

EL CERRITO CITY COUNCIL MINUTES

REGULAR CITY COUNCIL MEETING

MAY 4, 2021 – 7:00 p.m.

Members:

Mayor Paul Fadelli

Mayor Pro Tem Gabe Quinto • Councilmember Janet Abelson
Councilmember Lisa Motoyama • Councilmember Tessa Rudnick

Join Via Zoom:

<https://zoom.us/j/96500493534?pwd=TIg2eWkrVURrU3lXZnRKMnVKOFZQZz09>

Meeting ID: 965 0049 3534 **Password:** 603726

or Dial in: 1-408-638-0968

Pursuant to Executive Order 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 Zoom using the meeting information listed above.

Each period for public comment will be announced. Public Comments may be submitted one of two ways:

- Via Zoom using the “Raise Hand” icon to request to speak. If joining by phone, dial *9 to "raise your hand", and when prompted by the host, *6 to unmute/mute.
- 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 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.

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 Fadelli called the meeting to order at 7:00 PM.

Present: Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Motoyama, Councilmember Rudnick **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 an update on current county health orders, vaccinations, and mask regulations; announced 9:30 am May 8th Community Budget Workshop, and Public Service Recognition week.

Mayor Fadelli - Announced May 8th Community Budget Workshop, participation in Human Resources Commission Truth and Reconciliation session, and the passing of El Cerrito resident Cezlaw Jan "Chet" Grycz.

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 for matters not on the agenda were received from Ira Sharenow and Cordell Hindler; consent item #4B from John Stashik; and presentation item #5A from Steven Price, Rebecca Benassini, Rosemarie Vekony, and Jahan Byrne.

Oral Public Comments:

Jeff Levine - representative of East Bay Housing Organizations, spoke in acceptance of the East Bay Affordable Housing Week proclamation.

Howdy Goudey - spoke regarding the process for public comments on presentations.

Indy Rishi Singh - commented on senior stroll and visit to Sikh temple in El Sobrante.

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 Abelson/Councilmember Motoyama **Action:** Approved Consent Item A - E as indicated below. **Ayes:** Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Motoyama, Councilmember Rudnick **Noes:** None

A. Urban Forest Committee Appointment

Action Proposed: Approve an Urban Forest Committee recommendation to appoint Jennifer Kaczor to the Urban Forest Committee effective May 10, 2021.

Contact: Stephen Prée, Environmental Programs Manager / City Arborist; Will Provost, Operations + Environmental Services Division Manager; Yvetteh Ortiz, City Engineer / Public Works Director, Public Works Department

Action: Approved appointment

B. National Public Works Week Proclamation

Action Proposed: Pass a motion approving a proclamation designating May 16 through 22, 2021 as National Public Works Week in El Cerrito.

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

Action: Approved Proclamation

C. East Bay Affordable Housing Week Proclamation

Action Proposed: Pass a motion approving a proclamation designating May 13 - 20 2021 as East Bay Affordable Housing Week.

Contact: Aissia Ashoori, Housing Analyst, Community Development Department

Action: Approved Proclamation

D. Jewish American Heritage Month Proclamation

Action Proposed: Pass a motion to approve a proclamation declaring the Month of May 2021 as Jewish American Heritage Month in the City of El Cerrito.

Contact: Alexandra Orologas, Assistant City Manager, City Management

Action: Approved Proclamation

E. Asian Pacific American Heritage Proclamation

Action Proposed: Pass a motion to approve a proclamation declaring the Month of May 2021 as Asian Pacific American Heritage Month in the City of El Cerrito.

Contact: Alexandra Orologas, Assistant City Manager, City Management
Action: Approved Proclamation

F. Adopt a resolution authorizing a joint applicant with BRIDGE Housing for Mayfair El Cerrito located at 11690 San Pablo Avenue.

Action Proposed: Adopt a resolution authorizing staff to apply for the Affordable Housing Sustainable Communities Program funding as a joint applicant with BRIDGE Housing for Mayfair El Cerrito located at 11690 San Pablo Avenue.

Contact: Aissia Ashoori, Housing Analyst; Melanie Mintz, Community Development Director, Community Development Department; Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department

Moved/Seconded: Councilmember Rudnick/Mayor Pro Tem

Quinto Action: Pulled from consent by Councilmember Motoyama to report a conflict of interest. Approved Resolution 2021-20. **Ayes:** Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Rudnick **Noes:** None **Absent:** Councilmember Motoyama (Recused)

5. PRESENTATIONS

A. Receive and file a presentation on proposed transit-oriented development (TOD) at El Cerrito Plaza BART station

Action Proposed: Receive and file a presentation and status update on the Bay Area Rapid Transit (BART) proposed development project at the El Cerrito Plaza station.

Contact: Melanie Mintz, Community Development Director, Community Development Department

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding transportation from hilltops, design/plan review process, parcel zoning, financial and community benefits of project, input on needs for library, data specific to the Plaza station, definition of micro-transit, location of bus drop off, public improvement projects, maintenance responsibilities of potential playground, funding sources or leasing options for library, flexibility of percent of affordable housing, and office space options.

Oral Public Comments:

Dave Cambell - spoke on parking concerns, bike access and need for east/west connections.

Carrie Schulman - spoke regarding concerns with bike path, cross traffic, location of park and need for additional dining options.

Jahan Burns - commented on methodology and assumptions, and parking concerns.

Laura Maurer - shared statistics from master thesis on parking at the plaza station, room for improvements and use of on-street parking.

Dan Schulman - spoke in favor of variety of new homes, creating a vibrant pedestrian friendly development, preserving open space views, need to explore additional ideas.

Howdy Goudey - commented on affordable housing, climate action, energy efficiency and omission reductions in design.

Linda Cain - commented on commuting experience, concern on building height, and transportation options for residents up the hill.

Jeff Levin - spoke in support of the project vibrant and source of revenue, requested a Berkeley/El Cerrito corridor plan meeting in El Cerrito.

Tony Laidig - commented in support of the project, and lack of taxes collected.

Gail Feldman - spoke regarding concern with station access and statistics of study used.

Marianne Selph - spoke regarding need to replace parking removed by development.

Dan Cloak - spoke in support of the project, abatement of parking and maintenance, and street parking

Nico Nagle - representing Housing Action Coalition, commented on affordable housing needs near transit and job centers, increased cost for housing with parking.

6. PUBLIC HEARINGS

A. Public Hearing to Confirm the Diagram and to Levy the Assessment for Fiscal Year 2021-22 for Landscape and Lighting Assessment District No. 1988-1

Notice Published 4/24/21

Action Proposed: Conduct a public hearing, and upon conclusion adopt a resolution setting the annual Landscape and Lighting Assessment for Fiscal Year (FY) 2021-22 as \$72 per single-family residential parcel, and as noted in the Engineer's Report for other classes of properties.

Contact: Shannon Collins, Finance Supervisor, Finance Department, Yvetteh Ortiz, Public Works Director, Public Works Department, Mark Rasiah, Finance Director, Finance Department

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding total revenue from assessment, additional amount needed to cover costs, and prior efforts to increase.

Public Hearing: Mayor Fadelli opened the public hearing.

No public comments.

Moved/Seconded: Mayor Pro Tem Quinto/Councilmember Motoyama
Action: Passed a motion to close of the public hearing. **Ayes:** Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Motoyama, Councilmember Rudnick **Noes:** None

Moved/Seconded: Councilmember Motoyama/Mayor Pro Tem Quinto
Action: Approved Resolution 2021-21. **Ayes:** Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Motoyama, Councilmember Rudnick **Noes:** None

B. Public Hearing regarding Fiscal Year 2021-22 Storm Drain Annual Report and method of collecting storm drain fees

Notice Published 4/24/21 & 4/30/21

Action Proposed: Conduct a public hearing and upon conclusion adopt a resolution approving the Fiscal Year 2021-22 Storm Drain Annual Report and directing that Storm Drain Fees be collected on the property tax rolls.

Contact: Shannon Collins, Finance Supervisor, Finance Department, Yvetteh Ortiz, Public Works Director, Public Works Department, Mark Rasiah, Finance Director, Finance Department

Public Hearing: Mayor Fadelli opened the public hearing.

No public comments.

Moved/Seconded: Councilmember Rudnick/Councilmember Abelson
Action: Passed a motion to close the public hearing. **Ayes:** Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Motoyama, Councilmember Rudnick **Noes:** None

Moved/Seconded: Councilmember Motoyama/Councilmember Abelson
Action: Approved Resolution 2021-22. **Ayes:** Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Motoyama, Councilmember Rudnick **Noes:** None

C. Public Hearing on Master Fee Schedule Revisions for Fiscal Year 2021-22

Notice Published 4/24/21 & 4/30/21

Action Proposed: Conduct a public hearing, and upon conclusion adopt a resolution approving the Fiscal Year 2021-22 Master Fee Schedule.

Contact: Shannon Collins, Finance Supervisor, Finance Department

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding fines for parking in accessible spaces, refunds for inspections related to cancelled projects, residential fire permit, and increase to parking permit fees.

Public Hearing: Mayor Fadelli opened the public hearing.

Public Comments:

Denise Sangster - spoke in favor of increased pool fees for non-residents, and fee for residential burn permit.

Dan Schulman - commented on need for fee in response to false alarms to be cost recovery.

Moved/Seconded: Councilmember Abelson/Mayor Pro Tem Quinto

Action: Passed a motion to close of the public hearing. **Ayes:** Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Motoyama, Councilmember Rudnick **Noes:** None

Moved/Seconded: Councilmember Rudnick/Councilmember Abelson

Action: Approved Resolution 2021-23, including correction to Exhibit A Solar PV fee to read \$250 + \$15 per kwth. **Ayes:** Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Motoyama, Councilmember Rudnick **Noes:** None

D. Public hearing to consider an ordinance of the City of El Cerrito amending Sections of Title 19, of the El Cerrito Municipal Code to amend regulations for Inclusionary Zoning.

Notice Published 4/24/21 & 4/30/21

Action Proposed: Conduct a public hearing and, upon conclusion, introduce by title and waive any further reading of an Ordinance amending Chapter 19.30 of the El Cerrito Municipal Code to establish an application process for currently exempt projects to request a limited extension that must be filed with the City Manager by June 30, 2021. If the application is approved, the extension will require that building permit applications be submitted by January 1, 2022, and that construction begin by July 1, 2022. Any approved extension for all exempt projects will expire on January 1, 2022, if a building permit has not been applied for, or July 1, 2022, if construction has not commenced, as described further below.

Contact: Aissia Ashoori, Housing Analyst; Sean Moss, Planning Manager; Melanie Mintz, Community Development Director, Community Development Department

Mayor Fadelli opened the public hearing.

Public Comments:

Howdy Goudey - commented on continuing extensions not helping to produce additional housing.

Moved/Seconded: Councilmember Rudnick/Mayor Pro Tem Quinto

Action: Passed a motion to close the public hearing. **Ayes:** Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Motoyama, Councilmember Rudnick **Noes:** None

Moved/Seconded: Councilmember Motoyama/Councilmember Abelson

Action: Passed a motion introducing by title only Ordinance 2021-02, correcting the first whereas clause on page two to read "and" July 1. **Ayes:** Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Motoyama, Councilmember Rudnick **Noes:** None

7. POLICY MATTERS

A. FY 2020-21 General Fund Budget Update for March 2021

Action Proposed: Receive and file an update on City General Fund revenues and expenses for FY 2020-21 through March 2021.

Contact: Mark R. Rasiah, Finance Director/City Treasurer, Finance Department

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding Tax Revenue Anticipation Note (TRAN) repayment and new issuance amount, fund balance calculations, TRAN interest rate, final cost of the TRAN once paid off, upcoming Financial Advisory Board (FAB) items, impact of auditor recommendations on next fiscal year.

Moved/Seconded: Mayor Pro Tem Quinto/Councilmember Abelson

Action: Passed a motion to extend the meeting to 11:15 p.m.

Ayes: Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Motoyama, Councilmember Rudnick **Noes:** None

Public Comments:

Denise Sangster - commented on late hour of meeting, unaccounted for revenues and expenses, importance of cash flow, unfunded liabilities, and absence of confidence in staff and documentation.

Action: Received and filed

8. CITY COUNCIL LOCAL & REGIONAL LIAISON ASSIGNMENTS *Mayor and City Council communications regarding local and regional liaison assignments and committee reports.*

Councilmember Rudnick - reported on attendance at RecycleMore meeting.

Mayor Fadelli - reported on attendance at Park and Recreation Commission meeting.

9. ADJOURN REGULAR CITY COUNCIL MEETING

The regular meeting adjourned at 11:11 PM in honor of George Floyd and Cezlaw Jan "Chet" Grycz.



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 May 4, 2021 as approved by the El Cerrito City Council.



Holly M. Charléty, MMC, City Clerk