the jurisdiction of the advisory body (regular meetings)
- Posted (physically and online) 72 hours in advance (24 hours for special/emergency meeting)



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## Meeting Materials

- Materials distributed to the advisory body less than 72 hours prior to the meeting must be simultaneously made available to the public
- If materials are distributed by the agency during the meeting, copies for the public must be available **during** the meeting
- If materials are provided by the public during the meeting, they must be made available after the meeting



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## Meeting Discussion

- Discussion at that meeting is **limited** to what is **on** the agenda
  - Exception at a regular meeting with 2/3 vote for an immediate need to take action (forgetting does not count!)
- **Brief** responses to statements or questions, announcements, request for report back, or future agenda items is acceptable dialogue for items **not** on the agenda



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Teleconferencing

SOME Regulations Currently Suspended due to COVID

- All locations must be accessible to the public, and listed on the agenda
- Agenda must be posted at all locations
- At least a quorum of members must participate from within the jurisdiction
- All votes **must** be done by roll call



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Meeting during COVID

- A physical location is not required
- Members of the public must still be given the ability to provide public testimony (achieved via Zoom or email)
- Members can participate from any location.
- Public notice is only required at City Hall and on the City's website.
- Attendance and ALL votes require a roll call vote.
- **All other provisions of the brown act still apply.**



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## Enforcement and Penalties

- Criminal Action - Misdemeanor
  - When intention to deprive public of information and action is taken in violation of the act
- Civil Remedies
  - District Attorney or any interest Party can pursue
  - Invalidation of action taken
  - Demand to remedy
  - Attorney's fees if prevail



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## Part Two: Roles and Responsibilities

- Roles
- General Rules/Limitations
- Powers and Duties
- Membership Tools



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## Roles

- **Advisory Body Chair**
  - Sets the agenda with staff liaison
  - Presides over meetings
  - Represents the body before City Council
- **Staff Liaison**
  - Facilitates meetings and materials
  - Ensures compliance with Brown Act and Parliamentary Procedure
  - Advises members and provide technical expertise
  - Acts as conduit for communication with city staff
  - Are **not** employees of the advisory body



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## Roles

- **Council Liaison**
  - Reports on council actions and activities quarterly
- **City Clerk**
  - Ensures compliance with municipal code and other advisory body policies
    - Term limits, attendance rules, eligibility
  - Manages Advisory Body Membership
    - Application, interview and appointment process
    - Membership training and filing requirements
  - Advises staff liaisons
    - Standards and resources based on policies



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## General Rules/ Limitations

- Members should not become involved in the administrative or operational matters of City departments unless specifically provided for in the body's enabling legislation
- Unless specifically authorized by City Council, members may not represent the policy of the city and may not directly communicate with outside agencies



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## General Rules/ Limitations

- Members should not ask staff to commit to work that has not been budgeted or approved, or in any way try to direct the priority of work for the department providing technical advisory staff.
- Advisory bodies may not take any financial actions (such as endorsing grant applications) which commits or indicates the intention to commit the city



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## General Rules/ Limitations

- Members may not ask for individual reports, favor or special consideration. Requests and communication shall be restricted to the framework of the advisory body's assignment.



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## Powers and Duties

City Advisory bodies advise City Council on **specific** City program areas and **related** policies. Responsibilities are set by ordinance or resolution.

The **Human Relations Commission**, per El Cerrito Municipal Code §2.04.270, have the following Powers and Duties:

1. Evaluate and disseminate education and information related to elimination of prejudice and discrimination, and promote tolerance and understanding



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## Powers and Duties

2. Facilitate activities seeking to discourage or prevent discrimination
3. Inform and assist other entities and individuals in activities and programs intended to eliminate prejudice and discrimination
4. Work with other public agencies and community organizations concerned with interracial, interreligious, and intercultural understanding, and organizations which further the objective of eliminating discrimination



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## Powers and Duties

5. Review the achievement of the city's equal opportunity program and provide an annual report to the city staff along with recommendations for council consideration
6. Make recommendations to the City Council on programs and practices designed to further commission objectives



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# Membership Tools

- [www.el-cerrito.org/110/Membership-Tools](http://www.el-cerrito.org/110/Membership-Tools)

**MEMBERSHIP TOOLS**

- [Handbook for City Advisory Body Members \(2021\)](#)
  - [Printable version w/attachments](#)
- [Guidelines for Council and Staff Relations Resolution \(Resolution 2013-68\)](#)
- [Conflict of Interest Resources](#)
  - [Conflict of Interest and Ethics for Local Government](#)
- [Ethics Training Requirements \(Resolution 2013-67\)](#)
  - [Online Ethics Training](#)
- [City of El Cerrito General Member Provisions \(Municipal Code Section 2.04.220\)](#)
- [Open and Public V: A Guide to the Ralph M. Brown Act \(April 2016\)](#) (The League of California Cities)
- [Rosenburg's Rules of Order \(Parliamentary Procedure\)](#)
- [THE PEOPLE'S BUSINESS: A Guide to the California Public Records Act \(April 2017\)](#) (The League of California Cities)



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# Questions?

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 City Clerk  
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