



AGENDA

CONCURRENT SPECIAL PLANNING COMMISSION AND REGULAR CITY COUNCIL MEETING AUGUST 17, 2021 – 7:00 p.m.

City Council (in-person):
Mayor Paul Fadelli

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

Planning Commission (via Zoom):
Chair Leslie Mendez

Member Brendan Bloom • Member Greg Crump • Member Erin Gillett
Member Daniel Hamilton • Member Linda Klein • Member Joy Navarrete

Meeting Location:
(City Council and staff only - no public attendance)
Council Chambers, 10890 San Pablo Ave
El Cerrito, CA 94530

Join Via Zoom:

<https://zoom.us/j/97341195745?pwd=QVlxSkhSQTgweCtEVmg0aGxrT3BjZz09>

Meeting ID: 973 4119 5745 **Password:** 873597
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.

This meeting is the first step in conducting "hybrid" City Council meetings, which will provide options for both in-person and remote participation. For the August 17, 2021 meeting, ONLY City Council and staff will be permitted to attend in person. Planning Commission members will participate via zoom, and members of the public will be able to participate remotely using any of the methods listed below. Beginning September 21, 2021 any interested individual will be able to attend City Council meetings in-person or participate via Zoom, unless changes in public health conditions prompt a return to remote-only meetings.

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 CONCURRENT SPECIAL PLANNING COMMISSION AND REGULAR CITY COUNCIL MEETING

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.

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.

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.

A. Approval of Minutes

Action Proposed: Pass a motion to approve City Council Meeting minutes from June 15, June 22, and July 20, 2021.

Contact: Holly M. Charléty, City Clerk, City Management

B. Crime Prevention Committee Appointment

Action Proposed: Approve a Crime Prevention Committee recommendation to appoint William Cobb and Kathryn Fournier to the Crime Prevention Committee, effective August 17, 2021.

Contact: Scott Cliatt, Sergeant, Police Department

C. Construction Contract Award for Gladys Avenue, El Dorado Street, and B Street Improvement Project, City Project No. C3079, State Project No. LPPSB1L-5239(030)

Action Proposed: Adopt a resolution approving plans and specifications for the Gladys Avenue, El Dorado Street, and B Street Improvement Project, City Project No. C3079, State Project No. LPPSB1L-5239(030) (Project); rejecting the bid submitted by QA Constructors as non-responsive and accepting the other five (5) bids submitted for the Project; and authorizing the City Manager to execute a contract in the amount of \$424,850 with California Highway Construction Group Inc. and to approve change orders in an amount not to exceed \$43,000 for the construction of the Project.

Contact: Ana Bernardes, Engineering Manager/Senior Engineer; Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department

D. El Cerrito del Norte Transit-Oriented Development Complete Streets Improvement Project - Subregional Transportation Mitigation Program (STMP) Cooperative Funding Agreement

Action Proposed: Adopt a resolution approving the Subregional Transportation Mitigation Program (STMP) Cooperative Funding Agreement (Agreement) between the West Contra Costa County Transportation Advisory Committee (WCCTAC) and the City of El Cerrito (City) for the El Cerrito del Norte Transit-Oriented Development (TOD) Complete Streets Improvement Project and authorizing the City Manager to execute the Agreement.

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

5. PRESENTATIONS

A. CITY COUNCIL/PLANNING COMMISSION ITEM

Access Planning for Transit-Oriented Development at the El Cerrito Plaza Bay Area Rapid Transit (BART) Station – Study Session

Action Proposed: Receive presentations from City staff, Bay Area Rapid Transit (BART) staff, and consultants regarding the Berkeley-El Cerrito Corridor Access Plan, mobility improvements and parking components of the proposed Transit-Oriented Development (TOD) project at the El Cerrito Plaza BART station, and provide feedback regarding TOD access strategies, including the on-street parking management component.

Contact: Melanie Mintz, Community Development Director, Community Development Department
Yvetteh Ortiz, Public Works Director, Public Works Department

6. PUBLIC HEARINGS

7. POLICY MATTERS

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

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

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

8. CITY COUNCIL LOCAL & REGIONAL LIAISON ASSIGNMENTS

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

9. ADJOURN CONCURRENT SPECIAL PLANNING COMMISSION AND REGULAR CITY COUNCIL MEETING

The next regularly scheduled City Council meeting is Tuesday, September 21, 2021 at 7:00 p.m. in City Council Chambers located at 10890 San Pablo Avenue.

The City of El Cerrito serves, leads and supports our diverse community by providing exemplary and innovative services, public places and infrastructure, ensuring public safety and creating an economically and environmentally sustainable future.

- Council Meetings can be heard live on FM Radio, KECG – 88.1 and 97.7 FM and viewed live on Cable TV - KCRT- Channel 28. The meetings are rebroadcast on Channel 28 the following Thursday and Monday at 12 noon, except on holidays. Live and On-Demand Webcast of the Council Meetings can be accessed from the City's website <http://www.el-cerrito.org/CouncilMeetingMaterials> and is streamed with closed caption. Copies of the agenda bills and other written documentation relating to items of business referred to on the agenda are on file and available for public inspection in the Office of the City Clerk, at the El Cerrito Library and posted on the City's website at www.el-cerrito.org prior to the meeting.
- In compliance with the Americans with Disabilities Act, if you need special assistance to participate in

this meeting, please contact the City Clerk, 510-215-4305. 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).

- **The Deadline for agenda items and communications** is eight days prior to the next meeting by 12 noon, City Clerk's Office, 10890 San Pablo Avenue, El Cerrito, CA. Tel: 510-215-4305, email cityclerk@ci.el-cerrito.ca.us
- IF YOU CHALLENGE A DECISION OF THE CITY COUNCIL IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE COUNCIL MEETING. ACTIONS CHALLENGING CITY COUNCIL DECISIONS SHALL BE SUBJECT TO THE TIME LIMITATIONS CONTAINED IN CODE OF CIVIL PROCEDURE SECTION 1094.6.
- The City Council believes that late night meetings deter public participation, can affect the Council's decision-making ability, and can be a burden to staff. City Council Meetings shall be adjourned by 11:00 p.m., unless extended to a specific time determined by a majority of the Council.

EL CERRITO CITY COUNCIL DRAFT MINUTES

SPECIAL CITY COUNCIL MEETING JUNE 15, 2021 – 6:00 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/92926436966?pwd=NjRUY1ISUXRuM0svbXMrVUJobWhaUT09>

Meeting ID: 929 2643 6966 **Password:** 161307
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.

This meeting will not be broadcast or livestreamed online. Members of the public may join the meeting directly using the Zoom meeting information listed above. When the City Council convenes to closed session, the meeting will be closed to the public.

Public Comments may be submitted one of two ways and are **limited to items on the special meeting agenda only:**

- 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 – 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.**

6:00 P.M. ROLL CALL - CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Fadelli called the meeting to order at 6:01 PM.

Present: Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Motoyama, Councilmember Rudnick **Absent:** None

1. **ORAL COMMUNICATIONS FROM THE PUBLIC**

All persons wishing to speak should sign up with the City Clerk. Remarks are typically limited to 3 minutes per person and to items on the special meeting agenda only.

Cordell Hindler - spoke regarding need for more youth serving on boards and commissions.

2. **COMMISSION VACANCIES, STATUS AND APPOINTMENTS**

Proposed Action: Confer with staff regarding current vacancies, applications, and ongoing recruitments. Council may decide to make appointments at the conclusion of the discussion.

Contact: Holly M. Charléty, City Clerk, City Management

Moved/Seconded: Councilmember Abelson/Councilmember Motoyama **Action:** Discussed eligible candidates from prior interviews in April of 2021, and passed a motion to appoint Megan Wier to the Park and Recreation Commission for a partial term of 6/16/2021 - 3/1/2022. **Ayes:** Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Motoyama, Councilmember Rudnick **Noes:** None

3. **CLOSED SESSION CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Government Code Section 54957.6

Agency Designated Representatives: Karen Pinkos, City Manager; Glenn Berkheimer, Labor Negotiator; Alexandra Orologas, Assistant City Manager; and Sky Woodruff, City Attorney.

Employee Organizations: El Cerrito Police Employees Association; United Professional Firefighters Local 1230; Service Employees International Union (SEIU) Local 1021; Public Safety Management Association (Battalion Chief, Fire Chief, Police Chief, and Police Management); and Management/ Confidential Employees.

Contact: Sky Woodruff, City Attorney, City Management

The City Council convened to closed session at 6:09 p.m. No Reportable Action.

4. **ADJOURN SPECIAL CITY COUNCIL MEETING**

The special meeting adjourned at 6:49 PM

Paul Fadelli, Mayor

This is to certify that the foregoing is a true and correct copy of the minutes of the special City Council meeting of June 15, 2021 as approved by the El Cerrito City Council.

Holly M. Charléty, MMC, City Clerk

EL CERRITO CITY COUNCIL DRAFT MINUTES

CONCURRENT SPECIAL MEETING OF THE EL CERRITO PUBLIC FINANCING AUTHORITY, EMPLOYEE PENSION TRUST BOARD, AND REGULAR MEETING OF THE CITY COUNCIL JUNE 15, 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/94922424132?pwd=VkFhTHNOSjNVU0FwSDZXUFlxcGxoUT09>

Meeting ID: 949 2242 4132 **Password:** 929722
or Dial in: 1-408-638-0968

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7:00 P.M. ROLL CALL – CONVENE CONCURRENT SPECIAL MEETING OF THE EL CERRITO PUBLIC FINANCING AUTHORITY, EMPLOYEE PENSION TRUST BOARD, AND REGULAR MEETING OF THE CITY COUNCIL

Mayor Fadelli called the meeting to order at 07:00 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 health orders, vaccines, and reopening plans for city facilities.

Police Chief Keith - provided an update on region and city response to illegal fireworks.

Councilmember Rudnick - provided an update on the Council budget ad- hoc committee.

Councilmember Motoyama - reported meeting with Community Development staff and a new El Cerrito business, Footlocker.

Mayor Fadelli - reported attendance at the Contra Costa County Election Community Engagement group; shared the budget recommendations submitted by the Financial Advisory Board (FAB).

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 Cordell Hindler.

Oral Public Comments:

Ira Sharenow - commented on municipal code authorities and responsibilities.

Chris Hurst - introduced as the new West Contra Costa Unified School District (WCCUSD) superintendent.

Indy Rishi Singh - spoke on emotional well-being, mental health, discrimination

in community and senior services.

Diana Cantu-Reyna - spoke of disappointment with process for public engagement at council meeting, and against library cuts.

Anna Ghosh - spoke against cuts to library hours.

Stephanie Lu - commented on meeting being inaccessible, and connection and empathy for the community.

Charles Taylor- spoke against cuts to library hours.

Debra Saunders - requested publication of the S&P report and long-term rating, commented on use of American Rescue Plan Act (ARPA) funds for business, not city expenses.

Tim Laidman - spoke against cuts to library hours; in favor of cutting police vehicles, FAB recommendations, management compensation and need for additional budget details.

Cathy Hanville - spoke regarding Measure X support, pride month, identifying pronouns, and re-voting on library.

Nadine Cohen- spoke against cuts to library hours.

Kimberly White - requested a rework of the budget, commented on lack of accountability and transparency.

Miguel Gravelle- spoke against cuts to library hours.

Ruby McDonald - commented on budget not meeting auditor's requests, support for other funding sources for library and volunteer service.

Justin Chang - commented on community meeting held by Councilmember Rudnick and concern about reserve levels.

Jim Dolgonas - spoke against cuts to library hours.

Rayah James - spoke against cuts to library hours, importance of senior services, lack of transparency and agreement with FAB recommendations.

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 Rudnick/Councilmember Motoyama
Action: Approved the Consent Calendar as indicated below. **Ayes:** Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Motoyama, Councilmember Rudnick **Noes:** None

A. National Night Out Proclamation

Action Proposed: Approve a proclamation calling upon all residents of the City of El Cerrito to participate in “National Night Out” on Tuesday, August 3, 2021.

Contact: Lt. Jose Delatorre, Administrative Services Division, Police Department

Action: Approved Proclamation

B. Consider a Letter of Support for Measure X Funding to support the Contra Costa County Community Crisis Initiative

Action Proposed: Pass a motion authorizing the Mayor to sign a letter in support of Measure X funding to support the Contra Costa County Community Crisis Initiative.

Contact: Karen Pinkos, City Manager, City Management

Action: Approved letter

C. Agreement with A Plus Tree Inc. for Tree Pruning and Removal Services

Action Proposed: Adopt a resolution authorizing the City Manager to execute an agreement with A Plus Tree Inc. for tree pruning and removal services in City parks and streets, in an amount not to exceed \$34,000 in Fiscal Year 2020-21 and \$34,000 in Fiscal Year 2021-22.

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

Action: Approved Resolution 2021-31

D. Amendment to the Agreement with Rubicon Landscape Corporation for Parks and Landscape Maintenance Services

Action Proposed: Adopt a resolution authorizing the City Manager to execute an Amendment to the Agreement with Rubicon Landscape Corporation for parks and landscape maintenance services, extending the agreement term from July 1, 2021 to June 30, 2022 with a total annual compensation not to exceed \$134,416 in Fiscal Year 2021-22.

Contact: Will Provost, Operations & Environmental Services Division Manager, Public Works Department; Yvetteh Ortiz, Public Works Director/City Engineer

Action: Approved Resolution 2021-32

E. Agreement with Mobile Fleetcare, Inc. for Fleet Maintenance and Repair Services

Exempt from CEQA review pursuant to section 15378(b)(2)

Action Proposed: Adopt a resolution authorizing the City Manager to execute an agreement with Mobile Fleetcare, Inc. in an annual amount not to exceed \$143,100 in Fiscal Year 2021-22 to provide fleet maintenance and repair services for a period of three years, with the option to annually extend the contract for three years thereafter, contingent upon funding being appropriated by the City Council in future City budgets.

Contact: Will Provost, Operations and Environmental Services Division Manager, Public Works Department; Yvetteh Ortiz, Public Works Director/City Engineer

Action: Approved Resolution 2021-33

5. PRESENTATIONS

A. Citizens Street Oversight Committee Annual Report for Fiscal Year 2019-20

Action Proposed: Receive and file the Citizens Street Oversight Committee Annual Report for Fiscal Year 2019-20 to City Council and Citizens of El Cerrito.

Contact: Vanessa Hill, Committee Chair, Citizens Street Oversight Committee; Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department

Action: Received and filed

6. PUBLIC HEARINGS

7. POLICY MATTERS

A. CITY COUNCIL/PUBLIC FINANCING AUTHORITY/EMPLOYEE PENSION TRUST BOARD

Approval of the City's Fiscal Year 2021-22 Proposed Budget and Spending Authority by Fund for the City, Employee Pension Board and Public Financing Authority and Approval of the FY 2021-22 Annual Gann Appropriation Limit.

Action Proposed: Staff requests that the City Council 1) Adopt a City Council resolution authorizing Fiscal Year 2021-22 spending authority by fund for the City of El Cerrito; 2) Adopt a El Cerrito Public Financing Authority resolution authorizing Fiscal Year 2021-22 spending authority by fund; 3) Adopt a El Cerrito Employee Pension Board resolution authorizing Fiscal Year 2021-22 spending authority by fund; and 4) Adopt a City Council resolution approving the calculation and establishing the FY 2021-22 annual Gann Appropriation Limit.

Contact: Karen Pinkos, City Manager, City Management; Mark R. Rasiah, Finance Director/City Treasurer, Finance Department

Presentation and Discussion: Financial Advisory Board (FAB) Chair, Dick Patterson, provided the basis for the FAB recommendations of a \$1 general fund surplus that does not rely on the ARPA funds, options to generate such funds, and program and service reductions with impacts on residents.

Presenters and staff responded to comments and questions raised by members of the council regarding additional cuts needed to achieve a \$1 million dollar surplus, use of ARPA funds, placement of library hours in budget, funding for library hours, funding a 115 trust, measure H funds, 4th of July events, senior services, telecommunication expenses, senior foundation to raise funds for senior services, consolidation of midtown facility, impact of eliminated positions in Public works, illegal dumping and graffiti abatement response, mixed stream recycling, grant funding, Hillside Natural Area trees and weed abatement costs, police vehicles, communication costs, police dispatch, and options for budget modifications.

Council recessed at 10:04 PM and reconvened at 10:10 PM.

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 Laila Carroll, Charles Taylor, Cordell Hindler, Erin Everett, Karen Anderson, Clem & John Underhill, Al Miller, Deborah Long, Patricia Shaw, Nancy Allen, Michael Fischer, Susannah Snider, Peter Smith, Diana Rodrigues, Jim Dolgonas, Linda Moss, Sue Hansen, Ruth Robinson, Rebecca Sutton, Dick Patterson, Alison Sanders, Felicia Vargas, Gary & Jean Pokorny, Michael Fischer, Alice W. Clark, Angelo Claudio, Jan Woo, Glen Shannon, Natalie Slama, Eric Luttrell, Rochelle Pardue-Okimoto, Erik Jekabson, Barry Koops, Rick Franklin, Leslie D. Adams, Claire Boudreaux, and Karen Platt.

Moved/Seconded: Councilmember Rudnick/Mayor Fadelli

Action: Passed a motion to restore library hours and moving to a non-department division of the budget. **Ayes:** Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Rudnick **Noes:** Councilmember Motoyama

Oral Public Comments:

Ira Sharenow, Michael Fischer, Jacob Klein, Linda M., Sherry Drobner, Howdy Goudey, Linda Cain, Al Miller, Kathryn Levenson, Dan Schulman, and Kimberly White - spoke in support of restoring library hours

Moved/Seconded: Councilmember Motoyama/Mayor Pro Tem Quinto
Action: Passed a motion to establish a Section 115 trust to pay pension obligations, funded by cuts so as to not have an additional impact on the General Fund. **Ayes:** Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Motoyama, Councilmember Rudnick **Noes:** None

Oral Public Comments:

Debra Saunders - spoke in support but suggested waiting to setup up until a sizable amount of funds have been set aside.

Ira Sharenow - suggested how to achieve cuts to fund the trust.

Howdy Goudey - spoke in support of creating the trust, the amount of unfunded liability and other increases in budget.

William Ktsanes - spoke in support of creating the fund when funds set aside and need for receiving a menu of choices for cuts.

Moved/Seconded: Mayor Fadelli/Councilmember Motoyama
Action: Passed a motion to reduce the police vehicle purchases by \$50 thousand dollars. **Ayes:** Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Motoyama, Councilmember Rudnick **Noes:** None

Oral Public Comments:

Rebecca Sutton, Indy Rishi Singh, Sherry Drobner, Linda Cain, and Ira Sharenow - spoke in support of reducing police vehicle purchases.

Moved/Seconded: Councilmember Abelson/Mayor Pro Tem Quinto
Action: Failed motion to extend the meeting to 11:30 PM. **Ayes:** Councilmember Abelson, Mayor Fadelli **Noes:** Mayor Pro Tem Quinto, Councilmember Motoyama, Councilmember Rudnick

B. Management and Confidential Employees Resolution

Action Proposed: Adopt a resolution modifying salaries, benefits, and conditions of employment for Management and Confidential Employees.

Contact: Alexandra Orologas, Assistant City Manager, City Management

Action: Item continued to the June 22, 2021 special City Council meeting.

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

Mayor Pro Tem Quinto - reported Marin Clean Energy (MCE) funding available to customers who need assistance to pay bill.

9. **ADJOURN CONCURRENT SPECIAL MEETING OF THE EL CERRITO
PUBLIC FINANCING AUTHORITY, EMPLOYEE PENSION TRUST BOARD,
AND REGULAR MEETING OF THE CITY COUNCIL**

The regular meeting adjourned at 10:58 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 June 15, 2021 as approved by the El Cerrito City Council.

Holly M. Charl  ty, MMC, City Clerk

EL CERRITO CITY COUNCIL DRAFT MINUTES

CONCURRENT SPECIAL MEETING OF THE EL CERRITO PUBLIC FINANCING AUTHORITY, EMPLOYEE PENSION TRUST BOARD, AND CITY COUNCIL JUNE 22, 2021 – 6:00 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/91858314976?pwd=cmNMM0xFamRULzBJUDA4Qi94RmV2Zz09>

Meeting ID: 918 5831 4976 **Password:** 935829
or Dial in: 1-408-638-0968

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- Via email to cityclerk@ci.el-cerrito.ca.us. Email must contain in the subject line **Public Comments – agenda item #.**

To ensure City Council receives your written comments prior to taking action, they must be received by **3:00 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.**

6:00 P.M. ROLL CALL - CONVENE CONCURRENT PUBLIC FINANCING AUTHORITY, EMPLOYEE PENSION TRUST BOARD, AND CITY COUNCIL MEETING

Mayor Fadelli called the meeting to order at 6:01 PM.

Present: Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Motoyama, Councilmember Rudnick

Absent: None

1. TELECONFERENCE/PUBLIC COMMENT INSTRUCTIONS

2. POLICY MATTERS

A. Management and Confidential Employees Resolution

Action Proposed: Adopt a resolution modifying salaries, benefits, and conditions of employment for Management and Confidential Employees. **Contact:** Alexandra Orologas, Assistant City Manager, City Management

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding auto allowance, birthday and floating holidays, and federal holidays.

Public Comments:

John Stashik - spoke in favor of approving the resolution.

Moved/Seconded: Councilmember Rudnick/Councilmember Abelson

Action: Approved Resolution 2021-34. **Ayes:** Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Motoyama, Councilmember Rudnick **Noes:** None

B. CITY COUNCIL/PUBLIC FINANCING AUTHORITY/EMPLOYEE PENSION TRUST BOARD

Approval of the City's Fiscal Year 2021-22 Proposed Budget and Spending Authority by Fund for the City, Employee Pension Board and Public Financing Authority and Approval of the FY 2021-22 Annual Gann Appropriation Limit.

Action Proposed: Staff requests that the City Council 1) Adopt a City Council resolution authorizing Fiscal Year 2021-22 spending authority by fund for the City of El Cerrito; 2) Adopt a El Cerrito Public Financing Authority resolution authorizing Fiscal Year 2021-22 spending authority by fund; 3) Adopt a El Cerrito Employee Pension Board resolution authorizing Fiscal Year 2021-22 spending authority by fund; and 4) Adopt a City Council resolution approving the calculation and establishing the FY 2021-22 annual Gann Appropriation Limit.

Contact: Karen Pinkos, City Manager, City Management; 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 Fire Department battalion chief duties, structure, dedicated emergency preparedness position, revenue assumptions, fees for medical response services, grant writing position, evacuation drill, and response to drought; Finance Department professional services, and OpenGov usage; Community Development Department backlog of services, solar permitting, specific plan update, development project status, database and hardware costs, real property transfer tax rebate program, City Management professional services, classification and compensation study, benefit and use of Tom Bates Field, HR Manager position; SB1383 implementation, and 4th of July Celebration.

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 Sue and Paul Duncan, Edward Chan, Jim Dolgonas, Scott Tipping, Harvey and Susan Tureck, Nick Zamorano, Marlene George, Kay Starkweather, and Cathy Hanville.

Oral Public Comments:

Ira Sharenow - commented on management salaries, fire department staffing and salaries, and against budget adoption as presented.

Kimberly White - expressed need for external class and compensation study, spoke on vital services and fiscal responsibility, and need for details of cuts and specific impacts.

Susan Duncan - spoke in favor of approving Fire Department budget as presented, danger of wildfire and the Hayward fault line, and need for reliable police vehicles for evacuation response.

Indy Rishi Singh - commented on care of mind and body, and response of community during the pandemic.

William Ktsanes - spoke on Financial Advisory Board recommendations, and against adoption of the budget as presented.

Moved/Seconded: Mayor Fadelli/Councilmember Rudnick

Action: Passed a motion directing staff to maximize the use of American Rescue Plan Act (ARPA) funding for expenses that will provide relief to the General Fund and account for COVID-19 related revenue loss in order to replenish the General Fund reserves. **Ayes:** Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Motoyama, Councilmember Rudnick **Noes:** None

Moved/Seconded: Councilmember Abelson/Mayor Pro Tem Quinto
Action: Adopted Resolution 2021-35 (Spending Authority), PFA
Resolution 2021-01 (Spending Authority), PB Resolution 2021-01
(Spending Authority), and Resolution 2021-36 (GANN limit).
Ayes: Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson
Noes: Councilmember Motoyama, Councilmember Rudnick

3. **ADJOURN SPECIAL CONCURRENT PUBLIC FINANCING AUTHORITY,
EMPLOYEE PENSION TRUST BOARD, AND CITY COUNCIL MEETING**
The special meeting adjourned at 9:33 PM

Paul Fadelli, Mayor

This is to certify that the foregoing is a true and correct copy of the minutes of the special City Council meeting of June 22, 2021 as approved by the El Cerrito City Council.

Holly M. Charl  ty, MMC, City Clerk

EL CERRITO CITY COUNCIL DRAFT MINUTES

REGULAR CITY COUNCIL MEETING TUESDAY, JULY 20, 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/93081439537?pwd=L0UvcVFQenJINjhGOFZsMnlzUIYwUT09>

Meeting ID: 930 8143 9537 **Password:** 442872
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 the local emergency, including the recommendation for all individuals to wear masks in indoor public spaces; announced modified public hours for city buildings through the end of summer.

Councilmember Rudnick - announced July is homelessness awareness month and meetings regarding regional approach to homelessness.

Mayor Pro Tem Quinto - reported attendance at League of California Cities Board meeting and his appointment to a two-year term.

Councilmember Motoyama - reported attendance at East Bay Economic Development Alliance and Marin Clean Energy (MCE) meetings.

Councilmember Abelson - reported attendance at the Association of Bay Area Government (ABAG) meeting.

Mayor Fadelli - reported attendance at Richmond event supporting a Tibet Walk to Sacramento, and KARO-ECHO Field Day at Canyon Park; announced issuance of a Mayoral Certificate of Recognition in honor of El Cerrito business Olivero Plumbing upon serving the community for over 70 years; recognized Sean Bennett for his participation in the Tour de France; announced the City pool is fully open to the public, the start of hybrid council meetings beginning in August, and intent to sign a letter to the County Advisory Body for Measure X funding for support of funding for libraries.

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 Cordell Hindler, Shanti Corrigan, Susan Obayashi, Robin Mitchell, Mary D Ghidella, Ira Sharenow, Al Miller, Michael A. Fischer, and Rachel Rosekind; consent item #4F from Gary Prost, Sue Duncan, Nick Zamorano, and Marlene George; and consent item #4F from Jon Kaufman, Sue Duncan, Gary Prost, and Jim Dolgonas.

Oral Public Comments:

Ira Sharenow - commented on spending of Measure A funds, condition of city streets, city's fiscal liability and Standard and Poor's rating.

Sue Duncan - spoke in support of adopting consent item 4F and 4G.

Michael Fischer - commented on library access and funding and requested letters of support for Measure X funds to be provided to the County to fund additional library hours.

Linda Cain - commented on use of acronyms.

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: Mayor Pro Tem Quinto/Councilmember Motoyama **Action:** Approved the Consent Calendar as indicated below. **Ayes:** Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Motoyama, Councilmember Rudnick **Noes:** None

A. Approval of Minutes

Action Proposed: Pass a motion to approve City Council Meeting minutes from May 4, May 8, May 18, May 26, and June 1.

Contact: Holly M. Charléty, City Clerk, City Management

Action: Approved minutes

B. Authorize Letter of Opposition for SB278

Action Proposed: As requested by Mayor Pro Tem Quinto, pass a motion authorizing Mayor Fadelli to sign a letter in opposition of SB 278 (Levy) requiring public agencies to directly pay retirees and/or their beneficiaries, and disallowed retirement benefits using general fund dollars.

Contact: Holly M. Charléty, City Clerk, City Management

Action: Approved letter

C. Authorize a Letter of Support for Cal Cities Proposed Resolution

Action Proposed: At the request of the City of Rancho Cucamonga, pass a motion authorizing the Mayor to sign a letter in support of a proposed Cal Cities resolution on sales tax equity.

Contact: Karen Pinkos, City Manager, City Management

Action: Approved letter

D. Urban Forest Committee Appointment

Action Proposed: Approve an Urban Forest Committee recommendation to appoint Catherine "Cassie" Hughes to the Urban Forest Committee effective August 1, 2021.

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

Action: Approved appointment

E. FY 2020-21 Fourth Quarter Cash and Investment Report

Action Proposed: Receive and file the City's Quarterly Investment Report for the Quarter ending June 30, 2021.

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

Action: Received and filed

F. Resolution Declaring Wildfire Prevention and Safety a Top Priority

Action Proposed: At the request of Mayor Fadelli, adopt a Resolution Declaring Wildfire Prevention and Safety as a Top Priority for the City of El Cerrito.

Contact: Holly M. Charléty, City Clerk, City Management

Action: Approved Resolution 2021-37

G. Resolution in Support of a East Bay Joint Powers Agency for Vegetation Management

Action Proposed: At the request of Mayor Fadelli, adopt a Resolution in support of the formation of an East Bay Vegetation Management Joint Powers Agency.

Contact: Holly M. Charléty, City Clerk, City Management

Action: Approved Resolution 2021-38

H. Storm Drain Easement Acceptance and Agreement for 1431 Scott Street

Action Proposed: Adopt a resolution accepting a Storm Drain Easement from the 1431 Scott, LLC, "Owner", for public storm drain facilities located at 1431 Scott Street and authorizing the City Manager to execute an Easement Agreement.

Contact: Ana Bernardes, Engineering Manager; Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department

Action: Approved Resolution 2021-39

5. PRESENTATIONS

A. Proclamation Honoring Joseph Grupalo in Retirement

Action Proposed: Pass a motion to approve a proclamation honoring Battalion Chief Joseph Grupalo for his many years of service to the City of El Cerrito.

Contact: Michael Pigoni, Fire Chief, Fire Department

Oral Public Comments:

Cordell Hindler - commented on appreciation for the hard work of Battalion Chief Grupalo.

Moved/Seconded: Councilmember Motoyama/Councilmember Abelson

Action: Approved Proclamation. **Ayes:** Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Motoyama, Councilmember Rudnick **Noes:** None

B. Drought and Wildfire Preparedness

Action Proposed: Receive and file presentations on drought and wildfire awareness from:

1. El Cerrito Fire Department
2. Pacific Gas and Electric
3. East Bay Municipal Utilities District

Contact: Michael Pigoni, Fire Chief, Fire Department

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding public outreach strategies, staff training, concern for elderly community's ability to comply with vegetation management, impact of sectionalizing devices, undergrounding lines, age of system and plans for replacements of wood infrastructure, use of cameras for monitoring infrastructure, access to recycled water, importance of insecticides not getting into the water stream, pipe replacement, condition of local storage reservoirs, surcharge for high water usage, and how to engage excessive users to reduce consumption.

Oral Public Comments:

Linda Cain - request for city tree service to look at large trees for water usage.

Action: Received and filed

6. PUBLIC HEARINGS

A. Fire Hazard Abatement

*Exempt from CEQA review pursuant to Sections 15304 and 15308.
Public Hearing noticed 7/10/2021.*

Action Proposed: 1) Adopt a resolution declaring weeds, rubbish, litter, or other flammable material on certain real property identified in the resolution constitutes a public nuisance; and 2) Conduct a public hearing and upon conclusion, adopt a resolution overriding objections by property owners and ordering the City Manager or their designee to abate certain public nuisances pursuant to El Cerrito Municipal Code Chapter 16.26.

Contact: David Yun, Fire Prevention Officer; Michael Pigoni, Fire Chief, Fire Department

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding first time homeowners.

Moved/Seconded: Mayor Pro Tem Quinto/Councilmember Rudnick

Action: Adopted Resolution 2021-40 (Declaring Public Nuisances), with updated Exhibit A. **Ayes:** Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Motoyama, Councilmember Rudnick **Noes:** None

Public Hearing: Mayor Fadelli opened the public hearing.

No public comments

Moved/Seconded: Councilmember Abelson/Councilmember Rudnick

Action: Closed the public hearing. **Ayes:** Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Motoyama, Councilmember Rudnick **Noes:** None

Moved/Seconded: Councilmember Abelson/Councilmember Rudnick

Action: Adopted Resolution 2021-41 (Overriding Objections). **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 May 2021

Action Proposed: Receive and file an update on City General Fund revenues and expenses for FY 2020-21 through May 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 determination of fiscal year for application of taxes received, city hall debt service payments, small business licenses and late penalties, fiscal year application of received American Rescue Plan Act (ARPA) funds, pension liability discount rate reduction impacts, setting aside funds for unfunded pension liability, ability to look at most recent month instead of two months prior, approach for managing reserve funds, update on credit rating, and

current data on real property transfer taxes received.

Oral Public Comments:

Ira Sharenow - commented on need for better community engagement, the state auditor's report, and pension liability.

Action: Received and filed

B. Adoption of Memorandum of Understandings between the City of El Cerrito and the El Cerrito Public Safety Management Association - Police Chief Unit and Fire Chief Unit

Action Proposed: Adopt a resolution approving an agreements between the City of El Cerrito and the El Cerrito Public Safety Management Association - Police Chief Unit (PSMA- Police Chief Unit) and Fire Chief Unit (PSMA - Fire Chief Unit) modifying language on salaries and benefits and creating new Memorandum of Understandings.

Contact: Alexandra Orologas, Assistant City Manager, City Management

Moved/Seconded: Councilmember Motoyama/Councilmember Abelson

Action: Adopted Resolution 2021-42. **Ayes:** Mayor Fadelli, Mayor Pro Tem Quinto, Councilmember Abelson, Councilmember Motoyama, Councilmember Rudnick **Noes:** None

8. CITY COUNCIL LOCAL & REGIONAL LIAISON ASSIGNMENTS

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

Mayor Pro Tem Quinto - reported on Hazardous Materials Commission work with County and other groups regarding rising sea levels.

9. ADJOURN REGULAR CITY COUNCIL MEETING

The regular meeting adjourned at 10:55 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 July 20, 2021 as approved by the El Cerrito City Council.

Holly M. Charléty, MMC, City Clerk



AGENDA BILL

Agenda Item No. 4.B.

Date: August 17, 2021
To: El Cerrito City Council
From: Scott Cliatt, Sergeant, Police Department
Subject: Crime Prevention Committee Appointment

ACTION PROPOSED

Approve a Crime Prevention Committee recommendation to appoint William Cobb and Kathryn Fournier to the Crime Prevention Committee, effective August 17, 2021.

BACKGROUND

William Cobb and Kathryn Fournier have submitted applications to join the Crime Prevention Committee. Both have regularly attended the monthly CPC Meetings and have attended more than three meetings this year. The Crime Prevention Committee voted unanimously during the regularly scheduled meeting on May 12th, 2021, to recommend the City Council appoint both William Cobb and Kathryn Fournier as members of the committee. Since then, they have both completed and successfully passed the background investigation.

William Cobb has lived in El Cerrito for over thirty years. He holds a bachelor's degree in political science degree from the University of California, Los Angeles and a Juris Doctorate from the University of Berkeley's Hasting College of Law. He is retired from the City of Berkeley where he served as an Administrative Hearing Examiner. Mr. Cobb would like to contribute to our community through serving on the Crime Prevention Committee.

Kathryn Fournier recently moved to the City of El Cerrito, just over a year ago. She holds a bachelor's degree in Interdisciplinary Humanities from the University of San Diego. She is currently employed by the University of California, Berkeley where she serves as the Associate Director of Development. She has experience in community outreach and marketing. Ms. Fournier would like to serve on the Crime Prevention committee to get more involved in the community and help create a framework in which all residents of El Cerrito feel welcomed and safe.

If the Council approves this recommendation, the number of Committee members will be 7 out of a possible membership total of 15, as established by Resolution 2001-105.

STRATEGIC PLAN CONSIDERATIONS

This section is not applicable to this agenda item.

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

This section is not applicable to this agenda item.

LEGAL CONSIDERATIONS

This section is not applicable to this agenda item.

Reviewed by:

A handwritten signature in blue ink, appearing to read "Karen Pinkos".

Karen Pinkos, City Manager

Attachments:

Application(s) on file with City Clerk



AGENDA BILL

Agenda Item No. 4.C.

Date: August 17, 2021
To: El Cerrito City Council
From: Ana Bernardes, Engineering Manager/Senior Engineer; Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department
Subject: Construction Contract Award for Gladys Avenue, El Dorado Street, and B Street Improvement Project, City Project No. C3079, State Project No. LPPSB1L-5239(030)

ACTION PROPOSED

Adopt a resolution approving plans and specifications for the Gladys Avenue, El Dorado Street, and B Street Improvement Project, City Project No. C3079, State Project No. LPPSB1L-5239(030) (Project); rejecting the bid submitted by QA Constructors as non-responsive and accepting the other five (5) bids submitted for the Project; and authorizing the City Manager to execute a contract in the amount of \$424,850 with California Highway Construction Group Inc. and to approve change orders in an amount not to exceed \$43,000 for the construction of the Project.

BACKGROUND

Project Description

The Gladys Avenue, El Dorado Street, and B Street Improvement Project will rehabilitate the roadway pavement; reconstruct sections of sidewalk, curb, and gutter; install new and modified curb ramps; reconstruct valley gutter; and install enhanced traffic signing and pavement markings. The Project is located on Gladys Avenue from Lexington Avenue to Richmond Street, on El Dorado Street from Carlson Boulevard to San Pablo Avenue, and on B Street from Behrens Street to Ashbury Avenue.

The pavement on these roadways is currently in poor condition, three of the lowest in the City. In addition, street trees have severely displaced sections of pavement, sidewalk, curb and gutter, and a valley gutter facility within the roadway is damaged and needs repairs to facilitate stormwater drainage across B Street. The Project will benefit residents and the community in general by providing safe and accessible walking, biking, and driving routes to important destinations in this area.

The Project is funded by the City's Measure A Street Improvement funds with additional funding from the SB 1 Local Partnership Program (LPP). Additional information on the SB 1 LPP is contained in the 'Financial Considerations' section of this report.

Construction Contract Bidding

The Notice Inviting Bids for the Project was advertised in the West County Times on July 15 and 22, 2021. Additionally, the notice and complete set of contract documents were sent to eight Builder and Construction Exchanges in the Bay Area and Northern California and were available for purchase through the BPXpress website, an online

planroom used by the City. A non-mandatory pre-bid conference was held on July 20, 2021. One addendum was issued.

ANALYSIS

Six bids were received and publicly read by the City on the advertised bid opening date of August 5, 2021 at 1:00 p.m. The bid from QA Constructors was incomplete, missing the corporate seal and the additional company information. City staff found these omissions to be material and recommend rejection of the bid as non-responsive. The results of the remaining five bids are summarized below.

Bidder	Bid Amount
California Highway Construction Group Inc.	\$424,850.00
NBC Construction and Engineering Inc.	\$472,688.00
Interstate Grading & Paving Inc.	\$477,129.00
Esquivel Grading & Paving Inc.	\$483,232.56
Kerex Engineering Inc.	\$613,350.00
Engineer's Estimate	\$475,000.00

The bid from California Highway Construction Group Inc. in the amount of \$424,850 is 11 percent lower than the Engineer's Estimate. City staff recommends that the City Council award a construction contract to California Highway Construction Group Inc. as the lowest responsive and responsible bidder, and approve change orders in an amount not to exceed \$43,000 for construction of the Project.

STRATEGIC PLAN CONSIDERATIONS

The Project is consistent with the following El Cerrito Strategic Plan Goals:

- Goal D – Develop and rehabilitate public facilities as community focal points by addressing ongoing and deferred maintenance of facilities and infrastructure; and
- Goal E – Ensure the public's health and safety by maintaining streets and sidewalks in a state of good repair for all modes of transportation.

ENVIRONMENTAL CONSIDERATIONS

The Project is categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15301 because the Project is a repair to an existing facility involving negligible or no expansion of use beyond that presently existing. More specifically, restoration or rehabilitation of deteriorated or damaged facilities to meet current standards of public health and safety, unless it is determined

that the damage was substantial and resulted from an environmental hazard such as an earthquake, landslide, or flood, is exempt from CEQA.

FINANCIAL CONSIDERATIONS

The construction of the Project is largely funded by the City's Measure A Street Improvement funds with additional funding from the SB 1 Local Partnership Program (LPP). LPP is distinct from the Local Streets and Road Funding Program, for which the City adopts a list of projects on an annual basis in the spring, and is structured to reward municipalities and agencies in which voters have approved fees or taxes solely dedicated to transportation improvements (self-help agencies). City staff submitted an allocation request to the California Transportation Commission (CTC), which oversees the LPP program, for \$200,000 in LPP funds for construction of this project. The CTC approved this request with a deadline for construction contract award of March 31, 2022.

Funding for the Project in the total amount of \$715,000 is included in the Fiscal Year 2021-22 Adopted Budget and Capital Improvement Program as follows:

- \$515,000 in the Measure A Street Improvement Fund/Annual Program of Maintenance and Improvement
- \$200,000 in the Capital Improvement Fund

The Capital Improvement Fund is used for expenditures that will be reimbursed by external sources, which in this case is the LPP funds.

The estimated expenditure for construction of this project is \$595,850 as summarized below.

Construction Contract	\$424,850
Construction Contract Contingency	\$43,000
Construction Management & Engineering	\$65,000
Materials Testing	\$15,000
Miscellaneous (printing, postage, etc.)	\$5,000
Project Reserve	\$43,000
Total	\$595,850

The Project Reserve amount may be used to engage one of our on-call consultants to provide project management services for this project, due to current staffing levels, as well as for contingency on other construction items.

LEGAL CONSIDERATIONS

The City Attorney has reviewed the proposed actions and found that legal considerations have been addressed.

Reviewed by:

A handwritten signature in blue ink, appearing to read "Karen Pinkos".

Karen Pinkos, City Manager

Attachments:

1. Resolution

RESOLUTION 2021-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO APPROVING PLANS AND SPECIFICATIONS FOR THE GLADYS AVENUE, EL DORADO STREET, AND B STREET IMPROVEMENT PROJECT, CITY PROJECT NO. C3079, STATE PROJECT NO. LPPSB1L-5239(030) (PROJECT); REJECTING THE BID SUBMITTED BY QA CONSTRUCTORS AS NON RESPONSIVE AND ACCEPTING THE OTHER FIVE BIDS FOR THE PROJECT; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT IN THE AMOUNT OF \$424,850 WITH CALIFORNIA HIGHWAY CONSTRUCTION GROUP INC. AND TO APPROVE CHANGE ORDERS IN AN AMOUNT NOT TO EXCEED \$43,000 FOR THE CONSTRUCTION OF THE PROJECT

WHEREAS, the Gladys Avenue, El Dorado Street, And B Street Improvement Project, City Project No. C3079, State Project No. LPPSB1L-5239(030) (Project) will rehabilitate the roadway pavement; reconstruct sections of sidewalk, curb, and gutter; install new and modified curb ramps; reconstruct valley gutter; and install enhanced traffic signing and pavement markings; and

WHEREAS, the project is located on Gladys Avenue from Lexington Avenue to Richmond Street, on El Dorado Street from Carlson Boulevard to San Pablo Avenue, and on B Street from Behrens Street to Ashbury Avenue; and

WHEREAS, the project will directly benefit residents, and the community in general by providing safe and accessible walking, biking, and driving routes; and

WHEREAS, the Notice Inviting Bids for the Project was advertised in the West County Times on July 15 and 22, 2021; and

WHEREAS, the notice and complete set of contract documents were sent to eight Builder and Construction Exchanges and the contract documents were made available to contractors through an online planroom; and

WHEREAS, a non-mandatory pre-bid conference was held on July 20, 2021, and one addendum was issued; and

WHEREAS, six bids were received by the advertised bid opening date of August 5, 2021; and

WHEREAS, the bid submitted by QA Constructors had omissions making the bid non-responsive; and

WHEREAS, California Highway Construction Group Inc. submitted the lowest responsible and responsive bid in the amount of \$424,850, which is eleven (11) percent below the Engineer's Estimate; and

WHEREAS, the estimated expenditure for construction of this project is \$595,850 and funding for the Project in the total amount of \$715,000 is included in the Fiscal Year (FY) 2021-22 Adopted Budget and Capital Improvement Program; and

WHEREAS, \$515,000 in the Measure A Street Improvement Fund/Annual Program of

Maintenance and Improvement is available, and additional \$200,000 in FY 2021-22 from the SB 1 Local Partnership Program (LPP) will fund this project; and

WHEREAS, the project work is an appropriate use of Measure A Street Improvement funds; and

WHEREAS, the Project is categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) because the project is a repair to an existing facility involving negligible or no expansion of use beyond that presently existing.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby:

- 1) Approves plans and specifications for the Gladys Avenue, El Dorado Street, and B Street Improvement Project, City Project No. C3079, State Project No. LPPSB1L-5239(030) (Project);
- 2) Rejects the bid submitted by QA Constructors as non-responsive and accepts the other five bids submitted for the Project; and
- 3) Authorizes the City Manager to execute a contract in the amount of \$424,850 with California Highway Construction Group Inc. and to approve change orders in an amount not to exceed \$43,000 for the construction of the Project; and

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon passage and adoption.

I CERTIFY that at a regular meeting on August 17, 2021, the City Council of the City of El Cerrito passed this Resolution by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on August ____, 2021.

Holly M. Charléty, City Clerk

APPROVED:

Paul Fadelli, Mayor



AGENDA BILL

Agenda Item No. 4.D.

Date: August 17, 2021
To: El Cerrito City Council
From: Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department
Subject: El Cerrito del Norte Transit-Oriented Development Complete Streets Improvement Project - Subregional Transportation Mitigation Program (STMP) Cooperative Funding Agreement

ACTION PROPOSED

Adopt a resolution approving the Subregional Transportation Mitigation Program (STMP) Cooperative Funding Agreement (Agreement) between the West Contra Costa County Transportation Advisory Committee (WCCTAC) and the City of El Cerrito (City) for the El Cerrito del Norte Transit-Oriented Development (TOD) Complete Streets Improvement Project and authorizing the City Manager to execute the Agreement.

BACKGROUND

Project Description

The El Cerrito del Norte TOD Complete Streets Improvement Project will implement multimodal transportation improvements identified in the San Pablo Avenue Specific Plan and Active Transportation Plan, adopted by City Council in September 2014 and April 2016, respectively. The project consists of improvements for bicyclists, pedestrians, transit users, and motorists to support the El Cerrito del Norte BART Station and transit-oriented development in the Uptown area of the Specific Plan. The project limits span several streets, including San Pablo Avenue from Ohlone Greenway near the northern city limit to Potrero Avenue, Eastshore Boulevard from Potrero Avenue to San Pablo Avenue, Hill Street from San Pablo Avenue to Liberty Street, Cutting Boulevard from I-80 to Key Boulevard, and Knott Avenue from San Pablo Avenue to Key Boulevard.

Project elements include enhanced and new protected crossings for pedestrians, new and separated bicycle lanes, bus boarding aligns, vehicle circulation improvements, and various streetscape enhancements. These include the following:

- Separated bike lane (also known as Class IV) on San Pablo Avenue between Knott Avenue and Hill Street
- Separated bike lane on Cutting Boulevard between I-80 and Ohlone Greenway
- Separated bike lane on Eastshore Boulevard between Potrero Avenue and San Pablo Avenue
- Bike lane (also known as Class II) on San Pablo Avenue between Hill Street and Potrero Avenue
- Shared bike route (also known as Class III) on Hill Street, Knott Avenue, and San Pablo Avenue north of Knott Avenue

- Protected intersection treatments for bicyclists at San Pablo Avenue/Cutting Boulevard and San Pablo Avenue/Hill Street/Eastshore Boulevard
- New protected crosswalks, to complete crosswalks on all legs of the signalized San Pablo Avenue intersections at Knott Avenue, Cutting Boulevard, and Hill Street/Eastshore Boulevard
- Pedestrian hybrid signals at San Pablo Avenue/Wall Avenue and Cutting Boulevard/Peerless Avenue intersection
- High-visibility continental striping, with access provided by directional curb ramps at crosswalks
- Traffic calming and flashing beacons at crosswalks at the I-80 on-ramps
- In-lane bus boarding islands on San Pablo Avenue and Cutting Boulevard
- Sidewalk improvements with curb extensions at selected locations
- Narrowed travel lanes throughout to calm vehicle speeds
- Reduction in turning lanes/auxiliary lanes on San Pablo Avenue between Cutting Boulevard and Hill Street and conversion of Cutting Boulevard between San Pablo Avenue and the BART Station from one-way to two-way to provide more direct vehicular access to the BART Station and better accommodate all street users
- Modification of San Pablo Avenue/Hill Street/Eastshore Boulevard intersection for inbound traffic only (no outbound traffic except for right-turns out) to the shopping center driveway to better accommodate all street users
- Traffic signal optimization on San Pablo Avenue at the intersections of Knott Avenue, Cutting Boulevard, and Hill Street/Eastshore Boulevard to better accommodate all street users, and
- Streetscape improvements, including pedestrian-level lighting, landscaping, signage, trash & recycling receptacles, benches and bike racks.

Project Funding

In 2016, the Contra Costa Transportation Authority (CCTA) announced a Coordinated Call for Projects for funding from the federal One Bay Area Grant (OBAG) 2 Program and the CCTA's Measure J Transportation for Livable Communities (TLC) Program. City staff reviewed projects identified in various City plans, including the San Pablo Avenue Specific Plan (which includes Complete Streets), Active Transportation Plan, Urban Greening Plan, and ADA Transition Plan to best match the eligibility and scoring criteria of the various funding programs. Based on competitiveness given the program criteria for these two funding sources, City staff submitted a grant application for the El Cerrito del Norte Transit-Oriented Development (TOD) Complete Streets Improvement Project. The project application was ranked highly and in June 2017, the CCTA Board approved funding in the amount of \$4,840,000 in OBAG 2 federal funds and \$2,312,000 in Measure J TLC funds.

In July 2017, the City Council adopted Resolution 2017-55, formally authorizing the filing of the application for the OBAG 2 Program, committing necessary matching funds and indicating assurance to complete the El Cerrito del Norte TOD Complete Streets Improvement Project. The Metropolitan Transportation Commission (MTC) formally

approved the award in December 2017.

As previously reported to City Council in September 2020, City staff has been seeking additional external funding for increased project costs. At that time, City staff indicated that a minimum of \$1.26 million would be needed from multiple City-controlled sources to complete the project funding. These sources include developer contributions, City Transportation Impact Fee (TIF) revenues and SB 1 Local Streets and Roads Program funds. The increased costs are for all phases of work, including engineering and design to account for the Caltrans project development costs, as well as construction to implement current design guidelines and best practices for pedestrian and bicycle facilities and to account for updated construction costs for all improvements.

Project Development Process

The design of project elements listed above is currently being refined as part of the project development process. A significant portion of the project is on State Route 123, which is San Pablo Avenue from Potrero Avenue to Cutting Boulevard and Cutting Boulevard from San Pablo Avenue to I-80, and therefore requires that the project be developed in accordance with the California Department of Transportation (Caltrans) Project Development Procedures Manual including the execution of a Cooperative Agreement. The City Council approved a Cooperative Agreement with Caltrans for this purpose in September 2020 (Resolution 2020-48).

The Cooperative Agreement was executed by Caltrans in November 2020, and outlines the responsibilities of Caltrans and the City through preparation and approval of a Project Study Report-Project Report (PSR-PR). Under this agreement, the City is responsible for establishing and managing the project scope, cost, schedule and securing the resources, including funding, to complete the project. The PSR-PR, based on preliminary engineering analysis, provides information about the project's background, purpose and need, alternatives investigated, and issues encountered in the engineering and environmental investigations. The preliminary engineering activities in this phase include, but are not limited to, surveys and mapping, traffic forecasts and modeling, value analysis, hydraulic studies, right-of-way and utilities need/impact assessments, materials and geotechnical information studies, and multimodal alternatives.

City staff and consultants have been actively working with Caltrans staff to complete this phase of the work. Caltrans design standards and supported exceptions will significantly influence the design of the project. Renewed community and stakeholder engagement, including City of Richmond, BART, AC Transit, Bike East Bay, the El Cerrito ADA Advisory Group, and the El Cerrito Fire and Police Departments, is anticipated this fall.

A summary schedule showing the estimated start and end of the major project development phases is provided below.

Project Task	Start	End
Preliminary Engineering	Summer 2019	Fall 2021

Caltrans PSR-PR Development Process	Fall 2019	Winter 2021/22
Project-Level Environmental Clearance	Winter 2019/20	Fall 2021
Detailed Design	Fall 2021	Fall 2022
ROW Certification	Fall 2022	Fall 2022
Advertisement/Bidding/Award	Winter 2022/23	Spring 2023
Construction	Spring 2023	Spring 2024

ANALYSIS

Based on preliminary engineering through March 2021, the total project cost is estimated to be approximately \$13.25 million. Committed funding totals \$8,481,680 as summarized below.

Phase	Committed Funding				Pending Funding			TOTAL
	Measure J TLC Grant	OBAG2 Federal Grant	SB1	City TIF & Other Develop Fees	WCCTAC STMP	State AHSC Application	Estimate Future TIF Fees	
Prelim Engineering/ Caltrans Report	-	-	96,680	809,320	150,000	-	-	1,056,000
Detailed Design	-	850,000	-	-	505,250	-	-	1,355,250
Construction Engineering & Support	726,000	-	50,000	-	90,000	260,000	681,200	1,807,200
Construction	1,586,000	3,990,000	-	373,680	444,520	2,640,800		9,035,000
Total	2,312,000	4,840,000	146,680	1,183,000	1,189,980*	2,900,800	681,200	13,253,450

*The WCCTAC Board approved STMP funding in the amount of \$1,189,980 for the project, which was slightly higher than the \$1,189,800 requested by City Staff.

In March 2021, WCCTAC released a Call for Projects for the 2019 Subregional Transportation Mitigation Program (STMP) Update. The El Cerrito del Norte TOD Complete Streets Improvement Project falls under STMP Project Category 15: Del Norte Area TOD Public Infrastructure Improvements, and City staff determined an application would be competitive based on the STMP scoring criteria. The maximum funding limit of \$1.875 million and readiness to spend the STMP funding were key considerations. In April 2021, City staff applied to WCCTAC for \$1,189,800 in

Subregional Transportation Mitigation Program (STMP) funds to complete the funding gap for the engineering and detailed design phases, and also support the construction phases.

In May 2021, the WCCTAC Board approved STMP funding in the amount of \$1,189,980 for the project. This was the largest amount approved for any single project out of the total \$3.75 million in STMP funding made available by the Board. The STMP funding is needed as soon as possible so the City can complete the Caltrans Project Study Report-Project Report and begin detailed design this fall. To receive the STMP funding, the City must enter into a Cooperative Funding Agreement with WCCTAC. WCCTAC staff plan on bringing the Agreement to the WCCTAC Board for final approval at their September 17, 2021.

With the STMP funding, the committed funding for the project will total \$9,671,450 including Measure J TLC, federal OBAG, SB1 Local Streets and Roads, TIF and other development fees. City staff has actively been pursuing the remaining funding in the amount of \$3,582 million. In 2020, City staff began collaborating with the Mayfair development team on a grant opportunity from the State of California Affordable Housing Sustainable Communities (AHSC) grant, and the team submitted a grant application in June 2021, which included a funding request for construction of not only the affordable housing component but also approximately \$2.9 million for the City's transportation project. The AHSC awards are scheduled to be announced at the end of October 2021.

City staff has been coordinating with Congressman Mark DeSaulnier's office in seeking additional federal funding for construction and will monitor other funding opportunities including the State of California Transportation Development Act, Article 3 funding. The City Transportation Impact Fees (TIF) will also continue to be collected and are needed to complete the funding for construction engineering and support services. Finally, the project elements will be revised as needed based on the committed funding available as we proceed through the detailed design phase of the project.

STRATEGIC PLAN CONSIDERATIONS

The City's Strategic Plan articulates the mission of the City to serve, lead, and support our diverse and transit-rich community by providing exemplary and innovative services, public places and infrastructure, ensuring public safety, and creating an economically and environmentally sustainable future. The El Cerrito del Norte TOD Complete Streets Improvement Project is consistent with various El Cerrito Strategic Plan goals including Goal D – *Develop and rehabilitate public facilities as community focal points*; Goal C – *Deepen a sense of place and community identity by promoting strong neighborhoods*; and Goal F – *Foster environmental sustainability citywide by encouraging alternative modes of transportation to the single occupancy vehicle*. In addition, the project will directly implement improvements identified in several City plans and programs as described above.

ENVIRONMENTAL CONSIDERATIONS

California Environmental Quality Act ("CEQA") Guidelines require preparation of an Initial Study to identify whether a plan or project will have a significant effect on the environment. For projects with potentially significant impacts, proposed mitigations may be included as part of the environmental review process to ensure that such impacts are mitigated to a less than significant level where possible.

The El Cerrito del Norte TOD Complete Streets Improvement Project is a combination of projects identified in the San Pablo Avenue Specific Plan and Active Transportation Plan. City Council approved a programmatic Environmental Impact Report and associated Mitigation Monitoring and Reporting Program for the San Pablo Avenue Specific Plan in September 2014, and an Initial Study/Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program for the Active Transportation Plan in April 2016. Both documents were prepared per CEQA Guidelines. As part of the Caltrans project development process, City staff and consultants are working on preparing a project checklist to determine whether all impacts of the projects were evaluated in these documents. The mitigation measures identified in both Mitigation Monitoring and Reporting Programs will be implemented as appropriate in order to mitigate any identified environmental impacts of the project under CEQA.

As part of the federal funding process, the project is being evaluated for compliance with the National Environmental Policy Act (NEPA), which includes conducting preliminary environmental studies and various technical studies. The currently anticipated document is a Categorical Exclusion with Technical Studies. City staff will continue to coordinate with Caltrans to determine the appropriate final environmental clearance documents.

FINANCIAL CONSIDERATIONS

The Capital Improvement Program, Five-Year Expenditure Plan in the FY 2021-22 Adopted Budget anticipated the STMP Funding in the amount of \$655,250 this year for the Caltrans report and detailed design. However, because the STMP funding was not secure at the time the budget was being prepared, an appropriation will be required in the Capital Improvement Fund as part of the mid-year budget update. The Capital Improvement Fund is used for expenditures that will be fully reimbursed by external sources after the expenditures are incurred, which is the case with the STMP funding.

Other City funds such as the General Fund will have to advance the necessary cash on a short-term basis to fund these expenditures. City staff will be submitting invoices for reimbursement within 30 days of making payments to vendors and consultants. Thereafter, reimbursements are usually received within 60 days from the funding agency.

LEGAL CONSIDERATIONS

The City Attorney has approved the draft Cooperative Funding Agreement as to form.

Reviewed by:

A handwritten signature in blue ink, appearing to read "Karen Pinkos".

Karen Pinkos, City Manager

Attachments:

1. Resolution
2. Draft Funding Cooperative Agreement

RESOLUTION 2021-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO APPROVING THE SUBREGIONAL TRANSPORTATION MITIGATION PROGRAM (STMP) COOPERATIVE FUNDING AGREEMENT (AGREEMENT) BETWEEN THE WEST CONTRA COSTA COUNTY TRANSPORTATION ADVISORY COMMITTEE (WCCTAC) AND THE CITY OF EL CERRITO (CITY) FOR THE EL CERRITO DEL NORTE TRANSIT-ORIENTED DEVELOPMENT (TOD) COMPLETE STREETS IMPROVEMENT PROJECT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT

WHEREAS, the El Cerrito del Norte TOD Complete Streets Improvement Project will implement multimodal transportation improvements identified in the San Pablo Avenue Specific Plan and Active Transportation Plan, adopted by City Council in September 2014 and April 2016, respectively; and

WHEREAS, between 2016 and 2017, the City successfully applied for two grants for technical studies, preliminary engineering, final environmental documentation, design, and construction of the El Cerrito del Norte TOD Complete Streets Improvement Project as follows: One Bay Area Grant Program, Cycle 2 (OBAG 2) federal funds in the amount of \$4,840,000 and Contra Costa Transportation Authority (CCTA) Measure J Transportation for Livable Communities Program county sales tax funds in the amount of \$2,312,000; and

WHEREAS, in July 2017, the City Council adopted Resolution 2017-55, formally authorizing the filing of the application for the OBAG 2 Program, committing necessary matching funds and indicating assurance to complete the El Cerrito del Norte TOD Complete Streets Improvement Project; and

WHEREAS, committed City-controlled funding for the project is from developer contributions, City Transportation Impact Fee revenues and SB 1 Local Streets and Roads funds; and

WHEREAS, a significant portion of the project is on the State Route 123, which is on San Pablo Avenue from Potrero Avenue to Cutting Boulevard and Cutting Boulevard from San Pablo Avenue to I-80, and therefore requires that the project be developed in accordance with the Caltrans Project Development Procedures Manual; and

WHEREAS, in September 2020, the City Council adopted Resolution 2020-48, approving a Cooperative Agreement with Caltrans for the project development process, which concludes with the approval of a Project Study Report-Project Report (PSR-PR) by Caltrans and the City; and

WHEREAS, in April 2021, City staff applied to WCCTAC for \$1,189,800 in STMP FUNDS to complete the funding gap for the engineering and detailed design phases, and

also support the construction phases of El Cerrito del Norte TOD Complete Streets Improvement Project, and, in May 2021, the WCCTAC Board approved STMP funding in the amount of \$1,189,980 for the project; and

WHEREAS, the STMP funding is needed as soon as possible so the City can complete the Caltrans PSR-PR and begin detailed design in Fall 2021.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby approves the Subregional Transportation Mitigation Program Cooperative Funding Agreement between the West Contra Costa County Transportation Advisory Committee and the City of El Cerrito for the El Cerrito del Norte Transit-Oriented Development (TOD) Complete Streets Improvement Project and authorizes the City Manager to execute the Agreement.

BE IT FURTHER RESOLVED that this resolution shall become effective immediately upon passage and adoption.

I CERTIFY that at a regular meeting on August 17, 2021 the City Council of the City of El Cerrito passed this Resolution by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on August _____, 2021.

Holly M. Charléty, City Clerk

APPROVED:

Paul Fadelli, Mayor

**COOPERATIVE FUNDING AGREEMENT BETWEEN
WEST CONTRA COSTA TRANSPORTATION ADVISORY COMMITTEE
AND
City of El Cerrito**

El Cerrito Del Norte BART-TOD Complete Streets Improvement Project

This AGREEMENT is made and entered into as of _____, (the “Effective Date”) by and between the West Contra Costa Transportation Advisory Committee (“WCCTAC”), a Joint Exercise of Powers Agency organized pursuant to California Government Code Section 6500, *et. seq.*, among the cities of El Cerrito, Hercules, Pinole, Richmond, and San Pablo, the County of Contra Costa, and the transit agencies AC Transit, Bay Area Rapid Transit District, and Western Contra Costa Transit Authority, with offices located at 6333 Potrero Avenue, Suite 100, El Cerrito, CA 94530, and **City of El Cerrito**, a municipal corporation ~~/special district/etc.~~

WCCTAC and **City of El Cerrito** (“Agency”) shall sometimes be referred to collectively herein as the “Parties” and individually as a “Party.”

RECITALS

WHEREAS, the members of WCCTAC signed a Master Cooperative Agreement pertaining to the 2019 Subregional Transportation Mitigation Fee Program Update (“2019 STMP”) in West Contra Costa County, including a list of twenty specific projects and the STMP funding commitments to those projects; and

WHEREAS, Agency’s Project, as further described in the Scope of Work, attached as Exhibit A, which is incorporated herein (“Project”), is one of the twenty projects identified in the 2019 STMP; and

WHEREAS, plans, studies, and cost estimates for Agency’s Project are eligible uses for the STMP funds; and

WHEREAS, at its **May 28, 2021** meeting, the WCCTAC Board of Directors approved an appropriation of **one million, one hundred eighty-nine thousand, nine hundred and eighty dollars (\$1,189,980)** in STMP funds to Agency towards the Project.

Now, therefore, the Parties hereby agree as follows:

**SECTION 1
SCOPE OF WORK**

- 1.1 Scope of Work.** Subject to the terms and conditions set forth in this Agreement, Agency shall perform or cause to perform the work described in the scope of work attached as Exhibit A, and incorporated herein (the “Scope of Work”), at the time and place and in the manner specified therein. In the event of a conflict in or inconsistency between the terms of this Agreement and Exhibit A, the Agreement shall prevail.

- 1.2 **Term of Services.** The term of this Agreement shall begin on the Effective Date and shall end on the third anniversary of the Effective Date, and Agency shall complete the work described in Exhibit A on or before that date, unless the term of the Agreement is otherwise terminated or extended. The time provided to Agency to complete the services required by this Agreement shall not affect WCCTAC's right to terminate the Agreement.
- 1.3 **Standard of Performance.** Agency shall perform or cause to be performed all services required in Exhibit A according to the standards observed by a competent practitioner of the profession in which Agency's consultants or contractors are engaged.
- 1.4 **Assignment of Personnel.** Agency shall retain only competent personnel to perform the Project to this Agreement. In the event that WCCTAC, in its sole discretion, desires the reassignment of any such persons, Agency shall, upon receiving notice from WCCTAC, of such desire of WCCTAC, reassign such person or persons.
- 1.5 **Time is of the Essence.** Time is of the essence. Agency shall devote such time to the performance of the Project pursuant to this Agreement as may be reasonably necessary to timely finish the Scope of Work.
- 1.6 **Public Works and Department of Industrial Relations Requirements.** Because the Project and Scope of Work described in Exhibit A may include "work performed during the design and preconstruction phases of construction including, but not limited to, inspection and land surveying work," the Project may constitute a public works within the definition of Section 1720(a)(1) of the California Labor Code. In accordance with California Labor Code Section 1773.2, WCCTAC notifies Agency that this Project is subject to the general prevailing wages in the locality in which the services described in Exhibit A are to be performed. Agency shall cause to be paid prevailing wages for each craft or type of work needed to be as published by the State of California Department of Industrial Relations, Division of Labor Statistics and Research, a copy of which Agency shall make available on request by contractors and consultants. The Agency, its consultant and contractors engaged in the performance of the Scope of Work described in Exhibit A shall pay no less than these rates to all persons engaged in performance of the services described in Exhibit A. Agency is also required to comply all relevant provisions of the Labor Code applicable to public works, including enforcement of the contractor registration requirements of the California State Department of Industrial Relations.

SECTION 2 FUNDING OBLIGATIONS

- 2.1 **Funding.** In accordance with the WCCTAC Master Cooperative Agreement pertaining to the 2019 STMP, and subject to available funding, WCCTAC hereby agrees to fund Agency's Project in a sum not to exceed one million, one hundred eighty-nine thousand, nine hundred and eighty dollars, (\$1,189,980) notwithstanding any contrary indications that may be contained in Agency or any third-party proposal for services to be performed and reimbursable costs incurred under this Agreement. In the event of a

conflict between this Agreement and Agency's Scope of Work, attached as Exhibit A, regarding the amount of compensation, the Agreement shall prevail.

The payments specified herein shall be the only payments from WCCTAC to Agency pursuant to this Agreement. Agency shall submit all invoices to WCCTAC in the manner specified herein. Agency shall not bill WCCTAC for duplicate services performed by more than one person.

WCCTAC and Agency acknowledge and agree that funding paid by WCCTAC to Agency under this Agreement is based upon Agency's estimated costs of funding Agency's Project, including salaries and benefits of employees, consultants and contractors of Agency. WCCTAC has no responsibility for such contributions beyond the amount set forth under this Agreement.

- 2.2 Invoices.** Agency shall submit invoices, not more often than once a month during the term of this Agreement, based on the cost it incurs for services performed and reimbursable costs incurred prior to the invoice date. Invoices shall contain the following information:
- a. Serial identifications of progress bills; i.e., Progress Bill No. 1 for the first invoice, etc.;
 - b. The beginning and ending dates of the billing period;
 - c. A task summary containing the original contract amount, the amount of prior billings, the total due this period, the balance available under the Agreement, and the percentage of completion;
 - d. Such other information as reasonably requested by WCCTAC.
- 2.3 Monthly Payment.** WCCTAC shall make monthly payments, based on invoices received, for services satisfactorily performed, and for authorized reimbursable costs incurred. WCCTAC shall have 60 days from the receipt of an invoice that complies with all of the requirements above to pay Agency.
- 2.4 Total Payment.** In no event shall Agency submit any invoice for an amount in excess of the maximum amount of compensation provided in Section 2.1, above, either for a task or for the entire Agreement, unless the Agreement is modified in writing prior to the submission of such an invoice by a properly executed change order or amendment.
- 2.5 Reimbursable Expenses.** Reimbursable expenses shall not include a mark-up and are billed as a direct cost. In no event shall expenses be advanced by WCCTAC to the Agency. Reimbursable expenses are included in the total amount of compensation provided under this Agreement that shall not be exceeded.
- 2.6 Payment of Taxes.** Agency and its contractors and consultants are solely responsible for the payment of employment taxes incurred under this Agreement and any similar federal or state taxes.

- 2.7 Payment upon Termination.** In the event that WCCTAC or Agency terminates this Agreement pursuant to Section 3.4, WCCTAC shall compensate the Agency for all outstanding costs and reimbursable expenses incurred for work satisfactorily completed as of the date of written notice of termination. Agency shall maintain adequate logs and timesheets to verify costs incurred to that date.
- 2.8 Authorization to Perform Services.** The Agency is not authorized to perform any services or incur any costs whatsoever under the terms of this Agreement until receipt of authorization from WCCTAC's Executive Director or his designee.
- 2.9 Funding Request.** Agency shall submit the request for funds for specific components of the Project, detailing project scope, schedule and proposed funding plan, at least four (4) months in advance of the initial anticipated cash flow need or reimbursement; to submit subsequent requests at least two (2) months in advance of anticipated need; and to apply any funds received under this Agreement to the Project consistent with the terms and conditions of an approved funding appropriation.
- 2.10 Progress Reports.** Progress reports shall be submitted along with the funding request in Section 2.9. Agency shall submit progress reports in a form satisfactory to WCCTAC based on the cost for services performed.
- 2.11 Records Keeping.** All reports, studies, plans, data, maps, models, charts, studies, surveys, photographs, memoranda, plans, studies, specifications, records, files, or any other documents or materials, in electronic or any other form, that Agency prepares or obtains pursuant to this Agreement and that relate to the matters covered hereunder shall be made available to WCCTAC at WCCTAC's request. .
- 2.12 Agency Financial Records.** Agency shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to WCCTAC under this Agreement for a minimum of 3 years, or for any longer period required by law, from the date of final payment to the Agency to this Agreement.
- 2.13 Inspection and Audit of Records.** Any records or documents that Sections 2.11 and 2.12 of this Agreement requires Agency to maintain shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request by WCCTAC. Under California Government Code Section 8546.7, if the amount of public funds expended under this Agreement exceeds \$10,000.00, the Agreement shall be subject to the examination and audit of the State Auditor, at the request of WCCTAC or as part of any audit of WCCTAC, for a period of 3 years after final payment under the Agreement.

SECTION 3 GENERAL PROVISIONS

- 3.1 Funding Limitations and Contingencies.** If, in response to the Request for Proposal(s), it appears that Project costs including contingency, will exceed the funding set forth in Section 2.1, the Parties agree that they shall meet to revise Scope of Work to meet available funding. Funding of Agency's Project is strictly contingent upon WCCTAC having received, appropriated and allocated sufficient STMP funds for the Agency's Project. Funding is also contingent upon WCCTAC receiving a fully executed Agreement from Agency. If the Scope of Work cannot be revised to meet available funding, then WCCTAC reserves the right to terminate this Agreement, or suspend funding, until such time that additional STMP funds are available and allocated to Agency's Project.
- 3.2 Acceptance.** Upon completion of the Project, Agency shall submit a report documenting that the Project is substantially complete. Agency shall be responsible for filing the appropriate notice of completion for the Project and shall provide a copy to WCCTAC for its records.
- 3.3 Alternative Dispute Resolution.** All disputes that arise in connection with interpretation or performance of the Agreement shall first attempted to be resolved informally by the Parties. If not resolved, prior to instituting legal action, the Parties agree to participate in mediation with a mediator jointly selected by the Parties. If the dispute is not resolved by mediation, then the Parties will retain any and all remedies that they otherwise would have at law or equity.
- 3.4 Termination.** This Agreement shall be subject to termination as follows:
- a. Either Party may terminate this Agreement at any time for cause pursuant to a power created by the Agreement or by law, other than for breach, by giving written notice of termination to either Party, which notice shall specify both the cause and the effective date of termination. Notice of termination under this provision shall be given at least ninety (90) days before the effective date of such termination. All obligations that are still executory will be discharged but any right based upon prior breach or performance shall survive.
 - b. This Agreement may be terminated by a Party for breach of any obligation, covenant, or condition by the other Party, upon notice to the breaching Party. With respect to any breach that is reasonably capable of being cured, the breaching Party shall have thirty (30) days from the date of the notice to initiate steps to cure. If the breaching Party diligently pursues cure, such Party shall be allowed a reasonable time to cure, not to exceed sixty (60) days from the date of the initial notice, unless a further extension is granted by the non-breaching Party. On termination, the non-breaching Party retains the same rights as a Party exercising its right to terminate under the provisions of Section 3.4, except that the non-breaching Party also retains any remedy for breach of the whole contract or any unperformed balance.
 - c. By mutual consent of both Parties, this Agreement may be terminated at any time.

- d. This Agreement may be terminated by WCCTAC if funding for Agency's Project is no longer available by operation of law, or by action taken by the WCCTAC Board of Directors to reallocate funds.
- e. In no event shall the Parties terminate this Agreement if such termination would conflict with, cause a default under, or otherwise violate the terms or conditions of any revenue bonds.

3.5 Waiver of Claims Against WCCTAC. Agency waives all claims by Agency, its directors, supervisors, officers, employees, or agents against WCCTAC, its commissioners, officers, employees, or agents for damages, loss, injury and/or liability, direct or indirect, resulting from Agency's participation in the Project. Agency's waiver shall not apply to liability arising from and caused by the sole negligence or willful misconduct of WCCTAC, its commissioners, officers, employees, or agents.

3.6 Indemnity. Agency shall defend, indemnify and hold harmless WCCTAC, its governing board, member agencies, officers, employees, and agents from and against any and all liability, loss, damage, claims, expenses, and costs (including without limitation, reasonable attorney's fees and costs and fees of litigation) (collectively, "Liability") of every nature arising out of or in connection with Agency's performance of any work under this Agreement, except such Liability caused by the sole negligence or willful misconduct of WCCTAC. With respect to any claims brought against Agency by a third party, Agency waives any and all rights of any type to express or implied indemnity by WCCTAC.

3.7 Notices. All notices (including requests, demands, approvals or other communications) under this Agreement shall be in writing. Notice shall be sufficiently given for all purposes as follows:

- a. When delivered by first class mail, postage prepaid, notice shall be deemed delivered three (3) business days after deposit in the United States Mail.
- b. When mailed by certified mail with return receipt requested, notice is effective upon receipt if delivery is confirmed by a return receipt.
- c. When delivered by overnight delivery by a nationally recognized overnight courier, notice shall be deemed delivered one (1) business day after deposit with that courier.
- d. When personally delivered to the recipient, notice shall be deemed delivered on the date personally delivered.
- e. The place for delivery of all notices under this Agreement shall be as follows:

If to WCCTAC:

John Nemeth, Executive Director
West Contra Costa Transportation Advisory Committee
6333 Potrero Avenue, Suite 100

El Cerrito, CA 94530

with a Copy to:

Kristopher J. Kokotaylo, Legal Counsel
Meyers Nave
1999 Harrison Street, 9th Floor
Oakland, CA 94612

If to Agency:

Karen Pinkos, City Manager
City of El Cerrito
10890 San Pablo Avenue
El Cerrito, CA 94530

- 3.8 Additional Acts and Documents.** Each Party agrees to do all such things and take all such actions, and to make, execute, and deliver such other documents and instruments, as shall be reasonably requested to carry out the provisions, intent, and purpose of this Agreement.
- 3.9 Integration.** This Agreement represents the entire agreement of the Parties with respect to the subject matter. No representations, warranties, inducement, or oral agreements have been made by any of the Parties except as expressly set forth in this Agreement.
- 3.10 Governing Law.** The laws of the State of California shall govern this Agreement. Agency and any consultants and contractors shall comply with all laws, including, but not limited, all statutes, regulations, local ordinances, and decisional authority, applicable to the Scope of Work hereunder. To the extent that this Agreement may be funded by fiscal assistance from another governmental entity, Agency and any subcontractors shall comply with all applicable rules and regulations to which WCCTAC is bound by the terms of such fiscal assistance program.
- 3.11 Amendment.** This Agreement may not be changed, modified, or rescinded except by the written approval, and any attempt of oral modification of this Agreement shall be void and of no effect.
- 3.12 Independent Contractor.** Agency and WCCTAC render their services under this Agreement as independent contractors. None of the agents or employees of either shall be agents or employees of the other.
- 3.13 Assignment.** This Agreement may not be assigned, transferred, hypothecated, or pledged by any Party without the express written consent of the other Party.
- 3.14 Successors and Assigns.** This Agreement shall be binding upon the successors, assignees, or transferees of WCCTAC or Agency as the case may be. This provision shall not be constructed as an authorization to assign, transfer, hypothecate, or pledge this Agreement other than as provided above.

3.15 Severability. Should any part of this Agreement be determined to be unenforceable, invalid, or beyond the authority of either Party to enter into or carry out, such determination shall not affect the validity of the remainder of this Agreement, which shall continue in full force and effect, so long as the remainder, absent the excised portion, can be reasonably interpreted to give effect to the intentions of the parties.

3.16 Jurisdiction and Venue. In the event that either party brings any action against the other under this Agreement, the parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of Contra Costa or in the United States District Court for the Northern District of California.

3.17 Attorney's Fees. If a party to this Agreement brings any action, including an action for declaratory relief, to enforce or interpret the provision of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief to which that party may be entitled. The court may set such fees in the same action or in a separate action brought for that purpose.

3.18 No Implied Waiver of Breach. The waiver of any breach of a specific provision of this Agreement does not constitute a waiver of any other breach of that term or any other term of this Agreement.

3.19 Counterparts. This Agreement may be executed in counterparts.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed and attested by their respective officers, duly authorized so to act, as of the date set forth in the first paragraph of this Agreement.

City of El Cerrito

**West Contra Costa Transportation
Advisory Committee**

Karen Pinkos, City Manager

John Nemeth, Executive Director

Approved as to Form:

Approved as to Form:

Sky Woodruff, City Attorney

Kristopher Kokotaylo, Legal Counsel

3852446.1

EXHIBIT A

SCOPE OF WORK

The Agency agrees to:

1. To act as the lead agency and take responsibility for evaluating prospective consultants and contractors retained by Agency and subsequent award of work consistent with this Agreement.
2. To act as the lead agency and retain, as appropriate, consulting services consistent with this Agreement.
3. To be responsible for providing management of consultant and contractor activities, including responsibility for scheduling, budgeting, and oversight of the services, consistent with the scope of the project.
4. To advance or complete all or a portion of following STMP project identified as funding categories: *Category 15: Del Norte Area Transit Oriented Development Public Infrastructure Improvements*
5. To use the STMP funds *for construction of the City of El Cerrito Del Norte BART-TOD Complete Streets Improvement Project*
6. To produce or complete *enhanced and new protected crosswalks, new context-sensitive bikeways, and bus boarding islands along with vehicle circulation improvements. Specific improvements are as follows:*
 - *Class IV bikeway on San Pablo Avenue between Knott Avenue and Hill Street*
 - *Class IV bikeway on Cutting Boulevard between I-80 and Ohlone Greenway*
 - *Class IV bikeway on Eastshore Boulevard between Potrero Avenue and San Pablo Avenue*
 - *Class II on San Pablo Avenue between Hill Street and Potrero Avenue*
 - *Class III on Hill Street, Knott Avenue, and San Pablo Avenue north of Knott Avenue*
 - *Protected intersection treatments for bicyclists at San Pablo Avenue/Cutting Boulevard and San Pablo Avenue/Hill Street/Eastshore Boulevard*
 - *New protected crosswalks, to complete crosswalks on all legs of the signalized San Pablo Avenue intersections at Knott Avenue, Cutting Boulevard and Hill Street/Eastshore Boulevard*
 - *Pedestrian hybrid signals at San Pablo Avenue/Wall Avenue and Cutting Boulevard/Peerless Avenue intersection*
 - *High-visibility continental striping, with access provided by directional curb ramps at all crosswalks*
 - *Speed tables, or other traffic calming measures, and flashing beacons at crosswalks at the I-80 on-ramps*
 - *In-lane bus boarding islands on San Pablo Avenue and Cutting Boulevard*
 - *Sidewalk improvements with curb extensions at selected locations*
 - *Narrowed travel lanes*

- *Reduction in turning lanes/auxiliary lanes and conversion of one-way to two-way streets provide more direct vehicular access to BART Station and better accommodate all street users*
- *Modification of San Pablo Avenue/Hill Street/Eastshore Boulevard intersection for inbound traffic only (no outbound traffic except for right-turns out) to the shopping center driveway (Peerless Avenue) to better accommodate all street users*
- *Traffic signal optimization on San Pablo Avenue at the intersections of Knott Avenue, Cutting Boulevard, and Hill Street/Eastshore Boulevard to better accommodate all street users, and*
- *Streetscape improvements including pedestrian-level lighting, landscaping, signage, trash and recycling receptacles, benches and bike racks.*

7. To complete the over-all project based on the following initial schedule for the project:

<i>Advertise Construction</i>	<i>Summer 2022Winter 2022-23</i>
<i>Award Contract</i>	<i>Fall 2022Spring 2023</i>
<i>Construction Begin</i>	<i>Fall 2022Spring 2023</i>
<i>Construction Complete</i>	<i>Spring 2024</i>
<i>Project Close-Out</i>	<i>SummerFall 2024</i>

8. To complete the STMP-funded portion of the project based on the estimated completion date of *~~May 31~~September 30, 2024.*



AGENDA BILL

Agenda Item No. 5.A.

Date: August 17, 2021
To: El Cerrito City Council
From: Melanie Mintz, Community Development Director, Community Development Department
Yvetteh Ortiz, Public Works Director, Public Works Department
Subject: CITY COUNCIL/PLANNING COMMISSION ITEM
Access Planning for Transit-Oriented Development at the El Cerrito Plaza Bay Area Rapid Transit (BART) Station – Study Session

ACTION PROPOSED

Receive presentations from City staff, Bay Area Rapid Transit (BART) staff, and consultants regarding the Berkeley-El Cerrito Corridor Access Plan, mobility improvements and parking components of the proposed Transit-Oriented Development (TOD) project at the El Cerrito Plaza BART station, and provide feedback regarding TOD access strategies, including the on-street parking management component.

BACKGROUND

On November 19, 2020, the BART Board selected the development team of Holliday Development, Related California, and Satellite Affordable Housing Associates (SAHA) to advance a TOD project at the El Cerrito Plaza BART station. Bringing a qualified development team on board advances a number of local and regional goals identified by the City, BART, and the state regarding housing, climate action, and economic development.

Prior to BART's solicitation of the development team, on August 16, 2016 the City Council asked BART to advance Transit-Oriented Development (TOD) at the El Cerrito Plaza station and to consider inclusion of a library in the future TOD as a part of BART's development process (Resolution 2016-68). On November 19, 2019, City staff and BART staff presented to City Council the TOD process and the draft [TOD Goals and Objectives](#), which identified BART's and the City's aims for the project and were used to evaluate developer responses to the Request for Qualifications (RFQ). City Council requested that an evaluation of the library be included in BART's RFQ from development teams and indicated support for BART's inclusion of sustainable access studies and strategies as part of the TOD process. City Council also asked that the access studies and strategies include special considerations for BART riders who live further than one-half mile from the station (Resolution 2019-66).

While pursuing TOD at the BART station helps to fulfill numerous local, regional, and state goals regarding housing, climate, and economic development, a key issue to be analyzed and addressed has to do with how to provide adequate access to BART stations as the current surface parking lots are converted to mixed-use, transit-oriented development. Currently, BART staff with funding from the California Department of

Transportation (Caltrans) and the Federal Transit Administration (FTA) is conducting analysis and developing the [Berkeley-El Cerrito Corridor Access Plan \(Corridor Access Plan\)](#) to comprehensively evaluate and identify strategies to more equitably distribute BART's investments in walking, biking, riding transit, driving drop off, and parking for existing and future BART patrons using the stations along the corridor (including Ashby, North Berkeley, and El Cerrito Plaza). The Corridor Access Plan will consider the tradeoffs between providing homes and community amenities versus building garage parking spaces for BART riders who drive to the station(s). Parking will not be fully replaced due to space and funding constraints. The Corridor Access Plan will help identify multimodal strategies and investments needed to facilitate getting to and from BART. One key near-term strategy is working with the cities to develop on-street parking management concepts, which include charging BART riders to park on city streets as well as updating residential permit parking (RPP) programs.

With analysis conducted for the Corridor Access Plan, the BART Board will determine the maximum number of BART rider replacement parking spaces that need to be provided at the El Cerrito Plaza BART station as a part of the TOD. This replacement parking maximum will be determined in light of established BART Board goals and policies, in conjunction with technical evaluation, funding availability, community input, and tradeoffs analysis. Once this parking replacement maximum is established, the proposed TOD--which will include market-rate and affordable housing, open space, and either commercial square footage or a library--will enter the design phase. Concurrently, and prior to "breaking ground" (which is not expected to take place sooner than three years), the City, BART, the development team, and regional partners would continue to further the strategies identified in the Corridor Access Plan.

Advancing TOD at El Cerrito Plaza incorporates goals, objectives, and strategies identified in many community-vetted local, regional, and state planning documents and laws. Staff has provided a list of resources (Attachment 1) for the City Council, the Planning Commission, and the public to familiarize themselves with concepts that will be discussed during the study session.

STRATEGIC PLAN CONSIDERATIONS

Transit-Oriented Development (TOD) fulfills several Strategic Plan Goals and Strategies:

Goal B: Achieve long-term financial sustainability: TOD at the El Cerrito Plaza BART station helps the City achieve long-term financial sustainability by maximizing opportunities for existing and expanding businesses and supporting public/private partnership. The BART surface parking lots are currently untaxed, sit empty on weekends and evenings, and do not generate any revenue for the City. The market-rate buildings of the TOD would become taxable and the residents of the entire TOD will support local businesses.

Goal C: Deepen a sense of place and community identity: The TOD will support

several strategies to deepen a sense of place and community identity by promoting a strong downtown neighborhood, celebrating the City's diversity by providing a diversity of housing types, promoting new development that creates a sense of place and community gathering opportunities, and encourages and supports dense business nodes that minimize automobile traffic.

Goal D: Develop and rehabilitate public facilities as community focal points: The project provides an opportunity to explore the development of a library as a community focal point and converts surface parking lots into a mixed-use destination.

Goal F: Foster environmental sustainability citywide. The TOD would contribute to fostering environmental sustainability citywide by encouraging alternate modes of transportation. The City's Climate Action Plan encourages higher density TOD and infill development on transportation corridors as one of its primary Sustainable Community goals.

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this item.

FINANCIAL CONSIDERATIONS

This section is not applicable to this item.

LEGAL CONSIDERATIONS

This section is not applicable to this item.

Reviewed by:

A handwritten signature in blue ink, appearing to read "Karen Pinkos".

Karen Pinkos, City Manager

Attachments:

1. El Cerrito Plaza BART TOD and Access Information Guide

Plaza TOD and Access: Guide to Online Information (08/06/2021)

<i>Topic</i>	<i>Location</i>	<i>Detail</i>
City: Transit-Oriented Development at El Cerrito Plaza BART	www.el-cerrito.org/tod	Provides overview and quick links to BART's TOD program, AB 2923, background, and previous community presentations.
City: Parking Studies	www.el-cerrito.org/parkingstudies	Links to: • 2011 El Cerrito Parking Study (CHS Consulting Group) • 2019 On-Street Parking Study (Nelson Nygaard) • 2021 El Cerrito Plaza On-Street Parking Study (ARUP/BART) • Presentations from community meetings
City: San Pablo Avenue Specific Plan and Complete Streets Plan	www.el-cerrito.org/SPASP	Provides links to <i>Frequently Asked Questions</i> ; the Form Based Code and Complete Streets Plan; and to Major Projects underway or recently developed (also available at http://www.el-cerrito.org/majorprojects)
BART: El Cerrito Plaza Transit-Oriented Development Project	www.bart.gov/about/business/tod/el-cerrito-plaza	Provides quick links to: • City and BART shared Goals & Objectives • <i>Frequently Asked Questions (FAQ)</i> • 2019 Survey Results • 2019 Sustainable Access Strategy for BART's Transit-Oriented Development: Existing Conditions Report (ARUP) • 2021 El Cerrito On-Street Parking Study (ARUP)

<i>Topic</i>	<i>Location</i>	<i>Detail</i>
BART: Berkeley-El Cerrito Corridor Access Plan	www.bart.gov/beccap	• Outreach Efforts and Materials • <i>Frequently Asked Questions</i> • Comment Form
BART-El Cerrito Corridor Access Plan Online Open House	https://bartberkeleyelcerritocap.participate.online	• Corridor Access Plan Background • Short Video • Survey • Interactive Mapping
BART AB2923 Implementation	www.bart.gov/about/business/tod/ab2923	Overview of AB2923: Transit Oriented Development on BART Property
BART Transit-Oriented Development (TOD)	www.bart.gov/about/business/tod	Provides overview of BART's TOD program and links to BART's Board-Adopted Policies Guiding Transit-Oriented Development
BART Station Access Policy	www.bart.gov/about/planning/station-access/policy	Information about BART's Station Access Policy and Performance Targets



AGENDA BILL

Agenda Item No. 7.A.

Date: August 17, 2021
To: El Cerrito City Council
From: Mark R. Rasiah, Finance Director/City Treasurer, Finance Department
Subject: FY 2020-21 General Fund Budget Update for June 2021

ACTION PROPOSED

Receive and file an update on City General Fund revenues and expenses for FY 2020-21 through June 2021.

BACKGROUND

The El Cerrito City Council adopted an annual Budget for FY 2020-21 on June 16, 2020. Following that, the City Council amended the budget on October 6, 2020 and again at mid-year on February 16, 2021, taking revenue trends into consideration that were not readily apparent earlier on in the year. The Council has been closely monitoring the City's budget and financial position over the past several months during the COVID-19 closure of the City and has directed staff to provide a monthly General Fund budget update which is to include an Income Statement, Balance Sheet and Cash Flow projection. This report will discuss material variances, if any, through the end of June 2021, from this most recent amendment.

ANALYSIS

The General Fund Income Statement in Attachment 1 summarizes the major General Fund revenue and expenditure categories through June 2021 on a cash basis. Monthly revenue and expenditure projections are based on the mid-year amended budget and known revenue trends for the major revenue components. The draft General Fund Balance Sheet and Cash Flow Forecast statements are presented in Attachments 2 and 3, respectively. Because the fiscal year ended on June 30, 2021, these reports reflect the preliminary unaudited actual revenues and expenditures for FY 2020-21.

The following are some of the FY 2021 highlights on a preliminary unaudited cash basis through June:

1. Total revenue was \$39.8 million or 105% of projections. This compares with an average of \$39.1 million for the same period over the preceding 3 years.
2. Total expenditure was \$37.0 million or 99% of projections, compared with a three-year average of \$39.5 million representing nearly \$2.5 million in cost reductions.
3. Personnel costs of \$29.3 million include all personnel related costs in addition to overtime costs, workers' compensation insurance premiums, settlements and terminal payments to staff that separated from the City during the year.

4. On an annualized basis, revenue from all sources exceeded projections by \$1.7 million while expenses came in \$0.4 million below projections.
5. Real Property Transfer Tax receipts through June exceeded projections by nearly \$1.4 million. Transfer Tax receipts have been trending at a monthly average of nearly \$350,000.
6. Charges for Services exceeded projections by \$129,000 for the year.
7. The year-end preliminary General Fund cash balance was \$11.9 million, of which \$8.75 million was used to pay off the prior year TRAN in July 2021.

STRATEGIC PLAN CONSIDERATIONS

This report is consistent with the City's Strategic Plan Goal B - Achieve long-term financial sustainability– and will allow the City Manager to develop a plan to ensure that Citywide Revenue meets the cost of providing Citywide services, including adequate reserves in the face of significant unanticipated revenue shortfalls. It further ensures procedures that represent best practices in financial management.

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

- Staff expects a \$2.5 million preliminary unaudited General Fund budget surplus for the year.
- The surplus substantially exceeds the \$633,000 projected at mid-year, mainly because of higher than projected Transfer Tax Revenues.
- This surplus will result in a General Fund Reserve of approximately \$1 million, after the legacy \$1.3 million advance to the Redevelopment Agency fund is written off.
- As has been stated in previous monthly reports, the \$8.5 million Tax Receipts Anticipation Note (TRAN) was paid off with interest on July 1.

LEGAL CONSIDERATIONS

This section is not applicable to this agenda item.

Reviewed by:



Karen Pinkos, City Manager

Attachments:

1. General Fund Income Statement

2. General Fund Balance Sheet
3. General Fund Cash Flow Forecast

DRAFT FY 2021 General Fund Revenues and Expenditures from July 2020 - June 2021.

	A	B	C	D	G		H	I
Revenues (\$000s)	FY 2018-19 Audited	FY 2019-20 Audited	FY 2020-21 Adopted Budget	Un-audited Actuals July- June 2021	FY 2020-21 Projected Year-End	Variance from Projections Fav./(Unfav.)	FY 2021 - actuals as a % of Projections	Comments
Taxes								
Property Taxes	10,182	9,840	10,440	10,521	10,240	281	103%	Actual cash receipts through June.
Sales Taxes	7,545	6,975	6,450	6,121	6,250	(129)	98%	Actual cash receipts through June.
Utility Tax	3,208	3,166	3,200	3,302	3,200	102	103%	Actual cash receipts through June.
Property Transfer Taxes	1,102	3,467	2,400	3,984	2,600	1,384	153%	Actual cash receipts through June.
Franchise Taxes	1,244	1,587	1,250	888	1,000	(112)	89%	Actual cash receipts through June.
Business License Tax	910	919	850	923	850	73	109%	Actual cash receipts through June.
Other Tax	149	173	136	128	136	(8)	94%	Actual cash receipts through June.
Total Taxes	\$24,340	\$26,127	\$24,726	\$25,867	\$24,276	\$1,591	107%	
Licenses & Permits	776	785	758	654	739	(85)	88%	Actual cash receipts through June.
Fines and Forfeitures	219	227	170	172	115	57	150%	Actual cash receipts through June.
Use of Money and Property	157	465	350	334	332	2	101%	Actual cash receipts through June.
Intergovernmental Revenues	6,744	6,729	6,958	7,861	7,805	56	101%	Actual cash receipts through June.
Charges for Services	6,934	4,748	5,223	3,787	3,658	129	104%	Actual cash receipts through June.
Other Revenues	182	118	253	221	213	8	104%	Actual cash receipts through June.
Interfund Transfers	2,036	1,024	938	939	941	(2)	100%	Actual cash receipts through June.
Total	\$41,388	\$40,222	\$39,376	\$39,835	\$38,079	\$1,756	105%	
Expenditures (\$000s)								
	FY 2018-19 Audited	FY 2019-20 Audited	FY 2020-21 Adopted Budget	Un-audited actuals July- June 2021	FY 2020-21 Mid Year Budget Projected Year-End	Variance from Budget Expectations Fav./(Unfav.)	FY 2021 - actuals as a % of Projections	
Personnel	29,862	30,383	29,490	29,325	29,268	(57)	100%	Includes settlements & Terminal pmts.
Professional Services	4,487	3,702	3,534	2,892	3,100	208	93%	Actual Expenses through June.
Purchased Property Services	2,300	2,152	1,814	1,573	1,710	137	92%	Actual Expenses through June.
Other Services	1,840	1,806	1,833	1,536	1,576	40	97%	Actual Expenses through June.
Supplies	726	606	611	372	408	36	91%	Actual Expenses through June.
Property & Capital	422	413	456	396	409	13	97%	Actual Expenses through June.
Financing Costs	478	536	310	296	310	14	95%	Actual Expenses through June.
Other Financing Uses	1,416	697	665	665	665	-	100%	City Hall Debt Svc. & Retiree Pension.
Total	\$41,531	\$40,294	\$38,713	\$37,055	\$37,446	\$391	99%	
Surplus/(Deficit) - change in Fund Balance (\$000s)	(\$143)	(\$72)	\$663	\$2,780	\$633			

Quantities within parenthesis (-) denote reduction in revenue or overage in expenditure.

City of El Cerrito			
DRAFT General Fund - Balance Sheet	Audited 6/30/19.	Audited 6/30/20.	Unaudited 06/30/21 Est.
Assets			
Cash and Investments	4,349,089	9,016,794	11,947,794
Taxes Receivable	2,113,059	1,882,887	-
Accounts Receivable Net	-	32,158	11,858
Due from other funds	2,590,773	2,011,397	2,011,397
Inventory	11,772	27,737	25,694
Prepaid Expense	-	3,278	49,831
Total Assets	9,064,693	12,974,251	14,046,574
Liabilities			
Accounts Payable	888,579	844,570	262,838
Accrued Payroll	1,231,945	1,227,263	298,809
Other Accrued Liabilities	-	324,585	94,689
Short Term Note	6,000,000	9,000,000	8,659,545
Unearned Revenues	62,651	82,890	71,732
Deposit Payable	804,162	1,604,964	2,106,730
Total Liabilities	8,987,337	13,084,272	11,494,343
Deferred inflows of Resources			
Deferred Inflows of Resources - Unavailable Revenue	116,319	-	-
Total deferred Inflows of Resources	116,319	-	-
Fund Balances	(38,963)	(110,022)	2,552,231
Total Liabilities, Deferred Inflows of Resources and Fund balance	9,064,693	12,974,251	14,046,574

DRAFT

FY 2020-21 Projected General Fund Cash Flows - June 2021

(Currency: \$000s)	ACTUALS	ACTUALS	ACTUALS	ACTUALS	ACTUALS	ACTUALS	ACTUALS	ACTUALS	ACTUALS	ACTUALS	ACTUALS	ACTUALS	TOTAL	FY 2020-21 Mid-Year Projected Year End
	July	August	September	October	November	December	January	February	March	April	May	June		
Beginning Balance	\$9,017	\$6,789	\$5,451	\$4,572	\$4,543	\$3,419	\$6,427	\$7,062	\$7,063	\$6,414	\$10,584	\$11,557	\$9,017	
Cash Receipts														
Property Tax	-	-	-	261	-	4809	606	-	-	3526	-	1319	\$10,521	10,240
Sales Tax	-	585	556	554	845	486	469	695	472	510	535	414	6,121	6,250
Transfer Tax	-	311	-	664	418	615	328	193	141	484	409	421	3,984	2,600
Franchise Tax	-	-	95	29	253	-	-	133	-	207	51	120	888	1,050
Business Licenses	505	106	89	62	16	43	32	18	19	10	10	13	923	821
Utility Users Tax	87	173	134	342	234	258	349	313	325	533	242	312	3,302	3,200
Licenses and Permits	37	59	44	84	22	76	50	57	49	61	58	57	654	739
Fines and Forefeitures	13	1	6	17	14	17	29	11	20	21	6	17	172	95
Use of Property	15	33	14	40	12	20	35	22	37	34	27	45	334	332
Other Government Reimb.	-	-	742	766	108	476	10	308	427	293	277	294	3,701	3,855
Fire OES Overtime Reimbursements	-	-	-	-	-	113	-	566	218	231	22	-	1,150	1,150
In-Lieu Fees	-	-	-	-	-	-	1491	-	-	-	1510	-	3,001	2,800
Fees for Service - Other	170	17	194	287	58	110	104	61	187	180	131	90	1,589	1,479
Fees for Service - Recreation	118	73	222	53	122	251	135	156	286	219	289	275	2,199	2,180
Other Revenues/Taxes	-	8	-	22	64	-	3	117	10	99	19	6	348	349
Transfers In	-	-	-	-	-	476	-	-	-	230	-	233	939	941
TRAN Proceeds	8,660	-	-	-	-	-	-	-	-	-	-	-	8,660	
Total Cash Receipts	\$9,605	\$1,366	\$2,096	\$3,181	\$2,166	\$7,750	\$3,641	\$2,650	\$2,191	\$6,638	\$3,586	\$3,616	\$48,485	38,081
Cash Disbursements														
Personnel	\$2,129	\$2,210	\$2,172	\$2,226	\$2,320	\$3,758	\$2,377	\$2,235	\$2,091	2,043	\$2,132	\$2,780	\$28,473	28,418
Fire OES Overtime	-	\$133	421	236	59	\$0	-	-	\$3	-	-	-	\$852	850
Professional Services	91	213	222	249	109	279	262	295	122	364	192	494	2,892	3,100
Property/Other Services	408	105	141	315	66	601	203	135	151	388	222	374	3,109	3,286
Supplies	8	25	14	23	25	38	27	19	31	25	59	78	372	408
Financing Costs and Debt Service	-	18	-	36	120	12	16	39	12	16	-	27	296	310
Property and Capital	-	-	5	125	11	32	23	3	38	3	8	148	396	409
CIP - Cash Flow	-	-	-	76	19	158	77	-	392	0	294	50	1,066	1,066
CIP - Reimbursement	-	-	-	(76)	(19)	(158)	-	(77)	0	(392)	(294)	(50)	(1,066)	(1,066)
Transfers Out	-	-	-	-	580	22	21	-	-	21	-	21	665	665
TRAN Principal Payment	9,000	-	-	-	-	-	-	-	-	-	-	-	9,000	
TRAN Interest Payment	196	-	-	-	-	-	-	-	-	-	-	-	196	
Total Cash Disbursements	\$11,832	\$2,704	\$2,975	\$3,210	\$3,290	\$4,742	\$3,006	\$2,649	\$2,840	\$2,468	\$2,613	\$3,922	\$46,251	37,446
Net Cash Flow Surplus/(Deficit)	(\$2,227)	(\$1,338)	(\$879)	(\$29)	(\$1,124)	\$3,008	\$635	\$1	(\$649)	\$4,170	\$973	(\$306)	\$2,234	\$635
Ending Balance	\$6,789	\$5,451	\$4,572	\$4,543	\$3,419	\$6,427	\$7,062	\$7,063	\$6,414	\$10,584	\$11,557	\$11,251	\$11,251	



SUPPLEMENTAL AGENDA MATERIALS

**CONCURRENT SPECIAL PLANNING COMMISSION
AND REGULAR CITY COUNCIL MEETING**

August 17, 2021

PUBLIC COMMENT INDEX

1. Public Comments received

AGENDA ITEM 5A – CITY COUNCIL/PLANNING COMMISSION ITEM

**Access Planning for Transit-Oriented Development at the El Cerrito Plaza Bay
Area Rapid Transit (BART) Station – Study Session**

1. Presentation



SUPPLEMENTAL AGENDA MATERIALS PUBLIC COMMENT INDEX

CONCURRENT SPECIAL PLANNING COMMISSION AND REGULAR CITY COUNCIL MEETING August 17, 2021

The following Public Comments were **received by 4:00 p.m. 8/17/2021**, were provided directly to City Councilmembers in advance of the meeting, and were posted online as supplemental materials at www.el-cerrito.org/CouncilMeetingMaterials

Public Comments – Items Not on the Agenda

1. Kenneth Epley, Committee on Aging Chair
2. Cordell Hindler
3. Dianne Brenner

Agenda Item 5A – CITY COUNCIL/PLANNING COMMISSION ITEM Access Planning for Transit-Oriented Development at the El Cerrito Plaza Bay Area Rapid Transit (BART) Station – Study Session

1. Dan Schulman
2. Al Miller
3. Michael Fischer

Date: August 5, 2021

To: Mayor Paul Fadelli

Cc: City Clerk Holly Charley, Staff Liaison Bridget Cooney

From: Chair Kenneth Epley, Committee on Aging of City of El Cerrito

At the regular meeting of the Committee on Aging on July 21, 2021, the Committee on Aging of the City of El Cerrito passed a motion for recommendation to City Council to annually recognize centenarian residents of El Cerrito by way of Mayoral Certificate of Recognition. Additionally, it is the recommendation of the Committee on Aging of the City of El Cerrito that City Council acknowledge centenarians receiving recognition by reading the names of centenarians receiving recognition during a City Council meeting.

The Committee on Aging passed this recommendation by the following vote:

Ayes: 7

Nos: 1

Absent: 4

Centenarian residents of El Cerrito identified for recognition in 2021 are:

Clara-Rae Genser

Birthdate: November 3, 1918 (102yrs)

Residence: [REDACTED]

Nominated by: Sam Bernardino (Activities Director) [REDACTED]

[REDACTED] & Buddy Akacic [REDACTED]

Milton William

Birthdate: April 6, 1921 (100yrs)

Residence: [REDACTED]

Nominated by: Sam Bernardino (Activities Director) [REDACTED]

[REDACTED]

Josephine Knoll

Birthdate: February 17, 2021 (100yrs)

Residence: [REDACTED]

Nominated by: Sam Bernardino (Activities Director) [REDACTED]

[REDACTED]

Esher Tanizawa

Birthdate: May 27, 1921 (100yrs)

Residence: [REDACTED]

Nominated by: Susan Yamashita (daughter) [REDACTED]

[REDACTED]

Eva Hapanowich

Birthdate: October 14, 1919 (102yrs)

Residence: [REDACTED]

Nominated by: Beverly Hill & Barbara Hill Bennett (daughters) [REDACTED]

[REDACTED]

Theresa Parella

Birthdate: December 20, 1916 (104yrs)

Residence: [REDACTED]

Nominated by: Rose Vekony (neighbor) [REDACTED]

[REDACTED]

Jacqueline (Jackie) Hetman

Birthdate: March 29, 1920 (101yrs)

Residence: [REDACTED]

Nominated by: Mark Deleon & Carl Beverly (City Staff) [REDACTED]

recreation@ci.el-cerrito.ca.us

Elizabeth Liesel Tilles

Birthdate: May 27, 1920 (101yrs)

Residence: [REDACTED]

Nominated by: Neil Landau (neighbor) [REDACTED] & Susan McShayne [REDACTED]

[REDACTED]

Ruby Adachi Hiramoto

Birthdate: April 20, 1921

Residence: [REDACTED]

Nominated by: Dana Hiramoto (daughter) [REDACTED]

[REDACTED]

Timothy Ho

Birthdate: October 4, 1920

Residence: [REDACTED]

Nominated by: Diana Ho (daughter) [REDACTED]

[REDACTED]

Tadashi Yoshii

Birthdate: July 28, 1920

Residence: [REDACTED]

Nominated by: [REDACTED]

[REDACTED]

From: [Cordell Hindler](#)
To: [City Clerk](#)
Subject: Oral Communications from the Public
Date: Thursday, August 12, 2021 4:28:08 PM

hello Mayor Fadelli, Council Members and City Staff, I have a couple of comments for the Record

1. I will remind the council to follow procedures in regarding the items on Consent Calendar
2. for a future Agenda, the council should invite Koff & Associates to make a presentation in regarding the Class & Comp Study

Sincerely
Cordell

Remarks to City Council, August 17, 2021

Thank you and Good evening Mr. Mayor, City Council and staff. My name is Dianne Brenner, I am an El Cerrito resident.

In January of 2020, I stood before you to ask that you initiate a request to PG&E to underground utilities along a major arterial street in El Cerrito, a street that would likely be essential to the safe evacuation of many residents in case of a disaster. There was an enormous ground swell of support from the public for doing this. Then two other crises came up that required your primary attention for the last 18 months. But now, as wildfires continue to worsen every year, the undergrounding of electric utilities is getting renewed attention from PG&E as a means of reducing wildfire risk, and I am back here to bring the subject to your attention again.

Then, as now, under CPUC Rule 20(A), El Cerrito ratepayers continue to pay about \$115,000 each year into the PG&E fund that is earmarked specifically for undergrounding electric utilities in El Cerrito. Since El Cerrito has not used this program for nearly 20 years, there is an available balance of approximately \$3 million in “work credits.” The program allows a city to borrow credits 5 years ahead, which brings the total available resources to over \$3.5 million. This could accomplish more than a mile of undergrounding – a significant project, and the funding is already committed and available. You only need to initiate the request to PG&E.

I urge you to take advantage of the CPUC Rule 20(A) program to use these funds so that this doesn’t become a missed opportunity. PG&E has already in some cases diverted Rule 20(A) funding to other projects, and in fact, they have asked El Cerrito for permission to divert the funding in our “account.” Also, there have been several attempts over the decades to sunset or modify the Rule 20(A) program. Please don’t let this happen while they are holding \$3 million of El Cerrito’s contributions.

There is a lot of misinformation and misunderstanding about the Rule 20(A) program, but undergrounding utilities using these funds could be a significant element of your wildfire prevention strategy. If you are inclined to dismiss this project, please first inform yourself about it. There are several such projects under construction elsewhere in the county, in Pinole and Pittsburg. I urge you to contact your colleagues in these cities for information about their experience with this program. Or you can contact CPUC staff or PG&E staff about it.

Thank you.

From: [Dan Schulman](#)
To: [City Clerk](#)
Subject: Public Comments - Agenda #5A
Date: Monday, August 16, 2021 9:40:10 PM

Dear City Council and Planning Commission,

I am asking you to commit today to creating an on-street managed parking program on the streets that surround the El Cerrito Plaza station.

My children are currently ages 6 and 8. I've been thinking more about what life will be like when they are older and figuring out where to live on their own.

As temperatures along much of the western US become dangerously hot, and fire dangers in the hills continue to get worse, where will people be able to live in 15, 20, 25 years? One area where we've seen less impact from extreme temperatures and fire danger is in the flats of El Cerrito.

When thinking about the impact of climate change and where people will live in the future, it's become clear to me that the flats of El Cerrito is where we need more homes. We need those homes to be near public transportation, walkable to grocery stores, schools, restaurants, and other amenities.

We have an opportunity at the El Cerrito Plaza station to build lots of these homes. We also have an opportunity to create a town center for El Cerrito, and a destination for others to visit El Cerrito, spending money at our businesses. To maximize what we can achieve here, we should not replace any BART commuter parking on the site.

We must use an all of the above approach to providing safe and convenient access to the BART station, so that everyone can still access the station even after the new homes and businesses are built. The City has a role to play, such as improving pedestrian and bicycle infrastructure, and one huge step they can take is creating an on-street managed parking program.

As a resident near the station, I would feel better knowing that parking on my street is well managed, and that I won't need to expect commuters constantly circling my street looking for parking. For BART patrons, I would hope that many will take advantage of other modes of transportation to BART. But for those who must drive, if the city properly manages parking on surrounding streets, that drive and park option will still be there for those who truly need it. I hope the city can use the revenues generated from the managed parking program to improve lighting and other safety measures on neighborhood streets.

Please make a commitment today to implementing this on-street managed parking program, so that BART can determine the (hopefully zero) replacement parking quantity, and the new design for this site can proceed.

Thank you,
Daniel Schulman
El Cerrito, CA

From: [Al Miller](#)
To: [City Clerk](#)
Subject: Public Comment on Agenda Item 5.A.
Date: Tuesday, August 17, 2021 8:05:32 AM

Mayor Fadelli, Mayor Pro Tem Quinto, and Council Mmembers Abelson, Motoyama, and Rudnick.

I agree with and support the public comments submitted on Agenda Item 5.A. by Tom Panas and Michael Fischer.

The El Cerrito Library Foundation supports a new library as part of the BART El Cerrito Plaza Station TOD.

Thank you.

Al Miller, President, El Cerrito Library Foundation

From: [Michael Fischer](#)
To: [City Clerk](#)
Subject: Public Comment - Agenda Item 5A
Date: Tuesday, August 17, 2021 11:54:36 AM

My name is Michael Fischer and I am El Cerrito's Library Commissioner. In my individual capacity I generally support the proposed El Cerrito Plaza BART TOD as I believe it is good for the city and its residents as well as those who need more affordable housing. The remainder of my remarks are made on behalf of the library.

The BART TOD represents the best opportunity for a desperately needed new library for El Cerrito, a need that city staff has been working to bring about for quite some time. I pledge to support staff and the Council in their efforts to bring this about. The proposed TOD library will be more accessible to all El Cerritans. We can increase this accessibility for if BART were to provide either a greatly reduced fare or no fare for trips between these two El Cerrito BART stations. I recognize that this is a decision that must be made by the BART Board but hope that the City, in their discussions with BART on the TOD, will work to bring this about.

I'd like to thank city staff for their hard work on both the TOD and a new library.

Kind regards,

Michael

Michael Fischer (he him)

[REDACTED]

El Cerrito City Designated Library Commissioner
Vice Chair, Contra Costa County Library Commission

El Cerrito Needs an Affordable and Appropriate 21st Century Library

Access Planning for Bay Area Rapid Transit (BART) Transit Oriented Development (TOD)

JOINT CITY COUNCIL – PLANNING COMMISSION STUDY SESSION
AUGUST 17, 2021



Tonight's presentation



Brief Objectives and Background



BART Berkeley El Cerrito Corridor Access Plan (BECCAP)



Prior City On-Street Parking Management Studies



On-Street Parking Management Concept Development



Q&A/Public Comment

Who's Here Tonight

City Staff

- Melanie Mintz, Community Development Director
- Yvetteh Ortiz, Public Works Director

BART Staff

- Rachel Factor and Tim Chan, Station Area Planning
- Abigail Thorne-Lyman and Shannon Dodge, Real Estate & Property Development

BART Consultants

- Jay Primus, Primus Consulting
- Andy Kosinski, Fehr & Peers Transportation Consultants

Development Team

- Jaime Hiteshew, Holliday Development
- Andrew Schorfhaar, Related California

AC Transit

- Carissa Lee, Transportation Planning
- Nathan Landau, Transportation Planning

Objectives & Background

Objectives

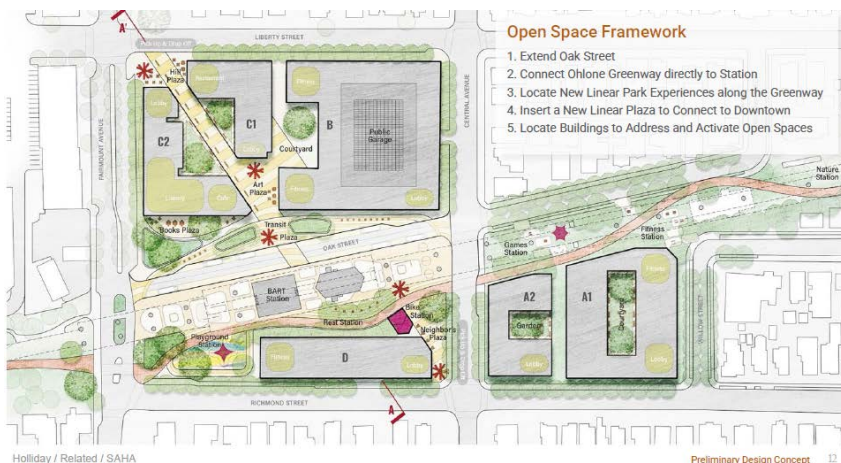


TONIGHT'S MEETING

- Overview Plans and Policies regarding TOD
 - El Cerrito Plaza TOD Process
- Describe Efforts to Date on TOD Access Planning
- Discuss Access Needs, Barriers, Opportunities and Options
- Questions and Input/Feedback Regarding (High-Level) On-Street Parking Management Concepts



www.el-cerrito.org/747/strategic-plan



El Cerrito Plaza TOD Conceptual Site Layout

Transit Oriented Development (TOD)

Transit Oriented Development aims to create vibrant, livable, sustainable communities.

TOD creates compact, walkable, pedestrian-oriented mixed-use communities centered around frequent public transit.

TOD supports the development of affordable and market rate housing.

TOD reduces overall per capital vehicle miles traveled.

TOD supports local businesses.

www.bart.gov/about/business/tod

www.el-cerrito.org/climateactionplan

www.el-cerrito.org/965/Economic-Development-Action-Plan

Policy Background

Economic Development Action Strategy (2006/2016)

- Focus on infill residential to attract more unique retail & restaurants
- Maximize TOD close to BART & Ohlone Greenway
- Optimize placemaking in all development

Climate Action Plan (2013)

- Encourage more compact, higher density infill development
- Develop a parking management strategy to encourage high density development & alternatives to driving

San Pablo Avenue Specific Plan (2014)

- Construct higher-intensity mixed-use development in proximity to BART
- Encourage placemaking through active ground floor commercial and open spaces
- 2011 Grant Funded Studies: Increase height; reduce off-street parking, increase parking management, charge for BART parking

AB2923: Transit Oriented Development on BART Properties

- Requires minimum zoning (7-stories) to align with or exceed AB2923 standards
- SPASP is AB2923 compliant

Regional Housing Needs Allocation (RHNA- 2023-2031)

- 1,391 Total Units
- 526 Low & Very Low Income

Transit-Oriented Development at El Cerrito Plaza Station

Team Introduction & Community Meeting: Tuesday, May 25th at 6-7:30pm

<https://us02web.zoom.us/j/84342090452>



To keep current with the project, please visit:

<https://www.bart.gov/about/business/tod/el-cerrito-plaza>

If you need language assistance services, please call (510) 464-6752 at least 72 hours prior to the date of the event.

如需語言援助服務，請於活動日期之前至少 72 小時致電 (510) 464-6752。

Si necesita servicios para comunicarse en otro idioma, por favor llame al (510) 464-6752 al menos 72 horas antes de la fecha del evento.

Kung kailangan mo ang tulong ng mga serbisyo ng wika, paki tawagan ang (510) 464-6752 hindi lilit sa 72 na mga oras bago ang petsa ng pangyayari.

언어 지원 서비스가 필요하시면, 행사 날짜로부터 늦어도 72시간 전에 (510) 464-6752로 전화해 주십시오.

Nếu quý vị cần dịch vụ trợ giúp về ngôn ngữ, xin vui lòng gọi số (510) 464-6752 ít nhất là 72 tiếng đồng hồ trước ngày của dịp tổ chức.



El Cerrito Plaza TOD (to date)

Resolution 2016-68

- Advance TOD at the El Cerrito Plaza BART Station
- Consider inclusion of a library onsite

Resolution 2019-66

- Goals and Objectives for Development
- Support Inclusion of Sustainable Access Strategies in TOD Process

BART Board Selects Development Team

- November 19, 2020 BART Board Meeting

Public Meetings (to Date)

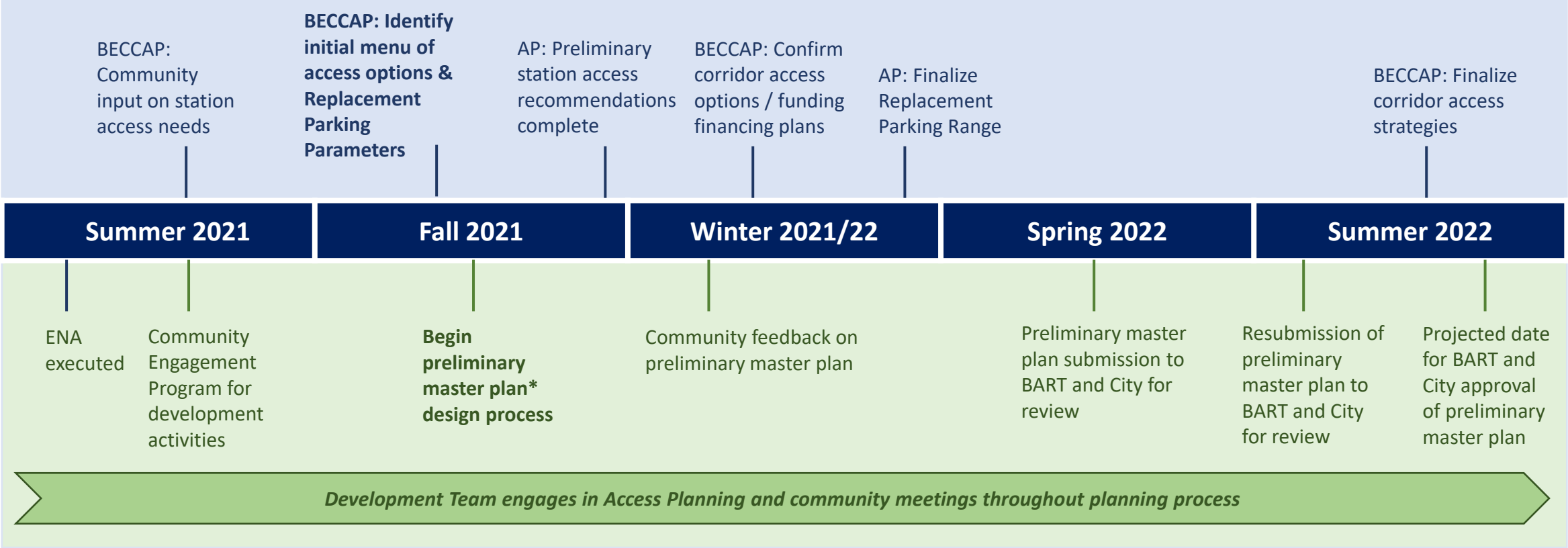
- May 4, 2021 Developer Team and Project Introduction @ Council
- May 25, 2021 Community Meeting

El Cerrito Plaza TOD: Goals & Objectives

Complete Communities	Sustainable Communities	Ridership	Value Create & Value Capture	Transportation Choice	Affordability
• Enhance the Ohlone Greenway • Create Active Ground Floor • City Manage Area Parking	• Deliver community service facilities in dense, mid-rise residential development • Address Regional Housing Need • Incorporate Green and Sustainable Design	• Increase BART Ridership • Attract BART patrons from larger SPASP area through sustainable access alternatives	• Deliver a feasible development • Participate in area-wide financing efforts • Leverage innovate third-party funding	• Increase share of patrons who walk, bike or take transit to BART • Minimize the need for BART patron replacement parking	• Minimum 20% of housing units will be affordable to low and very-low income households

Next year of El Cerrito Plaza process

BART Station Access Activities



Development Activities

* The preliminary master plan aims to establish the general scale and character of the buildings, streets, and open spaces. This includes the location and dimensions of all structures, number of living units, design of public areas, and preliminary vehicle access plan. More details will be added as the planning process continues beyond Summer 2022. **Construction is targeted to begin in 2024.**

BECCAP: Berkeley-El Cerrito Corridor Access Plan
AP: Station Access Plan
ENA: Exclusive Negotiating Agreement
Bold indicates key milestone

Schedule Overview

	Completion	Concurrent
Station Access & Corridor Access	Winter 2021-22 (Parking Replacement Range) Summer/Fall 2022	Library Process/Decisions Community Engagement
Preliminary Master Plan	Summer 2022	Community Engagement Public Hearing
Design Review/Entitlement	2023	Community Engagement Public Hearing
On-Street Parking Program Development/Implementation	2022-2024	Community Engagement
Financing Construction	2024-2026	Market-Rate and Affordable on different timelines

BART: Berkeley-El Cerrito Corridor Access Plan

WWW.BART.GOV/BECCAP



Station Access Planning for Future Development

El Cerrito Plaza BART Station

August 17, 2021

El Cerrito City Council – Planning Commission Study Session

Supplemental Packet Page 23 of 74

Agenda Packet Page 87 of 138



Objectives of this presentation

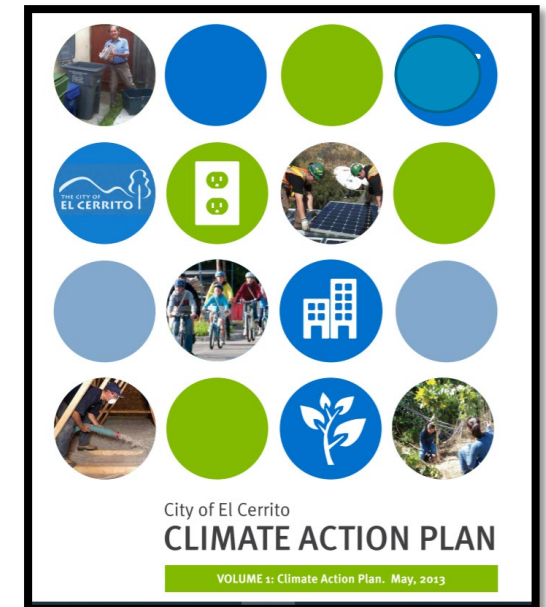
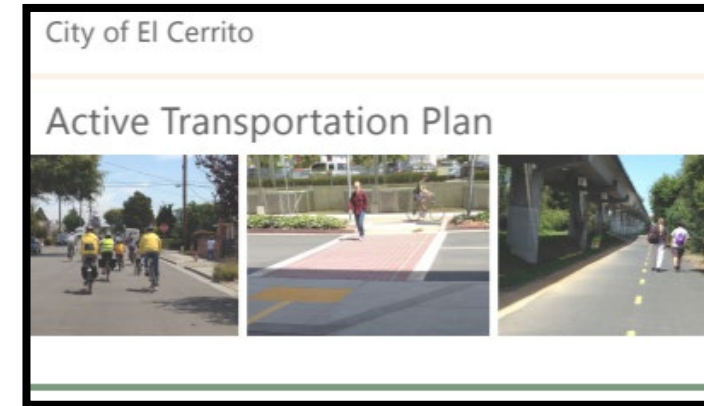
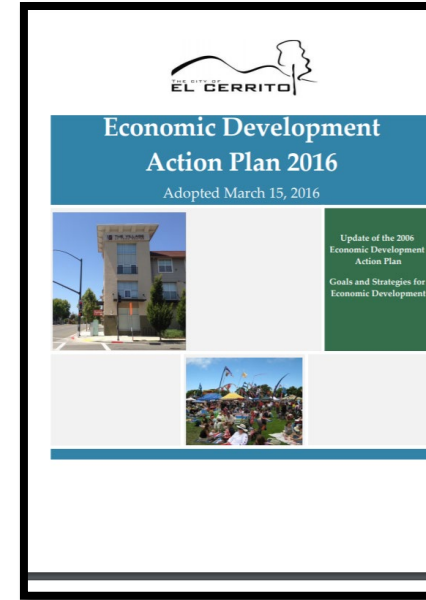
1. Station Access Planning for Transit Oriented Development (TOD) – Overview
2. Corridor Access Plan – Work Done To Date
3. Corridor Access Plan – Next Steps



TOD Station Access Planning Overview

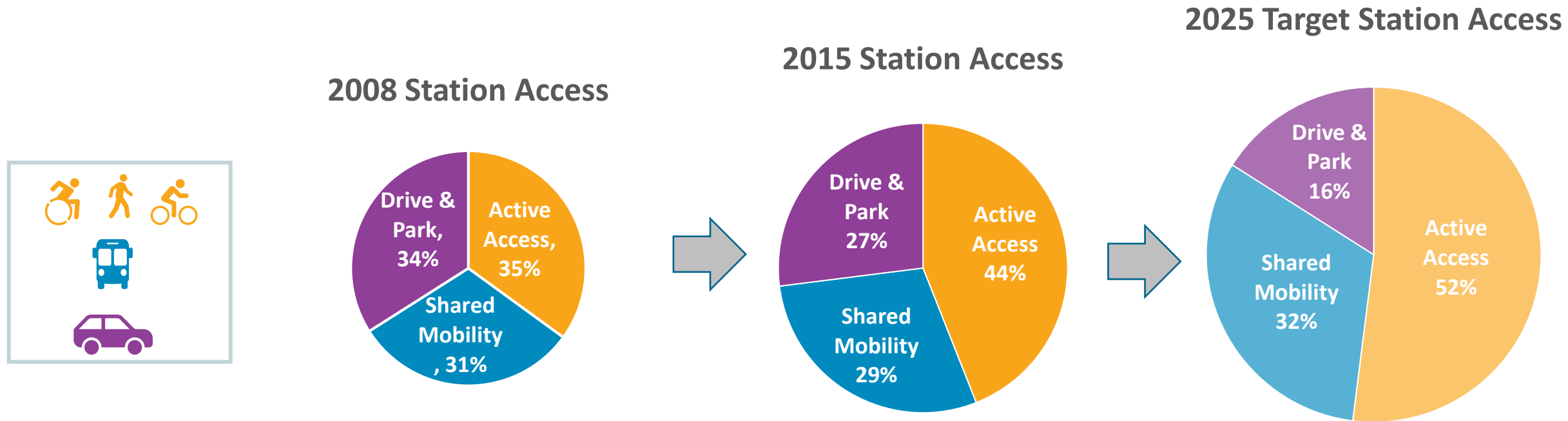
Goals & Objectives for El Cerrito Plaza BART Development – Access Related

- Increase % of people who walk, bike and take transit
- Minimize need for BART rider parking replacement in an on-site garage
- Expand the pedestrian & bicycle network – particularly connecting to the Ohlone Greenway
- Embrace evolution of mobility with new technologies



BART's Station Access Policy

Systemwide Performance Targets

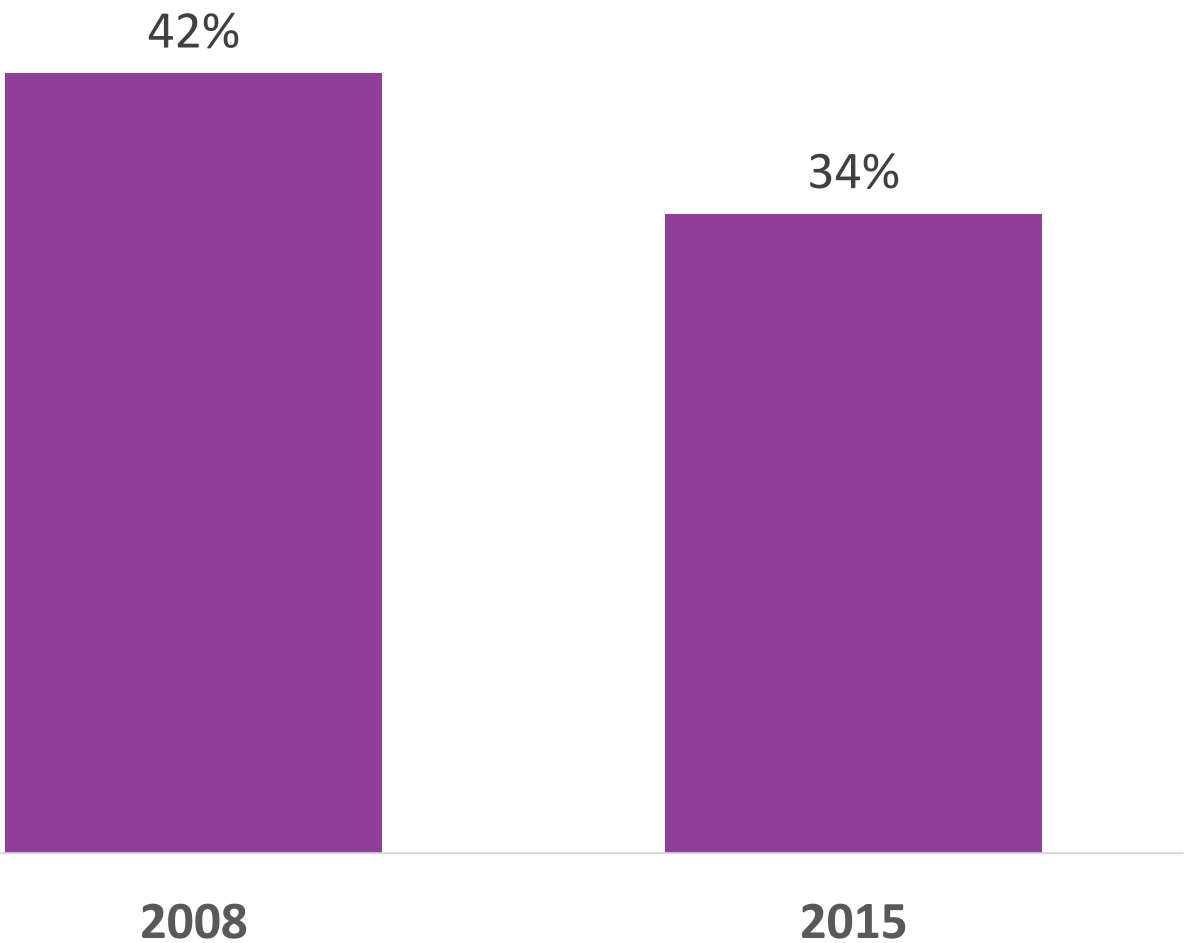


Sources: www.bart.gov/about/planning/station-access/policy

2008 and 2015 Station Profile Survey Data (home-based trips)

BART station access trends at El Cerrito Plaza

People who Drive & Park (2008 / 2015)



Most riders (2/3) do not drive & park (pre-pandemic)

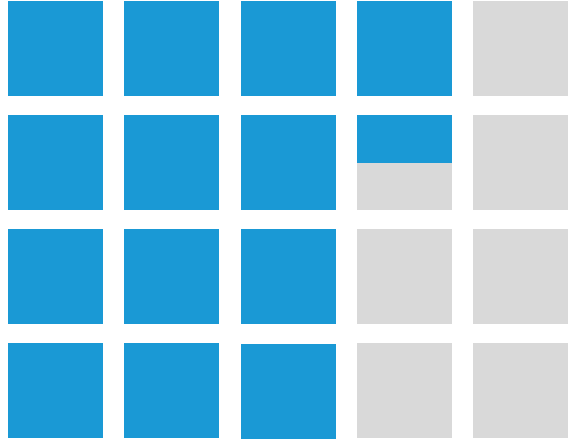


A low-income rider is almost **half as likely to drive and park** as a high-income rider



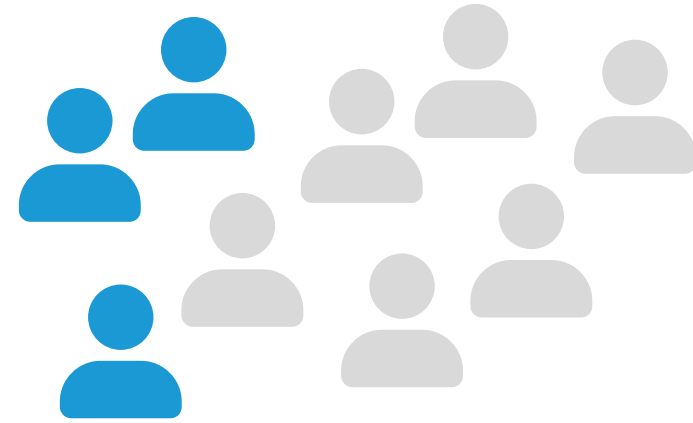
A low-income rider is **25% more likely to walk** than a high-income rider

At El Cerrito Plaza...



65% of the land is used
for driving & parking...

Source: BART, 2021



... benefiting 34% who
use the station

Source: BART Station Profile Survey, 2015.

People don't travel far to get to EC Plaza Station, including those who drive & park

What the data tells us about BART parkers

58% live within a 15-minute walk, bus, or bike trip

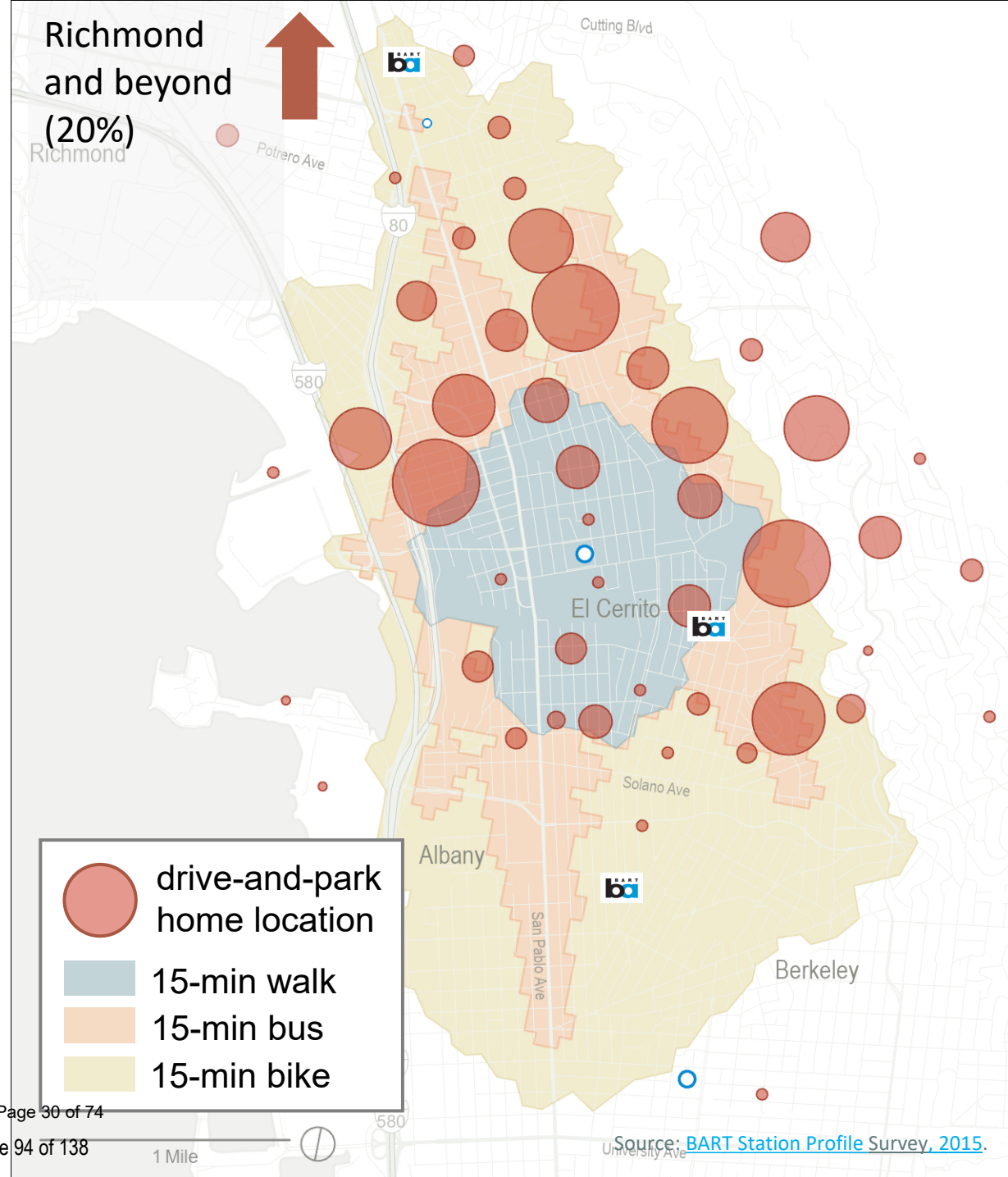
42% live outside of the 15-minute trip

Source: BART Station Profile Study, 2015

What we heard from BART parkers

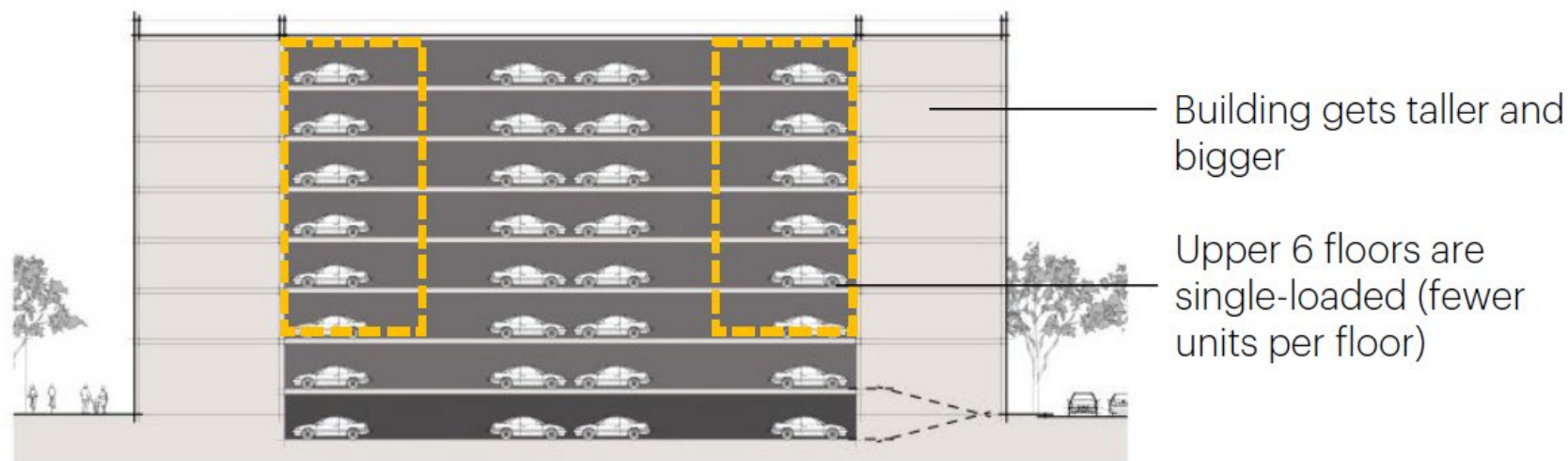
27% of them say they have no other access options (mobility challenges, pick up duties, etc.)

Source: BART El Cerrito Plaza Rider Survey, 2019



Why won't BART consider replacing all rider parking?

- Maximizing housing close to BART increases transit ridership, walking & biking
- Most riders getting to and from El Cerrito Plaza BART do not drive and park
- There is limited money for access investments
 - Each parking stall is ~\$70,000 to build
- There is a limited amount of land
 - Parking requires a lot of space & reduces space available for homes and other amenities
 - A large parking garage would affect the size and community feel of the development

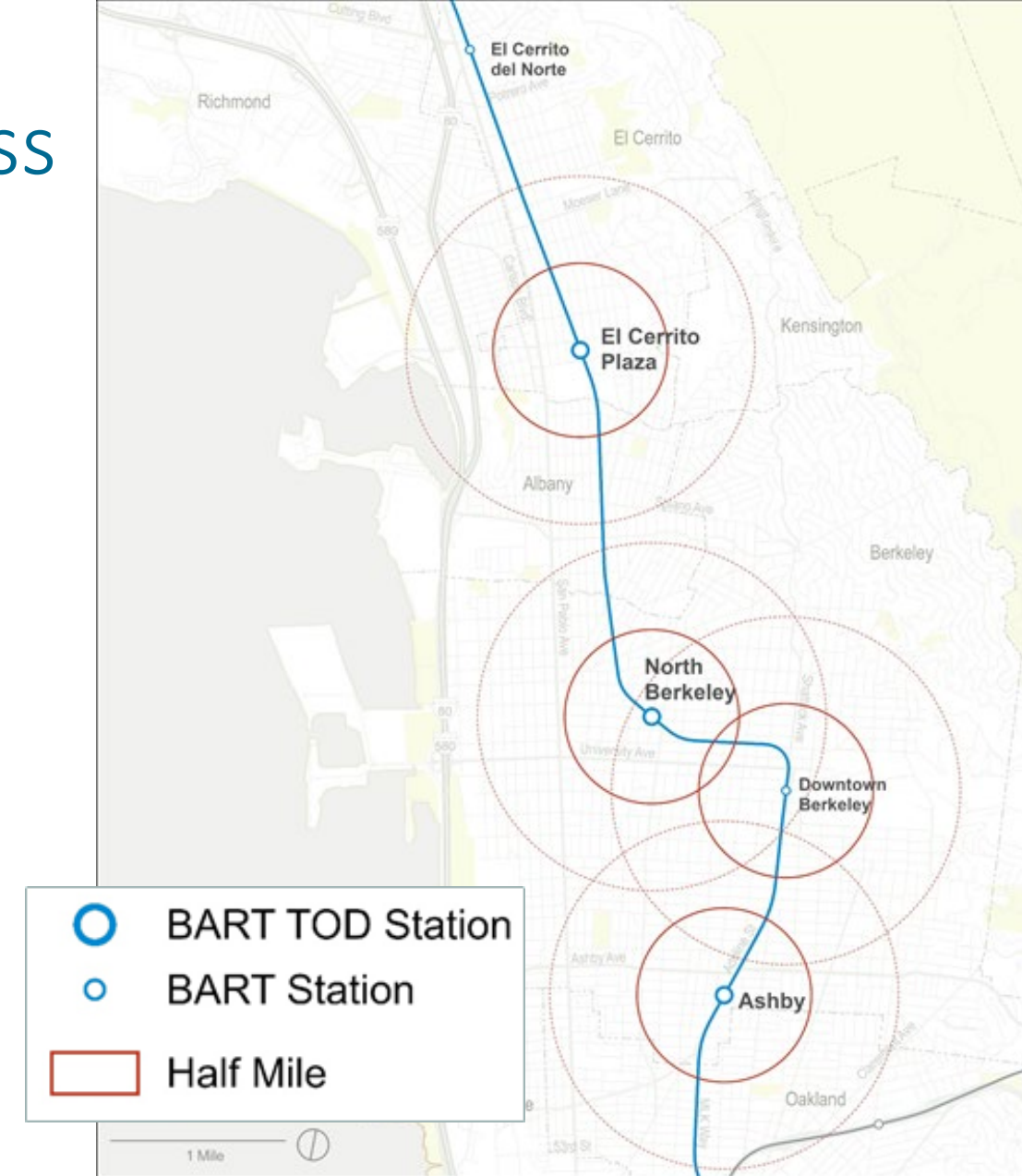


Podium building with ~620 parking spaces

Once we reduce parking, how are people going to get to the station?

A Better Transportation Network: Berkeley-El Cerrito Corridor Access Plan

- Focus on needs of existing riders
- Identify transportation & mobility improvements to:
 - City streets
 - San Pablo Ave (State Highway)
 - AC Transit options
 - New technologies (on-demand microtransit, electric-bike share, adaptive bikes or scooters, etc.)
- Look at an area encompassing 4 stations (3 with development)
- Set BART rider parking replacement range



Create Well-Designed Access at the Station: El Cerrito Plaza Station Access Plan



Figure 35: 8th Street Frontage

Block 1 9TH ST

- Developer funded plan to ensure development allows for station access needs:
 - Bus transfer facility
 - Passenger drop off/pick up
 - Ohlone Greenway
 - Bike parking
 - Design of BART patron parking
 - Street designs around station

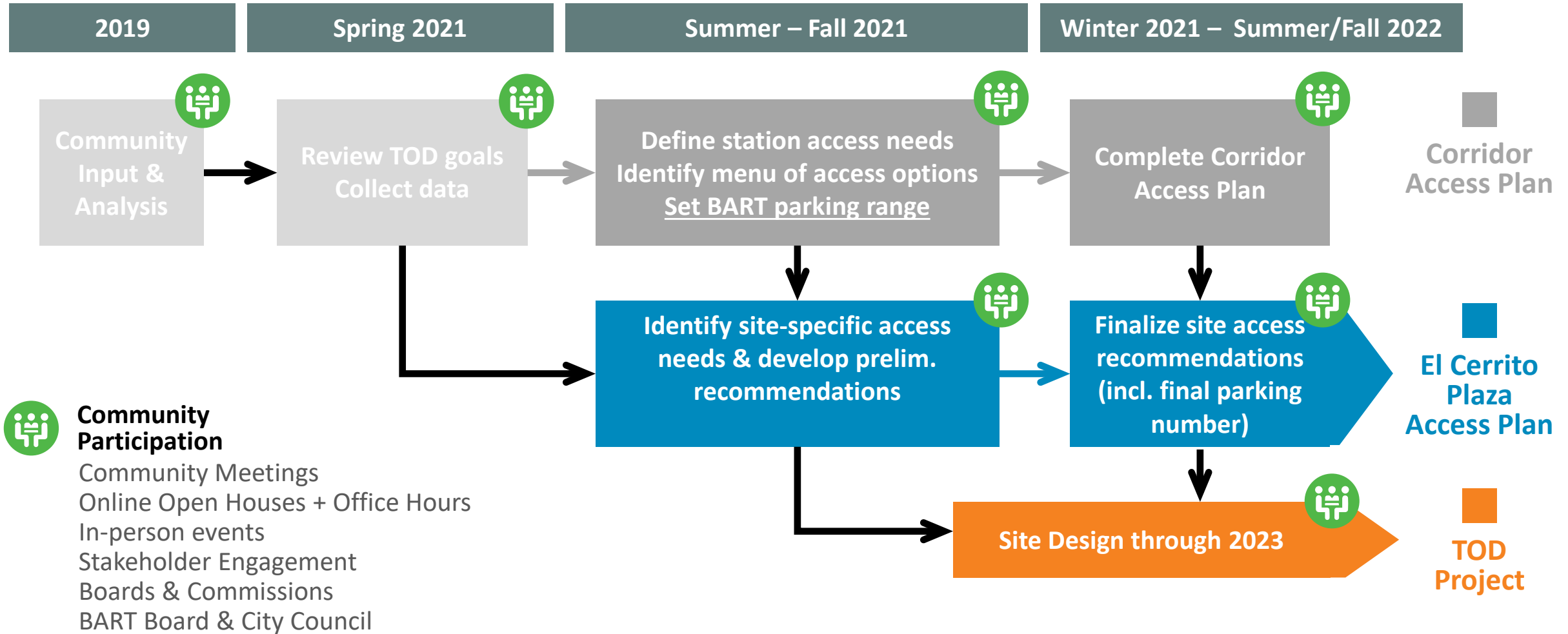
Lake Merritt TOD. Images courtesy of EBALDC, Strada Investment Group. May 2021

Current Lake Merritt & West Oakland BART TOD Projects

- BART is eliminating parking at Lake Merritt and reducing parking at West Oakland
- BART & developer led multi-year community engagement (ongoing)
- Building on community-supported access plans, BART developed focused station access plans with City, developers & AC Transit
- Plan consists of phased ped, bike, transit & road improvements plan to be funded by the State, County, City, developers & BART
- BART has applied for and will continue to apply for state & local grants for delivery of access projects (Affordable Housing & Sustainable Communities, Infrastructure Infill Grant, Alameda County Sales Tax Measure BB, etc.)



Station Access Planning Process



*Illustrative Timeline – Subject to Change

The Corridor Access Plan to Date:

- Data collection
- Defining needs

What We've Heard from Mobility Providers

- **Bus Access**

- AC Transit long-term planning process underway
- EasyPass program for group discounts

- **Dockless Bike and Scooter Share (Veo, Spin)**

- No operations right now in Berkeley or El Cerrito
- Berkeley is developing a permit program

- **Docked Bike Share (Lyft Bay Wheels/Gotcha)**

- Focused on the existing service area in Oakland and Berkeley
- Lyft has no plans for expansion currently
- Gotcha electric-bikes recently launched in the City of Richmond (including Richmond BART station)



What We've Heard from Mobility Providers (Cont'd)

- **On-Demand Service**

- Focused options could include rides for seniors or paratransit
- New Via service coming to Richmond that is expected to serve Richmond and El Cerrito del Norte stations

- **Car Share**

- GIG is interested in serving other cities outside current service area, including El Cerrito

- **Parking Apps**

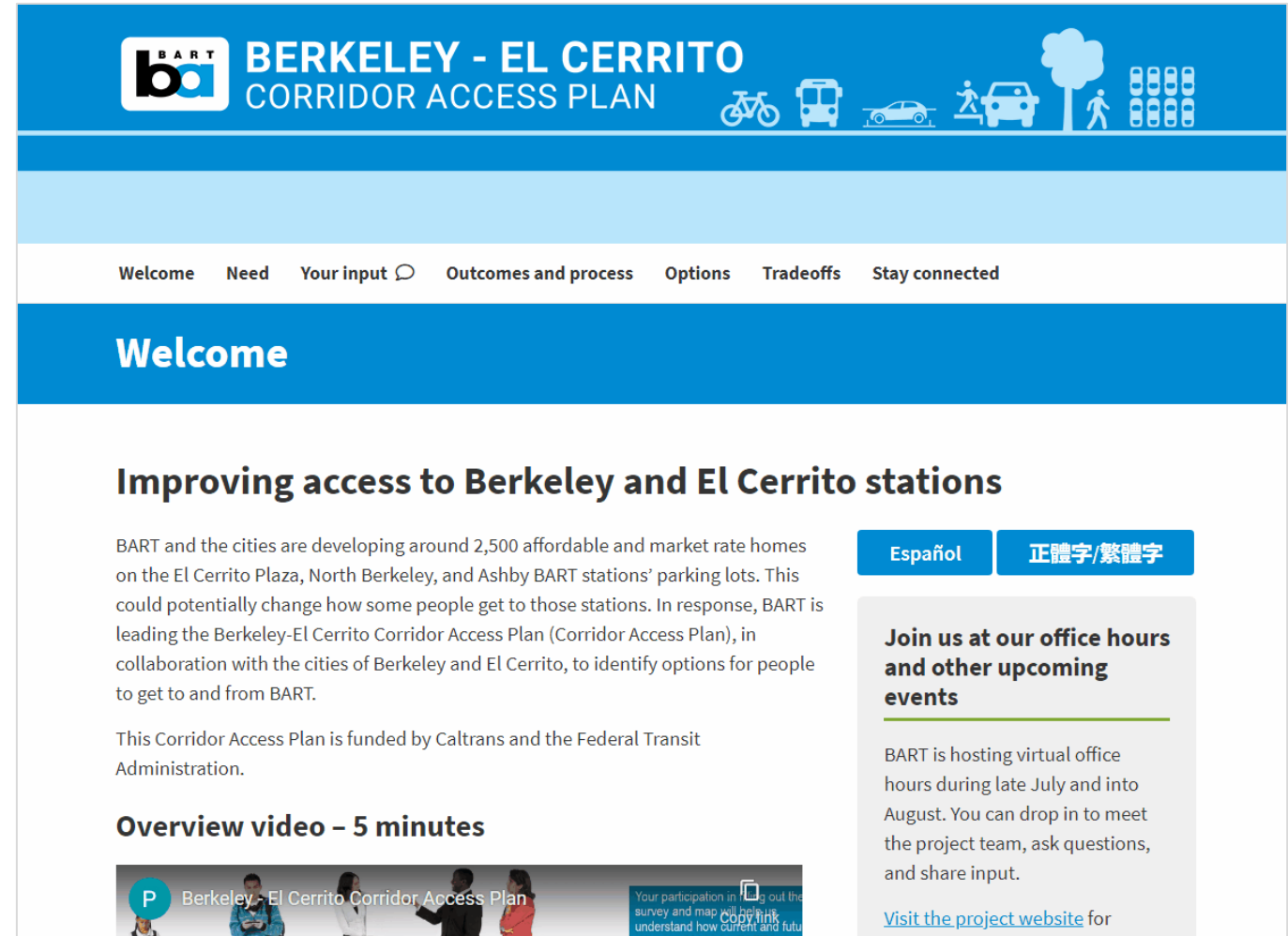
- Park Stash offers “Parking Airbnb” to reserve and/or rent out parking spot(s)
- Partners include private individuals (e.g. driveways) and public/private organizations (e.g. cities, churches, etc.)



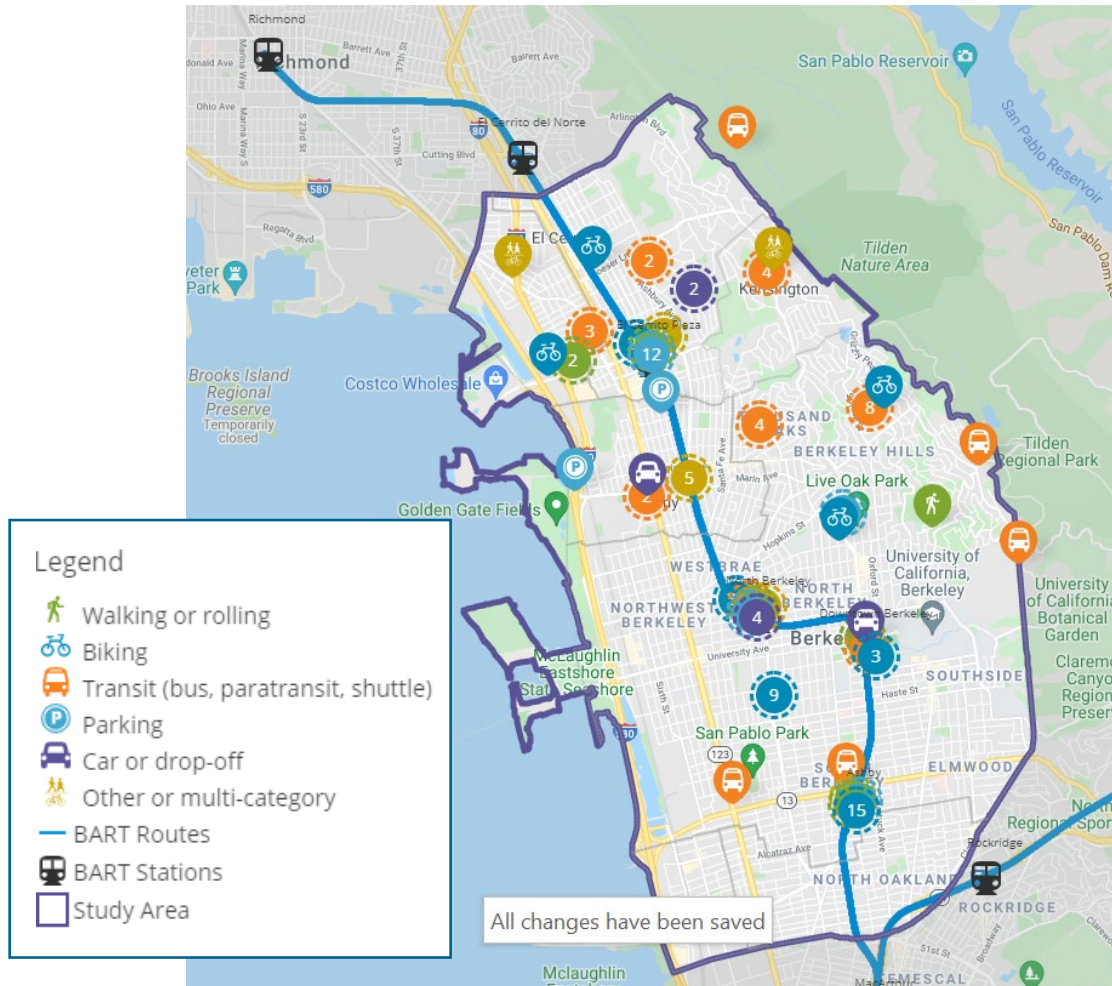
Online Open House #1 is Live through August 20th

Goals:

- **Inform the public** about the project, existing conditions, and decision tradeoffs
- **Gather input** on existing access barriers through a survey and interactive map



bartberkeleyelcerritocap.participate.online



216 interactive map comments*

* As of August 9, 2021

1,150+ survey responses*

El Cerrito Plaza: 27.5%
El Cerrito del Norte: 3.7%
North Berkeley: 46.5%
Ashby: 10.4%
Downtown Berkeley: 5.6%
Other: 6.2%

Survey

You can participate in a survey as a BART rider, as a representative of your household or business near an El Cerrito or Berkeley BART station, and/or as a potential resident of future housing at one of these BART stations. The information you provide will help us develop access options.

The following survey is also available in [Spanish](#) and [Chinese](#).

Take this survey as a:

- ☐ BART rider
- ☐ Resident and/or residential property owner near an El Cerrito or Berkeley BART station
- ☐ Representative of a business near an El Cerrito or Berkeley BART station
- ☐ Potential resident of future housing at an El Cerrito or Berkeley BART station

Are you interested in answering some demographic questions? Answers to these questions help us understand your interest in and perspective on the Corridor Access Plan.

- ☐ Yes
- ☐ No

Highlights from the Online Open House & Outreach

Bold = comparatively more input received



Walk/Bike

2019 2021

- Bigger secure bike lockers
- Improve Ohlone Greenway crossings
- More walk time at signals



Safety

2019 2021

- Better night-time lighting
- Activate areas along the Greenway
- Concerns about BART parkers in the neighborhood



On-Street Parking

2019 2021

- Concerns about spillover impacts
- Interest in paid BART parking on neighborhood streets



Bus Access

2019 2021

- More transit options in the Hills and Richmond Annex
- Quicker transit service from hills to El Cerrito del Norte or Downtown Berkeley



New Mobility

2019 2021

- ***Dockless e-bikes to serve the hills***
- On-demand shuttle service



BART Rider Parking

2019 2021

- Concerns about reduced BART rider parking
- ***Zero BART rider parking replacement to maximize benefits from TOD***

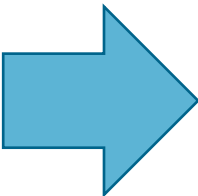
Next Phase of the Corridor Access Plan:

- Set BART Parking Range
- Develop Initial Station Access Options

Approach to determine BART parking replacement range

Priorities

- Align with City & BART goals & priorities
- Maximize housing
- Increase BART riders
- Prioritize sustainable & cost-efficient access
- Invest in better BART rider experience

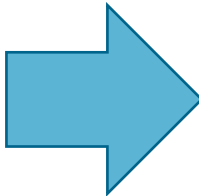


Considerations

What are the tradeoffs?

Who is impacted by parking loss & what are their alternatives?

How will BART pay for parking?

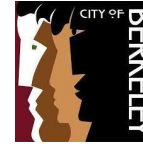


Result

BART
Parking
Range

Possible strategies

PARTNER AGENCIES

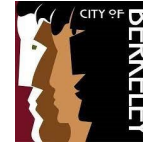


Investments and programs that improve walking, biking, taking transit & new mobility services (shared scooters, shared electric bikes, etc.)



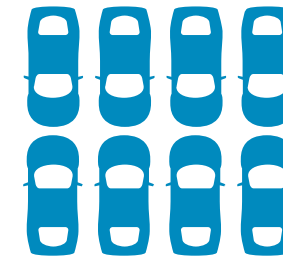
Possible strategies – Parking

PARTNER AGENCIES



Parking on BART property

- Dedicated BART rider parking
- Parking for persons with disabilities
- Better manage demand (pricing, carpool)
- Shared parking with TOD
- Parking at other BART stations (ex: El Cerrito del Norte, Downtown Berkeley)



Parking beyond BART property

- **City-led on-street managed parking near the station**
- Off-site shared parking opportunities (ex: churches, banks)

Strategies should address era of shifting trends & desire for equitable public investment

- Needs of those who depend on transit
- Post-COVID evolution of urban area & travel patterns
 - More than 2/3 of Bay Area companies plan to have workers in the office 3 days a week or less after the pandemic (Bay Area Council survey, August 3, 2021)
- An unknown future of mobility options

BART Riders During the Pandemic (Systemwide):

17% drove to the stations (↓ from 29% in 2018)

51% don't have access to car in household (↑ from 31% in 2018)

53% have household income below \$50,000 (↑ from 26% in 2018)



How we will evaluate access strategies



Shift to Environmentally Sustainable Access Options



Support a Transportation Network for People of All Abilities, Ages, and Income Levels



Strengthen Regional Transit Ridership



Engage in Financially Responsible Decision-making



Support Feasible Strategies

Next Steps

Station Access Planning: Next Steps

Topics	Events (dates)
Finalize survey and data gathering	Online Open House #1 (ends August 20)
Decision on El Cerrito Plaza BART rider replacement parking range & initial menu of access strategies	Community meeting & BART Board Meeting (Fall 2021)
Solicit feedback on preliminary access strategies	Online Open House #2 (Fall /Winter 2021)
Draft Corridor Access Plan (funding & implementation)	Online Open House #3 (Spring 2022)

How to Stay Involved

- Online Open House #1: bartberkeleyelcerritocap.participate.online
- More information about Station Access Planning: www.bart.gov/beccap
- Station Access Comments/Questions and Sign-Up for emails: www.bart.gov/beccap/comment

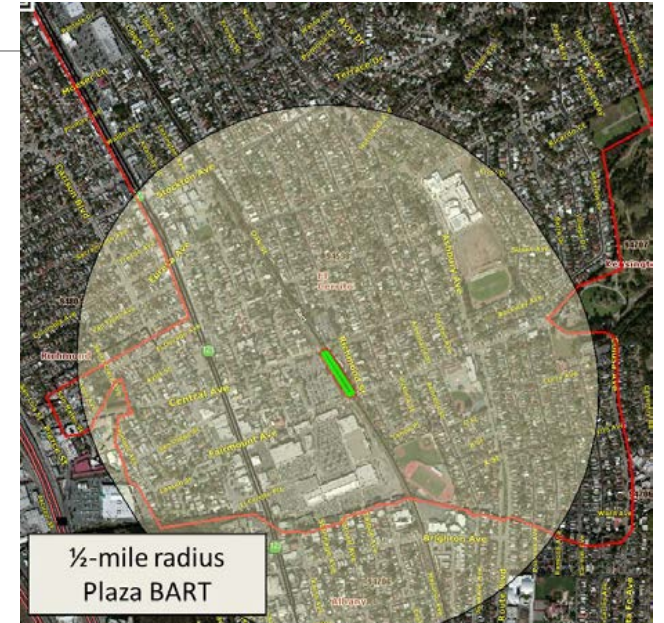
Questions?

Prior City On-Street Parking Management Studies

WWW.EL-CERRITO.ORG/PARKINGSTUDIES

Current parking management near BART stations

- Residential Permit Parking (RPP): Established 1982 (last revised 2001)
- Neighborhood residents can establish residential parking zones if they are located within ½ mile of an El Cerrito BART station and demonstrate support from 60% of neighbors on both sides of the street
- Allow unregulated parking for residents with permits; 4-hour parking for everyone else
- Most blocks have single permitted side with no restrictions on the opposite side; this allows for some (unpaid; unrestricted) BART commuter parking
- Annual parking permits can be acquired through an application process with current vehicle registration and proof of residency, 4 permits per household
- Permits cost \$36/year per vehicle in FY2021-22



RESIDENTIAL PARKING PERMIT
FY 2020/2021 APPLICATION FORM
Price Change Effective: 7/1/21

THE CITY OF
EL CERRITO

Community Development Department
10890 San Pablo Avenue
El Cerrito, CA 94530
parkingpermits@ci.el-cerrito.ca.us
510-215-4314

To apply on-line: visit www.el-cerrito.org/parkingpermits

INSTRUCTIONS:
With this application form, please submit a valid copy of your car registration that reflects the applicable El Cerrito address. If the

STREET ADDRESS:	
VEHICLE #1 PERMIT #	(OFFICE USE ONLY)
Resident Information	
Registered Owner:	

What we have learned about parking in El Cerrito – 2011 CHS Study

■ Purpose & Goals

- Determine parking demand and recommend changes to City off-street parking requirements for TOD
- Develop parking management strategies to support TOD and businesses along San Pablo Avenue and Fairmount
- Consider commuter parking issues related to two BART stations

■ Key Findings

- Overall on-street parking occupancy rates generally low, except for the areas immediately surrounding the City's two BART stations
- BART commuters using on-street parking spaces in the vicinity of the two BART Stations
- While the BART parking facilities heavily used during the weekday period, the majority of off-street parking facilities often underutilized



What we have learned about parking in El Cerrito – 2011 Recommendations

- 1. Unbundled Parking (Cost effectiveness: High)**
- 2. Install 10-Hour Paid Parking (High)*
- 3. Charge BART Patrons for On-Street Parking (Med)*
- 4. Increase BART Parking Fee (High)*
- 5. Establish Joint Powers Association, BART & City (High)*
- 6. Encourage use of CarShare Services, etc. (Med)*
- 7. Provide Bike & Ped Friendly Site Design and Aggressive Bike Parking Requirements (Low)**
- 8. Offer Credits for Bicycle and Motorcycle Parking (Low)*
- 9. Require Transportation Demand Management Programs (Low)**
- 10. Establish and Participate in Transportation Management Association (Med)*
- 11. Provide EcoPass for Residents (High)*
- 12. Provide free BART Parking for Carpool/Vanpool (Low)*

What we have learned about parking in El Cerrito – 2019 Nelson Nygaard Study

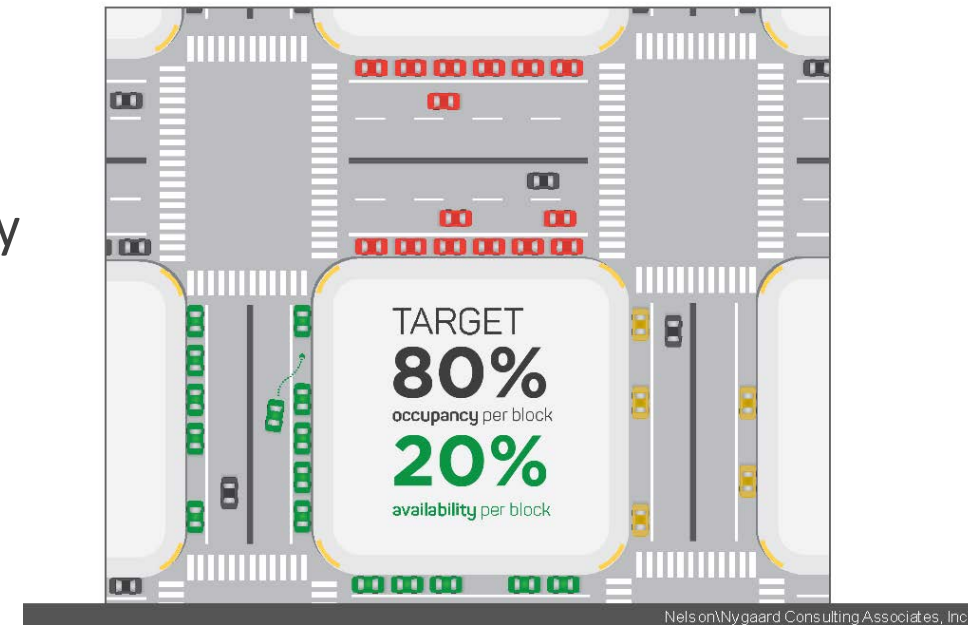
■ Purpose

- How to **manage on-street parking** in San Pablo Avenue Specific Plan Area to support Plan goals
- Whether and how to **expand/reform the current Resident Permit Parking (RPP)** program
- Establish policies and programs to manage parking supply to **maintain neighborhood and business access**



What we have learned about parking in El Cerrito – 2019 Parking 101

- Parking affects how the **transportation network functions**, affects **travel behavior**, and the individual choices people make about **where live and how they travel**.
- Parking is an **economic issue** connected to the vibrancy of commercial districts and small businesses, and is a key factor in the success of new office, commercial, and housing developments.
- On-street spaces along the curb are **public** and in the public right-of-way. They are not intended for a single user.
- Parking that is **80-85% utilized** throughout the day is considered available enough to **provide access** without losing other access opportunities.



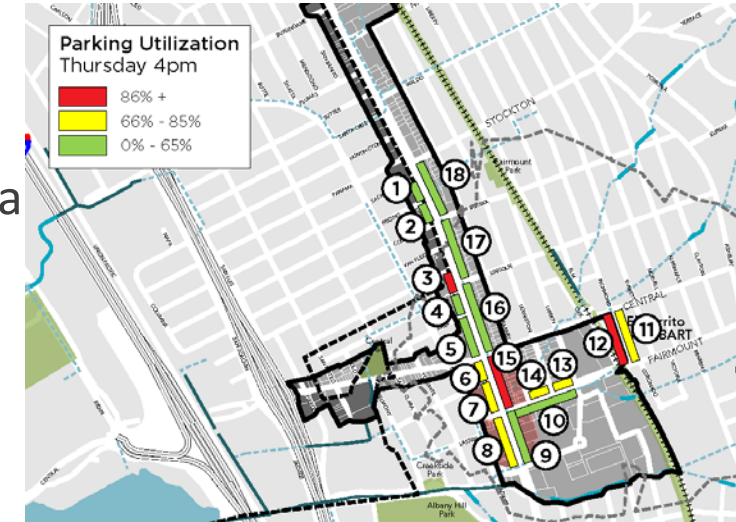
What we have learned about parking in El Cerrito – 2019 Study Goals

- **Support commercial activity** in the Specific Plan Area
- Use policies and management tools to **achieve a target availability rate**
- Use ***potential parking revenue*** to support the citywide parking system, mobility improvements, and demand management programs.
- Protect residential areas from ***excessive commercial/ commuter spillover parking***
- Make the parking system **intuitive, convenient, and consistent for all users**, including residents, businesses, and visitors
- Manage on-street parking demand to **respond to new residential and commercial development**
- Use ***data consistently to inform*** decision-making, enhance community understanding, guide system investments, and inform program adjustments



What we have learned about parking in El Cerrito – 2019 Key Findings

- **Large parking surplus exists**, with a few **hot spots** of high demand
- **Hot spots** occur on weekdays on **blocks without time limits that are closest to BART station**, and on a few blocks of San Pablo Avenue with a lot of commercial activity
- There is a **high non-compliance rate** among parked vehicles in time-limited spaces, enforcement of parking time limits is uneven, and **lack of clear parking signage**
- The current **Residential Permit Parking (RPP)** program **can be updated** to manage BART commuters who park on residential streets, simplify visitor parking passing, update household permit caps, and consider fee adjustments to cover costs



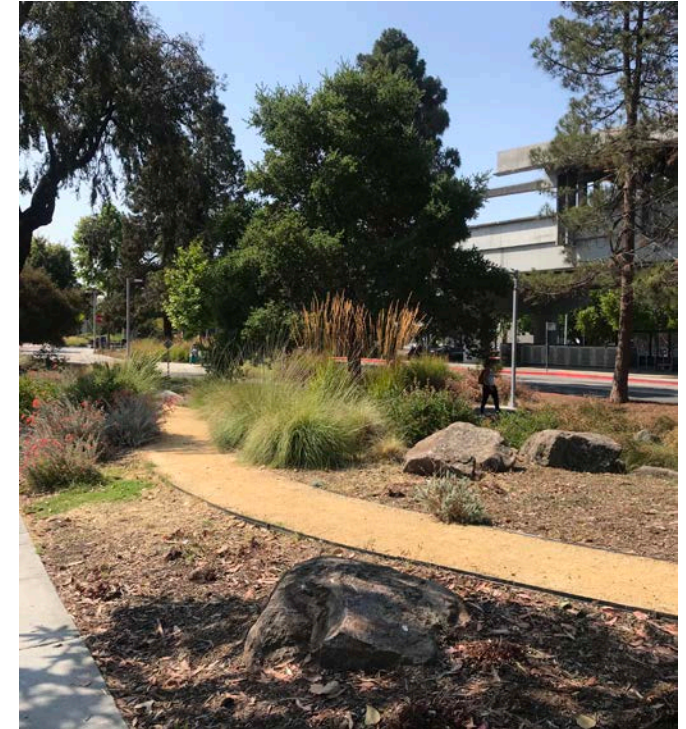
What we have learned about parking in El Cerrito – 2019 Recommendations



- Adopt parking policy and program parameters (data collection and parking management thresholds e.g., 80% occupancy)
- Establish parking enforcement protocols and new time and user parking regulations across the Plan Area
- Update RPP (add parking occupancy requirement to parking permit petition process, set permit prices to recover program costs, revise residential permit cap, update visitor permits, revise residential permit zones and allow RPPs beyond a half mile from BART, review policy for ADUs and multi-family developments)
- Design and implement a performance-based paid parking management program
- Charge BART commuters for on-street parking (Create mechanism for BART commuters to pay to park on-street, create policy to reduce BART commuters from on-street parking without revenue)

What we have learned about parking in El Cerrito – Next Steps

- Review and refine strategies as the Specific Plan is implemented and development, travel and parking patterns change
- Continue to work with BART on TOD at the Plaza BART Station
- Identify resources to implement strategies:
 - Collaborative planning and support from regional agencies (WCCTAC, CCTA, MTC and BART) for start-up costs
 - Long-term staffing and contracting for on-going operations

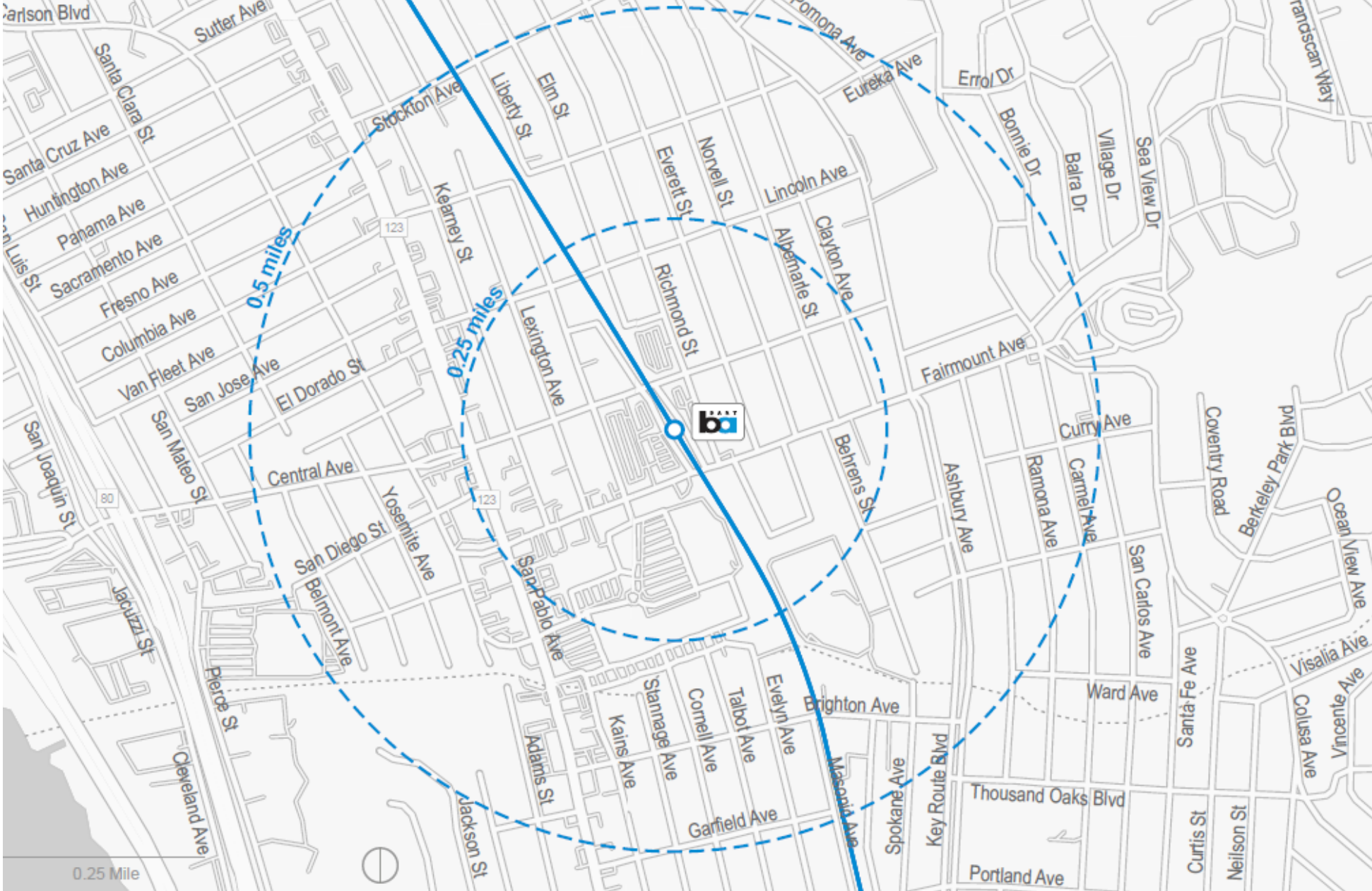




Questions

On-Street Parking Management Concept Development

On-Street Parking Management Concept Development



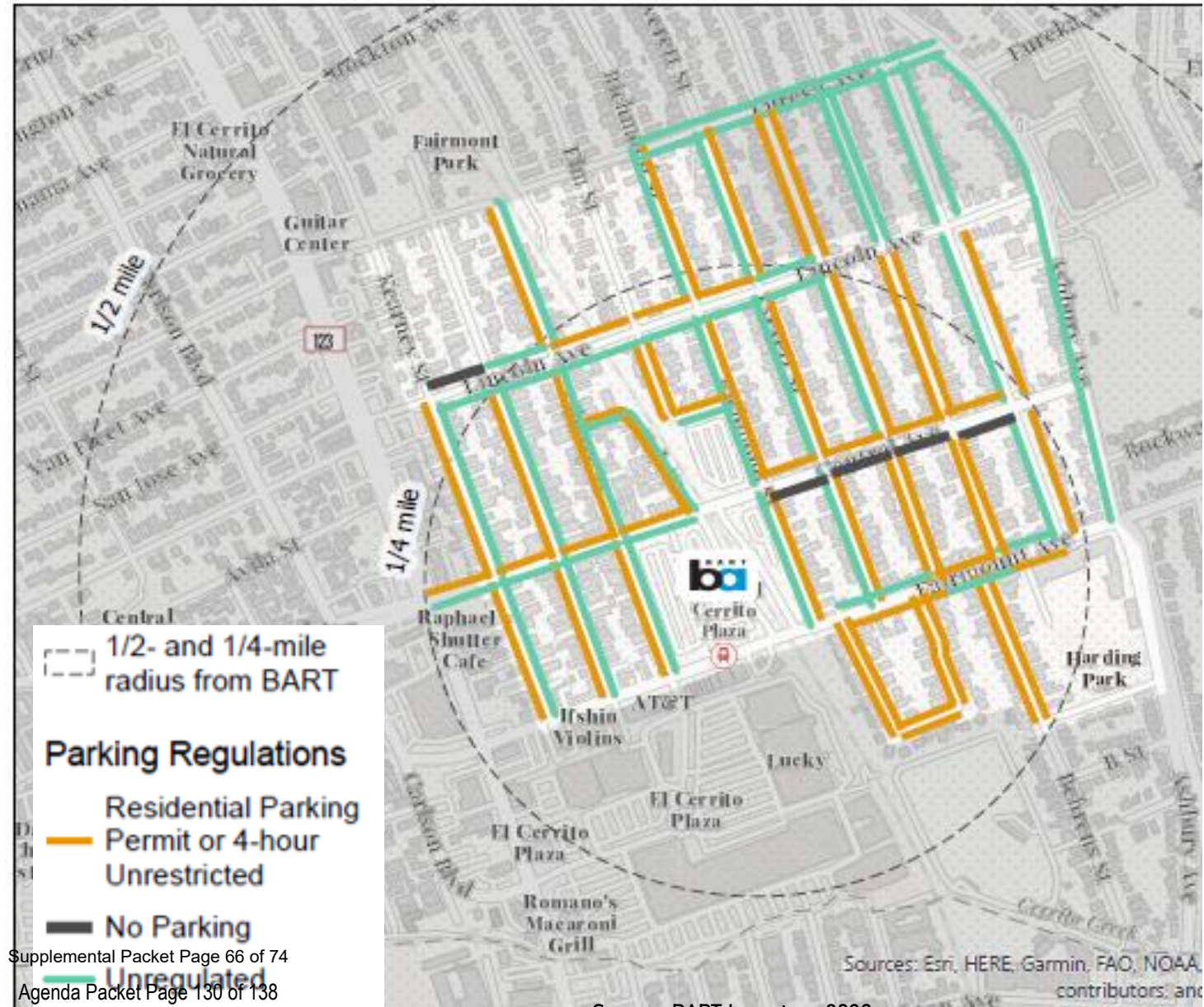
Process & Schedule

2018-2019	Recent City-led parking study (Nelson-Nygaard)
2019-2020	Initial on-street parking feasibility analysis (with Arup + BART; funded by Caltrans)
Spring/ Summer 2021	Initial parking management concept development (with Primus + BART)
Fall / Winter 2021	Outreach to improve parking management concept along w/ all access strategies
Winter/Spring 2022	Refine parking management concept
Spring 2022 - Beyond	Look for funds to advance and implement parking management program

On-Street Parking Supply

Within 1/4 mile of the station

~900 on-street spaces



On-Street Parking Occupancy – February 2020

Pre-COVID

Parking Occupancy

- 85% or higher
- 65 - 84%
- 64% or lower
- Parking Prohibited

- BART TOD Station
- 10 Min Walk From BART
(Walk Speed of 3 mph)



On-Street Parking Occupancy – June 2020

Shelter-in-place

Parking Occupancy

- 85% or higher
- 65 - 84%
- 64% or lower
- Parking Prohibited

- BART TOD Station
- 10 Min Walk From BART
(Walk Speed of 3 mph)



Goals for on-street parking management

- Help maximize how much housing can be built
- Encourage people to walk, bike, or take transit to the station
- Maintain access to the BART station via all modes, including driving and parking
- Maintain access to commercial businesses
- Earn revenue to cover parking management costs + provide community benefits
- Help address the concerns of nearby residents and businesses

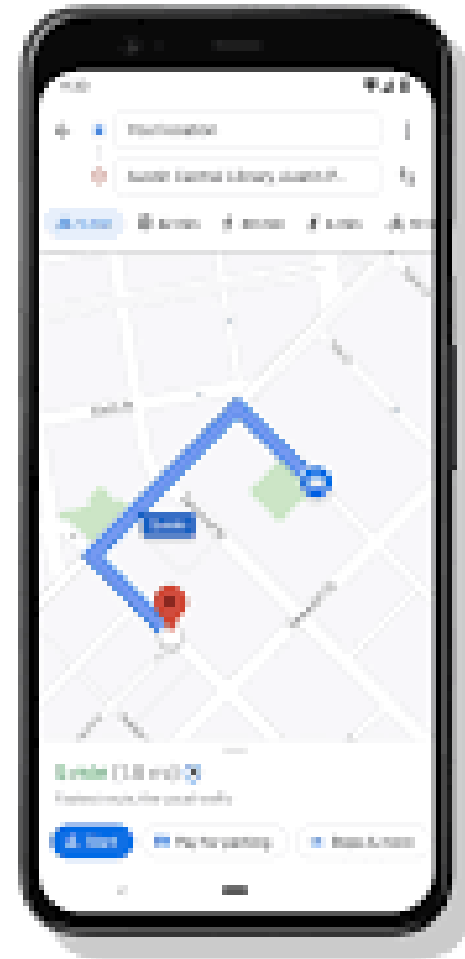


Potential Policies & Strategies

1. Manage all on-street parking in the station area, through Residential Permit Parking (RPP) and/or pricing
2. Improve the effectiveness of RPP as a parking management tool
3. Make on-street parking around the station more useful for everyone by using smart pricing to manage demand
 - Two price zones
 - Time of day pricing
 - Data-driven rate adjustments to make it easy to find a space
 - Two-hour grace period

Potential Operational Approach

1. Start Up Planning
2. Technology
3. Enforcement
4. Operations/ contracting
5. Staffing



Preliminary Order of Magnitude Cost + Revenue Estimates

Startup costs: \$700,000 – \$1,200,000 (Seek outside funding)

Total Annual costs: \$450,000 - \$750,000

Net annual revenue: \$150,000 – \$500,000

Discussion for on-street parking

Questions & Comments

WWW.EL-CERRITO.ORG/TOD

WWW.BART.GOV/ABOUT/BUSINESS/TOD/EL-CERRITO-PLAZA