

EL CERRITO CITY COUNCIL MINUTES

REGULAR CITY COUNCIL MEETING AUGUST 16, 2022 – 6:00 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 ([full in-person protocols available here.](#))**

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

1. Cable T.V. Broadcast on KCRT Channel 28
2. Livestream Online at www.el-cerrito.org/CouncilMeetingMaterials
3. Join Via Zoom (*closed captioning available:*)
<https://us06web.zoom.us/j/85486494751?pwd=TGNiK2RWNVhaejVXR3FURXN3Rm5idz09>
Dial in: 1-408-638-0968 **Meeting ID: 854 8649 4751 Password: 044517**

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 **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 REGULAR CITY COUNCIL MEETING

Mayor Quinto called the meeting to order at 6:00 PM.

Present In-Person: Mayor Quinto, Mayor Pro Tem Motoyama,
Councilmember Rudnick **Present Remotely:** Councilmember Abelson,
Councilmember Fadelli **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 CDC guidelines, update on the local emergency, and staffing updates.

Mayor Quinto - announced Mayoral letter in support of AB988, letter in opposition (unless amended) of SB932; attendance at the 50th Anniversary celebration at the Recycling Center.

Mayor Pro Tem Motoyama - reported attendance at the El Cerrito Plaza Transit Oriented Development open house, Wall of Fame ad-hoc meeting, finance ad-hoc meeting, Asian- American Civil Rights tour stop at Hana Gardens, and Park and Recreation Commission meeting.

Councilmember Abelson - shared the passing of long time El Cerrito resident Loraine Dair; reported attendance at the 50th Anniversary celebration at the Recycling center,

Councilmember Rudnick - reported attendance at the El Cerrito Plaza Transit Oriented Development open house, Cal Cities East Bay Division meeting, finance ad-hoc meeting, National Night Out, 50th Anniversary celebration of the Recycling center, East Bay Regional Communications meeting.

Councilmember Fadelli - reported attendance El Cerrito Plaza Transit Oriented Development open house, Cal Cities East Bay Division meeting, National Night Out, and 50th Anniversary celebration of the Recycling center.

A. ~~City Council Financial~~ Climate Action Ad-Hoc Committee Update

Councilmembers Abelson and Rudnick provided an update on the work of the committee including review of prior actions related to the climate emergency; recommendations to update the city's climate action plan identifying a prioritized list of strategies and targets to reach carbon neutrality by 2045, and greenhouse gas emissions reduced to 80% below 1990 levels by 2050, equity as a primary consideration on impacts, and a robust community engagement process.

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 Kimberly White, Cordell Hindler, Howdy Goudey on behalf of Environmental Quality Committee, and William Ktsanes.

Oral Public Comments:

John Stashik - commented on the Christmas lights display on San Pablo Ave and raising funding.

Kimberly White - spoke regarding the Fiscal Recovery and Sustainability Plan, the responsibilities of the Financial Advisory Board, and the financial status of the city.

William Ktsanes - commented on the methodology of Real Property Transfer Tax projection calculations.

Vanessa Warheit - commented on the methodology of Real Property Transfer Tax projections, bond rating, more expeditions timelines for climate action plan.

Jacquelyne Vera, Ann Olabode, Sophia Carazo-Ortiz, and Joan Binalinbing - spoke in support and appreciation of the Discovering the Reality of Our Community Youth Leadership Program proclamation

Howdy Goudey - spoke regarding the need for a bigger sense of urgency and follow through on climate action items and the need to shorten the timeline for action.

Haley Lane - representative of Contra Costa MEDS Coalition, thanked the City for recognition of International Overdose Awareness day.

Fred Bialy - spoke regarding the climate emergency, updating the Climate Action plan, and electrification.

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 Rudnick **Action:** Approved 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 July 19 and August 9, 2022.

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

Action: Approved minutes

B. Library Card Sign-up Month Proclamation

Action Proposed: Approve a proclamation declaring September 2022 as Library Card Sign-up Month.

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

Action: Approved proclamation

C. International Overdose Awareness Day Proclamation

Action Proposed: Approve a proclamation recognizing August 31, 2022 as International Overdose Awareness Day.

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

Action: Approved proclamation

D. A Proclamation recognizing Discovering the Reality of Our Community Youth Leadership Program

Action Proposed: At the request of Mayor Pro Tem Motoyama, pass a motion to approve a proclamation supporting the efforts of the Discovering the Reality of Our Community Youth Leadership Program.

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

Action: Approved proclamation

E. 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. Charl  ty, City Clerk, City Management

Action: Approved Resolution No. 2022-63

F. Economic Development Committee Appointment

Action Proposed: Pass a motion to approve one Economic Development Committee recommendation to appoint member Sandra Mayithara, effective August 16, 2022.

Contact: Aissia Ashoori, Housing Program Manager/Staff Liaison, Community Development Department

Action: Approved appointment

G. Appoint City Council Ad-Hoc committee to consider an Enhanced Infrastructure Financing District (EIFD)

Action Proposed: Staff requests that the City Council pass a motion to appoint an ad-hoc committee of Mayor Pro Tem Lisa Motoyama and Councilmember Paul Fadelli to work with staff to consider creating an Enhanced Infrastructure Financing District (EIFD) as a method of financing infrastructure projects in the City of El Cerrito.

Contact: Karen Pinkos, City Manager, City Management

Action: Approved appointment

H. Second Reading and Adoption of an Amended Foodware Ordinance Requiring Single-Use Foodware Accessories and Standard Condiments Packaged for Single-use to be Provided Only if Requested by a Consumer

1st Reading 7/19/2022

Action Proposed: Pass a motion to waive the second reading and adopt Ordinance 2022-02 Requiring Single-Use Foodware Accessories and Standard Condiments Packaged for Single-use to be Provided Only if Requested by a Consumer.

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

Action: Adopted Ordinance No. 2022-2

I. Purchase a Replacement Baler for the Recycling Center

Action Proposed: Adopt a resolution authorizing the City Manager to enter into a purchase agreement with Apex Equipment, LLC in an amount not to exceed \$122,393.93 for the purchase of an Excel Model EX63 horizontal baler to be used for compacting and bundling cardboard, aluminum, and other recyclables at the Recycling + Environmental Resource Center.

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

Action: Approved Resolution No. 2022-64

J. One-Year Agreement between the City of El Cerrito and Chavan and Associates, LLP to perform required independent audit services for the Fiscal Year ending June 30, 2022.

Action Proposed: Adopt a resolution authorizing the City Manager to execute a one-year professional services agreement in an amount not to exceed \$68,500.00 with Chavan and Associates, LLP, Certified Public Accountants (Chavan and Associates) to perform required independent audit services for the Fiscal Year ending June 30, 2022 including the Annual Comprehensive Financial Audit (ACFR), Single Audit, El Cerrito Public Financial Authority, City of El Cerrito's Employees' Pension Plan, GANN Appropriation Limit, Audit Report on Applying City of El Cerrito Master Installment Sale Agreement Compliance to Covenants, 2008 Sales Tax Revenue Bonds AUP, and Transportation Department Audit.

Contact: Sandra Dalida, Finance Director/City Treasurer, Finance Department

Action: Approved Resolution No. 2022-65

K. Fiscal Recovery and Sustainability Plan

Action Proposed: Receive and approve the updated Fiscal Recovery and Sustainability Plan to be submitted to the California State Auditor

Contact: Karen Pinkos, City Manager, City Management

Action: Received and filed

6. PRESENTATIONS

A. Update from West Contra Costa Unified School District (WCCUSD)

Action Proposed: Receive and file an update from WCCUSD on financials, addressing El Cerrito High School violence, School Resource Officer Program, and relevant updates for the upcoming school year.

Contact: Trustee Leslie Reckler, Area 5, WCCUSD Board of Trustees; Kenneth Chris Hurst Sr., Ed.D, WCCUSD Superintendent

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding stability of the budget moving forward, impaction, traffic safety and crossing guards for schools, class size, funding for older adult programs, status of the Portola site, addressing safety concerns, site plans for growth of West County Mandarin school, facility upgrades, art programs, job training opportunities, consideration for the return of the School Resource Officer program.

Action: Received and filed

7. PUBLIC HEARINGS

A. Fire Hazard Abatement

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

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 Karen Smekofske.

Staff confirmed both affected properties have been cleared, therefore the public hearing was not held.

8. POLICY MATTERS

A. Project Stabilization Agreement with Contra Costa Building and Construction Trades Council

Action Proposed: Adopt a resolution approving and authorizing the City Manager to sign a Project Stabilization Agreement and related side letter with the Contra Costa Building and Construction Trades Council and its affiliated local Unions.

Contact: Karen Pinkos, City Manager, City Management

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding statistics for women in the trade unions, and green aspects of agreement.

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 Cathy Simpson, David Karrick, Arnold Dizon, Al Miller, and Brian Patterson.

Oral Public Comments:

Tom Hansen - International Brotherhood of Electrical Workers (IBEW) Local 302 Business Manager, spoke in support of the agreement and promotion for women in trade work.

Jolene Kramer - Weinberg, Roger and Rosenfeld, legal counsel for Building Trades Councils, spoke regarding the benefits of the agreement.

Carolyn Wysinger - spoke in support of the agreement. John Stashik - spoke in support of the agreement.

Eric Haynes - Sheet Metal Workers Local 104 Contra Costa Business Representative, shared demographics of membership, spoke regarding benefits of project labor agreements,

Dave Calderon - BAC Local 3 Field Representative, spoke in support of project labor agreements.

Joe Lubas - ABC NorCal policy analyst, spoke regarding concerns about language related to dues, apprentices, hindrance for contractors to not be able to use workers from their own workforce.

Nicole Goehring - ABC NorCal representative, spoke regarding concern about language related to apprentices, incarcerated individuals, the effect on small minority contractors that cannot afford to join the union.

Moved/Seconded: Councilmember Rudnick/Mayor Pro Tem Motoyama
Action: Approved Resolution No. 2022-66. **Ayes:** Mayor Quinto, Mayor Pro Tem Motoyama, Councilmember Abelson, Councilmember Fadelli, Councilmember Rudnick **Noes:** None

B. 2023-2031 Draft Housing Element

Action Proposed: Receive and file presentation of the *Draft 2023-2031 6th Cycle Housing Element* and provide input to staff prior to submitting it to the California Department of Housing and Community Development for the state-mandated review.

Contact: Aissia Ashoori, Housing Manager; Sean Moss, Planning Manager, Community Development Department
Council recessed from 8:40 p.m.- 8:44 p.m.

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding addressing the displacement risk of new developments, options for Portola site, staffing resources for recommended actions, condo projects, accessibility

considerations, development of vacant lots, timing of analysis for additional needed to service additional housing units, new regulations, and veteran housing.

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 Sherry Drobner, Michael Fischer, and Al Miller.

Oral Public Comments:

Jeff Levine - requested posting a revised version of the document after public comments received with summary of changes, share state comments, and hold a public hearing prior to the next submission, and use of specific language of planned actions.

Sherry Drobner - spoke regarding timing of modifications and prioritizing displaced tenants and other tenant protections.

Action: Received and filed

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

Councilmember Abelson - reported on efforts for continued funding for adult programs provided by West Contra Costa Unified School District.

Mayor Pro Tem Motoyama - reported on attendance at East Bay Economic Development Alliance Executive Committee meeting.

10. ADJOURN REGULAR CITY COUNCIL MEETING

In memory of long time El Cerrito resident Loraine Dair.

The next regularly scheduled City Council meeting is Tuesday, September 20, 2022 at 6:00 p.m.

The regular meeting adjourned at 10:26 PM in memory of El Cerrito resident Loraine Dair.



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 August 16, 2022 as approved by the El Cerrito City Council.



Holly M. Charléty, MMC, City Clerk