



AGENDA

REGULAR CITY COUNCIL MEETING NOVEMBER 1, 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 ([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. Via Zoom (*Closed captioning available*):
<https://us06web.zoom.us/j/85498913253?pwd=SmoxNDhDUmJYS2U4Y1dLZmhpZGdlQT09>
Dial in: 1-408-638-0968 **Meeting ID:** 854 9891 3253 **Password:** 329268

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.**

7:00 P.M. ROLL CALL – CONVENE REGULAR CITY COUNCIL MEETING

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.

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.

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.

A. Family Court Awareness Month Proclamation

Action Proposed: At the request of Mayor Quinto, approve a proclamation recognizing November 2022 as Family Court Awareness Month in El Cerrito.

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

B. Human Rights in Iran Proclamation

Action Proposed: At the request of Mayor Quinto, approve a proclamation condemning the murder of Mahsa Amini and expressing support of human rights in Iran.

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

C. United Against Hate Week

Action Proposed: Pass a motion to approve a proclamation declaring November 13 - 19, 2022 as United Against Hate Week in the City of El Cerrito.

Contact: Shannon Bassi, Senior Human Resources Analyst, Human Resources, Human Resources

D. Receive Monthly Disbursement and Check Register Reports for August 2022 and September 2022

Action Proposed: Receive and file the Monthly Disbursement and Check Register Reports for the months of August 2022 and September 2022.

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

E. FY 2022-23 First Quarter Cash and Investment Report

Action Proposed: Receive and file the City's quarterly cash and investment report.

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

F. Environmental Quality Committee Appointment Recommendation

Action Proposed: Approve an Environmental Quality Committee recommendation to appoint Fred Bialy to the Environmental Quality Committee, effective November 8, 2022.

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

G. Letter of Opposition on California Public Utilities Commission (CPUC) Rulemaking 20-08-020

Action Proposed: At the request of Mayor Quinto, pass a motion authorizing the Mayor to sign a letter urging the CPUC to issue a revised proposed decision in the Net Energy Meeting proceeding in order to expand access to distributed solar and storage technologies.

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

H. Temporary Suspension of Advisory Body Pre-Meeting Requirement

Action Proposed: Pass a motion authorizing the City Clerk to suspend the pre-meeting requirement adopted by Resolution 2021-55 through the end of Fiscal Year 2022.

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

I. State Coastal Conservancy Grant Funding for the Hillside Natural Area Fire Resilience and Forest Conservation Management Plan

Action Proposed: Adopt a resolution approving the grant of funds in the amount of \$145,000 from the State Coastal Conservancy for the Hillside Natural Area Fire Resilience and Forest Conservation Management Plan.

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

J. Consultant Services Agreements for On-Call Transportation Engineering Services

Action Proposed: Adopt a resolution authorizing the City Manager to execute consultant services agreements with four consultant firms, Fehr & Peers, W-Trans, CHS Consulting Group, and TJKM, to provide on-call transportation engineering services for three years with an option to extend for an additional two years in an amount not to exceed \$200,000 per fiscal year for each agreement.

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

K. General Services Agreement for Maintenance at the El Cerrito Swim Center

Action Proposed: Adopt a resolution rejecting the bid received from USA Management LLC and accepting the other two submitted bids; and authorizing the City Manager to execute an agreement with Two Brother's Pool and Spa in an annual amount not to exceed \$60,000 in Fiscal Year 2022-23 to provide pool maintenance 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: Beth Frazer, Recreation Supervisor, Recreation Department; Christopher Jones, Recreation Director, Recreation Department

6. PRESENTATIONS

A. Federal Update from Congressman Desaulnier

Action Proposed: Receive and file a presentation from Congressman Desaulnier regarding federal updates and partnership throughout his

tenure as El Cerrito's federal representative.

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

7. PUBLIC HEARINGS

A. Fire Hazard Abatement

Exempt from CEQA review pursuant to Sections 15304 and 15308, Notice published 10/22/2022

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

B. 2nd Read and Adoption of Building and Fire Code Ordinance

1st public hearing and reading 10/18/2022; Notice published 10/22/2022

Action Proposed: Conduct a public hearing, and upon conclusion, waive the second reading and adopt Ordinance 2022-03 which adopts the 2022 California Green Code, Administrative, Building, Fire, Plumbing, Mechanical, Electrical, Energy, Residential, Existing Building Code, 2021 International Property Maintenance Code, and Related Construction Codes as applicable to all construction within the City of El Cerrito, with local modifications as outlined in the Ordinance.

Contact: Keith Marks, Building Official; Melanie Mintz, Community Development Director, Community Development Department

8. POLICY MATTERS

A. FY 2022-23 General Fund Budget Quarterly Update through September 2022

Action Proposed: Receive and file an update on City General Fund revenues and expenses for FY 2022-23 through September 2022.

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

9. CITY COUNCIL LOCAL & REGIONAL LIAISON ASSIGNMENTS

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

10. ADJOURN REGULAR CITY COUNCIL MEETING

The next regularly scheduled City Council meeting is Tuesday, November 15, 2022 at 7:00 p.m.

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.