

EL CERRITO CITY COUNCIL MINUTES

CONCURRENT SPECIAL MEETING OF THE EL CERRITO PUBLIC FINANCING AUTHORITY, EMPLOYEE PENSION TRUST BOARD, AND REGULAR MEETING OF THE CITY COUNCIL JUNE 21, 2022 – 7:00 p.m.

Members:

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

Meeting Location:

Council Chambers, 10890 San Pablo Avenue El Cerrito, CA 94530

Consistent with the Brown Act as amended by AB 361 (2021), members of the City Council, staff, presenters and the public may participate in-person at the location listed above, or remotely via zoom. **In-person attendance will be limited to available seats and designated accessible spaces only (no standing room) with chairs spaced to encourage social distancing. Masks are strongly recommended.**

Interested individuals can participate or view the City Council meeting as follows:

1. In-person at the meeting location listed above
2. Cable T.V. Broadcast on KCRT Channel 28
3. Livestream Online at www.el-cerrito.org/CouncilMeetingMaterials
4. Via Zoom (*Closed Captioning available*):
<https://us06web.zoom.us/j/86901417511?pwd=ZzNkL0UrTEZaN3VIOVITaEkrMFBWQT09>
Meeting ID: 869 0141 7511 **Password:** 681521 **Dial in:** 1-408-638-0968

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

1. In-person by submitting a request to speak to the City Clerk.
2. 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.
3. Via email to cityclerk@ci.el-cerrito.ca.us. Email must contain in the subject line **Public Comments – Not on Agenda or Public Comments – Agenda Item #.**

To ensure City Council receives your written comments prior to taking action, they must be received by **2:30 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 MEETING OF THE EL CERRITO PUBLIC FINANCING AUTHORITY, EMPLOYEE PENSION TRUST BOARD, AND REGULAR MEETING OF THE CITY COUNCIL

Mayor Quinto called the meeting to order at 12:00 AM.

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 public health conditions, and evaluation of city hall public hours

Police Chief Keith - announced National Night Out will be held in El Cerrito on August 2nd, and fireworks enforcement increase leading up to July 4th.

Councilmember Rudnick - reported on attendance at RecycleMore meeting, Cal Cities Public Safety policy committee meeting, Financial Advisory Board meeting, ABAG general assembly, and Cal Cities East Bay division, Juneteenth Festival in Richmond.

Mayor Pro Tem Motoyama - announced the Recycling Center 50th anniversary celebration on August 5, 2022.

Councilmember Fadelli - announced BART Board meeting and tour of the Del Norte BART station.

Councilmember Abelson - announced new farmers market in El Cerrito geared for senior and low-income shoppers.

Mayor Quinto - announced advisory body meeting appointments from the special meeting, announced the 1st quarter centenarians recognized for January - March: Elizabeth Liesel Tilles, Esher Tanizawa, Milton William, and Ruby Adachi Hiramoto who, presented the proclamation in person.

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.

Oral Public Comments:

Miguel Gravelle Izaguirre - spoke in support of reducing the police department's budget and put more resources to social services, and in support of rehiring staff to provide programs.

John Qua - spoke in support of reducing the police budget and putting more resources to social services.

Yari Greaney - spoke regarding concern about lack of public engagement in the budget process and in support of changes to services and approach to providing public safety.

Rayah James - commented on concern about police vehicles driving and blocking access on the Ohlone Greenway.

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: Councilmember Rudnick/Councilmember Abelson

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

A. Wall of Fame Ad-Hoc Committee Appointment

Action Proposed: At the request of Mayor Quinto, appoint an ad-hoc committee comprised of Councilmember Fadelli and Mayor Pro Tem Motoyama to 1) review qualified nomination applications received subsequent to the July 1st deadline; and 2) perform a review of the Wall of Fame guidelines and procedures.

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

Action: Approved amended appointment of Councilmember Abelson and Mayor Pro Tem Motoyama to Wall of Fame Ad-Hoc committee

B. 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. 2022-40

C. Call, Consolidate and Request Election Services for a November 8, 2022 General Municipal Election for the Purpose of Electing Two Members of City Council

Action Proposed: Adopt a resolution to call for a general municipal election to be held on Tuesday, November 8, 2022 for the purpose of electing two members of the El Cerrito City Council, each for a term of four years; and to request the Contra Costa County Board of Supervisors consent and direct the Registrar of Voters to provide specified services to the City related to the conduct of the election.

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

Action: Approved Resolution No. 2022-41

D. SB 1 - The Road Repair and Accountability Act, List of Projects for Fiscal Year 2022-23

Action Proposed: Approve a resolution adopting a list of projects for Fiscal Year 2022-23 to receive funding from Senate Bill 1 – The Road Repair and Accountability Act of 2017 through the Local Streets and Roads Program.

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

Action: Approved Resolution No. 2022-42

E. Agreement with Rubicon Landscape Corporation for Parks Landscape Maintenance Services

Action Proposed: Adopt a resolution authorizing the City Manager to execute an agreement with Rubicon Landscape Corporation in an amount not to exceed \$164,733, in Fiscal Year 2022-23, to provide Parks Landscape Maintenance Services, effective July 1, 2022, for a period of three years, with an option to annually extend 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, Public Works Department

Action: Approved Resolution No. 2022-43

F. Construction Contract Award for Arlington Boulevard Guardrail Replacement Project, N0. C3081.A

Action Proposed: Adopt a resolution approving plans and specifications for the Arlington Boulevard Guardrail Replacement Project, City Project No. C3081.A (Project); rejecting the bid submitted by California Constructors as non-responsive and accepting the other two bids submitted for the Project; authorizing the City Manager to execute a contract in the amount of \$92,500 with Dirt and Aggregate

Interchange Inc. and to approve change orders in an amount not to exceed \$10,000 for the construction of the Project; and amending the Fiscal Year (FY) 2021-22 Budget and Capital Improvement Program to appropriate \$107,500 from the Measure J Return to Source Fund Balance for the Project to cover construction costs including \$5,000 in miscellaneous costs.

Contact: Roland Lambert, Acting Engineering Manager/Senior Engineer, Public Works Department; Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department

Action: Approved Resolution No. 2022-44

G. Agreement for Commingled Recyclable Materials Processing Services

Action Proposed: Adopt a resolution authorizing the City Manager to execute an Agreement with Napa Recycling and Waste Services, LLC (NRWS) for a total amount not to exceed \$220,000 annually for commingled recyclable materials processing services.

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

Action: Approved Resolution No. 2022-45

6. PRESENTATIONS

A. July 4th World One Celebration Event

Action Proposed: Receive and file a brief presentation on the July 4th World One Celebration event details and sponsorship.

Contact: Chris Jones, Recreation Director, Recreation Department
Recognized donors and sponsors and Stars and Stripes contributors which included Premier Graphics and Stege Sanitary who were presented with certificates of appreciation.

7. PUBLIC HEARINGS

A. Fire Hazard Abatement

*Exempt from CEQA review pursuant to Sections 15304 and 15308.
Public Hearing noticed 6/11/2022.*

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; Chase Beckman, Fire Marshal, Fire Department

Moved/Seconded: Councilmember Rudnick/Councilmember Abelson

Action: Approved Resolution No. 2022-46 (Declaring Identified Properties) with revised Exhibit A. **Ayes:** Mayor Quinto, Mayor Pro Tem Motoyama, Councilmember Abelson, Councilmember Fadelli, Councilmember Rudnick **Noes:** None

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 Gary Prost.

No oral public comments.

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

Moved/Seconded: Councilmember Rudnick/Mayor Pro Tem Motoyama **Action:** Adopted Resolution 2022-47 (Overriding Objections) **Ayes:** Mayor Quinto, Mayor Pro Tem Motoyama, Councilmember Abelson, Councilmember Fadelli, Councilmember Rudnick **Noes:** None

8. 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:** Shannon Bassi, Senior Human Resources Analyst

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding auto allowance, add in the future a whereas clause on the hard work of the staff, and continuation of the increase to employee contributions for retirement.

Public Comments:

John Stashik - spoke regarding the high level of work product despite recent reductions.

Moved/Seconded: Councilmember Rudnick/Councilmember Fadelli
Action: Approved Resolution No. 2022-48 amended to add a clause stating "WHEREAS Management and Confidential employees are recognized for their ongoing hard work." and include "from its current fleet" under section 2.7. **Ayes:** Mayor Quinto, Mayor Pro Tem Motoyama, Councilmember Abelson, Councilmember Fadelli, Councilmember Rudnick **Noes:** None

Administrative Note: Resolution 2022-48 rescinded Resolution 2021-34 (not 2020-34 as stated in the adopted resolution.) The clerical error was fixed administratively in the final version of the resolution.

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

Approval of the City's Fiscal Year 2022-23 Proposed Budget and Spending Authority by Fund for the City, Employee Pension Board, and Public Financing Authority and Approval of the FY 2022-23 Annual Gann Appropriation Limit.

Action Proposed: Staff requests that the City Council 1) Adopt a City Council resolution authorizing Fiscal Year 2022-23 spending authority by fund for the City of El Cerrito; 2) Adopt a El Cerrito Public Financing Authority resolution authorizing Fiscal Year 2022-23 spending authority by fund; 3) Adopt a El Cerrito Employee Pension Board resolution authorizing Fiscal Year 2022-23 spending authority by fund; and 4) Adopt a City Council resolution approving the calculation and establishing the FY 2022-23 annual Gann Appropriation Limit.

Contact: Karen Pinkos, City Manager, City Management; Sandra Dalida, Finance Director/City Treasurer, Finance Department

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding increase of interest rates, expected recession and effects on fund balance, proposed expenditure from the Public Arts Fund, modifications to the budget document, identification of library hours in budget book, Real Property Transfer Tax (RPTT) assumptions, available affordable housing dollars, housing and safety element costs, use of Measure H funds, what is the plan to address a potential recession, amount of equity discussion in setting the proposed budget, future plans for July 4th funding, and 115 trust funding.

Financial Advisory Board (FAB) Chair Patterson provided an overview of recommendations by the FAB. Approval is recommended subject to an increase to reserve funds by the surplus amount of \$812,003 and to obtain more public input and feedback prior to Council approval.

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 Miquel Gravelle Izaguirre, Seth Morrison, Shobit, Danielle Westbrook, Zach Weinstein, Michael Fischer, and Allison Cooper.

Oral Comments:

Al Miller - spoke in support of the written comments from Michael Fischer, Contra Costa Library Commissioner, and support of funding for additional library hours.

Seth Morrison - commented on council response to public participation and need to improve public safety with mental health care.

John Stashik - spoke in support of adoption of the proposed budget, support of the July 4th celebration, and spoke against reductions to the police department.

Vanessa Warheit - spoke regarding need for increased community involvement in the budget cycle, need for equity and climate consideration in decisions, and need for a budget reflecting community value, consider a vacancy tax and in-lieu fees reviewed.

Rosa Esquivel - spoke in support of budget for police and fire, funding to assist in reducing fire responses and increase inspector positions.

Yari Greaney - commented on the estimate for a dedicated CORE team, clarified efforts are to look at police as an institution not individual officers, and creative ways to reduce police personnel.

Rayah James - spoke in support of greater community engagement and consideration of a change in the budgeting process, asked for no vehicles on the Ohlone Greenway.

Ida - commented regarding the public comment process, need for additional community engagement, and against an increase to the police department budget.

Shobit Singh - spoke against an increase to the police department budget, and referred to comments and discussion at recent council meetings.

Nick Brooks - spoke against an increase to the police department budget and need to alternative resources, need for additional community engagement.

Moved/Seconded: Mayor Pro Tem Motoyama/Councilmember Rudnick **Action:** Failed motion to postpone adoption and schedule a special meeting for Tuesday, June 28th **Ayes:** Mayor Pro Tem Motoyama, Councilmember Rudnick **Noes:** Mayor Quinto, Councilmember Abelson, Councilmember Fadelli

Moved/Seconded: Councilmember Abelson/Councilmember Fadelli **Action:** Motion to approve the staff recommendation and approve the four resolutions as submitted.

An amendment was requested by Mayor Pro Tem Motoyama to add resolved clauses asking that 1) changes over \$45,000 (positive or negative) be returned to council as an information item for review and discussion and 2) any budget adjustment should ensure a budget surplus of no less than \$800,000. The amendment was not accepted by the Council member who made the motion.

Approved Resolution 2022-49 (City Council Spending Authority), Public Financing Authority Resolution 2022-01, El Cerrito Employee Pension Board Resolution 2022-01, and Resolution 2022-50 (GANN Limit) **Ayes:** Mayor Quinto, Councilmember Abelson, Councilmember Fadelli, Councilmember Rudnick **Noes:** Mayor Pro Tem Motoyama

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

Councilmember Fadelli - reported on attendance at Cal Cities Transportation and Public Utilities Policy committee.

Mayor Pro Tem Motoyama - reported on attendance at Cal Cities Housing, Community, and Economic Development Policy committee.

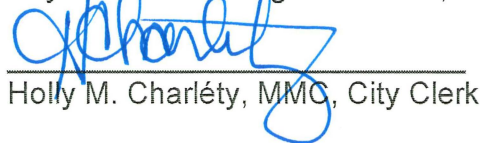
10. ADJOURN REGULAR CITY COUNCIL MEETING

The regular meeting adjourned at 10:18 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 June 21, 2022 as approved by the El Cerrito City Council.


Holly M. Charléty, MMC, City Clerk