

EL CERRITO CITY COUNCIL MINUTES

REGULAR CITY COUNCIL MEETING

MAY 17, 2022 – 7:00 p.m.

Members:

Mayor Gabe Quinto

Mayor Pro Tem Lisa Motoyama · Councilmember Janet Abelson
Councilmember Paul Fadelli · Councilmember Tessa Rudnick

Join Via Zoom:

<https://us06web.zoom.us/j/87906223782?pwd=NWJMSTh1VTBtNWk2ejJwRDVhWnFIZz09>

Meeting ID: 879 0622 3782 Password: 809092

or Dial in: 1-408-638-0968

The City Council may continue to meet by teleconference, consistent with the Brown Act as amended by AB 361 (2021). Under the amended rules, the City will not provide a physical location for members of the public to participate in the teleconference 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. Livestream Online at www.el-cerrito.org/CouncilMeetingMaterials
3. 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 Quinto called the meeting to order at 7:00 PM.

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

1. PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF A MOMENT OF SILENCE

2. TELECONFERENCE AND PUBLIC COMMENT INSTRUCTIONS

3. COUNCIL/STAFF COMMUNICATIONS

Reports of closed session, commission appointments and informational reports on matters of general interest which are announced by the City Council and staff.

City Manager Pinkos - provided an update on current health conditions, and upcoming budget meetings and timeline.

Police Chief Keith - introduced and welcomed the new Police Captain, Elise Warren.

Councilmember Rudnick - reported on attendance at a Contra Costa College building tour and program overview, and Cal Cities Leadership Summit.

Councilmember Fadelli - reported on attendance at a Contra Costa College building tour and program overview, and Hillside Festival; announced special meeting of Human Relations Commission tomorrow.

Mayor Pro Tem Motoyama - reported on attendance at Cal Cities East Bay Division meeting.

Mayor Quinto - reported signing a joint letter with West Contra Costa Unified School District (WCCUSD) regarding a budget request for social and emotional and school climate funding, participated in Cal Cities press conference on AB1383 regarding organic waste disposal and edible food waste recovery funding.

4. 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, Annie Wright and Peter P.

Oral Public Comments:

Peter - spoke in support of July 4th event and requested lifting the local eviction moratorium and local emergency.

Al Miller - commented on military experience in connection with emergency operations.

Buddy Akacic - requested presentation by Climate Strike Mae, announced senior seminar event, spoke regarding the need for a new senior center.

Elizabeth Bashor - spoke regarding effects on parking related to planned development at the El Cerrito Plaza BART station.

Xiomei Song - spoke regarding personal experiences related to being a small local landlord.

Michael Gabriel - expressed gratitude for recognition on behalf of the El Cerrito Ballet Center.

5. 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 Motoyama/Councilmember Abelson **Action:** Approved items A, B, and D-H on the consent calendar as indicated below. **Ayes:** Mayor Quinto, Mayor Pro Tem Motoyama, Councilmember Abelson, Councilmember Fadelli, Councilmember Rudnick **Noes:** None

A. Approval of Minutes

Action Proposed: Pass a motion to approve the minutes from the meetings of February 5, April 19, and March 3, 2022.

Contact: Holly M. Charl  ty, City Clerk, City Management

Action: Approved minutes

B. Proclamation in Recognition of the El Cerrito Ballet Center

Action Proposed: Pass a motion to approve a proclamation recognizing the El Cerrito Ballet Center for its contribution to the community of El Cerrito.

Contact: Holly M. Charl  ty, City Clerk, City Management

Action: Approved proclamation

C. Letter of Support for Senate Bill (SB) 852

Action Proposed: At the request of Mayor Quinto, pass a motion to authorize the Mayor to sign a letter of support for SB 852 related to Climate Resilience Districts.

Contact: Holly Charl  ty, City Clerk, City Management

Moved/Seconded: Councilmember Fadelli/Mayor Pro Tem Motoyama

Action: Pulled from consent by Councilmember Fadelli. Motion to approve letter with modification to describe connection with Marin Clean Energy (MCE.) **Ayes:** Mayor Quinto, Mayor Pro Tem Motoyama, Councilmember Abelson, Councilmember Fadelli, Councilmember Rudnick **Noes:** None

D. Letter of Opposition for Senate Bill (SB) 881

Action Proposed: At the request of Marin Clean Energy, pass a motion to authorize the Mayor to sign a letter in opposition to Senate Bill 881 related to Community Choice Associations and their ability to determine the best way to reach Greenhouse Gas (GHG) targets.

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

Action: Approved letter

E. Letter of Support for Senate Bill (AB) 1944

Action Proposed: At the request of Mayor Quinto, pass a motion to authorize the Mayor to sign a letter of support for AB 1944 related to teleconferencing revisions to the Brown Act.

Contact: Holly Charléty, City Clerk, City Management

Action: Approved letter

F. Authorize City Council and City Advisory Body Meetings to be Held Via Teleconference Pursuant to Assembly Bill 361 (AB 361)

Action Proposed: Adopt a resolution authorizing City Council and City Advisory Body meetings to be held via teleconference for a period of 30 days, and making related findings pursuant to AB 361.

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

Action: Approved Resolution No. 2022-32

G. Proposed Budget Amendments for Engineering Staff Augmentation Services

Action Proposed: Adopt a resolution authorizing amendments to the Fiscal Year 2021-22 budget for engineering staff augmentation services.

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

Action: Approved Resolution No. 2022-33

H. Make Findings and Approve Lease Purchase Agreements for Replacement Fire Engine

Action Proposed: Adopt a resolution approving and authorizing execution of agreements with First Capital Equipment Leasing Corp. for lease financing of a replacement fire engine and approving certain required findings.

Contact: Jose Castrejon, Interim Fire Chief; Michael Pigoni, Retired Fire Chief, Fire Department

Action: Approved Resolution No. 2022-34

6. PRESENTATIONS

A. Contra Costa Mosquito & Vector Control District Update (MVCD)

Action Proposed: Receive and file an overview of Contra Costa MVCD's annual report and current efforts, as well as the current vacancy for El Cerrito representation on the Board of Trustees.

Contact: Nola Woods, Public Affairs Director, MVCD

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding need for ground spraying in the city based on habitats, available resources for wild turkeys, use of private skunk traps, and window screens.

Action: Received and filed

7. PUBLIC HEARINGS

A. Military Equipment Policy Ordinance

Policy posted 4/13/2022. Public hearing notice published 5/7/2022

Action Proposed: Conduct a public hearing, and upon conclusion, introduce by title and waive any further reading of an Ordinance adopting a Military Equipment Use Policy.

Contact: Paul Keith, Chief of Police, El Cerrito Police Department

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding potential omission of an item and how to correct, how included items were determined, type of uses for non-lethal items listed, public input meeting requirement, disclosure of components on the equipment list that are required by law, process for emergency purchasing needs when not on the approved list, enforcement of required training for use of certain pieces of equipment, requirements of AB48, request for purchase versus listed equipment held by neighboring agencies to allow use in an emergency, and use of drones for surveillance.

Public Hearing: Mayor Quinto opened the public hearing.

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 Michael Freeman and Cindy McPherson.

Oral Public Comments:

Cindy McPherson - spoke regarding concerns about the increase of military equipment use, community participation before adoption, and overlapping regulations, definition, and use of standard issue for assault rifles and omission from the equipment list.

Tracy Rosenberg - commented on community engagement prior to adoption, overlapping legislation, and restrictions to crowd control uses.

Michael Freeman - expressed concern about the increase in military equipment and surveillance uses, incomplete policy, public participation before the vote, and lack of authorized uses or banned uses.

John Lindsay-Poland - spoke regarding legislation focused on use policy not equipment list, need for guidance on use of equipment, need to list assault rifles, and assignment of independent oversight.

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

Moved/Seconded: Councilmember Rudnick/Councilmember Fadelli
Action: Introduced by title and waived further reading of Ordinance No. 2022-1 **Ayes:** Mayor Quinto, Mayor Pro Tem Motoyama, Councilmember Abelson, Councilmember Fadelli, Councilmember Rudnick **Noes:** None

B. Public Hearing on Master Fee Schedule Revisions for Fiscal Year 2022-23

Notice Published 5/7/2022 & 5/13/2022 **Action Proposed:** Conduct a public hearing, and upon conclusion adopt a resolution approving the Fiscal Year 2022-23 Master Fee Schedule.

Contact: Sandra Dalida, Finance Director/Treasurer, Finance Department
Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding no large fee increases, Consumer Price Index (CPI) calculations, historic amount of CPI increases, inclusion of reason for increased CPI rate in resolution, elimination of the family swim pass, home fire alarm permit, and false alarm response fees.

Public Hearing: Mayor Quinto opened the public hearing.

Public Comments: None

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

Moved/Seconded: Mayor Pro Tem Motoyama/Councilmember Fadelli
Action: Approved Resolution No. 2022-35 with the supplemental fee adjustments provided and with the addition of the following language "WHEREAS City staff evaluated the current Consumer Price Index (CPI) that has impacted City costs and services and adjusted fees at an average of 4% in order to balance covering costs with the current high level of inflation." **Ayes:** Mayor Quinto, Mayor Pro Tem Motoyama, Councilmember Abelson, Councilmember Fadelli, Councilmember Rudnick **Noes:** None

8. **POLICY MATTERS**

A. **Proposed Agreement with East Bay Sanitary for the Provision of Solid Waste Collection Services**

Action Proposed: Adopt a resolution authorizing the City Manager to execute the Agreement with East Bay Sanitary, Inc. for the Provision of Solid Waste Collection Services effective June 1, 2022.

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

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding a coordinated platform for customer service management, potential or risk of the small agency being sold, lack of federal funding effect on rates, proposed funding in the City's proposed budget, inclusion of this service in the state audit.

Oral Public Comments:

Howdy Goudy - commented on inclusion of zero emission vehicle criteria.

Moved/Seconded: Councilmember Rudnick/Councilmember Abelson

Action: Approved Resolution No. 2022-36. **Ayes:** Mayor Quinto, Mayor Pro Tem Motoyama, Councilmember Abelson, Councilmember Fadelli, Councilmember Rudnick **Noes:** None

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

Councilmember Rudnick - announced special meeting next week for RecycleMore.

Councilmember Fadelli - reported on attendance at West Contra Cost Transportation Advisory Committee (WCCTAC), and Contra Costa Elections Community Engagement group.

Mayor Quinto - reported on attendance at WCCTAC.

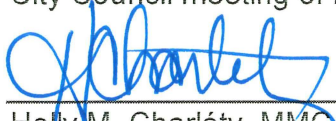
10. **ADJOURN REGULAR CITY COUNCIL MEETING**

The regular meeting adjourned at 10:02 pm



Gabe Quinto, Mayor

This is to certify that the foregoing is a true and correct copy of the minutes of the City Council meeting of May 17, 2022 as approved by the El Cerrito City Council.



Holly M. Charléty, MMC, City Clerk