



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=SmoxNDhDUmJYS2U4Y1dLZmhpdGdlQT09>
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.

EL CERRITO CITY COUNCIL PROCLAMATION
Recognizing November as Family Court Awareness Month in the City of El Cerrito

WHEREAS, the mission of the Family Court Awareness Month Committee (FCAMC) is to increase awareness on the importance of a family court system that prioritizes child safety and acts in the best interest of children; and

WHEREAS, the mission at the FCAMC is fueled by the desire to create awareness and change in the family court system for the conservatively estimated, 58,000 children a year ordered into unsupervised contact with abusive parents, while honoring the hundreds of children who have been reported as murdered during visitation with a dangerous parent; and

WHEREAS, the mission of the FCAMC is to increase awareness on the importance of empirically-based education and training on domestic violence and child abuse, including emotional, psychological, physical, and sexual abuse, as well as childhood trauma, coercive control, and post separation abuse for judges and all professionals working on cases within the family court system; and

WHEREAS, the mission of the FCAMC is to increase awareness on the importance of using scientifically valid, evidence-based, treatment programs and services that are proven in terms of safety, effectiveness, and therapeutic value; and

WHEREAS, the mission at the FCAMC is to educate judges and other family court professionals on evidence-based, peer-reviewed research. Such research is a critical component to making decisions that are truly in the best interest of children. This research includes The Adverse Childhood Experiences (ACEs) Study (co-principal investigator: Vincent Felitti, Kaiser Permanente-CDC); Child Custody Evaluators' Beliefs About Domestic Abuse Allegations (principal investigator: Daniel Saunders, University of Michigan, sponsored by the National Institute of Justice); and Child Custody Outcomes in Cases Involving Parental Alienation and Abuse Allegations (principal investigator: Joan S. Meier, GW Law School, sponsored by the National Institute of Justice).

NOW, THEREFORE, the City Council of the City of El Cerrito does hereby declare the month of November to be Family Court Awareness Month and encourage all residents to support their local communities' efforts to prevent the harm of children in the hands of family members and to honor and value the lives of children.

Dated: November 1, 2022

Gabe Quinto, Mayor

EL CERRITO CITY COUNCIL PROCLAMATION

In Support of Human Rights in Iran Including the Immediate Cessation of Abuses on the Demonstrators in Iran and the Immediate Release of Political Prisoners in Iran, and a Free Secular Democratic Republic of Iran

WHEREAS, women in Iran are systematically subject to an apartheid state with much harsher restrictions than men; and

WHEREAS, women are our mothers, our sisters, our daughters; and

WHEREAS, many individuals have been imprisoned, tortured, and executed for being defenders of human rights by the Islamic Republic of Iran; and

WHEREAS, women in Iran continue to face laws that restrict rights over their bodies and the ability to think for themselves, and denied the same opportunities as men in relation to marriage, divorce, child custody, inheritance, and travel; and

WHEREAS, protests erupted across Iran after Mahsa Amini, a 22-year-old Iranian Kurdish woman, was pronounced dead on September 16. She fell into a coma shortly after she was detained by the morality police for allegedly not complying with the regime's strict hijab rules in Tehran on September 13; and

WHEREAS, Ms. Nasrin Sotoudeh, a renowned civil rights lawyer and advocate for human rights, including rights of women, minorities, and youth despite systemic oppression in her home country of the Islamic Republic of Iran, is currently serving a 38 year prison sentence with 148 lashes; and

WHEREAS, the City of El Cerrito affirms its support of human rights in Iran, including equal rights for women, the LGBTQIA community, and minorities and the end of apartheid against women and targeted religious, nonreligious, and cultural minorities.

NOW, THEREFORE, the City Council of the City of El Cerrito does hereby condemn the brutal murder of Mahsa Amini and ask for the immediate cessation of human rights abuses against the Iranian people, and also ask for a free, secular, democratic republic of Iran where everyone can live freely and prosper regardless of their gender, sexual orientation, beliefs, and religion.

Dated: November 1, 2022

Gabe Quinto, Mayor

EL CERRITO CITY COUNCIL PROCLAMATION
Designating November 13, 2022 – November 19, 2022, as
“United Against Hate Week”

WHEREAS, the United States is a nation of immigrants, whose strength comes from its diversity; and

WHEREAS, the Constitution enshrines equality on all individuals, regardless of race, gender, orientation, religion, or political views; and

WHEREAS, recent federal policies and rhetoric have generated a toxic environment that encourages the propagation of racist, xenophobic, sexist, homophobic, antisemitic, Islamophobic, and other bigoted views by emboldened hate groups and individuals; and

WHEREAS, deep divisions within our country allow for the festering of extreme ideology, further strengthening a cycle of mistrust and suspicion fueled by fear, anxiety, and insecurity; and

WHEREAS, the number of hate crimes across the United States has increased dramatically over the past few years; and

WHEREAS, white nationalist groups have held violent rallies in cities across the country, instilling fear across many diverse communities; and

WHEREAS, the City of El Cerrito is deeply committed to inclusivity; and

WHEREAS, the City of El Cerrito was declared a Sanctuary City on March 21, 2017 further affirming the City's commitment to the values of dignity, inclusivity, and respect for all individuals regardless of ethnic or national origin, gender identity, race, religious affiliation, sexual orientation, age, disability, or immigration status; and

WHEREAS, the community launched a Stop Hate Together campaign to further state our shared values and reiterate our commitment to inclusivity; and

WHEREAS, education, compassion, and cooperation are key to understanding and embracing differences between people; and

WHEREAS, sponsoring a United Against Hate Week is an important step in bridging divisions and healing communities.

NOW THEREFORE, the City Council of the City of El Cerrito does hereby declare the week of November 13 2022 through November 19, 2022 as United Against Hate Week in the City of El Cerrito.

Dated: November 1, 2022

Gabe Quinto, Mayor



AGENDA BILL

Agenda Item No. 5.D.

Date: November 1, 2022
To: El Cerrito City Council
From: Sandra Dalida, Finance Director/City Treasurer, Finance Department
Subject: 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.

BACKGROUND/ANALYSIS

California Government Code, Title 4. Government of Cities, Division 3, Part 3, Chapter 3, Section 41004 states, "Regularly, at least once each month, the city treasurer shall submit to the city clerk a written report and accounting of all receipts, disbursements, and fund balances. The city treasurer shall file a copy with the legislative body." In addition, the City's Comprehensive Financial Policy, Item 5.1 Accounting Standards indicates the City's accounting and financial reporting systems shall be maintained in conformance with all state and federal laws.

- Month ending August 31, 2022, reflecting Accounts Payable General Warrant Nos. 83810 through 84163, ACH/EFT Nos. 2299 through 2303, and 611 payroll-related checks and EFTs for a grand total of \$5,575,933.44.
- Month ending September 30, 2022, reflecting Accounts Payable General Warrant Nos. 84164 through 84305, ACH/EFT Nos. 2304 through 2320, and 532 payroll-related checks and EFTs for a grand total of \$3,075,235.36.

STRATEGIC PLAN CONSIDERATIONS

The City's Comprehensive Financial Policy and the City's Strategic Plan to achieve long-term financial sustainability, which includes ensuring policies, procedures, and systems represent best practices in financial management, are aligned with requirements referenced in California Government Code, Title 4, Chapter 3, Section 41004.

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

There is no fiscal impact associated with acceptance of the Monthly Disbursement and

Check Register Reports for the months of August 2022 and September 2022.

LEGAL CONSIDERATIONS

The City Attorney has reviewed this agenda item and found that legal considerations have been addressed.

Reviewed by:

A handwritten signature in blue ink, appearing to read "Karen Pinkos", is positioned above the printed name.

Karen Pinkos, City Manager

Attachments:

1. Attachment A - Aug 2022 Payment Register
2. Attachment B - Sept 2022 Payment Register

Payment Register

From Payment Date: 8/1/2022 - To Payment Date: 8/31/2022

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Description	Transaction Amount
AP Check - Accounts Payable Checking Account								
Check								
83810	08/04/2022	Open			Accounts Payable	ALAMEDA COUNTY FIRE DEPARTMENT	OES PUMP TEST	\$680.00
83811	08/04/2022	Open			Accounts Payable	ANCHOR ENGINEERING,, INC.	ENGINEERING SERVICES	\$6,825.00
83812	08/04/2022	Open			Accounts Payable	ANCHOR ENGINEERING,, INC.	ENGINEERING SERVICES	\$3,412.50
83813	08/04/2022	Open			Accounts Payable	ASCENT ENVIRONMENT, INC.	STAFFING SUPPORT	\$370.60
83814	08/04/2022	Open			Accounts Payable	AT&T	INTERNET SERVICES	\$2,012.69
83815	08/04/2022	Open			Accounts Payable	AVILA PROJECT MANAGEMENT	SLURRY SEAL PROJECT MGMT	\$14,802.50
83816	08/04/2022	Open			Accounts Payable	BELSON OUTDOORS	MEMORIAL BENCH	\$2,034.11
83817	08/04/2022	Open			Accounts Payable	BERLITZ LANGUAGES, INC.	TESTING SERVICES	\$130.00
83818	08/04/2022	Open			Accounts Payable	BERTRAND, FOX, ELLIOT, OSMAN & WENZEL	LEGAL SERVICES	\$9,718.50
83819	08/04/2022	Open			Accounts Payable	BKF ENGINEERS	ENGINEERING SERVICES	\$11,758.75
83820	08/04/2022	Open			Accounts Payable	BSK Associates	PAVEMENT CORING	\$15,400.52
83821	08/04/2022	Open			Accounts Payable	CA DEPT.OF TRANSPORTATION	TOD IMPROVEMENT PROJECT	\$5,305.27
83822	08/04/2022	Open			Accounts Payable	CCCSO LAW ENFORCEMENT TRAINING	POLCIE ACADEMY	\$8,770.00
83823	08/04/2022	Open			Accounts Payable	CERRITO PRINTING	PRINTING SERVICES	\$773.96
83824	08/04/2022	Open			Accounts Payable	CHAND, NIRAJAN	TRAINING AND MILEAGE	\$1,012.66
83825	08/04/2022	Open			Accounts Payable	CINTAS CORPORATION #054 UNIFORMS	UNIFORMS	\$182.03
83826	08/04/2022	Open			Accounts Payable	CORODATA SHREDDING INC.	SHREDDING SERVICES	\$258.30
83827	08/04/2022	Open			Accounts Payable	CSW-STUBER-STROEH ENGINEERING GROUP INC	ENGINEERING DESIGN SERVICES	\$36,986.79
83828	08/04/2022	Open			Accounts Payable	FJ&I ENGINEERING, INC.	ENGINEERING SERVICES STORM DRAIN	\$10,900.00
83829	08/04/2022	Open			Accounts Payable	HONEYWELL INTERNATIONAL, INC.	SATELLITE PHONES	\$135.00
83830	08/04/2022	Open			Accounts Payable	KAISER PERMANENTE	NEW HIRE PHYSICALS	\$1,768.00
83831	08/04/2022	Open			Accounts Payable	KARKI, KAVI	TRAINING AND MILEAGE	\$1,196.78
83832	08/04/2022	Open			Accounts Payable	KNORR SYSTEMS, INC.	SWIM CENTER MTNCE AND CHEMICALS	\$8,798.52
83833	08/04/2022	Open			Accounts Payable	L.N. CURTIS & SONS	UNIFORMS	\$143.33
83834	08/04/2022	Open			Accounts Payable	LEAGUE OF CALIF.CITIES	RECRUITMENT ADVERTISEMENTS	\$600.00
83835	08/04/2022	Open			Accounts Payable	LETCHER BROS. AUTO REPAIR INC.	AUTO SERVICE AND REPAIRS	\$3,411.54
83836	08/04/2022	Open			Accounts Payable	MEYERS NAVE	LEGAL SERVICES	\$0.01
83837	08/04/2022	Open			Accounts Payable	MUNICIPAL POOLING AUTHORITY	INSURANCE COVERAGE	\$7,106.50
83838	08/04/2022	Open			Accounts Payable	NINYO & MOORE	STORM DRAIN EVALUATIONS	\$10,486.24
83839	08/04/2022	Open			Accounts Payable	OFFICE DEPOT	OFFICE SUPPLIES	\$2,646.76
83840	08/04/2022	Open			Accounts Payable	PARK ENGINEERING, INC.	SLURRY SEAL PROJECT MGMT	\$9,232.14
83841	08/04/2022	Open			Accounts Payable	PREFERRED ALLIANCE, INC.	DRUG TESTING SERVICES	\$42.00
83842	08/04/2022	Open			Accounts Payable	R3 CONSULTING GROUP	ORDINANCE ADOPTION & IMPL	\$2,120.00
83843	08/04/2022	Open			Accounts Payable	REPUBLIC SERVICES, INC.	REFUSE SERVICES	\$446.44
83844	08/04/2022	Open			Accounts Payable	ROSTAD*KIKI	ART CAMP - RECREATION DEPT	\$969.60
83845	08/04/2022	Open			Accounts Payable	SPEED OIL CHANGE	AUTO SERVICE AND REPAIRS	\$47.28
83846	08/04/2022	Open			Accounts Payable	VERIZON WIRELESS	MOBILE WIRELESS SERVICES	\$3,576.18
83847	08/04/2022	Open			Accounts Payable	WEST COAST ARBORISTS, INC.	TREE REMOVAL	\$12,300.00
83848	08/04/2022	Open			Accounts Payable	ZHAO, ZITIAN	TRAINING AND MILEAGE	\$809.16

Payment Register

From Payment Date: 8/1/2022 - To Payment Date: 8/31/2022

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Description	Transaction Amount
83849	08/04/2022	Open			Accounts Payable	ZOON ENGINEERING, INC.	ENGINEERING SVCS - STREET IMPVMT	\$20,845.00
83850	08/04/2022	Open			Accounts Payable	APB GENERAL ENGINEERING	DEPOSIT REFUND - PUBLIC WORKS	\$3,294.00
83851	08/04/2022	Open			Accounts Payable	AT&T	DEPOSIT REFUND - PUBLIC WORKS	\$697.00
83852	08/04/2022	Open			Accounts Payable	ECONOMY ROOTER AND PLUMBING	DEPOSIT REFUND - PUBLIC WORKS	\$1,730.00
83853	08/04/2022	Voided	Wrong Vendor	08/29/2022	Accounts Payable	EVERETT PLUMBING & HEATING	DEPOSIT REFUND - PUBLIC WORKS	\$1,730.00
83854	08/04/2022	Open			Accounts Payable	GENERAL DRAINWORKS, INC.	DEPOSIT REFUND - PUBLIC WORKS	\$1,647.00
83855	08/04/2022	Open			Accounts Payable	JIMENEZ, JAMES	DEPOSIT REFUND - PUBLIC WORKS	\$732.00
83856	08/04/2022	Open			Accounts Payable	L. S. CONSTRUCTION	DEPOSIT REFUND - PUBLIC WORKS	\$1,647.00
83857	08/04/2022	Open			Accounts Payable	PEREZ, EUCEBIO CALMO	DEPOSIT REFUND - PUBLIC WORKS	\$1,730.00
83858	08/04/2022	Open			Accounts Payable	PG&E - OAKLAND OFC	DEPOSIT REFUND - PUBLIC WORKS	\$4,806.00
83859	08/04/2022	Open			Accounts Payable	SEWER CONNECTION	DEPOSIT REFUND - PUBLIC WORKS	\$3,159.00
83860	08/04/2022	Open			Accounts Payable	SEWER MASTER	DEPOSIT REFUND - PUBLIC WORKS	\$1,647.00
83861	08/04/2022	Open			Accounts Payable	Sewer Works, Inc.	DEPOSIT REFUND - PUBLIC WORKS	\$1,730.00
83862	08/04/2022	Open			Accounts Payable	TERRA NOVA ENGINEERING INC	DEPOSIT REFUND - PUBLIC WORKS	\$6,671.00
83863	08/04/2022	Open			Accounts Payable	THE PLUMBING MINISTRY	DEPOSIT REFUND - PUBLIC WORKS	\$1,647.00
83864	08/04/2022	Open			Accounts Payable	BROSAS, DONOVAN	MEALS - OVER TIME JAN 22 - JUNE 22	\$160.00
83865	08/04/2022	Open			Accounts Payable	Ceja, Veronica	MEALS - OVER TIME JAN 22 - JUNE 22	\$130.00
83866	08/04/2022	Open			Accounts Payable	Chan , Stephanie	MEALS - OVER TIME JAN 22 - JUNE 22	\$30.00
83867	08/04/2022	Open			Accounts Payable	CLIATT, SCOTT	MEALS - OVER TIME JAN 22 - JUNE 22	\$120.00
83868	08/04/2022	Open			Accounts Payable	Conner, Mark	MEALS - OVER TIME JAN 22 - JUNE 22	\$110.00
83869	08/04/2022	Open			Accounts Payable	COOPER, PAUL	MEALS - OVER TIME JAN 22 - JUNE 22	\$110.00
83870	08/04/2022	Open			Accounts Payable	ELDER, BRIAN	MEALS - OVER TIME JAN 22 - JUNE 22	\$80.00
83871	08/04/2022	Open			Accounts Payable	ELLIOTT, MARIELLE	MEALS - OVER TIME JAN 22 - JUNE 22	\$10.00
83872	08/04/2022	Open			Accounts Payable	HASHIMOTO, KENNETH, J.	MEALS - OVER TIME JAN 22 - JUNE 22	\$150.00
83873	08/04/2022	Open			Accounts Payable	Hernandez, Danielle	MEALS - OVER TIME JAN 22 - JUNE 22	\$150.00
83874	08/04/2022	Open			Accounts Payable	HUBBS, SIDNEY	MEALS - OVER TIME JAN 22 - JUNE 22	\$130.00
83875	08/04/2022	Open			Accounts Payable	LEONE*AARON	MEALS - OVER TIME JAN 22 - JUNE 22	\$160.00
83876	08/04/2022	Open			Accounts Payable	LY, SON	MEALS - OVER TIME JAN 22 - JUNE 22	\$110.00
83877	08/04/2022	Open			Accounts Payable	Olivieri, Michael	MEALS - OVER TIME JAN 22 - JUNE 22	\$120.00
83878	08/04/2022	Open			Accounts Payable	Perales, Eddie	MEALS - OVER TIME JAN 22 - JUNE 22	\$240.00
83879	08/04/2022	Open			Accounts Payable	Rivera, Humberto	MEALS - OVER TIME JAN 22 - JUNE 22	\$210.00
83880	08/04/2022	Open			Accounts Payable	RYDER, GODSON	MEALS - OVER TIME JAN 22 - JUNE 22	\$40.00
83881	08/04/2022	Open			Accounts Payable	TANG, GILBERT	MEALS - OVER TIME JAN 22 - JUNE 22	\$550.00
83882	08/04/2022	Open			Accounts Payable	TRAC, RYAN, L.	MEALS - OVER TIME JAN 22 - JUNE 22	\$230.00
83883	08/04/2022	Open			Accounts Payable	VAZQUEZ-AVALOS, SERGIO	MEALS - OVER TIME JAN 22 - JUNE 22	\$10.00
83884	08/04/2022	Open			Accounts Payable	WAHRlich, JOHN-TRACY	MEALS - OVER TIME JAN 22 - JUNE 22	\$180.00
83885	08/04/2022	Open			Accounts Payable	WARE, STEPHANIE	MEALS - OVER TIME JAN 22 - JUNE 22	\$100.00
83886	08/04/2022	Open			Accounts Payable	WENTWORTH*DAVID	MEALS - OVER TIME JAN 22 - JUNE 22	\$120.00
83887	08/04/2022	Open			Accounts Payable	WHITNEY, JOHN	MEALS - OVER TIME JAN 22 - JUNE 22	\$150.00
83888	08/04/2022	Open			Accounts Payable	WRIGHT, CLAUDIA	MEALS - OVER TIME JAN 22 - JUNE 22	\$70.00
83889	08/04/2022	Open			Accounts Payable	WRIGHT, ROBERT	MEALS - OVER TIME JAN 22 - JUNE 22	\$220.00

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83890	08/04/2022	Open			Accounts Payable	MEYERS NAVE	LEGAL SERVICES	\$33,828.90
83891	08/04/2022	Open			Accounts Payable	IMS Alliance	PASSPORT TAGS	\$15.60
83892	08/04/2022	Open			Accounts Payable	Amazon Capital Services, Inc.	OFFICE SUPPLIES	\$68.16
83893	08/04/2022	Open			Accounts Payable	AMERICAN MECHANICAL SERVICES, INC.	HVAC - CITY HALL	\$739.79
83894	08/04/2022	Open			Accounts Payable	ARMOUR PETROLEUM SVC & EQUIPT	UST INSPECTION	\$185.00
83895	08/04/2022	Open			Accounts Payable	ART P.E., JAMES E.	FIRE PROTECTION ENGINEER SERVICES	\$611.00
83896	08/04/2022	Open			Accounts Payable	BOUNDTREE MEDICAL LLC	MEDICAL SUPPLIES	\$488.78
83897	08/04/2022	Open			Accounts Payable	CALIFORNIA HIGHWAY CONSTRUCTION GROUP, INC.	RETENTION RELEASE	\$22,590.48
83898	08/04/2022	Open			Accounts Payable	CI TECHNOLOGIES, INC.	BLUE TEAM	\$1,872.72
83899	08/04/2022	Open			Accounts Payable	CINTAS CORPORATION #054 UNIFORMS	UNIFORMS	\$176.74
83900	08/04/2022	Open			Accounts Payable	COMCAST	xFINITY PACKAGE MONTHLY SVC JULY/AUG	\$90.00
83901	08/04/2022	Open			Accounts Payable	EAST BAY TIMES	PUBLICATION SUBSCRIP 24 WKS - ST A71-24	\$667.10
83902	08/04/2022	Open			Accounts Payable	FRIEDMAN, NORM	SPORTS CAMP - RECREATION DEPT	\$8,214.30
83903	08/04/2022	Open			Accounts Payable	GILMAN STREET PRESS	PRINTING SERVICES - BUSINESS CARDS	\$83.06
83904	08/04/2022	Open			Accounts Payable	HUNT & SONS, INC.	FUEL	\$2,945.31
83905	08/04/2022	Open			Accounts Payable	INTREPID ELECTRONIC SYSTEMS	ANNUAL FIRE ALARM/SPRINKLER INSPEC	\$449.00
83906	08/04/2022	Open			Accounts Payable	Johnson Controls Security Solutions	ALARM SERVICES - CITY HALL	\$429.79
83907	08/04/2022	Open			Accounts Payable	KENNEDY AND ASSOCIATES	MAPPING - ANNUAL REPORT	\$227.00
83908	08/04/2022	Open			Accounts Payable	L.N. CURTIS & SONS	UNIFORMS AND BALISTIC VESTS	\$3,418.42
83909	08/04/2022	Open			Accounts Payable	MCNEELY, DOUGLAS	CIRCUS CAMP - RECREATION DEPT	\$2,511.00
83910	08/04/2022	Open			Accounts Payable	MORTON II YOUTH SPORTS	TENNIS CAMP - RECREATION DEPT	\$3,157.80
83911	08/04/2022	Open			Accounts Payable	OFFICE DEPOT	OFFICE SUPPLIES	\$146.93
83912	08/04/2022	Open			Accounts Payable	OLIVERO PLUMBING	PLUMBING SERVICES	\$169.37
83913	08/04/2022	Open			Accounts Payable	PASTIME HARDWARE	REPAIR SUPPLIES	\$61.70
83914	08/04/2022	Open			Accounts Payable	PETERSON TRUCKS, INC.	AUTO SERVICE AND REPAIRS	\$839.05
83915	08/04/2022	Open			Accounts Payable	RICOH USA, INC	EQUIPMENT LEASE	\$1,524.76
83916	08/04/2022	Open			Accounts Payable	ROSTAD*KIKI	CAMP - RECREATION DEPT	\$950.40
83917	08/04/2022	Open			Accounts Payable	SAFE RESTRAINTS INC.	SUPPLIES	\$1,495.37
83918	08/04/2022	Open			Accounts Payable	Schlanger, April, Adair	ANIMAL FANTASY - RECREATION DEPT	\$1,651.20
83919	08/04/2022	Open			Accounts Payable	Shababo, Tracey , Elise	CAMP - RECREATION DEPT	\$2,328.00
83920	08/04/2022	Open			Accounts Payable	SHI - GOVERNMENT SOLUTIONS, INC.	eTRACKIT SOFTWARE	\$14,430.64
83921	08/04/2022	Open			Accounts Payable	SIMPSON INVESTIGATIVE SERVICES GROUP	BACKGROUND CHECK	\$1,713.75
83922	08/04/2022	Open			Accounts Payable	SINGLE CYLINDER REPAIR	SUPPLIES	\$4.34
83923	08/04/2022	Open			Accounts Payable	SPEED OIL CHANGE	AUTO SERVICE AND REPAIRS	\$52.99
83924	08/04/2022	Open			Accounts Payable	STERICYCLE, INC.	MEDICAL WASTE SERVICES	\$723.53
83925	08/09/2022	Open			Accounts Payable	ALEXANDER, MATHEW	REIMBURSEMENT - DMV PHYSICAL	\$115.00
83926	08/09/2022	Open			Accounts Payable	Amazon Capital Services, Inc.	OFFICE SUPPLIES AND PRINTER	\$595.29
83927	08/09/2022	Open			Accounts Payable	ARFA, MEDHI	REFUND - PUBLIC WORKS	\$6,740.92
83928	08/09/2022	Open			Accounts Payable	ARMOUR PETROLEUM SVC & EQUIPT	SERVICE CALL	\$515.40
83929	08/09/2022	Open			Accounts Payable	BAY AREA BARRICADE	BARRICADES AND TRAFFIC CONES	\$4,625.54
83930	08/09/2022	Open			Accounts Payable	CAL-SLA/COUNTY OF MARIN	ASSOCIATION DUES - STREET LIGHT	\$945.00

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83931	08/09/2022	Open			Accounts Payable	CALIFORNIA BUILDING OFFICIALS	TRAINING	\$2,595.00
83932	08/09/2022	Open			Accounts Payable	CINTAS CORPORATION #054 UNIFORMS	UNIFORMS	\$254.27
83933	08/09/2022	Open			Accounts Payable	DELL MARKETING L.P.	HW MAINTENANCE RENEWAL	\$15,662.94
83934	08/09/2022	Open			Accounts Payable	DICKINSON FLEET SERVICES, LLC	AUTO SERVICE AND REPAIRS	\$1,440.00
83935	08/09/2022	Open			Accounts Payable	DIG SAFE BOARD	STATE FEES	\$4,933.62
83936	08/09/2022	Open			Accounts Payable	EAST BAY BLUE PRINT & SUPPLY	EQUIPMENT LEASE	\$194.44
83937	08/09/2022	Open			Accounts Payable	FRIEDMAN, NORM	SPORTS CAMP - RECREATION DEPT	\$12,805.20
83938	08/09/2022	Open			Accounts Payable	FUJIWARA, PATTY	POTTERY - RECREATION DEPT	\$432.00
83939	08/09/2022	Open			Accounts Payable	GARCIA, LAURA	ART CAMP - RECREATION DEPT	\$2,583.00
83940	08/09/2022	Open			Accounts Payable	HILLYARD	SUPPLIES - CUSTODIAL	\$655.90
83941	08/09/2022	Open			Accounts Payable	Honey Bucket	PORTA-POTTY RENTAL	\$221.05
83942	08/09/2022	Open			Accounts Payable	HUNT & SONS, INC.	FUEL	\$18,492.14
83943	08/09/2022	Open			Accounts Payable	J & O' s COMMERCIAL TIRE CENTER	AUTO SERVICE AND REPAIRS	\$4,346.38
83944	08/09/2022	Open			Accounts Payable	JOB FINDERS INC.	PERMIT	\$378.06
83945	08/09/2022	Open			Accounts Payable	Kathryn Rile	POTTERY - RECREATION DEPT	\$120.00
83946	08/09/2022	Open			Accounts Payable	KI RESEARCH INSTITUTE	AIKIDO - RECREATION DEPT	\$330.00
83947	08/09/2022	Open			Accounts Payable	KINSEY, KATHRYNE ANN	EMPLOYEE EXPENSE REIMBURSEMENT	\$96.00
83948	08/09/2022	Open			Accounts Payable	KNORR SYSTEMS, INC.	SWIM CENTER MTNCE AND CHEMICALS	\$7,198.40
83949	08/09/2022	Open			Accounts Payable	L.N. CURTIS & SONS	SHIELDS	\$66.05
83950	08/09/2022	Open			Accounts Payable	LAURENTEEN BRAZIL - RECYCLING PETTY CASH	PETTY CASH REPLENISHMENT	\$81.44
83951	08/09/2022	Open			Accounts Payable	MANAGEMENT PARTNERS INCORP.	CONSULTING SERVICES - FINANCE	\$536.25
83952	08/09/2022	Open			Accounts Payable	Microsoft Corporation	SOFTWARE LICENSES/SUBSCRIPTIONS	\$16,350.00
83953	08/09/2022	Voided	Wrong Amount	08/09/2022	Accounts Payable	MUNICIPAL POOLING AUTHORITY	INSURANCE - WORKERS COMP ANNUAL	\$431,028.00
83954	08/09/2022	Open			Accounts Payable	NODAL, EDWARD	EMPLOYEE EXPENSE REIMBURSEMENT	\$45.00
83955	08/09/2022	Open			Accounts Payable	PLAY-WELL TEKNOLOGIES	LEGO CAMP - RECREATION DEPT	\$5,100.00
83956	08/09/2022	Open			Accounts Payable	PLAZA AUTO SERVICE INC	AUTO SERVICE AND REPAIRS	\$138.04
83957	08/09/2022	Open			Accounts Payable	PREMIER GRAPHICS	BANNER	\$132.30
83958	08/09/2022	Open			Accounts Payable	PUBLIC SAFETY FAMILY COUNSELING GROUP, INC.	COUNSELING SERVICES	\$6,000.00
83959	08/09/2022	Open			Accounts Payable	ROADPOST USA, INC.	SATELLITE PHONES	\$119.48
83960	08/09/2022	Open			Accounts Payable	ROSTAD*KIKI	ART CAMP - RECREATION DEPT	\$1,065.60
83961	08/09/2022	Open			Accounts Payable	Schlanger, April, Adair	CAMP - RECREATION DEPT	\$2,601.60
83962	08/09/2022	Open			Accounts Payable	Shababo, Tracey , Elise	CAMP - RECREATION DEPT	\$2,124.00
83963	08/09/2022	Open			Accounts Payable	SHAHKAR, MEHRAN	EXERCISE CAMP - RECREATION DEPT	\$336.00
83964	08/09/2022	Open			Accounts Payable	STAILING S&S RV REPAIRS	TECHNOLOGY SVCS - MODEM/RADIO INSTALL	\$1,350.00
83965	08/09/2022	Open			Accounts Payable	STAPLES ADVANTAGE	OFFICE SUPPLIES	\$788.43
83966	08/09/2022	Open			Accounts Payable	STERICYCLE, INC.	MEDICAL WASTE SERVICES	\$165.44
83967	08/09/2022	Open			Accounts Payable	TOYOTA MATERIAL HANDLING NC	EQUIPMENT MAINTENANCE	\$1,308.08
83968	08/09/2022	Open			Accounts Payable	TWO BROTHERS POOL & SPA	POOL MAINTENANCE SERVICES	\$3,326.71
83969	08/09/2022	Open			Accounts Payable	UNIVERSAL BUILDING SERVICE	BUILDING SUPPLIES	\$460.90
83970	08/09/2022	Open			Accounts Payable	WEST COAST ARBORISTS, INC.	TREE REMOVAL	\$2,312.10
83971	08/09/2022	Open			Accounts Payable	4LEAF, INC.	ENGINEERING SERVICES	\$61,717.80

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83972	08/09/2022	Open			Accounts Payable	Amazon Capital Services, Inc.	OFFICE SUPPLIES	\$22.55
83973	08/09/2022	Open			Accounts Payable	Badawi & Associates	AUDITING SERVICES - FY 2020-21 AUDIT	\$5,426.00
83974	08/09/2022	Open			Accounts Payable	BAY AREA BARRICADE	SIGNAGE	\$3,197.25
83975	08/09/2022	Open			Accounts Payable	CSW-STUBER-STROEH ENGINEERING GROUP INC	DESIGN SERVICES	\$29,773.42
83976	08/09/2022	Open			Accounts Payable	DATA TICKET, INC.	CODE ENFORCEMENT PROCESSING FEES	\$200.00
83977	08/09/2022	Open			Accounts Payable	FIRE SAFETY CLEARING	FIRE PREVENTION SERVICES	\$5,000.00
83978	08/09/2022	Open			Accounts Payable	GOLDEN BEAR TRANSFER STATION	SOLID WASTE SERVICES SWEEP SPOILS	\$696.59
83979	08/09/2022	Open			Accounts Payable	JONES, HIROMI	YOGA CAMP - RECREATION DEPT	\$168.00
83980	08/09/2022	Open			Accounts Payable	MUNICIPAL POOLING AUTHORITY	INSURANCE PREMIUM	\$1,836.39
83981	08/09/2022	Open			Accounts Payable	PAYMENTUS CORPORATION	PROCESSING FEES	\$2,520.18
83982	08/09/2022	Open			Accounts Payable	PG&E	UTILITIES	\$26,441.96
83983	08/09/2022	Open			Accounts Payable	RAMOS, STEPHANIE, R	ZUMBA - RECREATION DEPT	\$2,939.10
83984	08/09/2022	Open			Accounts Payable	RUIZ, JOE	X-FIT/NINJA CAMP - RECREATION DEPT	\$16,736.40
83985	08/09/2022	Open			Accounts Payable	SSP DATA PRODUCTS	eMAIL SECURITY SOFTWARE	\$12,250.00
83986	08/09/2022	Open			Accounts Payable	WEST COUNTY SUBREGIONAL TRANSP MITIG PRG	DEVELOPMENT FEES	\$17,647.09
83987	08/12/2022	Open			Accounts Payable	CALPERS LONG TERM CARE PROGRAM	LT CARE INSURANCE	\$31.69
83988	08/12/2022	Open			Accounts Payable	FRANCHISE TAX BOARD	GARNISHMENT	\$1,380.00
83989	08/12/2022	Open			Accounts Payable	HEALTH CARE DENTAL TRUST	DENTAL	\$17,601.25
83990	08/12/2022	Open			Accounts Payable	IAFF LOCAL 1230	DUES LOCAL 1230	\$4,972.08
83991	08/12/2022	Open			Accounts Payable	KAISER FOUNDATION HEALTH PLAN	HEALTH PLAN	\$209,996.05
83992	08/12/2022	Open			Accounts Payable	LEGALSHIELD	LEGAL SERVICES	\$182.40
83993	08/12/2022	Open			Accounts Payable	MUNICIPAL POOLING AUTHORITY	INSURANCE - SUPPLEMENTAL LIFE	\$11,126.13
83994	08/12/2022	Open			Accounts Payable	NATIONWIDE TRUST COMPANY, FSB	FIRE HEALTH SAVINGS ACCOUNT	\$9,600.00
83995	08/12/2022	Open			Accounts Payable	SEIU LOCAL 1021	VOLUNTARY COPE DEDUCTION	\$1,805.44
83996	08/12/2022	Open			Accounts Payable	SUTTER HEALTH PLUS	HEALTH PLAN EE COST	\$40,771.90
83997	08/12/2022	Open			Accounts Payable	U.S. Bank	PUBLIC AGENCY RETIREMENT SVCS (PARS)	\$5,364.75
83998	08/09/2022	Open			Accounts Payable	MEYERS NAVE	LEGAL SERVICES	\$12,267.40
83999	08/09/2022	Open			Accounts Payable	MEYERS NAVE	LEGAL SERVICES	\$30,822.60
84000	08/09/2022	Open			Accounts Payable	MEYERS NAVE	LEGAL SERVICES	\$21,326.45
84001	08/09/2022	Open			Accounts Payable	MUNICIPAL POOLING AUTHORITY	INSURANCE - ANNUAL RENEWAL	\$1,616,141.00
84002	08/11/2022	Open			Accounts Payable	TIM JUNG INVESTIGATIONS	BACKGROUND CHECK	\$2,000.00
84003	08/11/2022	Open			Accounts Payable	DELATORRE, JOSE	REIMBURSEMENT - CAR RENTAL	\$391.38
84004	08/11/2022	Open			Accounts Payable	BALTZ, LEONARD	KARATE - RECREATION DEPT	\$1,375.20
84005	08/11/2022	Open			Accounts Payable	BLACK, MEI-YU	WATERCOLOR - RECREATION DEPT	\$204.00
84006	08/11/2022	Open			Accounts Payable	CONTRA COSTA COUNTY LAW & JUSTICE SYSTEMS	AUTOMATED WARRANT SYS FY21-22 COST	\$2,165.75
84007	08/11/2022	Open			Accounts Payable	EBMUD	UTILITIES	\$17,297.16
84008	08/11/2022	Open			Accounts Payable	EDUCATION TO GO	TRAINING COURSE FEES	\$273.00
84009	08/11/2022	Open			Accounts Payable	FORENSIC SERVICES DIVISION	BLOOD DRAWS	\$314.58
84010	08/11/2022	Open			Accounts Payable	FORENSIC SERVICES DIVISION	DNA/FINGER PRINTING TESTING	\$4,800.00
84011	08/11/2022	Open			Accounts Payable	JOHNSON, NINA	REIMBURSEMENT - POSTAGE	\$46.40
84012	08/11/2022	Open			Accounts Payable	KNORR SYSTEMS, INC.	SWIM CENTER MTNCE AND CHEMICALS	\$847.44

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84013	08/11/2022	Open			Accounts Payable	KREISBERG LAW FIRM	LEGAL SERVICES	\$520.00
84014	08/11/2022	Open			Accounts Payable	MUNICIPAL POOLING AUTHORITY	MEDICARE TAX	\$199.78
84015	08/11/2022	Open			Accounts Payable	PREFERRED ALLIANCE, INC.	PRE-EMPLOYMENT DRUG SCREENING	\$126.00
84016	08/11/2022	Open			Accounts Payable	Progressive Solutions , Inc.	RENTAL REGISTRY	\$500.00
84017	08/11/2022	Open			Accounts Payable	STATE OF CA DEPT OF JUSTICE	LIVE SCAN SERVICES	\$2,383.00
84018	08/11/2022	Open			Accounts Payable	T-MOBILE	INVESTIGATION FEE	\$75.00
84019	08/11/2022	Open			Accounts Payable	TRB AND ASSOCIATES, INC.	INSPECTION/PERMIT SERVCIES	\$4,464.80
84020	08/11/2022	Open			Accounts Payable	A.S.C. BERKELELY INC. DBA ALL SEASONS CONST.	PLAN REVIEW	\$192.00
84021	08/11/2022	Open			Accounts Payable	A1 SUN INC.	ENERGY STORAGE/SOLAR PANEL REFUND	\$780.00
84022	08/11/2022	Open			Accounts Payable	ABAG GENERAL ASSEMBLY	MEMBERSHIP DUES	\$6,870.00
84023	08/11/2022	Open			Accounts Payable	Amazon Capital Services, Inc.	OFFICE SUPPLIES & SHREDDER	\$1,009.13
84024	08/11/2022	Open			Accounts Payable	ART P.E., JAMES E.	ALARM SERVICES	\$1,171.00
84025	08/11/2022	Open			Accounts Payable	AT&T	INTERNET SERVICES	\$312.29
84026	08/11/2022	Open			Accounts Payable	Badge Frame , Inc.	SIGNAGE	\$120.12
84027	08/11/2022	Open			Accounts Payable	BAY ALARM COMPANY	ALARM SERVICES	\$348.75
84028	08/11/2022	Open			Accounts Payable	BAY AREA BARRICADE	SIGNAGE - CROSSWALKS	\$2,732.38
84029	08/11/2022	Open			Accounts Payable	BAY AREA NEWS GROUP EASTBAY	PUBLIC HEARINGS	\$284.40
84030	08/11/2022	Open			Accounts Payable	BLACK, MEI-YU	WATERCOLOR - RECREATION DEPT	\$258.00
84031	08/11/2022	Open			Accounts Payable	CINTAS CORPORATION #054 UNIFORMS	UTILITIES	\$176.74
84032	08/11/2022	Open			Accounts Payable	CORT, TERRY	REIMBURSEMENTS - WINDSCREENS	\$779.04
84033	08/11/2022	Open			Accounts Payable	CPRS	DUES	\$555.00
84034	08/11/2022	Open			Accounts Payable	CRIME SCENE CLEANERS, INC.	CLEANING SERVICES - AUTO/BOOKING	\$178.00
84035	08/11/2022	Open			Accounts Payable	CYGANY, INC	SUPPLIES - DOG BAGS FOR PARKS	\$320.00
84036	08/11/2022	Open			Accounts Payable	DIABLO BOWLING & TROPHIES	NAME BADGE - COUNCIL MEMBER	\$17.06
84037	08/11/2022	Open			Accounts Payable	DOGFATHER K9 CONNECTIONS	K-9 BOARDING	\$354.00
84038	08/11/2022	Open			Accounts Payable	DON'S TIRE SERVICE, INC.	AUTO SERVICE AND REPAIRS	\$1,264.56
84039	08/11/2022	Open			Accounts Payable	DUNNIGAN PSYCH & THREAT ASSESSMENTS	PSYC EVALUATION	\$600.00
84040	08/11/2022	Open			Accounts Payable	ENGBERG, GERI	CAMP - RECREATION DEPT	\$1,728.00
84041	08/11/2022	Open			Accounts Payable	FIRE INFORMATION SUPPORT SVCS	RMS UPDATES - SUPPORT SERVICES	\$1,200.00
84042	08/11/2022	Open			Accounts Payable	FRIEDMAN, NORM	CAMP - RECREATION DEPT	\$20,570.22
84043	08/11/2022	Open			Accounts Payable	GRAND PRIX CAR WASH	AUTO SERVICE AND REPAIRS	\$18.99
84044	08/11/2022	Open			Accounts Payable	GREEN AIR HEATING AND AIR CONDITIONING	SOLAR PANEL REFUND	\$412.00
84045	08/11/2022	Open			Accounts Payable	HI-TECH INC.	GAS SHOCK W/LOCK	\$362.42
84046	08/11/2022	Open			Accounts Payable	HOEDL, SETH	REBATE - REAL PROPERTY TRNSFR TAX	\$5,360.00
84047	08/11/2022	Open			Accounts Payable	JAFFE, SCOT	POTTERY - RECREATION DEPT	\$216.00
84048	08/11/2022	Open			Accounts Payable	JENNIFER ALBERTO	REFUND - EXPLORER'S CAMP	\$331.10
84049	08/11/2022	Open			Accounts Payable	KNORR SYSTEMS, INC.	SWIM CENTER MTNCE AND CHEMICALS	\$5,000.52
84050	08/11/2022	Open			Accounts Payable	L.N. CURTIS & SONS	UTILITIES	\$26.46
84051	08/11/2022	Open			Accounts Payable	LEHR AUTO ELECTRIC & EMERGENCY	AUTO EQUIPMENT INSTALL	\$22,820.19
84052	08/11/2022	Open			Accounts Payable	Mark43, Inc	RECORDS MANAGEMENT SYSTEM	\$52,500.00
84053	08/11/2022	Open			Accounts Payable	MCNEELY, DOUGLAS	CIRCUS CAMP - RECREATION DEPT	\$2,389.50

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84054	08/11/2022	Open			Accounts Payable	MICHAEL STEADS HILLTOP FORD KIA	AUTO SERVICE AND REPAIRS	\$1,098.80
84055	08/11/2022	Open			Accounts Payable	MUNICIPAL POOLING AUTHORITY	CLAIM ADMIN FEES	\$963.00
84056	08/11/2022	Open			Accounts Payable	OpenGov, Inc.	FY 2022-2023 FEE	\$44,950.00
84057	08/11/2022	Open			Accounts Payable	PLAY-WELL TEKNOLOGIES	LEGO CAMP - RECREATION DEPT	\$11,700.00
84058	08/11/2022	Open			Accounts Payable	RICOH USA, INC	EQUIPMENT LEASE	\$1,805.01
84059	08/11/2022	Open			Accounts Payable	Shababo, Tracey , Elise	CAMP - RECREATION DEPT	\$2,640.00
84060	08/11/2022	Open			Accounts Payable	SIMPSON INVESTIGATIVE SERVICES GROUP	BACKGROUND CHECK	\$1,791.62
84061	08/11/2022	Open			Accounts Payable	SPEAKWRITE LLC	TRANSCRIPTION SERVICES	\$12.17
84062	08/11/2022	Open			Accounts Payable	STERICYCLE, INC.	MEDICAL WASTE SERVICES	\$74.38
84063	08/11/2022	Open			Accounts Payable	THE ED JONES COMPANY	BADGE PROMOTION RIBBONS	\$52.68
84064	08/11/2022	Open			Accounts Payable	UNIVERSAL BUILDING SERVICE	BUILDING SUPPLIES	\$917.00
84065	08/11/2022	Open			Accounts Payable	WADE, THOMAS	TRAINING	\$409.00
84066	08/18/2022	Open			Accounts Payable	POLICE ASSN.	ASSOCIATION DUES	\$3,414.24
84067	08/18/2022	Open			Accounts Payable	POLICE ASSN.	ASSOCIATION DUES	\$3,978.34
84068	08/18/2022	Open			Accounts Payable	POLICE ASSN.	ASSOCIATION DUES	\$3,978.34
84069	08/18/2022	Open			Accounts Payable	Amazon Capital Services, Inc.	OFFICE SUPPLIES	\$34.51
84070	08/18/2022	Open			Accounts Payable	ART P.E., JAMES E.	FIRE PROTECTION ENGINEER SERVICES	\$482.00
84071	08/18/2022	Open			Accounts Payable	AT&T	INTERNET SERVICES	\$11,764.99
84072	08/18/2022	Open			Accounts Payable	AVILA PROJECT MANAGEMENT	ENGINEERING SERVICES	\$50,497.50
84073	08/18/2022	Open			Accounts Payable	BOUNDTREE MEDICAL LLC	MEDICAL SUPPLIES	\$733.96
84074	08/18/2022	Open			Accounts Payable	CITY OF FOSTER CITY	RECRUITMENT ADVERTISEMENTS	\$1,040.00
84075	08/18/2022	Open			Accounts Payable	CITY OF WALNUT CREEK	TRAINING	\$2,078.00
84076	08/18/2022	Open			Accounts Payable	DICKINSON FLEET SERVICES, LLC	AUTO SERVICE AND REPAIRS	\$1,760.00
84077	08/18/2022	Open			Accounts Payable	EDUCATION TO GO	TRAINING FEES	\$75.00
84078	08/18/2022	Open			Accounts Payable	Engineering For Kids	CAMP - RECREATION DEPT	\$3,079.80
84079	08/18/2022	Open			Accounts Payable	FAILSAFE TESTING	LADDER MAINTENANCE	\$1,200.00
84080	08/18/2022	Open			Accounts Payable	FIRE SAFETY CLEARING	WEED ABATEMENT	\$5,000.00
84081	08/18/2022	Open			Accounts Payable	GRAUL, BELINDA	CAMP - RECREATION DEPT	\$6,300.00
84082	08/18/2022	Open			Accounts Payable	HANNA, MICHAEL, JOHN	CAMP - RECREATION DEPT	\$1,620.00
84083	08/18/2022	Open			Accounts Payable	KEYSER MARSTON ASSOCIATES, INC	CONSULTING SERVICES - HOUSING	\$1,734.38
84084	08/18/2022	Open			Accounts Payable	MOBILE MODULAR MANAGEMENT CORP	PAYMENT 1 FY 23 - MOBILE MODULAR	\$10,541.86
84085	08/18/2022	Open			Accounts Payable	MORTON II YOUTH SPORTS	CAMP - RECREATION DEPT	\$3,157.80
84086	08/18/2022	Open			Accounts Payable	OAKLAND HILLS BRUSH CLEARING LLC	ABATEMENT	\$2,175.00
84087	08/18/2022	Open			Accounts Payable	OFFICE DEPOT	OFFICE SUPPLIES	\$207.46
84088	08/18/2022	Open			Accounts Payable	PASTIME HARDWARE	REPAIR SUPPLIES	\$299.10
84089	08/18/2022	Open			Accounts Payable	RAMOS, STEPHANIE, R	CAMP - RECREATION DEPT	\$2,783.10
84090	08/18/2022	Open			Accounts Payable	RICOH USA, INC	EQUIPMENT LEASE	\$1,591.71
84091	08/18/2022	Open			Accounts Payable	SECURITY SIGNAL DEVICES, INC.	ALARM SERVICES	\$1,057.51
84092	08/18/2022	Open			Accounts Payable	STONE, DAN	REBATE - REAL PROPERTY TRNSFR TAX	\$4,400.00
84093	08/18/2022	Open			Accounts Payable	SUMIL, NAKO	REFUND - SWIM LESSONS	\$57.25
84094	08/18/2022	Open			Accounts Payable	SYSCO	FOOD SUPPLIES - RAVENCILIFF	\$16,766.58

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Description	Transaction Amount
84095	08/18/2022	Open			Accounts Payable	TYLER TECHNOLOGIES	TRAINING - FINANCE	\$305.00
84096	08/18/2022	Open			Accounts Payable	UNIVERSAL BUILDING SERVICE	BUILDING SUPPLIES	\$5,445.87
84097	08/18/2022	Open			Accounts Payable	WHITLOCK & WEINBERGER TRANSPORTATION, INC.	JANITORIAL SERVICES	\$265.00
84098	08/18/2022	Open			Accounts Payable	4LEAF, INC.	ENGINEERING SERVICES	\$10,641.00
84099	08/18/2022	Open			Accounts Payable	AVEC PRODUCTIONS, INC.	EQUIPMENT RENTAL AND LABOR	\$355.00
84100	08/18/2022	Open			Accounts Payable	CONTRA COSTA HEALTH SERVICES	INSPECTIONS AND TRAVEL	\$845.75
84101	08/18/2022	Open			Accounts Payable	DEPT. OF CONSERVATION	FEES FY 2021-22 QTR 4	\$2,153.60
84102	08/18/2022	Open			Accounts Payable	Engineering For Kids	CAMP - RECREATION DEPT	\$8,387.64
84103	08/18/2022	Open			Accounts Payable	NINYO & MOORE	STORM DRAIN EVALUATIONS	\$13,893.94
84104	08/18/2022	Voided	Invoice Revised	09/08/2022	Accounts Payable	Sacks, Ricketts & Case, LLP	LEGAL SERVICES	\$4,384.94
84105	08/26/2022	Open			Accounts Payable	CALPERS LONG TERM CARE PROGRAM	LT CARE INSURANCE	\$31.69
84106	08/26/2022	Open			Accounts Payable	EL CERRITO FIRE DEPT MGMT GRP	FIRE MGMT GROUP	\$50.00
84107	08/26/2022	Open			Accounts Payable	EL CERRITO PUBLIC SFTY EE MGMT	FIRE SAFETY GROUP	\$318.00
84108	08/26/2022	Open			Accounts Payable	FIRE ASSOCIATION	DUES	\$525.00
84109	08/26/2022	Open			Accounts Payable	FRANCHISE TAX BOARD	GARNISHMENT	\$1,380.00
84110	08/26/2022	Open			Accounts Payable	LIFE INSURANCE OF NORTH AMERICA	ACCIDENTAL DEATH & DISMEMBERMENT INS	\$82.30
84111	08/26/2022	Open			Accounts Payable	POLICE ASSN.	DUES	\$4,743.59
84112	08/26/2022	Open			Accounts Payable	PRO FIREFIGHTERS ASSN DUES	DUES	\$300.00
84113	08/26/2022	Open			Accounts Payable	SEIU LOCAL 1021	VOLUNTARY COPE DEDUCTION	\$1,747.71
84114	08/26/2022	Open			Accounts Payable	U.S. Bank	PUBLIC AGENCY RETIRMENT SERVICES (PARS)	\$3,951.56
84115	08/25/2022	Open			Accounts Payable	BPXPRESS	PRINTING SERVICES	\$90.75
84116	08/25/2022	Open			Accounts Payable	CCC EMPLOYMENT & HUMAN SVCS	CHILDREN'S INTERVIEW CENTER FY 21-22	\$2,076.22
84117	08/25/2022	Open			Accounts Payable	CSW-STUBER-STROEH ENGINEERING GROUP INC	ENGINEERING SERVICES	\$30,208.03
84118	08/25/2022	Open			Accounts Payable	LACK, CHRIS	CAMP - RECREATION DEPT	\$329.00
84119	08/25/2022	Open			Accounts Payable	Napa Recycling & Waste Service, LLC	RECYCLING SERVICES	\$16,782.70
84120	08/26/2022	Open			Accounts Payable	AARONSON, TIM	REFUND - SOLID WASTE EXEMPTION	\$288.54
84121	08/26/2022	Open			Accounts Payable	Amazon Capital Services, Inc.	OFFICE SUPPLIES	\$594.24
84122	08/26/2022	Open			Accounts Payable	ANCHOR ENGINEERING,, INC.	ENGINEERING SERVICES	\$4,900.00
84123	08/26/2022	Open			Accounts Payable	BAY ALARM COMPANY	ALARM SERVICES	\$255.00
84124	08/26/2022	Open			Accounts Payable	BROSAS, DONOVAN	TRAINING PER DIEM	\$16.00
84125	08/26/2022	Open			Accounts Payable	CAPUTO, LAUREN	TRAINING PER DIEM	\$150.00
84126	08/26/2022	Open			Accounts Payable	Ceja, Veronica	TRAINING - LUNCH STANDARD & ADVANCED	\$24.00
84127	08/26/2022	Open			Accounts Payable	CHAND, NIRAJAN	TRAINING AND MILEAGE	\$920.60
84128	08/26/2022	Open			Accounts Payable	COOPER, PAUL	TRAINING PER AND CONFERENCE	\$216.00
84129	08/26/2022	Open			Accounts Payable	CSG CONSULTANTS, INC.	PLAN REVIEW SERVICES	\$3,538.55
84130	08/26/2022	Open			Accounts Payable	DATA TICKET, INC.	CODE ENFORCEMENT PROCESSING FEES	\$200.00
84131	08/26/2022	Open			Accounts Payable	DELL MARKETING L.P.	COMPUTER EQUIPMENT	\$1,809.23
84132	08/26/2022	Open			Accounts Payable	DUNNIGAN PSYCH & THREAT ASSESSMENTS	PSYC EVALUATION	\$600.00
84133	08/26/2022	Open			Accounts Payable	ENTENMANN-ROVIN CO.	BADGES	\$1,485.64
84134	08/26/2022	Open			Accounts Payable	FRIEDMAN, NORM	CAMP - RECREATION DEPT	\$1,090.98
84135	08/26/2022	Open			Accounts Payable	GAME CHANGERS	CAMP - RECREATION DEPT	\$504.00

Payment Register

From Payment Date: 8/1/2022 - To Payment Date: 8/31/2022

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Description	Transaction Amount
84136	08/26/2022	Open			Accounts Payable	GARCIA, LAURA	CAMP - RECREATION DEPT	\$2,677.50
84137	08/26/2022	Open			Accounts Payable	Green Halo Systems Inc,	HOSTING AND MAINTENANCE - AUG 2022	\$171.00
84138	08/26/2022	Open			Accounts Payable	Hernandez, Danielle	TRAINING - LUNCH BASIC COLLISION	\$32.00
84139	08/26/2022	Open			Accounts Payable	Hernandez, Danielle	TRAINING PER DIEM	\$150.00
84140	08/26/2022	Open			Accounts Payable	HI-TECH INC.	FIRE ENGINE REPAIR	\$1,819.64
84141	08/26/2022	Open			Accounts Payable	KREISBERG LAW FIRM	LEGAL SERVICES	\$455.00
84142	08/26/2022	Open			Accounts Payable	LACK, CHRIS	POTTERY - RECREATION DEPT	\$196.00
84143	08/26/2022	Open			Accounts Payable	LIEBERT CASSIDY	LEGAL SERVICES	\$487.50
84144	08/26/2022	Open			Accounts Payable	MEYERS NAVE	LEGAL SERVICES	\$26,236.82
84145	08/26/2022	Open			Accounts Payable	MII TRAINING INNOVATIONS LLC	TUITION	\$475.00
84146	08/26/2022	Open			Accounts Payable	MORTON II YOUTH SPORTS	CAMP - RECREATION DEPT	\$3,357.30
84147	08/26/2022	Open			Accounts Payable	Napa Recycling & Waste Service, LLC	RECYCLING SERVICES	\$14,721.85
84148	08/26/2022	Open			Accounts Payable	OFFICE DEPOT	OFFICE SUPPLIES	\$140.99
84149	08/26/2022	Open			Accounts Payable	OLIVERO PLUMBING	PLUMBING SERVICES	\$4,359.64
84150	08/26/2022	Open			Accounts Payable	PAYMENTUS CORPORATION	PROCESSING FEES	\$3,105.87
84151	08/26/2022	Open			Accounts Payable	PERALES, EDWARD, J.	TRAINING PER DIEM / K-9 COP CONF	\$200.00
84152	08/26/2022	Open			Accounts Payable	RINGCENTRAL, INC.	TELEPHONE EXPENSES	\$3,359.75
84153	08/26/2022	Open			Accounts Payable	SECURITY SIGNAL DEVICES, INC.	ALARM SERVICES	\$285.20
84154	08/26/2022	Open			Accounts Payable	Shababo, Tracey , Elise	CAMP - RECREATION DEPT	\$2,784.00
84155	08/26/2022	Open			Accounts Payable	SPIDERS ULTIMATE LLC	CAMP - RECREATION DEPT	\$1,132.20
84156	08/26/2022	Open			Accounts Payable	STAILING S&S RV REPAIRS	TECHNOLOGY SVCS - MODEM INSTALL	\$1,000.00
84157	08/26/2022	Open			Accounts Payable	STERICYCLE, INC.	MEDICAL WASTE SERVICES	\$723.36
84158	08/26/2022	Open			Accounts Payable	TYLER TECHNOLOGIES	FINANCIAL SYSTEMS PROJECT	\$623.33
84159	08/26/2022	Open			Accounts Payable	WEPERFORM.ORG	SUMMER VIOLIN	\$588.00
84160	08/26/2022	Open			Accounts Payable	WEST COAST CODE CONSULTANTS, INC.	PLAN REVIEW SERVICES	\$282.50
84161	08/26/2022	Open			Accounts Payable	ZHAO, ZITIAN	TRAINING AND MILEAGE	\$735.60
84162	08/26/2022	Open			Accounts Payable	ZOON ENGINEERING, INC.	ENGINEERING SERVICES	\$400.00
84163	08/26/2022	Open			Accounts Payable	ZWETSCH, STEPHEN	RESIDENCY - PYMT 2 OF 3	\$300.00

Type Check Totals:	354 Transactions	\$3,669,257.05
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EFT

2290	08/04/2022	Open			Accounts Payable	KATZ, JUDY	SENIOR FITNESS INSTRUCTOR	\$288.00
2291	08/18/2022	Open			Accounts Payable	I.M.P.A.C. GOVERNMENT SERVICES	CAL CARD - VARIOUS PURCHASES	\$78,955.65
2292	08/12/2022	Open			Accounts Payable	EDD - PAYROLL TAX DEPOSIT	CALIFORNIA TAX	\$38,739.89
2293	08/12/2022	Open			Accounts Payable	ICMA	DEFERRED COMPENSATION	\$47,184.44
2294	08/12/2022	Open			Accounts Payable	IRS	FEDERAL TAX	\$153,376.27
2295	08/12/2022	Open			Accounts Payable	P E R S	RETIREMENT PLAN	\$157,529.39
2296	08/12/2022	Open			Accounts Payable	STATE DISBURSEMENT UNIT	GARNISHMENT	\$636.00
2297	08/24/2022	Open			Accounts Payable	IRS	FEDERAL TAX	\$200.00
2299	08/26/2022	Open			Accounts Payable	EDD - PAYROLL TAX DEPOSIT	CALIFORNIA TAX	\$39,328.23
2300	08/26/2022	Open			Accounts Payable	ICMA	DEFERRED COMPENSATION	\$46,819.69
2301	08/26/2022	Open			Accounts Payable	IRS	FEDERAL TAX	\$153,370.88

Payment Register

From Payment Date: 8/1/2022 - To Payment Date: 8/31/2022

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Description	Transaction Amount
2302	08/26/2022	Open			Accounts Payable	P E R S	RETIREMENT PLAN	\$158,142.23
2303	08/26/2022	Open			Accounts Payable	STATE DISBURSEMENT UNIT	GARNISHMENT	\$636.00

Type EFT Totals:	13 Transactions	\$875,206.67
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AP-AP Accounts Payable Checking Account Totals

Checks	Status	Count	Transaction Amount
	Open	351	\$3,232,114.11
	Reconciled	0	\$0.00
	Voided	3	\$437,142.94
	Stopped	0	\$0.00
Total		354	\$3,669,257.05

EFTs	Status	Count	Transaction Amount
	Open	13	\$875,206.67
	Reconciled	0	\$0.00
	Voided	0	\$0.00
Total		13	\$875,206.67

All	Status	Count	Transaction Amount
	Open	364	\$4,107,320.78
	Reconciled	0	\$0.00
	Voided	3	\$437,142.94
	Stopped	0	\$0.00
Total		367	\$4,544,463.72

PR-Payroll Checking Account Totals

Checks	Status	Count	Transaction Amount
	Open	135	\$108,671.16
	Reconciled	0	\$0.00
	Voided	0	\$0.00
	Stopped	0	\$0.00
Total		135	\$108,671.16

EFTs	Status	Count	Transaction Amount
	Open	476	\$922,798.56
	Reconciled	0	\$0.00
	Voided	0	\$0.00
Total		476	\$922,798.56

All	Status	Count	Transaction Amount
	Open	611	\$1,031,469.72
	Reconciled	0	\$0.00

Payment Register

From Payment Date: 8/1/2022 - To Payment Date: 8/31/2022

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Description	Transaction Amount
					Voided	0		\$0.00
					Stopped	0		\$0.00
					Total	611		\$1,031,469.72
Grand Totals:				Checks	Status	Count		Transaction Amount
					Open	486		\$3,340,785.27
					Reconciled	0		\$0.00
					Voided	3		\$437,142.94
					Stopped	0		\$0.00
					Total	489		\$3,777,928.21
				EFTs	Status	Count		Transaction Amount
					Open	489		\$1,798,005.23
					Reconciled	0		\$0.00
					Voided	0		\$0.00
					Total	489		\$1,798,005.23
				All	Status	Count		Transaction Amount
					Open	975		\$5,138,790.50
					Reconciled	0		\$0.00
					Voided	3		\$437,142.94
					Stopped	0		\$0.00
					Total	978		\$5,575,933.44

Payment Register

From Payment Date: 9/1/2022 - To Payment Date: 9/30/2022

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Description	Transaction Amount
AP Check - Accounts Payable Checking Account								
Check								
84164	09/01/2022	Open			Accounts Payable	JOHNSON, CRAIG	CERTIFICATION OF RENEWAL	\$400.00
84165	09/01/2022	Open			Accounts Payable	CITY OF RICHMOND	CAD FEES	\$154,386.50
84166	09/01/2022	Open			Accounts Payable	TWO BROTHERS POOL & SPA	SWIMMING POOL SERVICE	\$2,805.00
84167	09/01/2022	Open			Accounts Payable	4LEAF, INC.	PLAN REVIEW SERVICES	\$50,235.75
84168	09/01/2022	Open			Accounts Payable	Amazon Capital Services, Inc.	OFFICE SUPPLIES	\$195.18
84169	09/01/2022	Open			Accounts Payable	AMERICAN MECHANICAL SERVICES, INC.	HVAC MTNCE - CITY HALL	\$2,185.65
84170	09/01/2022	Open			Accounts Payable	AT&T	INTERNET SERVICES	\$1,171.95
84171	09/01/2022	Open			Accounts Payable	BAY AREA AIR QUALITY MGMT DIST	ANNUAL PERMIT RENEWAL- FUEL	\$310.00
84172	09/01/2022	Open			Accounts Payable	BAY AREA BARRICADE	STENCILS PUBLIC PARKING	\$797.06
84173	09/01/2022	Open			Accounts Payable	BERTRAND, FOX, ELLIOT, OSMAN & WENZEL	LEGAL SERVICES	\$13,593.50
84174	09/01/2022	Open			Accounts Payable	C & K MARKET, INC.	FOOD - RAVENCLIFF	\$1,936.41
84175	09/01/2022	Open			Accounts Payable	CCC ANIMAL SERVICES DEPARTMENT	ANIMAL CONTROL SERVICES	\$49,505.75
84176	09/01/2022	Open			Accounts Payable	CHAVAN & ASSOCIATES, LLP	AUDITING SERVICES	\$4,500.00
84177	09/01/2022	Open			Accounts Payable	CINTAS CORPORATION #054 UNIFORMS	UNIFORMS	\$176.74
84178	09/01/2022	Open			Accounts Payable	CITY OF RICHMOND	DISPATCH SERVICES	\$67,870.08
84179	09/01/2022	Open			Accounts Payable	COMCAST	INTERNET SERVICES	\$68.39
84180	09/01/2022	Open			Accounts Payable	Community Conservation Centers, Inc.	RECYCLING SERVICES	\$654.18
84181	09/01/2022	Open			Accounts Payable	CONTRA COSTA HEALTH SERVICES	INSPECTION - TIPPING WALL	\$298.50
84182	09/01/2022	Open			Accounts Payable	CORE COMPUTING SOLUTIONS	RECYCLING SOFTWARE	\$153.00
84183	09/01/2022	Open			Accounts Payable	CORODATA SHREDDING INC.	SHREDDING SERVICES	\$207.43
84184	09/01/2022	Open			Accounts Payable	Cross Connections Emergency Services, Inc.	GPS ANTENNAS	\$738.91
84185	09/01/2022	Open			Accounts Payable	DIABLO BOWLING & TROPHIES	NAME BADGE - COUNCIL MEMBER	\$29.63
84186	09/01/2022	Open			Accounts Payable	DUNNIGAN PSYCH & THREAT ASSESSMENTS	PSYCH EVALUATIONS	\$1,200.00
84187	09/01/2022	Open			Accounts Payable	EAST BAY - LEAGUE OF CA CITIES	DIVISION MEETING	\$150.00
84188	09/01/2022	Open			Accounts Payable	EAST BAY SANITARY CO.INC.	STREET SWEEPING SERVICES	\$8,256.98
84189	09/01/2022	Open			Accounts Payable	EBMUD	UTILITIES	\$14,123.09
84190	09/01/2022	Open			Accounts Payable	EL CERRITO ART ASSOCIATION	ANNUAL ART SHOW	\$500.00
84191	09/01/2022	Open			Accounts Payable	EVEREST PLUMBING & DRAIN	REFUND	\$1,730.00
84192	09/01/2022	Open			Accounts Payable	Golden Bear Transfer Station	SOLID WASTE SERVICES SWEEP SPOILS	\$511.91
84193	09/01/2022	Open			Accounts Payable	GROUP 4 ARCHITECTURE, RESEARCH & PLNG INC.	PROJECT 15474-05 EL CERRITO NEW WKSP	\$16,100.00
84194	09/01/2022	Open			Accounts Payable	GUIDRY, ROBERT	OUTDOOR TABLE	\$1,362.00
84195	09/01/2022	Open			Accounts Payable	GYMDOC INC	EQUIPMENT MAINTENANCE	\$300.00
84196	09/01/2022	Open			Accounts Payable	HI-TECH INC.	VEHICLE REPAIRS	\$8,981.28
84197	09/01/2022	Open			Accounts Payable	HONEYWELL INTERNATIONAL, INC.	SATELLITE PHONES	\$135.00
84198	09/01/2022	Open			Accounts Payable	HUNT & SONS, INC.	FUEL	\$20,231.30
84199	09/01/2022	Open			Accounts Payable	IncrediFlix Inc.	CAMP - RECREATION DEPT	\$4,400.00
84200	09/01/2022	Open			Accounts Payable	IRON MOUNTAIN	RECORD RETENTION/STORAGE	\$1,001.22
84201	09/01/2022	Open			Accounts Payable	KAISER PERMANENTE	NEW HIRE PHYSICALS	\$85.00

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Description	Transaction Amount
84202	09/01/2022	Open			Accounts Payable	Kalgold Technologies Inc.	CAMP - RECREATION DEPT	\$6,180.00
84203	09/01/2022	Open			Accounts Payable	KNORR SYSTEMS, INC.	SWIMMING POOL SERVICE/CHEMICALS	\$3,657.47
84204	09/01/2022	Open			Accounts Payable	LEAF	LICENSING - SOPHOS	\$1,430.90
84205	09/01/2022	Open			Accounts Payable	LEAGUE OF CALIF.CITIES	RECRUITMENT ADVERTISING	\$300.00
84206	09/01/2022	Open			Accounts Payable	MAPISTRY	CONSULTING AND SOFTWARE	\$5,576.00
84207	09/01/2022	Open			Accounts Payable	MICHALEK, ANTHONY	TRAINING - RESCUE SYSTEMS III	\$970.00
84208	09/01/2022	Open			Accounts Payable	MILLIS, KYLE	INSTRUCTOR - SWIM CLINIC	\$444.60
84209	09/01/2022	Open			Accounts Payable	OFFICE DEPOT	OFFICE SUPPLIES	\$284.20
84210	09/01/2022	Open			Accounts Payable	PG&E	UTILITIES	\$11,023.66
84211	09/01/2022	Open			Accounts Payable	PG&E	UTILITIES	\$1,376.91
84212	09/01/2022	Open			Accounts Payable	PLAY-WELL TEKNOLOGIES	LEGO CAMP - RECREATION DEPT	\$9,900.00
84213	09/01/2022	Open			Accounts Payable	RJP ENTERPRISES	EQUIPMENT REPAIRS AND MAINTENANCE	\$3,146.39
84214	09/01/2022	Open			Accounts Payable	ROSAS, DANIEL	EMT RECERTIFICATION FEE	\$86.00
84215	09/01/2022	Open			Accounts Payable	RUBICON ENTERPRISES INC	LANDSCAPE MAINTENANCE	\$13,727.75
84216	09/01/2022	Open			Accounts Payable	SECURITY SIGNAL DEVICES, INC.	ALARM SERVICES	\$613.17
84217	09/01/2022	Open			Accounts Payable	SIMPSON INVESTIGATIVE SERVICES GROUP	BACKGROUND CHECKS	\$2,064.17
84218	09/01/2022	Open			Accounts Payable	SONOMA COUNTY FAMILY YMCA	CAMP RAVENCLIFF RENT	\$8,365.70
84219	09/01/2022	Open			Accounts Payable	ST. FRANCIS ELECTRIC	ELECTRICAL SERVICES - STEETLIGHT MTNC	\$22,434.90
84220	09/01/2022	Open			Accounts Payable	TWO BROTHERS POOL & SPA	SWIMMING POOL SERVICES	\$3,871.31
84221	09/01/2022	Open			Accounts Payable	VERIZON WIRELESS	MOBILE WIRELESS SERVICES	\$5,206.51
84222	09/01/2022	Open			Accounts Payable	MEYERS NAVE	LEGAL SERVICES	\$9,979.69
84223	09/09/2022	Open			Accounts Payable	CALPERS LONG TERM CARE PROGRAM	LT CARE INSURANCE PLAN	\$31.69
84224	09/09/2022	Open			Accounts Payable	FRANCHISE TAX BOARD	GARNISHMENT	\$1,380.00
84225	09/09/2022	Open			Accounts Payable	HEALTH CARE DENTAL TRUST	DENTAL PLAN	\$17,690.97
84226	09/09/2022	Open			Accounts Payable	IAFF LOCAL 1230	DUES - LOCAL 1230	\$4,972.08
84227	09/09/2022	Open			Accounts Payable	KAISER FOUNDATION HEALTH PLAN	HEALTH PLAN	\$210,140.07
84228	09/09/2022	Open			Accounts Payable	LEGALSHIELD	LEGAL SERVICES	\$182.40
84229	09/09/2022	Open			Accounts Payable	MUNICIPAL POOLING AUTHORITY	SUPPLEMENTAL LIFE INSURANCE	\$11,243.89
84230	09/09/2022	Open			Accounts Payable	NATIONWIDE TRUST COMPANY, FSB	FIRE HEALTH SAVINGS	\$9,900.00
84231	09/09/2022	Open			Accounts Payable	SEIU LOCAL 1021	VOLUNTARY COPE	\$1,714.10
84232	09/09/2022	Open			Accounts Payable	SUTTER HEALTH PLUS	HEALTH PLUS EE COST	\$40,771.90
84233	09/09/2022	Open			Accounts Payable	U.S. Bank	PUBLIC AGENCY RETIREMENT SVC (PARS)	\$2,477.58
84234	09/08/2022	Open			Accounts Payable	CONTRA COSTA COUNTY LIBRARY	LIBRARY SERVICES	\$6,244.41
84235	09/08/2022	Open			Accounts Payable	DICKINSON FLEET SERVICES, LLC	AUTO SERVICE AND REPAIRS	\$13,384.04
84236	09/08/2022	Open			Accounts Payable	L.C. ACTION POLICE SUPPLY	BALLISTIC SUPPLIES	\$9,445.06
84237	09/08/2022	Open			Accounts Payable	L.N. CURTIS & SONS	WEAPON LIGHT	\$9.99
84238	09/08/2022	Open			Accounts Payable	PRECISION CONCRETE CUTTING	HAZARD REMOVAL	\$34,953.38
84239	09/08/2022	Open			Accounts Payable	REX KEY & SECURITY	KEYS	\$42.27
84240	09/08/2022	Open			Accounts Payable	Sacks, Ricketts & Case, LLP	LEGAL SERVICES	\$7,563.73
84241	09/09/2022	Open			Accounts Payable	ALAMEDA COUNTY SHERIFF'S OFC	TUITION	\$300.00

Payment Register

From Payment Date: 9/1/2022 - To Payment Date: 9/30/2022

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Description	Transaction Amount
84242	09/09/2022	Open			Accounts Payable	Amazon Capital Services, Inc.	OFFICE SUPPLIES	\$276.70
84243	09/09/2022	Open			Accounts Payable	ARMOUR PETROLEUM SVC & EQUIPT	VISUAL INSPECTION & PUMP SETUP	\$752.93
84244	09/09/2022	Open			Accounts Payable	Badge Frame , Inc.	NAME PLATES	\$199.49
84245	09/09/2022	Open			Accounts Payable	BARG COFFIN LEWIS & TRAPP, LLP	LEGAL SERVICES	\$3,905.00
84246	09/09/2022	Open			Accounts Payable	BATTALION ONE FIRE PROTECTION	INSPECTION SVCS - FIRE SPRINKLERS	\$660.00
84247	09/09/2022	Open			Accounts Payable	BAY ALARM COMPANY	ALARM SERVICES	\$847.05
84248	09/09/2022	Open			Accounts Payable	BAY AREA NEWS GROUP EASTBAY	PUBLIC HEARINGS	\$396.00
84249	09/09/2022	Open			Accounts Payable	BERLITZ LANGUAGES, INC.	TESTING SERVICES	\$130.00
84250	09/09/2022	Open			Accounts Payable	CERTIFIED TOWING	AUTO SERVICE AND REPAIRS	\$200.00
84251	09/09/2022	Open			Accounts Payable	CHAND, NIRAJAN	TRAINING AND MILEAGE	\$276.18
84252	09/09/2022	Open			Accounts Payable	CINTAS CORPORATION #054 UNIFORMS	UNIFORMS	\$530.22
84253	09/09/2022	Open			Accounts Payable	CIVICPLUS	SYSTEM APPLICATION FEES	\$1,278.35
84254	09/09/2022	Open			Accounts Payable	CONCORD UNIFORMS	UNIFORMS	\$821.81
84255	09/09/2022	Open			Accounts Payable	DALIDA, SANDRA	REIMBURSEMENT - APA MEMBERSHIP & SUPP	\$395.92
84256	09/09/2022	Open			Accounts Payable	DICKINSON FLEET SERVICES, LLC	AUTO SERVICE AND REPAIRS	\$316.00
84257	09/09/2022	Open			Accounts Payable	DON'S TIRE SERVICE, INC.	AUTO SERVICE AND REPAIRS	\$212.82
84258	09/09/2022	Open			Accounts Payable	EBMUD	UTILITIES	\$442.52
84259	09/09/2022	Open			Accounts Payable	ENERGY SYSTEMS	GENERATOR - CITY HALL	\$2,576.49
84260	09/09/2022	Open			Accounts Payable	FORENSIC SERVICES DIVISION	DRUG TESTING	\$2,388.00
84261	09/09/2022	Open			Accounts Payable	FUJIWARA, PATTY	POTTERY - EVENING CLASSES	\$693.00
84262	09/09/2022	Open			Accounts Payable	Honey Bucket	PORTA POTTY SERVICES	\$221.05
84263	09/09/2022	Open			Accounts Payable	INDEPENDENT INVESTIGATIVE CONSULTANTS	INVESTIGATION SERVICES	\$3,600.00
84264	09/09/2022	Open			Accounts Payable	INTERWEST CONSULTING GROUP INC	CONSULTING AND PLANNING SERVICES	\$9,063.75
84265	09/09/2022	Open			Accounts Payable	INTREPID ELECTRONIC SYSTEMS	INSPECTION SERVICES - FIRE SPRINKLERS	\$299.00
84266	09/09/2022	Open			Accounts Payable	JAFFE, SCOT	POTTERY - EVENING CLASSES	\$180.00
84267	09/09/2022	Open			Accounts Payable	KINSEY, KATHRYNE ANN	INSTRUCTOR - RECREATION DEPT	\$76.80
84268	09/09/2022	Open			Accounts Payable	KNORR SYSTEMS, INC.	SWIMMING POOL SERVICE/CHEMICALS	\$3,398.78
84269	09/09/2022	Open			Accounts Payable	KOFF & ASSOCIATES, INC.	CONSULTING SERVICES - CLASS & COMP	\$510.00
84270	09/09/2022	Open			Accounts Payable	KRAMER WORKPLACE INVESTIGATIONS	INVESTIGATION SERVICES	\$3,364.00
84271	09/09/2022	Open			Accounts Payable	KREISBERG LAW FIRM	LEGAL SERVICES	\$5,764.50
84272	09/09/2022	Open			Accounts Payable	L.N. CURTIS & SONS	BALLISTIC SUPPLIES	\$2,727.02
84273	09/09/2022	Open			Accounts Payable	LEAGUE OF CALIF.CITIES	RECRUITMENT ADVERTISING	\$300.00
84274	09/09/2022	Open			Accounts Payable	LEHR AUTO ELECTRIC & EMERGENCY	AUTO SERVICE AND REPAIRS	\$4,038.50
84275	09/09/2022	Open			Accounts Payable	LIEBERT CASSIDY	LEGAL SERVICES	\$14,063.00
84276	09/09/2022	Open			Accounts Payable	NATIONAL TESTING NETWORK, INC.	ANNUAL MEMBERSHIP - RECRUITMENT SVCS	\$425.00
84277	09/09/2022	Open			Accounts Payable	NOR-CAL PIPELINE SERVICES	PLUMBING - DRAIN INLET	\$5,126.00
84278	09/09/2022	Open			Accounts Payable	Norge Cleaners and Alterations	UNIFORM CLEANING	\$144.50
84279	09/09/2022	Open			Accounts Payable	OFFICE DEPOT	OFFICE SUPPLIES	\$430.49
84280	09/09/2022	Open			Accounts Payable	OLIVER'S TOW INC.	EVIDENCE TOWING	\$151.18
84281	09/09/2022	Open			Accounts Payable	OLIVERO PLUMBING	PLUMBING SERVICES	\$8,002.42

Payment Register

From Payment Date: 9/1/2022 - To Payment Date: 9/30/2022

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Description	Transaction Amount
84282	09/09/2022	Open			Accounts Payable	POWER PRODUCTS UNLIMITED, INC.	POLICE RADIO BATTERIES	\$7,009.09
84283	09/09/2022	Open			Accounts Payable	Ramco Rugged Notebooks	MOBILE DATA COMPUTERS	\$33,000.00
84284	09/09/2022	Open			Accounts Payable	REX KEY & SECURITY	LOCKSMITH SERVICES	\$27.56
84285	09/09/2022	Open			Accounts Payable	RUBICON ENTERPRISES INC	LANDSCAPE & RETAINING WALL INSPECTION	\$4,251.45
84286	09/09/2022	Open			Accounts Payable	SHAHKAR, MEHRAN	STRENGTH & BALANCE - RECREATION DEPT	\$162.00
84287	09/09/2022	Open			Accounts Payable	SIMPSON INVESTIGATIVE SERVICES GROUP	BACKGROUND CHECKS	\$2,114.38
84288	09/09/2022	Open			Accounts Payable	STAILING S&S RV REPAIRS	MODEM INSTALL & VEHICLE STRIPPING	\$2,800.00
84289	09/09/2022	Open			Accounts Payable	STATE OF CA DEPT OF JUSTICE	LIVE SCAN	\$868.00
84290	09/09/2022	Open			Accounts Payable	STERICYCLE, INC.	HAZARD REMOVAL	\$77.89
84291	09/09/2022	Open			Accounts Payable	U.S. SECURITY SUPPLY, INC.	LOCKSMITH SERVICES	\$1,989.54
84292	09/09/2022	Open			Accounts Payable	UNIVERSAL BUILDING SERVICE	JANITORIAL SERVICES	\$1,107.33
84293	09/09/2022	Open			Accounts Payable	WENTWORTH*DAVID	TRAINING PER DIEM	\$150.00
84294	09/09/2022	Open			Accounts Payable	WEST COAST TRAP RECYCLING	JANITORIAL SERVICES	\$150.00
84295	09/09/2022	Open			Accounts Payable	ZHAO, ZITIAN	TRAINING AND MILEAGE	\$845.94
84296	09/23/2022	Open			Accounts Payable	CALPERS LONG TERM CARE PROGRAM	LT CARE INSURANCE PLAN	\$31.69
84297	09/23/2022	Open			Accounts Payable	EL CERRITO FIRE DEPT MGMT GRP	MGMT GROUP - FIRE	\$50.00
84298	09/23/2022	Open			Accounts Payable	EL CERRITO PUBLIC SFTY EE MGMT	SAFETY GROUP - FIRE	\$318.00
84299	09/23/2022	Open			Accounts Payable	FIRE ASSOCIATION	DUES	\$525.00
84300	09/23/2022	Open			Accounts Payable	FRANCHISE TAX BOARD	GARNISHMENT	\$1,847.48
84301	09/23/2022	Open			Accounts Payable	LIFE INSURANCE OF NORTH AMERICA	ACCIDENTAL DEATH & DISMEMBERMENT INS	\$82.30
84302	09/23/2022	Open			Accounts Payable	POLICE ASSN.	DUES	\$4,048.18
84303	09/23/2022	Open			Accounts Payable	PRO FIREFIGHTERS ASSN DUES	DUES	\$300.00
84304	09/23/2022	Open			Accounts Payable	SEIU LOCAL 1021	VOLUNTARY COPE	\$1,757.46
84305	09/23/2022	Open			Accounts Payable	U.S. Bank	PUBLIC AGENCY RETIREMENT SVCS (PARS)	\$2,538.09
Type Check Totals					142 Transactions			\$1,059,610.13
EFT								
2304	09/09/2022	Open			Accounts Payable	EDD - PAYROLL TAX DEPOSIT	STATE TAX	\$50,911.59
2305	09/09/2022	Open			Accounts Payable	ICMA	DEFERRED COMPENSATON	\$45,319.83
2306	09/09/2022	Open			Accounts Payable	IRS	FEDERAL TAX	\$177,675.07
2307	09/09/2022	Open			Accounts Payable	P E R S	RETIREMENT PLAN	\$159,622.00
2308	09/09/2022	Open			Accounts Payable	STATE DISBURSEMENT UNIT	GARNISHMENT	\$636.00
2309	09/23/2022	Open			Accounts Payable	IRS	FEDERAL TAX	\$200.00
2310	09/23/2022	Open			Accounts Payable	EDD - PAYROLL TAX DEPOSIT	STATE TAX	\$51,503.29
2311	09/23/2022	Open			Accounts Payable	ICMA	DEFERRED COMPENSATON	\$45,384.22
2312	09/23/2022	Open			Accounts Payable	IRS	FEDERAL TAX	\$188,585.77
2313	09/23/2022	Open			Accounts Payable	P E R S	RETIREMENT PLAN	\$161,635.32
2314	09/23/2022	Open			Accounts Payable	STATE DISBURSEMENT UNIT	GARNISHMENT	\$636.00
2320	09/29/2022	Open			Accounts Payable	KATZ, JUDY	SENIOR FITNESS INSTRUCTOR	\$367.20
Type EFT Totals					12 Transactions			\$882,476.29

Payment Register

From Payment Date: 9/1/2022 - To Payment Date: 9/30/2022

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Description	Transaction Amount
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AP-AP Check - Accounts Payable Checking Account Totals

Checks	Status	Count	Transaction Amount
	Open	142	\$1,059,610.13
	Reconciled	0	\$0.00
	Voided	0	\$0.00
	Stopped	0	\$0.00
Total		142	\$1,059,610.13

EFTs	Status	Count	Transaction Amount
	Open	12	\$882,476.29
	Reconciled	0	\$0.00
	Voided	0	\$0.00
Total		12	\$882,476.29

All	Status	Count	Transaction Amount
	Open	154	\$1,942,086.42
	Reconciled	0	\$0.00
	Voided	0	\$0.00
	Stopped	0	\$0.00
Total		154	\$1,942,086.42

PR-Payroll Checking Account Totals

Checks	Status	Count	Transaction Amount
	Open	104	\$89,300.66
	Reconciled	0	\$0.00
	Voided	0	\$0.00
	Stopped	0	\$0.00
Total		104	\$89,300.66

EFTs	Status	Count	Transaction Amount
	Open	428	\$1,043,848.28
	Reconciled	0	\$0.00
	Voided	0	\$0.00
Total		428	\$1,043,848.28

All	Status	Count	Transaction Amount
	Open	532	\$1,133,148.94
	Reconciled	0	\$0.00
	Voided	0	\$0.00
	Stopped	0	\$0.00
Total		532	\$1,133,148.94

From Payment Date: 9/1/2022 - To Payment Date: 9/30/2022

Pages: 6 of 6
Agenda Packet Page 28 of 141



AGENDA BILL

Agenda Item No. 5.E.

Date: November 1, 2022
To: El Cerrito City Council
From: Sandra Dalida, Finance Director/City Treasurer, Finance Department
Subject: FY 2022-23 First Quarter Cash and Investment Report

ACTION PROPOSED

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

BACKGROUND

Pursuant to Section 53646 of the State of California Government Code, the City Treasurer shall submit a quarterly Report of Investments to the legislative body for review and approval following the end of the quarter covered by the report.

It is the policy of the City of El Cerrito ("City") to invest public funds in a manner which provides for the safety of the principal while providing enough liquidity to cover the City's short and long-term needs while generating the appropriate yield. All investment activity will conform to the California Government Code, Sections 53601 through 53659.

ANALYSIS

On September 30, 2022, the City's cash and investment funds totaled \$25,088,614.02 and includes:

- \$18,884,228.23 cash invested with the State Treasurer's Local Agency Investment Fund (LAIF), which includes interest earnings of \$24,076.90 posted to the City's account on July 15, 2022, for the prior quarter April 1, 2022 through June 30, 2022. The interest earnings for the quarter ending September 30, 2022 totals \$61,672.20 posted to City accounts on October 14, 2022, and will be reflected in the second quarter cash and investment report.
- \$6,202,035.79 cash with Mechanics Bank, which includes interest earnings of \$213.82 for the period July 1, 2022 through September 30, 2022.
- \$2,350.00 in Petty Cash Funds with the various City Departments as required for cash transactions with the public and small dollar value immediate needs purchases. The Petty Cash Funds balance reflected in this report is \$4,000.00 less than the prior quarterly cash and investment report, due to the return of \$4,000.00 change fund temporarily provided to the Recreation Department for cash transactions during the 4th of July Festival. The \$4,000.00 was deposited in the City's General Operating Account at Mechanics Bank.

STRATEGIC PLAN CONSIDERATIONS

The City's Investment Policy, Comprehensive Financial Policy, and Strategic Plan sets forth guidelines for the investment of City funds and aligns with California Government code, Section 53646 and Section 53600-53609. The purpose of the City's Investment Policy is to provide guidelines for prudent investment of the City's idle funds and ensure policies, procedures, systems, and best practices in fiscal management (Goal B).

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

This report is in compliance with the City of El Cerrito Investment Policy and California Government Code Section 53646. The City will have sufficient cash flow to meet the next six months of estimated expenditures as required by Code 53646.

LEGAL CONSIDERATIONS

The City's investments comply with standards reflected in the City of El Cerrito Investment Policy.

Reviewed by:

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

Karen Pinkos, City Manager

Attachments:

1. Qtr 1 FY 2022-23 Cash and Investment Report

City of El Cerrito
Fourth Quarterly Cash and Investment Report
for the Quarter Ending September 30, 2022

Category	Trustee/Broker	Month Ending	PAR Value (Actual Value)	Quarter End Interest Rate	Market Value
Pooled Investments	California State Treasurer	September 30, 2022	\$ 18,884,228.23	1.513%	\$ 18,884,228.23
Cash with Bank	Mechanics Bank	September 30, 2022	\$ 6,202,035.79	0.01%	\$ 6,202,035.79
Petty Cash Funds	City Management	September 30, 2022	\$ 2,350.00	N/A	\$ 2,350.00
Total Cash and Investments			\$ 25,088,614.02		\$ 25,088,614.02

I certify that this report is in compliance with the City of El Cerrito Investment Policy and the California Government Code Section 53646.
The City has sufficient cash to meet the next six months of estimated expenditures as required by the Code.



Sandra Dalida, Finance Director/City Treasurer

* cash and investment par value/market value balance change from prior quarter reflects the \$6,083,349.99 payoff of FY 2021-22 Tax Revenue Anticipation Note (TRANS)



AGENDA BILL

Agenda Item No. 5.F.

Date: November 1, 2022
To: El Cerrito City Council
From: 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
Subject: 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.

BACKGROUND/ANALYSIS

In August 2022, the City received an application to serve on the Environmental Quality Committee (EQC) from Fred Bialy. Prior to submitting his application, Mr. Bialy attended two regular meetings of the EQC, in July and August 2022, consistent with the City's requirements for applicants interested in serving on the Committee. Before the October 11, 2022, meeting of the EQC, two members of the Committee interviewed Mr. Bialy. During the EQC's Regular Meeting, which immediately followed the interview, the EQC members who interviewed Mr. Bialy voiced their strong support for his application. Following several supportive comments, the Committee voted unanimously to recommend to the City Council that Mr. Bialy be appointed to the Environmental Quality Committee.

Mr. Bialy has been a resident of El Cerrito for 35 years and has attended numerous EQC meetings in recent years. In his application to serve on the EQC, he voiced his interest "in environmental issues, especially related to the climate crisis."

Mr. Bialy brings to the EQC relevant experience working with the Climate Reality Project Bay Area Chapter and has co-led its Policy Action Squad since January 2022. Mr. Bialy is also active with 350.org of Contra Costa County. Additionally, he has been co-director of an annual one-week residential music and dance camp since 1999. Mr. Bialy is a retired Emergency Physician and MD, holding degrees from UCSF and UCLA.

If the City Council approves this recommendation, the number of Committee members will be fourteen (14) out of a possible membership total of fifteen (15).

STRATEGIC PLAN CONSIDERATIONS

The work of the members on the EQC is instrumental in helping the City achieve Goal F of the El Cerrito Strategic Plan, which is to "Foster environmental sustainability citywide." The EQC initiates and supports a variety of activities that advance all the

strategies under Goal F:

- Be a leader in setting policies and providing innovative programs that promote environmental sustainability;
- Promote environmental education to facilitate behavioral changes;
- Implement policies to promote waste diversion;
- Encourage alternative modes of transportation; and
- Implement and monitor the Climate Action Plan.

ENVIRONMENTAL CONSIDERATIONS

The Environmental Quality Committee supports the City in developing programs and policies that help protect the local environment (e.g., Expanded Foodware Ordinance), while also engaging in activities that have a direct impact on environmental quality (e.g., volunteer litter and creek cleanups).

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 on File with the City Clerk



Agenda Item No. 5.G.

November 2, 2022

California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

RE: Rulemaking 20-08-020 Net Energy Metering Impacts on Commercial Market

Dear President Reynolds, Commissioners, and Mr. Baker,

On behalf of the El Cerrito City Council, I write to you for business and community leaders representing diverse constituencies and sectors of the state's economy. We are respectfully calling on you to issue a revised proposed decision in the Net Energy Metering (NEM 3.0) proceeding that will expand access to, not restrict, distributed solar and storage technologies for public agencies, schools, industries, and businesses.

The non-residential solar market at-large is a critical part of California's transition to renewable energy. Over 4 gigawatts of clean energy have been built by more than 30,000 companies and government entities. These projects are not only helping to clean the air but are also providing much-needed grid reliability benefits as well as local jobs. The potential for this market to grow to help meet California's future energy needs is great. Fostering such growth should be a pillar of California's clean energy roadmap. Your forthcoming NEM 3.0 decision is the foundation of that growth.

As you prepare to issue a revised NEM 3.0 decision, we urge you to adopt a balanced approach and consider the decision's unique impacts on the entire market, including the non-residential market on which we are particularly focused. A balanced approach would include either a healthy delay in stepping down the export compensation rate that takes into consideration broader market conditions as well as the state's clean energy goals, or at the very least, would include a very gradual stepdown of that rate over the course of several years. In contrast, the December 2021 proposed decision would have expected the commercial market to move immediately to a greatly reduced rate which would have devastated future investments in solar and energy storage.

The ample record in this proceeding has been thoroughly debated over the last two years. We believe that the Commission has everything it needs to issue an alternate proposed decision that accomplishes a better balance. We trust that you will keep the solar market growing and allow our schools, businesses, farms, water agencies, and other public facilities to continue to access clean, reliable solar energy and battery storage.

Sincerely,

Gabe Quinto, Mayor
City of El Cerrito

Cc: Governor Newsom, City Council, City Manager



AGENDA BILL

Agenda Item No. 5.H.

Date: November 1, 2022
To: El Cerrito City Council
From: Holly M. Charléty, City Clerk, City Management
Subject: 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.

BACKGROUND

On October 19, 2021, the City Council adopted Resolution 2021-55 modifying the application and appointment process for City Boards, Commissions, and Committees (Advisory Bodies). This included a new provision that persons interested in appointment would be required to attend two of the last three meetings of the advisory board applied for prior to submitting an application of interest to the City Clerk.

City staff has identified an unintended outcome of implementing this pre-meeting requirement. When an advisory body has substantial vacancies and no longer has a quorum of members to meet, interested individuals cannot meet the requirements to be considered for appointment. This creates circumstances that would not allow the advisory body to fill its vacancies. As of October 25, 2022, the City is experiencing this circumstance with the Arts and Culture Commission which currently has 5 out of 7 member seats vacant, and no longer has the minimum required members in order to hold a meeting.

Other advisory bodies with low attendance that are a concern include the Human Relations Commission with 4 vacancies, Park and Recreation with 3 vacancies, and Planning Commission with 2 vacancies. In addition to the high number of current vacancies across all advisory bodies, an additional 20 seats are set to expire on March 1, 2023. The City Clerk's office is set to begin annual recruitment efforts for these vacancies at the beginning of November.

With the current number of vacancies, City staff is proposing that the City Council allow the temporary suspension of the pre-meeting requirement through June 30, 2023. This will allow staff to conduct the annual recruitment and work on reducing the number of vacancies without the pre-meeting requirement. Thereafter, the pre-meeting rule can be evaluated and discussed with the City Council during a planned Advisory Body study session in the new fiscal year.

ANALYSIS

The City currently has a total of 13 Boards, Commissions and Committees with a total of 123 volunteer positions. As of today, the City has a total of 46 existing vacancies. In

November of 2021 the total was 30 vacancies, and in November of 2020 vacancies totaled 35. In addition, there are 20 terms that are set to expire on March 1, 2023.

Over the years, there has been continuous efforts to recruit interested residents to serve on City Advisory Bodies. Similar to the job market, 2022 has proved to be particularly challenging in successfully recruiting individuals to serve. Outreach efforts have been expanded this year due to the rising number of vacancies. Efforts include advertising in the newspaper, the City Manager's Update, and on all social media platforms; posting notices at City facilities and park clubhouses and on public bulletin boards at El Cerrito businesses; sharing information flyers at community events such as National Night Out; placing brochures in mini-libraries and City building lobbies; and targeted messaging for different advisory bodies opportunities.

Despite a focus on outreach, the City Clerk's office has seen a significant decline in applications received. During the most recent 12 months, a total of 21 new applications were submitted, whereas during the 12 month period prior to the pre-meeting rule adoption 51 new applications were received. City staff feel that temporary suspension of the pre-meeting rule may increase the number of applications received during the annual recruitment process. If the City Council agrees to suspend the rule, the City Clerk would still strongly encourage applicants to attend meetings prior to application, but would not require it.

STRATEGIC PLAN CONSIDERATIONS

This action aligns with Strategic Plan Goal A: Deliver Exemplary Government Services by maintaining an emphasis on providing excellent customer service.

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', is written over a faint, light blue circular stamp.

Karen Pinkos, City Manager



AGENDA BILL

Agenda Item No. 5.I.

Date: November 1, 2022
To: El Cerrito City Council
From: 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
Subject: 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.

BACKGROUND

Over several years, community concerns regarding fire risk in the City of El Cerrito's Hillside Natural Area (HNA) and surrounding residential communities have significantly increased. The City has responded with ongoing and increased vegetation maintenance activities, completing work largely based on planning efforts that were completed many years ago, including the 1994 City of El Cerrito Hillside Natural Area Fire Hazard Reduction Plan. However, the need for more robust, comprehensive, and balanced vegetation management practices became increasingly evident and was identified in the City's 2015 Urban Greening Plan. Additionally, in 2019, the El Cerrito Parks and Recreation Facilities Master Plan specifically called for action to "support the El Cerrito-Kensington Wildfire Action Plan goals and policies by creating defensible spaces, increasing weed abatement, and managing dead or diseased trees and other vegetation, especially in the Hillside Natural Area". El Cerrito voters passed a measure (Measure H) to further fund park maintenance activities that same year and the City has since increased its fire fuel reduction and vegetation management activities, in part with these park maintenance funds. Given the ongoing and historic drought, rising global temperatures and community concerns regarding the risk of wildfire, an updated plan with the required environmental site analysis is needed now to guide the City in performing and budgeting for the most effective, sustainable, and cost efficient fuel reduction and forest conservation activities.

In December 2021, Urban Forest Committee (UFC) members informed City staff of a State of California Coastal Conservancy Wildfire Resilience grant opportunity that had the potential to support needed planning work for the HNA. Together, UFC members and City staff, working across departments, prepared a preliminary application, proposing to use grant funding to develop a Fire Resilience and Forest Conservation Management Plan for the HNA based on the City Council-adopted Urban Greening

Plan and Parks and Recreation Facilities Master Plan. City staff finalized and submitted the preliminary application in January 2022. Subsequently, the State Coastal Conservancy (SCC) invited the City to submit a full application due in May 2022, which City staff completed and submitted. SCC staff then made a recommendation to its Board to award grant funds for the HNA Fire Resilience and Forest Conservation Management Plan at their September 22, 2022 meeting, and the Board awarded the grant. On September 30, 2022, the City received a notification from the SCC that the City's application was approved and was advised on next steps to proceed with the grant, including that the El Cerrito City Council would need to approve a resolution accepting the grant funds.

ANALYSIS

The Coastal Conservancy Wildfire Resilience Capacity Building Grant will fund the development of a thorough Fire Resilience and Forest Conservation Management Plan (Plan) with the objective of providing guidance for fire hazard mitigation projects including fuel load reduction, fuel break maintenance, emergency access, fire prone invasive species removal and management, as well as the potential reintroduction of limited prescribed burn activities. The Plan will also guide forest conservation activities that restore native fire-resilient plant communities and enhance the endemic Coast Live Oak and riparian woodlands. The Plan will identify measures to protect critical habitats, watersheds, and resource areas. The Plan will address emergency access and public recreation in the HNA by evaluating access improvements, connectivity and enhancements to the trail network that connects natural features, schools, and other community assets, including a preliminary plan for potential expansion of the existing trail system. The Plan will include an Initial Study (IS) and a Mitigated Negative Declaration (MND), if applicable, pursuant to the California Environmental Quality Act (CEQA). Importantly, the Plan will develop these components while completing a robust community engagement process to solicit input and meaningful engagement on how the HNA should be managed into the future.

The grant will provide funding for the City to retain a qualified consulting firm (Consultant) to develop a Plan that will guide the City's future fire hazard reduction and native plant conservation activities. City staff will prepare a request for proposals (RFP) and conduct a selection process to identify the most qualified Consultant to prepare the Plan, engage City staff, community stakeholders and the public, and prepare environmental documents as described above. The estimated timeline for development of the Plan is summarized below.

Estimated Plan Development Timeline

#	Project Task	Description	Timeline
1	Request for Proposals (RFP)	a) Write and release an RFP for the Plan b) Select and hire, with City Council approval, a consultant to complete the steps below	Fall - Winter 2022/23

2	Assess project site and prepare management options	a) Project initiation with Consultant and City staff b) Resources assessment, biological resources field assessment, wetland delineation, fuels and fire hazard assessment, cultural and social value of project area, evaluation of service roads, infrastructure, and public access c) Meet with selected City Committees and Commissions and stakeholder groups d) Recommendations and development of a management prescription e) Draft fire hazards mitigation and native woodland/vegetation conservation and enhancement plan	Winter - Spring 2023
3	CEQA analysis and preparation of Admin Draft IS/MND	Preparation of draft Initial Study (IS)/Mitigated Negative Declaration (MND). Public review of draft IS/MND.	Spring - Summer 2023
4	Stakeholder outreach and review	Public draft of fire/native vegetation conservation and enhancement plan, stakeholder workshops and comments, and finalize Plan.	Fall 2023 - Spring 2024
5	Consideration by City Council	City Council consideration to adopt Final Plan	By Summer 2024

STRATEGIC PLAN CONSIDERATIONS

Approving the grant of funds to develop an HNA Fire Resilience and Forest Conservation Management Plan will help realize City of El Cerrito Strategic Plan Goal C: Deepen a Sense of Place and Community and Goal D: Develop and Rehabilitate Public Facilities as Community Focal Points by providing guidance for the long-term planning and conservation of one of the City's most treasured and unique natural assets. The Plan will also help support Goal E: Ensure the Public's Health and Safety by strategizing effective fire resilience work and Goal F: Foster Environmental Sustainability Citywide by conducting environmental analyses (CEQA) and planning for the protection and management of endemic tree and plant communities with their associated environmental benefits.

ENVIRONMENTAL CONSIDERATIONS

The action to accept the grant funds and develop the Plan is statutorily exempt from CEQA under 14 CCR Section 15262 (Feasibility and Planning Studies) because it involves development of a management plan and related CEQA documentation for possible future actions that have not yet been funded or approved. To support the City in completing the projects identified in the Plan, the Consultant will prepare an Initial

Study (IS) in accordance with CEQA Guidelines Appendix G, and if applicable the Consultant will prepare a Mitigated Negative Declaration (MND) to be attached to the IS.

FINANCIAL CONSIDERATIONS

The creation of this comprehensive Fire Resilience and Forest Conservation Management Plan will be guided by an experienced consulting firm that is familiar with local conditions and who has developed plans similar in scope and process. In 2019, the El Cerrito Fire Department solicited proposals from qualified consulting firms to develop a similar comprehensive fire management plan that resulted in a specific task outline and cost estimates. Unfortunately, the City was unable to secure the funds to complete the plan at that time. Those cost estimates have been updated jointly for the purpose of this grant application by a consultant and by City staff and cost assumptions have been made in regard to the addition of forest conservation maintenance prescriptions and trail network analysis, but these costs are only estimates.

The grant award amount (\$145,000) is intended to pay for all the costs for the Consultant to produce the Plan based on a specific task outline with a contingency that will allow for the selection of the most qualified consultant. The grant has no “local match” requirement, meaning that the City is not required to provide funds in any specific amount to be eligible to receive the full grant award. However, the final grant amount will be based on the actual Consultant costs after completion of the RFP. The Public Works Department will be able to manage the planning effort with existing staff.

LEGAL CONSIDERATIONS

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

Reviewed by:

A handwritten signature in blue ink, appearing to read 'Karen Pinkos', is written over a faint, light blue circular stamp.

Karen Pinkos, City Manager

Attachments:

1. Resolution

RESOLUTION 2022-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO APPROVING THE GRANT OF FUNDS FROM THE STATE COASTAL CONSERVANCY FOR THE HILLSIDE NATURAL AREA FIRE RESILIENCE AND FOREST CONSERVATION MANAGEMENT PLAN IN THE AMOUNT OF \$145,000

WHEREAS, the Legislature of the State of California has established the State Coastal Conservancy ("Conservancy") under Division 21 of the California Public Resources Code, and has authorized the Conservancy to award grants to public agencies and nonprofit organizations to implement the provisions of Division 21; and

WHEREAS, the Conservancy awards grants for projects that it determines are consistent with Division 21 of the Public Resources Code and with the Conservancy's Strategic Plan and that best achieve the Conservancy's statutory objectives, in light of limited funding; and

WHEREAS, at its September 22, 2022, meeting, the Conservancy adopted a resolution authorizing a grant to the City of El Cerrito ("grantee") for the Hillside Natural Area Fire Resilience and Forest Conservation Management Plan ("the project"). The resolution was adopted by the Conservancy pursuant to and is included in the Conservancy September 22, 2022 staff recommendation, a copy of which is on file with the grantee and with the Conservancy; and

WHEREAS, the Conservancy requires that the governing body of the grantee certify through a resolution that it approves the award of Conservancy grant funding and authorizes the execution by a representative of the grantee of a grant agreement on terms and conditions required by the Conservancy grant agreement for the Hillside Natural Area Fire Resilience and Forest Conservation Management Plan in the amount of \$145,000.

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

1. Approves the award of grant funding from the Conservancy for the project.
2. Acknowledges that it has or will have sufficient funds to complete the project and, if any property is acquired as part of the project to operate and maintain the property, and, if any facilities are constructed as a part of the project, to operate and maintain the facilities for a reasonable period, not less than the useful life of the facilities.
3. Agrees to be bound by all terms and conditions of the grant agreement and any other agreement or instrument as may be required by the Conservancy and as may be necessary to fulfill the terms of the grant agreement and to complete the project.
4. Authorizes the City Manager of the City of El Cerrito to act as a representative of the grantee, to negotiate and execute on behalf of the grantee all agreements and instruments necessary to complete the project and to comply with the Conservancy's grant requirements, including, without limitation, the grant agreement.

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

I CERTIFY that at a regular meeting on November 1, 2022, 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 November __, 2022.

Holly M. Charléty, City Clerk

APPROVED:

Gabe Quinto, Mayor



AGENDA BILL

Agenda Item No. 5.J.

Date: November 1, 2022
To: El Cerrito City Council
From: Roland Lambert, Acting Engineering Manager/Senior Engineer, Public Works Department; Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department
Subject: 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.

BACKGROUND

The City regularly requires the services of consultant firms to perform transportation engineering and related work for various projects and programs. This type of work is usually variable in scope and may be short-term assignments or may be part of larger capital or planning projects. As such, on-call agreements with consultant firms are appropriate to allow for prompt procurement of services as needs arise. Many cities choose to enter into on-call agreements with multiple firms in order to assure that specialties are met and that any one consultant's workload limits will not prevent a city from meeting its needs.

For the past five years, the City of El Cerrito has had on-call agreements with three firms, Fehr & Peers, W-Trans and Wood Rodgers, Inc. (Resolution No. 2017-23). The agreement terms expired earlier this year. New on-call agreements are therefore needed to meet current and upcoming demands for transportation engineering and related services.

ANALYSIS

On August 8, 2022, City staff issued a Request for Qualifications (RFQ) seeking qualified consultants to provide on-call transportation engineering and related services. Consultants were invited to submit a Statement of Qualifications (SOQ) demonstrating their ability to perform the following services:

- Traffic Control & Safety Evaluation and Implementation
- Traffic Control Plans
- Traffic Calming/Neighborhood Traffic Management
- Speed Zoning

- Traffic Operations and Safety Analysis
- Traffic Signal Timing and Design
- Pedestrian Planning and Design
- Bicycle Planning and Design
- Complete Streets/Context Sensitive Solutions
- Active Transportation
- Roadway and Streetscape Design
- Parking Analysis
- Transportation Planning
- Transportation Impact Assessment
- Transportation Impact Fees and Analysis
- Transportation Demand Management

The RFQ was posted on the City's website and emailed to approximately 50 transportation engineering firms on the City's consultant list. Six SOQs were submitted by the due date of August 29, 2022. City staff from the Public Works and Community Development Departments reviewed the SOQs based on the following evaluation criteria provided in the RFQ:

- Presentation, completeness, clarity, organization, and conformance to the RFQ content and format requirements. (10%)
- Demonstrated ability, based on firm experience and specific experience of the project manager and proposed team, to provide technical assistance on a broad range of the transportation engineering services listed in the RFQ. (30%)
- Demonstrated ability, based on firm experience and specific experience of the project manager and proposed team, for problem solving, development of solutions, project management, and quality control/quality assurance, to successfully manage multiple projects of varying sizes. (30%)
- Prior experience and ability to work with City staff, community groups and other stakeholders, and translating various requirements and interests into successful projects. (15%)
- Availability and depth of staff and resources to deliver quality products on schedule, including work on short notice and under time constraints. (15%)

Given El Cerrito's recent and increasing demand for transportation services, including efforts associated with the El Cerrito Plaza BART Station Transit-Oriented Development for which a grant has been secured, City staff is recommending that the City enter into agreements with four firms, one more than the prior consultant selection process. The four firms that rose to the top of the list are Fehr & Peers, W-Trans, CHS Consulting Group, and TJKM. These firms possess the areas of expertise listed above, have recent experience providing on-call services for municipalities, and have resources and staffing to complete assignments on a timely basis.

The agreement with each firm will be based on the City's standard and crafted as a master agreement, with specific scope of services, schedule, and cost to be determined on a task order basis. The agreements have an initial term of three years with an option

to extend for up to two additional years. This timeframe will allow the City and the respective consultants to deliver projects and programs, efficiently and effectively, to better serve the City's residents, businesses and other stakeholders. The firms have submitted billing rate sheets for the various skill levels and specific team members listed in their SOQs, along with other charge conditions such as direct costs and mileage. These have been reviewed by staff and found to be reasonable based on the prior on-call agreements for transportation engineering services.

As needs arise, one or more of the firms will be asked to provide a proposal detailing the scope, schedule, and fee for an individual task, depending on its complexity and specialty required. Once a proposal is agreed upon, the Public Works Director will issue a task order and work will begin.

STRATEGIC PLAN CONSIDERATIONS

Completing various transportation engineering and related services in a professional, efficient, and timely manner is consistent with El Cerrito Strategic Plan Goal A of Delivering Exemplary Government Services.

ENVIRONMENTAL CONSIDERATIONS

This proposed action will not result in a project as defined by the California Environmental Quality Act, (CEQA). No further environmental review is needed.

FINANCIAL CONSIDERATIONS

Each on-call agreement will have a not-to-exceed limit of \$200,000 per year. However, an executed agreement does not guarantee any task orders will be issued and a firm will only perform work that has been approved in a task order. Each task order will be subject to funding available for a specific project in the Capital Improvement Program or department operating budgets, which are both approved by the City Council as part of the annual budget.

Most of the project and operational expenses will be paid for by Special Funds, such as SB 1 Road Maintenance and Rehabilitation, or grants. General Fund expenses, if any, would be subject to City Council approval as described above.

If the cost of any one task exceeds \$200,000 in any one fiscal year or, if a series of task orders with one firm exceed \$200,000, staff will present additional information and analyses to the City Manager and/or City Council for consideration per the City's procurement policy.

LEGAL CONSIDERATIONS

The City Attorney has reviewed the proposed action and found that legal considerations have been addressed. In addition, the City Attorney will review and approve the final professional services agreements.

Reviewed by:

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

Karen Pinkos, City Manager

Attachments:

1. Resolution

RESOLUTION 2022-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO AUTHORIZING THE CITY MANAGER TO EXECUTE CONSULTANT SERVICES AGREEMENTS WITH FOUR FIRMS, FEHR & PEERS, W-TRANS, CHS CONSULTING GROUP, AND TJKM, TO PROVIDE ON-CALL TRANSPORTATION ENGINEERING SERVICES

WHEREAS, the City regularly requires the services of consultant firms to perform transportation engineering and related work for a variety of projects and programs; and

WHEREAS, it is customary for a city to enter into one or more agreements for these services on an as-needed basis; and

WHEREAS, the City released a Request for Qualifications (RFQ) for On-call Transportation Engineering Services on August 8, 2022; and

WHEREAS, the RFQ was posted on the City's website and emailed to approximately 50 firms on the City's consultant list; and

WHEREAS, six firms submitted Statement of Qualifications (SOQs) by the due date of August 29, 2022; and

WHEREAS, City staff evaluated the SOQs based on the criteria contained in the RFQ and ranked Fehr & Peers, W-Trans, CHS Consulting Group, and TJKM as the most qualified for the requested services; and

WHEREAS, City staff recommends that the City enter into agreements with these firms due to the high demand of a variety of upcoming projects and programs; and

WHEREAS, as needs arise, one or more of the firms will be asked to propose on the scope, schedule, and fee for an individual task and, once a proposal is agreed upon, the Public Works Director will issue a task order and work will begin; and

WHEREAS, the agreed upon proposal for each task order will be subject to funding available for that project in the Capital Improvement Program or department operating budgets.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby authorizes the City Manager to execute consultant services agreements with four 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.

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

I CERTIFY that at a regular meeting on November 1, 2022 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 November _____, 2022.

Holly M. Charléty, City Clerk

APPROVED:

Gabe Quinto, Mayor



AGENDA BILL

Agenda Item No. 5.K.

Date: November 1, 2022
To: El Cerrito City Council
From: Beth Frazer, Recreation Supervisor, Recreation Department; Christopher Jones, Recreation Director, Recreation Department
Subject: 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.

BACKGROUND

The City contracts with a dedicated pool maintenance company to help maintain the El Cerrito Swim Center Pools. This includes three bodies of water: Emery G. Weed III Lap Pool which operates year-round, the Activity Pool which operates eight months out of the year but needs to be maintained year-round, and the Splash Park which operates eight months out of the year. The City has had a contract with Two Brother's Pool and Spa since 1998 for these services. Their contract is expired, therefore a Request for Proposal (RFP), utilizing an informal bid process, was completed. This contract is primarily for the daily maintenance services of the pools including testing and adjusting chemicals, checking equipment, repairs of certain equipment, and being on call for maintenance and repairs. Costs for these services have been an average of \$49,300 per year depending on needed repairs and chemical costs.

With the term of the contract expiring, and to ensure the City continues to receive quality pool maintenance services at the best value, on September 14, 2022, the City's Recreation Department released an RFP for pool maintenance services. The RFP was posted on the City website and emailed to 14 pool maintenance services companies. The RFP requested proposals for services for an initial agreement term of three years, with three possible annual extensions.

ANALYSIS

By the due date on October 5, 2022, the City received three proposals. Proposals were evaluated based on demonstrated experience on comparable projects, experience of key personnel, project references, licensing and registration requirements and cost proposal. One company, USA Management LLC, failed to provide some of the information including licenses, a description of the company's experiences, business operations, certification, and proof of insurance. In consultation with the City Attorney,

City staff found these omissions to be material and recommends that the City Council reject the bid from USA Construction as non-responsive. The cost proposal submittals were prioritized by Staff as a measure to indicate which contractor could provide expert services to the pools with the City's available budget. The cost proposals for the pools are summarized below:

Table 1: Summary of Annual Pool Maintenance Services Proposals

Service Items	The Pool Service Specialist	Two Brother's Pool and Spa
Lap Pool	\$5,000	\$2,070
Activity Pool (~8 months)	\$1,000	\$1,395
Splash Park (~8 months)	\$250	\$900
Repair/Emergency/On-Call Work	\$65	\$140
Response Time	2 hours	1 hour
Other	Did not submit	\$3,600/year Calcium Chloride*
Other	Did not submit	\$5,000/year Sodium Bicarbonate**
Average Total/Month (not including On Call Work or other costs)	\$5,833.33	\$3,600.00
(*) Raises calcium levels of water (**) Raises and stabilizes pH and alkalinity in water		

The RFP asked for a per month estimate per pool, which the dollar amounts above reflect. The RFP also asked for on-call emergency per hour fees and any other additional costs. While it is difficult to anticipate unforeseen repair needs and costs, this information was used to compare the baseline and projected costs for each vendor. It is also worth noting that the two bids included auto-insurance liability coverage in the amount of \$1,000,000 per occurrence rather than \$2,000,000 per occurrence as indicated in the sample contract included in the RFP. Acting as the Risk Manager, the City Attorney has approved changing the amount in the executed contract to \$1,000,000 coverage for auto-insurance per occurrence.

Two Brother's Pool and Spa's per month pricing in sum is lower than the other bid received. They have also effectively provided the pool maintenance services for the

City since 1998 and are the current contractors. By awarding them the contract, they will be able to continue day-to-day pool maintenance services with no interruption to operations.

Two Brother's Pool and Spa has 25 years of experience maintaining commercial swimming pools. They are experienced in plumbing and electrical work, both of which are crucial for pump room operations. They also understand and can effectively operate our heater, filter, pump, and chemical system. They currently manage the daily maintenance of 50 commercial properties in the Bay Area.

In summary, based on the thorough evaluation process described above, staff is recommending that the City Council approve an agreement with Two Brother's Pool and Spa for pool maintenance service at the El Cerrito Swim Center effective November 1, 2022 for a period of three years, with an option to annually extend three years thereafter, for a cost not to exceed \$60,000 per fiscal year which includes the cost of routine maintenance, anticipated unscheduled services and chemical costs, and approximately a 15% contingency to account years with more unscheduled maintenance than the average.

STRATEGIC PLAN CONSIDERATIONS

Engaging the pool maintenance services of Two Brother's Pool and Spa is consistent with the following El Cerrito Strategic Plan Goals:

Goal A – Deliver exemplary government services by ensuring the City's pool is well maintained and less likely to close due to maintenance issues.

Goal C – Deepen a sense of place and community identity by maintaining the pool in operable conditions for the community to enjoy recreational and leisure activities for people of all ages and demographics.

Goal E – Ensure the public's health and safety by maintaining the pool in operable conditions for the community to swim and maintain a healthy lifestyle.

ENVIRONMENTAL CONSIDERATIONS

Pursuant to Section 15378(b)(2) of the California Environmental Quality Act (CEQA) Guidelines, work under the contract is not a project because it is a continuing maintenance activity.

FINANCIAL CONSIDERATIONS

Funding for pool maintenance services provided by Two Brother's Pool and Spa in the annual amount not to exceed \$60,000 is included in the Adopted Fiscal Year 2022-23 Budget in the Measure H (207) Fund.

In future years, the annual cost of pool maintenance services will be contingent upon funding being appropriated by the City Council. The not-to-exceed amount provided

under the proposed agreement with Two Brother's Pool and Spa can be adjusted by the contractor consistent with the Consumer Price Index for the San Francisco-Oakland-Hayward region, All Items (Series CUURS49BSA0 or equivalent) a maximum of one time annually.

LEGAL CONSIDERATIONS

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

Reviewed by:

A handwritten signature in blue ink, appearing to read "Karen Pinkos", is written over a faint rectangular stamp.

Karen Pinkos, City Manager

Attachments:

1. Resolution
2. Draft Agreement

RESOLUTION 2022 - XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO REJECTING THE BID SUBMITTED BY USA MANAGEMENT LLC AS NON-RESPONSIVE 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 AMOUNT NOT TO EXCEED \$60,000, IN FISCAL YEAR 2022-23, TO PERFORM POOL MAINTENANCE SERVICES, EFFECTIVE NOVEMBER 1, 2022, FOR THREE YEARS WITH AN OPTION TO ANNUALLY EXTEND FOR AN ADDITIONAL THREE YEARS THEREAFTER

WHEREAS, the City of El Cerrito is responsible for maintaining the Swim Center pools; and

WHEREAS, on September 14, 2022, the City, utilizing the informal bid process, issued a Request for Proposals (RFP) from qualified pool services companies to provide pool maintenance services for the El Cerrito Swim Center; and

WHEREAS, the RFP was posted to the City's website on September 14, 2022 and emailed directly to 14 pool services companies; and

WHEREAS, the RFP called for the daily maintenance services of the pools including testing and adjusting chemicals, checking equipment, repairs of certain equipment, and being on call for maintenance and repairs; and

WHEREAS, the City received three proposals from qualified companies by the October 5, 2022 due date; and

WHEREAS, the bid submitted by USA Management LLC had omissions making the bid non-responsive; and

WHEREAS, upon consideration of competitive pricing, performance of similar work for the City and/or for other clients, and the experience, licensing and certification of key personnel, the selection committee determined that the proposal received from Two Brother's Pool and Spa best fits the needs of the City; and

WHEREAS, the cost for Two Brother's Pool and Spa to provide pool maintenance services in Fiscal Year (FY) 2022-23 is estimated not to exceed \$60,000 which includes the costs of routine maintenance, unscheduled repairs and other work, emergency call-outs and some pool chemicals; and

WHEREAS, funding for these services is provided in the Adopted FY 2022-23 Budget including in the Measure H Fund; and

WHEREAS, the cost of pool maintenance services provided by Two Brother's Pool and Spa under the agreement can be adjusted consistent with the Consumer Price Index for the San Francisco-Oakland-Hayward region, a maximum of one time annually.

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

1. Rejects the bid submitted by USA Management LLC as non-Responsive; and

2. Authorizes the City Manager to execute an agreement with Two Brother's Pool and Spa in an initial amount not to exceed \$60,000 annually to perform pool maintenance services, effective November 1, 2022, for three years with an option to annually extend the contract for an additional three years thereafter, contingent upon funding being appropriated by City Council in future City budgets.

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

I CERTIFY that at a regular meeting on November 1, 2022, 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 November __, 2022.

Holly M. Charléty, City Clerk

APPROVED:

Gabe Quinto, Mayor



**GENERAL SERVICES AGREEMENT BETWEEN
THE CITY OF EL CERRITO AND
TWO BROTHER'S POOL AND SPA**

This agreement for General Services ("Agreement") is entered into on November 1, 2022 (the "Effective Date") between the CITY OF EL CERRITO, a municipal corporation, with offices located at 7007 Moeser Lane, El Cerrito, California ("City") and TWO BROTHER'S POOL AND SPA ("Contractor") (together sometimes referred to as the "Parties").

Section 1. SERVICES. In accordance with the terms and conditions set forth in this Agreement, Contractor agrees to perform all services described in the Scope of Services, attached as Exhibit A, which is incorporated herein. In the event of a conflict in or inconsistency between the terms of this Agreement and Exhibit A, this Agreement shall prevail.

- 1.1 Term of Services.** This Agreement shall begin on the Effective Date and shall end June 31, 2025 unless the term of the Agreement is otherwise terminated or modified, as provided for herein. The term of the agreement shall be extended for up to three (3) additional one (1) year terms with the extensions to commence upon the expiration of the initial term or any extended term unless the City notifies Contractor in writing at least thirty (30) days before the end of the initial term or any extended term of its intent to terminate the agreement at the conclusion of the initial term or any extension. Funding for services beyond \$60,000 will be included in future City budgets but is subject to City Council approval of annual appropriations.
- 1.2 Standard of Performance.** Contractor shall diligently perform all services required in connection with this Agreement in the manner and according to the standards observed by a competent practitioner of the profession in which Contractor is engaged in the geographical area in which Contractor practices its profession.
- 1.3 Assignment of Personnel.** Contractor shall assign only competent personnel to perform services in connection with this Agreement.
- 1.4 Termination.** City may cancel this Agreement at any time and without cause upon written notification to Contractor. In the event of termination, Contractor shall be entitled to compensation for services satisfactorily completed as of the date of written notice of termination; City, however, may condition payment of such compensation upon Contractor delivering

to City documents and records identified in Section 10.1 of this Agreement.

- 1.5 Time.** Contractor shall devote such time to the performance of services pursuant to this Agreement as may be reasonably necessary to meet the standard of performance provided in Section 1.1 above and to satisfy Contractor's obligations hereunder.

Section 2. COMPENSATION. City hereby agrees to pay Contractor for the Scope of Services, whether by fixed price, hourly rates subject to a fixed rate schedule, pursuant to the fee schedule attached as Exhibit B, which is incorporated herein. Total compensation for work performed under this Agreement, **NOT TO EXCEED** \$60,000 in Fiscal Year 2022-23. Contractor's compensation shall be allowed to increase annually starting July 1, 2023, by the prior 12-month average for the San Francisco-Oakland-Hayward region, All Items Consumer Price Index (Series CUURS49BSA0 or equivalent). Contractor shall notify the City by May 1 of each year of the proposed adjustment for the following year.

- 2.1 Invoices.** Contractor shall submit invoices once a month, based on the cost for services performed and reimbursable costs incurred prior to the invoice date. Contractor shall have ninety (90) days after the completion of work to invoice City for all amounts due and outstanding under each governed by this Agreement. In the event, Contractor fails to invoice City for all amounts due within such ninety (90) day period, Contractor shall waive its right to collect payment from City.
- 2.2 Payment.** City shall make monthly payments, based on invoices received, for services satisfactorily performed, and for authorized reimbursable costs incurred. Contractor and City acknowledge and agree that compensation paid by City to Contractor under this Agreement is based upon Contractor's estimated costs of providing the services required hereunder, including salaries and benefits of employees and subcontractors of Contractor. Consequently, the parties further agree that compensation hereunder is intended to include the costs of contributions to any pensions and/or annuities to which Contractor and its employees, agents, and subcontractors may be eligible. City therefore has no responsibility for such contributions beyond compensation required under this Agreement.
- 2.3 Reimbursable Expenses.** No expenses, costs, or liabilities of Contractor shall be reimbursable unless the obligation and manner of reimbursement is expressly set forth in the scope of services (Exhibit A) and in the fee schedule (Exhibit B).
- 2.4 Payment of Taxes.** Contractor is solely responsible for the payment of employment taxes incurred under this Agreement and any similar federal or state taxes.

Section 3. CHANGES AND EXTRA SERVICES.

- 3.1** Provided that City gives reasonable advance notice to Contractor, City may propose in writing changes to Contractor's work within the Scope of Services described. If Contractor is of the opinion that any proposed change causes an increase or decrease in the cost, or a change in the schedule for performance, of the services, Contractor shall notify City in writing of that fact within five (5) days after receipt of written proposal for changes. Contractor may also initiate such notification, upon identifying a condition which may change the Scope of Services as agreed at the time of execution of this Agreement covering such Scope of Services. When and if City and Contractor reach agreement on any such proposed change and its effect on the cost and time for performance, they shall confirm such agreement in writing as an amendment to this Agreement. In the event the Parties cannot reach agreement as to the proposed change, at the City's sole discretion, Contractor shall perform such work and will be paid for labor, materials, equipment rental, etc., actually used to perform the work.
- 3.2** City shall not be liable for payment of any changes under Section 3.1, nor shall Contractor be obligated to perform any such changes, except upon such written amendment or supplement; provided that if, upon City's written request, Contractor begins work in accordance with a proposed change, City shall be liable to Contractor for the amounts due with respect to Contractor's work pursuant to such change, unless and until City notifies Contractor to stop work on such change.

Section 4. PROJECT SITE. Contractor shall perform the Services in such a manner as to cause a minimum of interference with City's operations and the operations of other contractors at each Project site and to protect all persons and property thereon from damage or injury. Upon completion of the Services at a Project site, Contractor shall leave such Project site clean and free of all tools, equipment, waste materials and rubbish. Each Project site may include all buildings, offices, and other locations where Services are to be performed, including any access roads. Contractor shall be solely responsible for the safe transportation and packing in proper containers and storage of any equipment required for performing the Services, whether owned, leased or rented. City will not be responsible for any such equipment which is lost, stolen or damaged or for any additional rental charges for such equipment. Equipment left or stored at a Project site, with or without permission, is at Contractor's sole risk. City may assume that anything left on the work site an unreasonable length of time after said work is completed has been abandoned. Any transportation furnished by City shall be solely as an accommodation and City shall have no liability, therefore. Contractor acknowledges and agrees that it shall assume the risk and is solely responsible for its use of any City owned equipment and property provided by City for the performance of Services. City shall have no liability to Contractor therefore. In addition, Contractor further acknowledges and agrees that it shall assume the risk and is solely responsible for its owned, non-owned and hired automobiles, trucks or other motorized vehicles as well as

any equipment, tolls, or other property which is utilized by Contractor on each Project site.

Section 5. INSURANCE REQUIREMENTS. Before beginning any work under this Agreement, Contractor, at its own cost and expense, shall procure the types and amounts of insurance listed below for the period covered by the Agreement. Contractor shall not allow any subcontractor to commence work on any subcontract until Contractor has obtained all insurance required herein for the subcontractor(s) and provided evidence that such insurance is in effect to City. Contractor shall maintain all required insurance listed herein for the duration of this Agreement.

5.1 Workers' Compensation. If Contractor employs any person, Contractor shall maintain Statutory Workers' Compensation Insurance and Employer's Liability Insurance for any and all persons employed directly or indirectly by Contractor with limits of not less than One Million Dollars (\$1,000,000.00) per accident.

5.2 Commercial General and Automobile Liability Insurance. Contractor shall maintain commercial general insurance for the term of this Agreement in an amount not less than Two Million Dollars (\$2,000,000.00) and automobile liability for the term of this Agreement in an amount not less than One Million Dollars (\$1,000,000.00) per occurrence, combined single limit coverage for risks associated with the work contemplated by this Agreement. Such coverage shall include but shall not be limited to, protection against claims arising from bodily and personal injury, including death resulting therefrom, and damage to property resulting from activities contemplated under this Agreement, including the use of owned and non-owned automobiles. The City shall be named as an additional insured and insurance shall provide primary coverage with respect to the City by written endorsement to the policy.

Commercial general coverage shall be at least as broad as Insurance Services Office Commercial General Liability occurrence form CG 0001 (most recent edition) covering comprehensive General Liability on an "occurrence" basis. Automobile coverage shall be at least as broad as Insurance Services Office Automobile Liability form CA 0001 (most recent edition), Code 1 (any auto). No endorsement shall be attached limiting the coverage. All insurance required by this section is to be placed with insurers with a Bests' rating of no less than A:VII.

5.3 General Liability/Umbrella Insurance. The coverage amounts set forth above may be met by a combination of underlying and umbrella policies so long as in combination the limits equal or exceed those stated.

5.4 [Intentionally deleted.]

5.5 All Policies Requirements.

5.5.1 Verification of Coverage. Prior to beginning any work under this Agreement, Contractor shall, at the sole option of the City, provide City with (1) certified Certification of Insurance that demonstrates compliance with all applicable insurance provisions contained herein; and (2) upon request by the City, complete certified copies of all policies and/or complete certified copies of all endorsements that demonstrate compliance with this Section 5.

5.5.2 Notice of Reduction in or Cancellation of Coverage. A certified endorsement must be attached to all insurance obtained in accordance with this Agreement stating that coverage shall not be suspended, voided, canceled by either party, or reduced in coverage or in limits, except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City.

5.6 Waiver of Subrogation. Contractor agrees to waive subrogation which any insurer of Contractor may acquire from Contractor by virtue of the payment of any loss. Contractor agrees to obtain any endorsement that may be necessary to effect this waiver of subrogation. The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of City for all work performed by Contractor, its employees, agents and subcontractors.

Section 6. INDEMNIFICATION AND CONTRACTOR'S RESPONSIBILITIES.

6.1 Contractor shall indemnify, defend with counsel acceptable to City, and hold harmless City and its officers, officials, employees, agents and volunteers from and against any and all liability, loss, damage, claims, expenses, and costs (including without limitation, attorney's fees and costs and fees of litigation) (collectively, "Liability") of every nature arising out of or in connection with Contractor's performance of the Services or its failure to comply with any of its obligations contained in this Agreement, except such Liability caused by the sole negligence or willful misconduct of City.

The Contractor's obligation to defend and indemnify shall not be excused because of the Contractor's inability to evaluate Liability or because the Contractor evaluates Liability and determines that the Contractor is not liable to the claimant. The Contractor must respond within 30 days, to the tender of any claim for defense and indemnity by the City, unless this time has been extended by the City. If the Contractor fails to accept or reject a tender of defense and indemnity within 30 days, in addition to any other remedy authorized by law, so much of the money due the Contractor under and by virtue of this Agreement as shall reasonably be considered necessary by the City, may be retained by the City until disposition has

been made of the claim or suit for damages, or until the Contractor accepts or rejects the tender of defense, whichever occurs first.

With respect to third party claims against the Contractor, the Contractor waives any and all rights of any type to express or implied indemnity against the Indemnitees.

Notwithstanding the forgoing, to the extent this Agreement is a "construction contract" as defined by California Civil Code Section 2782, as may be amended from time to time, such duties of Contractor to indemnify shall not apply when to do so would be prohibited by California Civil Code Section 2782.

In the event that Contractor or any employee, agent, or subcontractor of Contractor providing services under this Agreement is determined by a court of competent jurisdiction or the California Public Employees Retirement System (PERS) to be eligible for enrollment in PERS as an employee of City, Contractor shall indemnify, defend, and hold harmless City for the payment of any employee and/or employer contributions for PERS benefits on behalf of Contractor or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City.

Section 7. STATUS OF CONTRACTOR. At all times during the term of this Agreement, Contractor shall be an independent contractor and shall not be an employee of City. City shall have the right to control Contractor only insofar as the results of Contractor's services rendered pursuant to this Agreement and assignment of personnel pursuant to Subparagraph 1.3; however, otherwise City shall not have the right to control the means by which Contractor accomplishes services rendered pursuant to this Agreement. Notwithstanding any other City, state, or federal policy, rule, regulation, law, or ordinance to the contrary, Contractor and any of its employees, agents, and subcontractors providing services under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any and all claims to, any compensation, benefit, or any incident of employment by City, including but not limited to eligibility to enroll in the California Public Employees Retirement System (PERS) as an employee of City and entitlement to any contribution to be paid by City for employer contributions and/or employee contributions for PERS benefits. Contractor shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Contractor shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

Section 8. LEGAL REQUIREMENTS.

8.1 Governing Law. The laws of the State of California shall govern this Agreement.

- 8.2 Compliance with Applicable Laws.** Contractor and any subcontractors shall comply with all laws applicable to the performance of the work in connection with this Agreement.
- 8.3 Licenses and Permits.** Contractor represents and warrants to City that Contractor and its employees, agents, and any subcontractors have all licenses, permits, qualifications, and approvals of whatsoever nature that are legally required to practice their respective professions.
- 8.4 Nondiscrimination and Equal Opportunity.** Contractor shall not discriminate, on the basis of a person's race, sex, gender, religion (including religious dress and grooming practices), national origin, ancestry, physical or mental disability, medical condition (including cancer and genetic characteristics), marital status, age, sexual orientation, color, creed, pregnancy, genetic information, gender identity or expression, political affiliation or belief, military/veteran status, or any other classification protected by applicable local, state, or federal laws (each a "Protected Characteristic"), against any employee, applicant for employment, subcontractor, bidder for a subcontract, or participant in, recipient of, or applicant for any services or programs provided by Contractor under this Agreement.

Contractor shall include the provisions of this Subsection in any subcontract approved by the Contract Administrator or this Agreement.

- 8.5 Work Requiring Payment of Prevailing Wages.** In accordance with California Labor Code Section 1771, not less than the general prevailing rate of per diem wages for work of a similar character in the locality in which the Work is to be performed, and not less than the general prevailing rate of per diem wages for holiday and overtime work fixed as provided in the California Labor Code must be paid to all workers engaged in performing the Work. Copies of such prevailing rate of per diem wages can be found at the following website:
<https://www.dir.ca.gov/OPRL/DPreWageDetermination.htm>

All contractors and subcontractors who bid or work on a public works project over amounts specified under California Labor Code Section 1725.5(f) must register and pay an annual fee to Department of Industrial Relations (DIR) pursuant to California Labor Code section 1725.5. Information regarding DIR registration can be found at the following website: <https://www.dir.ca.gov/public-works/publicworks.html>

Contractor agrees, in accordance with Section 1771.1 of the California Labor Code, that contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and

qualified to perform public work pursuant to Section 1725.5. It is not a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded. Contractor agrees, in accordance with Section 1771.4 of the California Labor Code, this Project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

Section 9. MODIFICATION.

- 9.1 Amendments.** The Parties may amend this Agreement only by a writing signed by all the Parties.
- 9.2 Assignment.** Contractor may not assign this Agreement or any interest therein without the prior written approval of the City.
- 9.3 Subcontracting.** Contractor shall not subcontract any portion of the performance contemplated and provided for herein without prior written approval of the City. Where written approval is granted by the City, Contractor shall supervise all work subcontracted by Contractor in performing the Services; shall be responsible for all work performed by a subcontractor as if Contractor itself had performed such work; the subcontracting of any work to subcontractors shall not relieve Contractor from any of its obligations under this Agreement with respect to the Services; and Contractor is obligated to ensure that any and all subcontractors performing any Services shall be fully insured in all respects and to the same extent as set forth under Section 5, to City's satisfaction.
- 9.4 Survival.** All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating liability between City and Contractor shall survive the termination of this Agreement.
- 9.5 Options upon Breach by Contractor.** If Contractor materially breaches any of the terms of this Agreement, City's remedies shall include, but not be limited to, the following:
- 9.5.1** Immediately terminate the Agreement;
 - 9.5.2** Retain the plans, specifications, drawings, reports, design documents, and any other work product prepared by Contractor in accordance with this Agreement;
 - 9.5.3** Retain a different Contractor to complete the Services not finished by Contractor; or

- 9.5.4** Charge Contractor the difference between the costs to complete the work at the time of breach and the amount that City would have paid Contractor in accordance with Section 2 if Contractor had completed the Work.

Section 10. KEEPING AND STATUS OF RECORDS.

- 10.1 Records Created as Part of Contractor's Performance.** All reports, 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 Contractor prepares or obtains in accordance with this Agreement and that relate to the matters covered under the terms of this Agreement shall be the property of the City.
- 10.2 Contractor's Books and Records.** Contractor shall maintain any and all records or documents evidencing or relating to charges for services or expenditures and disbursements charged to the City under this Agreement for a minimum of three (3) years, or for any longer period required by law, from the date of final payment to the Contractor to this Agreement.
- 10.3 Confidential Information and Disclosure.** During the term of this Agreement, either party (the "Disclosing Party") may disclose confidential, proprietary or trade secret information (the "Information"), to the other party (the "Receiving Party"). The Receiving Party shall hold the Disclosing Party's Information in confidence and shall take all reasonable steps to prevent any unauthorized possession, use, copying, transfer or disclosure of such Information. Contractor understands that City is a public City and is subject to the laws that may compel it to disclose information about Contractor's business.
- 10.4 Inspection and Audit of Records.** Any records or documents that this Agreement requires Contractor to maintain shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of the City. 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 City or as part of any audit of the City, for a period of 3 years after final payment under the Agreement.

Section 11. WARRANTY.

- 11.1** In addition to any and all warranties provided or implied by law or public policy, Contractor warrants that all Services (including but not limited to all equipment and materials supplied in connection therewith) shall be free from defects in design and workmanship, and that Contractor shall perform

all Services in accordance with all applicable engineering, construction and other codes and standards, and with the degree of high professional skill normally exercised by or expected from recognized professional firms engaged in the practice of supplying services of a nature similar to the Services in question. Contractor further warrants that, in addition to furnishing all tools, equipment and supplies customarily required for performance of work, Contractor shall furnish personnel with the training, experience and physical ability, as well as adequate supervision, required to perform the Services in accordance with the preceding standards and the other requirements of this Agreement. In addition to all other rights and remedies which City may have, City shall have the right to require, and Contractor shall be obligated at its own expense to perform, all further services which may be required to correct any deficiencies which result from Contractor's failure to perform any Services in accordance with the standards required by this Agreement. Moreover, if, during the term of this Agreement (or during the one (1) year period following the term hereof), any equipment, goods or other materials or Services used or provided by Contractor under this Agreement fail due to defects in material and/or workmanship or other breach of this Agreement, Contractor shall, upon any reasonable notice from City, replace or repair the same to City's satisfaction. Unless otherwise expressly permitted, all materials and supplies to be used by Contractor in the performance of the Services shall be new and best of kind.

- 11.2** Contractor hereby assigns to City all additional warranties, extended warranties, or benefits like warranties, such as insurance, provided by or reasonably obtainable from suppliers of equipment and material used in the Services.

Section 12. HEALTH AND SAFETY PROGRAMS. The Contractor shall establish, maintain, and enforce safe work practices, and implement an accident/incident prevention program intended to ensure safe and healthful operations under their direction. The program shall include all requisite components of such a program under Federal, State and local regulations and shall comply with all City site programs.

- 12.1** Contractor will be responsible for acquiring job hazard assessments as necessary to safely perform all duties of each Project and provide a copy to City upon request.
- 12.2** Contractor will be responsible for providing all employee health and safety training and personal protective equipment in accordance with potential hazards that may be encountered in performance of Project and provide copies of the certified training records upon request by City. Contractor shall be responsible for proper maintenance and/or disposal of their personal protective equipment and material handling equipment.

- 12.3** Contractor is responsible for ensuring that its lower-tier subcontractors are aware of and will comply with the requirements set forth herein.
- 12.4** City, or their representatives, shall periodically monitor the safety performance of the Contractor working on the Project. All Contractors and their subcontractors shall be required to comply with the safety and health obligations as established in the Agreement. Non-compliance with safety, health, or fire requirements may result in cessation of work activities, until items in non-compliance are corrected. It is also expressly acknowledged, understood and agreed that no payment shall be due from City to Contractor under this Agreement at any time when, or for any Services performed when, Contractor is not in full compliance with this Section 10.
- 12.5** Contractor shall immediately report any injuries to the City site safety representative. Additionally, the Contractor shall investigate and submit to the City site safety representative copies of all written accident reports, and coordinate with City if further investigation is requested.
- 12.6** Contractor shall take all reasonable steps and precautions to protect the health of their employees and other site personnel with regard to their Scope of Services. Contractor shall conduct occupational health monitoring and/or sampling to determine levels of exposure of its employees to hazardous or toxic substances or environmental conditions. Copies of any sampling results will be forwarded to the City site safety representative upon request.
- 12.7** Contractor shall develop a plan to properly handle and dispose of all hazardous wastes they generate within the Scope of Services.
- 12.8** Contractor shall advise its employees and subcontractors that any employee, who jeopardizes his/her safety and health, or the safety and health of others, may be subject to actions including removal from Project.
- 12.9** Contractor shall, at the sole option of the City develop and provide to the City a Hazardous Material Spill Response Plan that includes provisions for spill containment and clean-up, emergency contact information including regulatory agencies and spill sampling and analysis procedures. Hazardous Materials to include diesel fuel used for trucks owned or leased by the Contractor.

Section 13. MISCELLANEOUS PROVISIONS.

- 13.1 Attorneys' 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.

- 13.2 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.
- 13.3 Severability.** If a court of competent jurisdiction finds or rules that any provision of this Agreement is invalid, void, or unenforceable, the provisions of this Agreement not so adjudged shall remain in full force and effect.
- 13.4 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.
- 13.5 Contract Administration.** This Agreement shall be administered by the City Manager or his/her designee, who shall act as the City's representative. All correspondence shall be directed to or through the representative.
- 13.6 Notices.** Any written notice to Contractor shall be sent to:
- Ron McBride
Two Brother's Pool and Spa
PO Box 20150
El Sobrante, CA 94820
- Any written notice to City shall be sent to:
- Beth Frazer, Recreation Supervisor
City of El Cerrito
7007 Moeser Lane
El Cerrito, CA 94530
- 13.7 Professional Seal.** Where applicable in the determination of the City, the first page of a technical report, first page of design specifications, and each page of construction drawings shall be stamped/sealed and signed by the licensed professional responsible for the report/design preparation.
- 13.8 Integration; Incorporation.** This Agreement, including all the exhibits attached hereto, represents the entire and integrated agreement between City and Contractor and supersedes all prior negotiations, representations, or agreements, either written or oral. All exhibits attached hereto are incorporated by reference herein.

13.9 Successors and Assigns. The provisions of this Agreement shall inure to the benefit of and shall apply to and bind the successors and assigns of the parties. n

13.10 Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement.

The Parties have executed this Agreement as of the date signed by the City.

CITY OF EL CERRITO

CONTRACTOR

Date: _____

Date: _____

Karen Pinkos, City Manager

**Ron McBride, CEO Two Brother's
Pool and Spa**

Attest:

Holly M. Charléty
City Clerk

Approved as to Form:

Sky Woodruff
City Attorney

EXHIBIT A SCOPE OF SERVICES

Overview

El Cerrito Swim Center has two pools, the Emery G. Weed III Lap Pool which operates year-round, and the Activity Pool which operates March through October, and one Splash Park which operates March through October.

	Lap Pool	Activity Pool	Splash Park
Pool Information			
Gallons	380,000	48,000	4,000 reservoir tank
Description	25-yards by 25-meters, 10 lanes, 1-meter and 3-meter diving board	25-yards by 62-feet, 3 lanes plus slide and spray feature	Various spray features
Pool Depth	3.5 feet – 13 feet	0 feet – 4 feet	No standing water
Ideal Chemical Parameters			
Chlorine	2.0-5.0	2.0-5.0	3.0-5.0
pH	7.5-7.4	7.5-7.4	7.5-7.4
Total Alkalinity	100	100	100
Calcium Hardness	400	400	400
TDS	8,250	3,000	750
Saturation Index	-.5 to .5	-.5 to .5	-.5 to .5
Temperature	82	85	N/A

- Have a clear understanding of related Health Department requirements and codes dealing with commercial pools.
- Have a clear understanding of all systems.
- Each body of water shall be maintained in compliance with Health Department regulations and be swimmable during scheduled programs.
- Interact with Health Department as needed.

Daily Service (5 days per week Monday – Friday, on call Saturday and Sunday):

- Check pumps, heaters, chemical feed systems, filters, and all pool equipment for adequate operations.
- Test chemical content for calcium hardness, proper chlorine levels, pH, total alkalinity, and total dissolved solids. Make all necessary adjustments for proper water balance. Complete daily logs necessary for Health Department reviews including date, time, and name/initials of person performing work.
- Adjust water to maintain appropriate level.
- Monitor temperature readings on both the outside of heaters and automated readings. Report to management any major drops in heating, tripped heaters, or foreseen problems with heating units. Report any significant adjustments made to temperature settings of either pool.
- Check chemical storage room for proper equipment operation.

As Needed Service:

- Calibrate automatic controller.
- Maintain cleanliness of pump room and make management aware of the storage of any additional equipment and chemicals in this area.
- Provide chemicals necessary to maintain Health Department's mandated levels of sanitation and chemical balance.
- Handle all chemical ordering except chlorine, acid and CO2. Arrange for storage, transport, and any reporting requirements. Make management aware of all major adjustments made to water chemistry, including the addition of any large amount of chemicals.
- Make management aware prior to the addition of any new chemicals added to either pool.
- Monitor influent & effluent pressure and backwash filtration system. Verify proper sand filter automatic backwash operations.
- Empty and clean skimmer baskets and strainer. Replace skimmer parts for proper operation.
- Check for algae and take necessary steps to remedy.
- Clean chemical feed tubes.
- Repair and replace chemical feed pumps.
- Inform City when delivery of chlorine, acid and CO2 are needed with adequate notice to insure constant supply.
- Other preventative maintenance of chemical feeders, controllers, circulation pumps, VFDs, and heaters.
- Repair equipment as necessary to keep system in operation. Emergency repairs are authorized provided they do not exceed \$300. City shall authorize all other repairs. Materials and labor will be charged to the City and are not part of the service. Cost estimates for additional repairs exceeding \$1,000 must comply with prevailing wage and DIR reporting requirements.

Annual Service:

- Perform annual cleaning of acid and chlorine storage rooms.
- Empty and clean surge pit as needed but at least annually.
- Inspect and prepare Activity Pool and Splash Park for use.
- Inspect and winterize Activity Pool and Splash Park for non-operation.
- Coordinate with CITY regarding seasonal opening/closing of Activity Pool and Splash Park.

On Call Services:

- On call availability when a maintenance or repair situation occurs, including weekends.
- Minimum response time of 1 hour during program hours (excluding weekends).
- Minimum response time of 24 hours or less during non-program hours and weekends.

**EXHIBIT B
FEE SCHEDULE**

**ATTACHMENT 4
Cost Proposal**

The proposal prices are to include and cover the furnishing of all labor, materials, equipment, fees, taxes, incidentals, and overhead necessary to perform the work described in **Attachment 2 Scope of Work** of this proposal document. The City maintains the right to award to contractor(s) based on the demonstrated best value to the City.

The Contractor affirms that in the event they are selected as the successful Contractor, the Contractor assures that all work will be performed in the specified manner and under the terms and conditions specified at the prices listed below.

Contractor's Signature: Ron McBride Date 10/2/22

Service Description	Cost
Lap Pool Service per Month (12 months/year)	\$2070
Activity Pool Service per Month (~8 months/year)	\$1395
Splash Park Service per Month (~8 months/year)	\$900
Repair/Emergency Work per Hour	\$140
Response Time for Repair/Emergency Work	1 hour / 24 hours or less
On Call Repair/emergency Work per Hour (if different from above)	
Other Charges (if any, please describe):	\$3600 approx. a year calcium chloride
Other Charges (if any, please describe):	\$5000 approx. a year sodium bicarbonate



AGENDA BILL

Agenda Item No. 7.A.

Date: November 1, 2022
To: El Cerrito City Council
From: David Yun, Fire Prevention Officer; Chase Beckman, Fire Marshal, Fire Department
Subject: 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.

BACKGROUND

Following the Oakland/Berkeley Hills Fire in October 1991, El Cerrito needed a comprehensive citywide program to reduce hill area fire hazards in the City. The "fire storm" in the Oakland/Berkeley Hills was in fact an urban conflagration, fueled by vegetation among homes and large acreage properties that was driven by seasonally strong dry winds from the east. The fire destroyed over 3,000 dwellings. At the time of the Oakland/Berkeley Hills Fire, El Cerrito faced similar fire hazard conditions in its hill area. The City Council was determined to reduce those fire hazards by all reasonable means.

El Cerrito's comprehensive fire hazard reduction program focused upon reducing fire hazards in four areas: (1) on City property, (2) on property owned by other agencies (3) large landowners and (4) on residential property. The City began a comprehensive planning process to reduce fire hazards on City property, other agencies' properties and large landholders. These property owners were approached about reducing fire hazards on their properties. Prior efforts at fire hazard reduction on private residential property relied on voluntary compliance by the owners. The City Council concluded that stronger measures were necessary to enforce the laws regarding abatement of fire hazards on residential private property.

The Fire Hazard Abatement Program is designed to reduce fire hazards on a large number of private properties during the spring and early summer months. A process of advance notice and hearings for property owners is coupled with a public education program involving the promulgation of standards for vegetation management in residents' yards and vacant lots.

This program seeks to remove weeds, rubbish, litter or other flammable material from private properties where such flammable material endangers the public safety by creating a public nuisance and a fire hazard. Most property owners voluntarily abate

these hazards without Fire Department involvement. However, we anticipate that a small number of owners are content to have the City do the work and place the costs on their tax bill. For over 20 years, the City's annual Fire Hazard Abatement Program has been very successful in reducing fire hazards throughout the hill neighborhoods of El Cerrito. Indeed, this program has become a model program which other fire jurisdictions have borrowed from.

ANALYSIS

Beginning in April of this year, the Fire Department conducted city-wide fire hazard inspections of all properties. The inspections began on April 25, 2022 and have continued due to regrowth and citizen complaints. As a result of the on-going inspections, a list of properties containing public nuisances was generated, which continues to be amended as additional properties are identified. Between August 23 and 29, the identified properties determined to be in violation of El Cerrito Municipal Code Chapter 16.26 were notified in writing of the hazards on their property and to abate those hazardous conditions. The El Cerrito Vegetation Management Standards Checklist was included with the notification (Attachments 4, 5, & 6). Additionally, these property owners were informed in the letter from the Fire Marshal (Attachment 4) of the time, date and location of the upcoming City Council meeting where their properties would be declared a public nuisance and abatement would be ordered. Property owners were directed to complete the necessary measures to bring their property into compliance prior to the second round of the re-inspection process which began in September 2022 and continued through the date of this meeting. Only those properties that were not voluntarily abated with the first notice are contained within the Master Abatement List, Exhibit A to the proposed Resolution (List of Properties.)

This public hearing is the next step in the process to eliminate hazards on the private properties that were identified as a public nuisance and have not voluntarily abated said violations. In order to achieve full compliance, the City Council is asked to declare the properties to be a public nuisance and direct the City Manager or their designee to abate such public nuisance conditions. Actual City-ordered abatement of fire hazards occurs only after all efforts at providing notice, information, and a public hearing have failed to induce voluntary compliance by the property owner.

The Fire Hazard Abatement process, under the direction of the Fire Department, should proceed according to El Cerrito Municipal Code Chapter 16.26, which specifies the following:

1. The Fire Department determines that hazards must be abated. Pursuant to these code sections, "hazards" are defined as weeds, rubbish, litter, or other flammable materials which create a fire hazard or are otherwise noxious or dangerous and which exist on specific parcels of property within the City.
2. The Fire Department shall post notice on each property or send notice /by mail that the El Cerrito Fire Department has determined the existence of a public nuisance which must be abated and that a hearing will be held to consider any objections prior to the

City Council declaring the properties to be a public nuisance and ordering the City Manager or their designee to perform abatement.

3. At the November 1, 2022 City Council meeting, the City Council shall first adopt a resolution Declaring that Weeds, Rubbish, Litter, or Other Flammable Material on Certain Real Property Constitutes a Public Nuisance (Attachment 1 and 2).

4. At the same hearing, but after adoption of the first resolution, the City Council shall hear and consider all objections to declaration of public nuisances or the procedures proposed for abatement of the same. After the hearing, the Council shall adopt a resolution Overriding Objections by Property Owners and Ordering the City Manager or their Designee to Abate Certain Public Nuisances Pursuant to Chapter 16.26 (Attachment 3).

5. At the conclusion of the November 1, 2022 hearing, a second and final notice shall be sent to each property owner prior to abatement (Attachment 7). This notice will order the immediate abatement of nuisance conditions. This notice will clearly state that if nuisance conditions are ignored, the City shall cause abatement and costs for removal will be assessed against the property as a lien and special assessment. It will also indicate that if the conditions are voluntarily abated, the property shall be removed from the process.

6. If the nuisance is not abated between November 2, 2022 and November 30, 2022, prior to the arrival of the hazard abatement crew, the City of El Cerrito shall cause the weeds, rubbish, refuse, and other flammable material to be removed and shall keep an account of the cost of abatement for each parcel of land where such work is performed according to the City Council adopted Fire Department Master Fee Schedule.

7. At the January 17, 2023 City Council meeting the City Manager or their designee shall submit to the City Council for confirmation an itemized written report showing the cost of abatement work performed. A copy of this report shall be posted for at least ten (10) days prior to its submission to the City Council. Each property owner upon whose property abatement work was performed shall be sent written notice by mail of a hearing by the City Council to consider the cost of abatement work performed on their property.

8. At the City Council Meeting on January 17, 2023, the City Council shall receive and consider the written staff report on abatement actions taken by the City and shall hear any objections from the property owners liable to be assessed for the abatement. The City Council may modify the staff report if deemed appropriate and then confirm the report by motion or resolution.

9. After City Council confirmation of the report, a certified copy of the report shall be filed with the county auditor who shall add the amount of the assessment to the next regular tax bill levied against the parcel.

STRATEGIC PLAN CONSIDERATIONS

This section is not applicable to this agenda item.

ENVIRONMENTAL CONSIDERATIONS

The Fire Hazard Abatement Program is exempt from California Environmental Quality Act (CEQA) pursuant to Sections 15304 and 15308 of the CEQA Guidelines. Therefore, no further CEQA review is required.

FINANCIAL CONSIDERATIONS

The abatement program will be administered by Fire Department staff with minimum costs expended for printing and mailing. Abatement work will be completed by City maintenance staff or private contract labor as appropriate. Program costs will be recovered through the special assessment and lien process.

LEGAL CONSIDERATIONS

The City Attorney has reviewed and approved the process.

Reviewed by:

A handwritten signature in blue ink, appearing to read 'Karen Pinkos', is written over a faint, light blue circular stamp.

Karen Pinkos, City Manager

Attachments:

1. Resolution (Declaring Public Nuisance)
2. Exhibit A to Resolution (List of Properties)
3. Resolution (Overriding Objections)
4. 1st Letter Fire Marshal (Including Notice of Reschedule)
5. Abatement Inspection Form
6. Vegetation Management Standards Checklist
7. 2nd Letter Fire Marshal

RESOLUTION NO. 2022 - XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO DECLARING THAT WEEDS, RUBBISH, LITTER OR OTHER FLAMMABLE MATERIAL ON CERTAIN REAL PROPERTY CONSTITUTES A PUBLIC NUISANCE

WHEREAS, El Cerrito Municipal Code Chapter 16.26 provides a method by which a local legislative body may abate on private property public nuisance conditions relating to weeds, rubbish, litter or other flammable material that creates a fire hazard, a menace to the public health or which is otherwise noxious or dangerous; and

WHEREAS, the City of El Cerrito Fire Marshal has identified certain real property, by street name, lot and block number, on which the presence of weeds, rubbish, litter or other flammable material creates a fire hazard, a menace to the public health or which is otherwise noxious or dangerous as defined in Chapter 16.26 of the El Cerrito Municipal Code and therefore constitutes a public nuisance; and

WHEREAS, pursuant to El Cerrito Municipal Code Section 16.26.160 and Government Code Section 39560-39588, the City Council shall adopt this resolution declaring that certain real property within the City constitutes a public nuisance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that the following properties identified on Exhibit A, attached hereto, are declared to be public nuisances pursuant to El Cerrito Municipal Code Section 16.26.160.

BE IT FURTHER RESOLVED that on this same date of November 1, 2022 at 7:00 p.m. in the City of El Cerrito, the City Council shall hold a hearing at which owners of the real property identified in Exhibit A hereto may object to the designation of their properties as public nuisances and object to the abatement actions proposed by the City.

I CERTIFY that at a regular meeting on November 1, 2022 the El Cerrito City Council passed this resolution by the following vote:

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

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on November ____, 2022.

Holly M. Charléty, City Clerk

APPROVED:

Gabriel Quinto, Mayor

EXHIBIT A

As of 10/18/2022

City of El Cerrito Fire Department
List of Real Property Constituting Public Nuisances

<u>APN</u>	<u>Street Address</u>
505-382-009	1300 Devonshire Dr.

RESOLUTION NO. 2022 - XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO OVERRIDING
OBJECTIONS BY PROPERTY OWNERS AND ORDERING THE CITY MANAGER OR
THEIR DESIGNEE TO ABATE CERTAIN PUBLIC NUISANCES PURSUANT TO
CHAPTER 16.26

WHEREAS, El Cerrito Municipal Code Chapter 16.26 provides a method by which a local legislative body may abate on private property public nuisance conditions relating to weeds, rubbish, litter or other flammable material that creates a fire hazard, a menace to the public health or which is otherwise noxious or dangerous; and

WHEREAS, the City of El Cerrito Fire Marshal has identified certain real property, by street name, lot and block number, on which the presence of weeds, rubbish, litter or other flammable material creates a fire hazard, a menace to the public health or which is otherwise noxious or dangerous as defined in Chapter 16.26 of the El Cerrito Municipal Code and therefore constitutes a public nuisance; and

WHEREAS, on November 1, 2022, pursuant to El Cerrito Municipal Code Section 16.26.160 and Government Code Sections 39560-39588, the City Council adopted Resolution 2022-XX declaring that certain real property within the City constitutes a public nuisance; and

WHEREAS, El Cerrito Municipal Code Chapter 16.26 provides that notice shall be sent to owners of the real property declared a nuisance pursuant to Resolution 2022-XX providing those owners with the following: description of the nuisance; explanation of how the nuisance must be abated; explanation that if the nuisance is not abated; the City shall abate the public nuisance and the cost of abatement shall be assessed against the property as a special assessment; and informing the owners that the City Council shall hold a hearing at a certain date, time, and place at which the owners may present objections to the designation of their properties as public nuisances or to the proposed abatement of the nuisance; and

WHEREAS, on August 29, 2022, the City Fire Department sent written notice to those property owners describing the weeds, rubbish, refuse, or other flammable material that presented a fire hazard and public nuisance; explaining that the Fire Department had determined a public nuisance that must be removed; informing the owners that if they did not abate by September 29, 2022, the City Council would hold a hearing on October 4, 2022 at which the owners could present objections to the declaration of the nuisance or the proposed abatement measures and further explained the City could abate the nuisance and collect the costs as an assessment on the property; and

WHEREAS the City Council hearing initially scheduled for October 4, 2022 was rescheduled to November 1, 2022; and

WHEREAS, on November 1, 2022, the City Council adopted Resolution 2022-

XX confirming the nuisance declarations of the City Fire Department and declaring a public nuisance on certain real property pursuant to Chapter 16.26; and

WHEREAS, El Cerrito Municipal Code Section 16.26.160 and Government Code Sections 39560-39588 provide that after adoption of a resolution declaring a public nuisance and notice to affected property owners of the Council's hearing of objections, the Council may overrule any objections and order the City Manager or their designee to abate the public nuisances.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it overrides any objections by owners of that certain real property on which public nuisances were declared in Exhibit A to Resolution 2022 - XX (adopted on the same date herewith).

BE IT FURTHER RESOLVED that the City Manager or their designee is hereby ordered to abate the public nuisances by having the weeds, rubbish, refuse, dirt, or other fire hazard or noxious or dangerous materials removed.

BE IT FURTHER RESOLVED that pursuant to El Cerrito Municipal Code Section 16.26.160 and Government Code Section 39574, the City Manager or their designee shall keep an account of the cost of abatement for each parcel of land on which work is performed. The City Manager or their designee shall then prepare an itemized written report to be presented to the City Council so that, after the notice and hearing during the City Council meeting of January 17, 2023 these abatement costs can be confirmed as a special assessment against those parcels.

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

I CERTIFY that at a regular meeting on November 1, 2022 the El Cerrito City Council passed this resolution by the following vote:

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

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on November _____, 2022.

Holly M. Charléty, City Clerk

APPROVED:

Gabe Quinto, Mayor



EL CERRITO-KENSINGTON FIRE DEPARTMENT

Fire Prevention Office

10900 San Pablo Avenue, El Cerrito, CA 94530

(510) 215-4457 FAX (510) 232-4917 fpo@ci.el-cerrito.ca.us



August 29, 2022

Parcel Number:

Property Address:

Property Owner:

Property Owner's Address:

Dear El Cerrito Property Owner:

With the continued drought conditions the last three years, the community is facing its peak fire danger earlier than normal. To reduce the fire danger on private property and provide greater community safety, the Fire Department has been inspecting properties and checking for fire hazards. Recently your property listed above was found that it **does not comply** with the Vegetation Management Guidelines set forth in the City of El Cerrito Vegetation Management Standards. You are being notified now so that you may, if you have not already done so, take steps to remove those fire hazard conditions found on your property.

Enclosed is a copy of the Fire Hazard Reduction Inspection form specifying those areas that are not in compliance as well as the Fire Hazard Reduction Guidelines and Fire Hazard Reductions Checklist that can assist you in bringing your property into compliance. More information on the Vegetation Management Standards and Guidelines may be found on the City's website at: www.el-cerrito.org under Vegetation Management Standards. Additional information is also available at www.readyforwildfire.org or www.cafiresafecouncil.org as well as many others.

If you have recently completed the work to meet these standards, no further action is required. If not, your property is required to be brought into compliance no later than September 26, 2022. There is no need to contact Fire Department upon completion as we will be re-inspecting all properties. When the Fire Department has cleared your property, you will receive a follow up letter to inform you that your property is currently in compliance.

On October 4, 2022 at 7:00PM the El Cerrito City Council will hold a public hearing to declare those properties still not in compliance as a public nuisance. Your property is at risk of being declared a public nuisance and subject to further abatement actions. In accordance with the Government Code, you may appear before the Board at this public hearing to dispute this declaration.

If you have not done so already, please take immediate action to remove those fire hazard conditions and we thank you for your cooperation helping us make El Cerrito a more fire safe community.

Sincerely,

Chase Beckman

Chase Beckman

Fire Chief / Fire Marshal



EL CERRITO-KENSINGTON FIRE DEPARTMENT
Fire Prevention Office
10900 San Pablo Avenue, El Cerrito, CA 94530
(510) 215-4457 FAX (510) 232-4917 fpo@ci.el-cerrito.ca.us



October 25, 2022

Parcel Number:
Property Address:
Property Owner:
Property Owner's Address:

Dear El Cerrito Property Owner:

With the continued drought conditions the last three years, the community is facing its peak fire danger earlier than normal. To reduce the fire danger on private property and provide greater community safety, the Fire Department has been inspecting properties and checking for fire hazards. Recently your property listed above was found that it **does not comply** with the Vegetation Management Guidelines set forth in the City of El Cerrito Vegetation Management Standards. You are being notified now so that you may, if you have not already done so, take steps to remove those fire hazard conditions found on your property.

Enclosed is a copy of the Fire Hazard Reduction Inspection form specifying those areas that are not in compliance as well as the Fire Hazard Reduction Guidelines and Fire Hazard Reductions Checklist that can assist you in bringing your property into compliance. More information on the Vegetation Management Standards and Guidelines may be found on the City's website at: www.el-cerrito.org under Vegetation Management Standards. Additional information is also available at www.readyforwildfire.org or www.cafiresafecouncil.org as well as many others.

You were previously notified on August 29, 2022 that your property was required to be brought into compliance no later than September 26, 2022. You were further notified that on October 4, 2022 at 6:00PM the El Cerrito City Council was scheduled to hold a public hearing to declare those properties still not in compliance as a public nuisance. This hearing has been rescheduled to November 1, 2022. Your property is at risk of being declared a public nuisance and subject to further abatement actions. In accordance with the Government Code, you may appear before the Board at this public hearing to dispute this declaration.

If you have not done so already, please take immediate action to remove those fire hazard conditions and we thank you for your cooperation helping us make El Cerrito a more fire safe community.

Sincerely,

Chase Beckman

Chase Beckman
Fire Chief / Fire Marshal



EL CERRITO FIRE DEPARTMENT KENSINGTON FIRE PROTECTION DISTRICT



ATTACHMENT 5

10900 San Pablo Avenue, El Cerrito, Ca. 94530 (510)215-4450
Fire Hazard Reduction Inspection

Owner/Tenant	Site Address	City	State	Zip Code
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Legal Propety Owner	Mailing Address	City	State	Zip Code
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APN # _____

YOUR PROPERTY IS NOT IN COMPLIANCE WITH THE FIRE CODE.
YOU MUST COMPLETE THE FOLLOWING REQUIREMENTS:

ZONE 1

Zero to 30 feet from buildings, structures, decks,etc. in all portions within El Cerrito and Kensington

- _____ 1. Remove all dead plants, grass and weeds.
- _____ 2. Remove dead or dying leaves and pine needles from your yard, roof and rain gutters.
- _____ 3. Trees shall be maintained so that no portion is closer than 10 feet from any chimney opening.
- _____ 4. Trees, shrubs, bushes or other vegetation adjacent to or overhanging any structure shall be maintained free of dead limbs and other combustible matter.
- _____ 5. On mature trees, limbs should be removed up to 10' above the ground. Smaller trees should be limbed to 1/3 of their height up to 6' above the ground, but in no case less than 18" from the ground.
- _____ 6. Relocate wood piles to Zone 2 if applicable.
- _____ 7. Remove or prune flammable plants and shrubs near windows.
- _____ 8. Remove vegetation and items that could catch fire from around and under decks.
- _____ 9. Create a minimum 6-foot separation between trees, shrubs or vegetation and combustible materials.
- _____ 10. Vacant lots in Zone 1 shall be maintained to be 10 feet wide along the property line.

ZONE 2

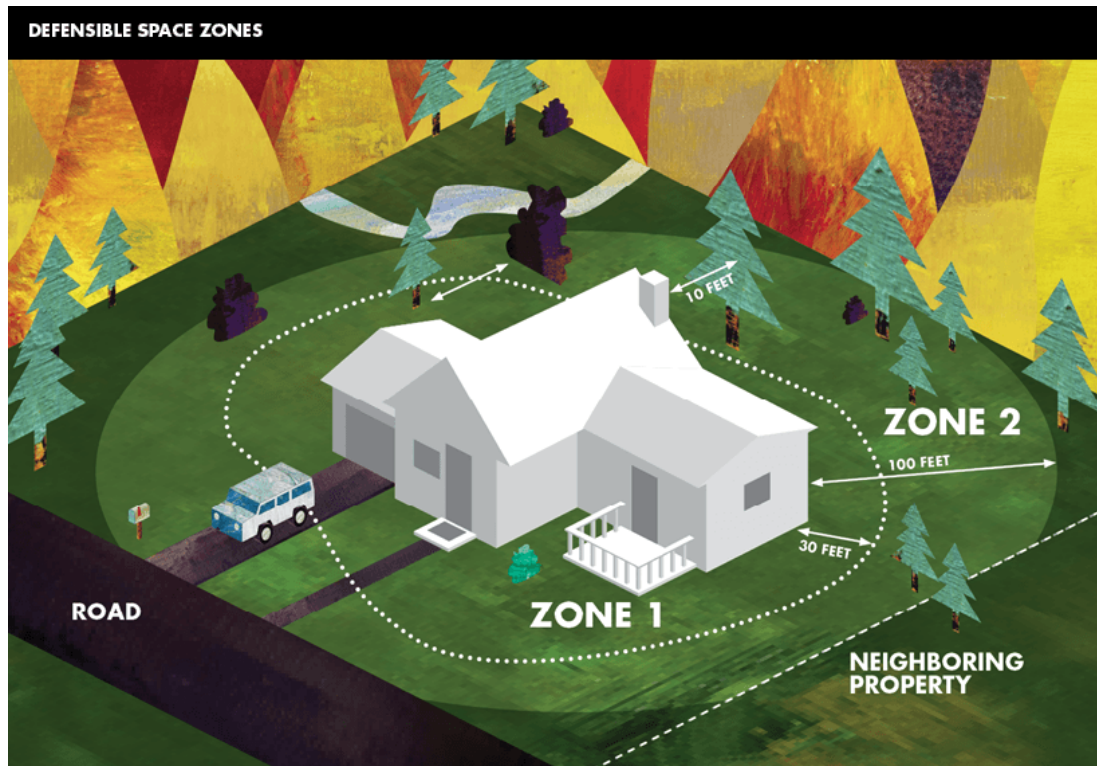
Thirty to 100 feet from buildings, structures, decks, etc. for all parcels within the Very High Fire Hazard Severity Zone. Zone 1 requirements shall be followed in addition to Zone 2 requirements.

- _____ 1. Cut or mow weeds and grass to a maximum height of 6 inches.
- _____ 2. All fire hazardous vegetation except for weeds and grass shall be cleared and maintained to a height no greater than 18 inches above the ground.
- _____ 3. Vacant lots in Zone 2 shall be maintained to be 30 feet wide along the property line.

COMMENTS: _____

Inspected by	Inspection #	Date	Time
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City of El Cerrito Fire Hazard Reduction Guidelines



Zone 1

Zone 1 extends 30 feet from buildings, structures, decks, etc. in all portions within the City of El Cerrito including the designated Very High Fire Hazard Severity (VHFHS) Zones. Vacant lots in Zone 1 shall be maintained to be 10 feet wide along the property line.

- Remove all dead plants, grass and weeds (vegetation).
- Remove dead or dry leaves and pine needles from your yard, roof and rain gutters.
- Trees shall be maintained so that no portion is closer than 10 feet from any chimney opening.
- Trees, shrubs, bushes or other vegetation adjacent to or overhanging any structure shall be maintained free of dead limbs and other combustible matter such as vines and loose papery bark.
- On mature trees, limbs should be removed up to 10' above the ground. Smaller trees should be limbed to 1/3rd of their height up to 6' above the ground, but in no case less than 18 inches from the ground.
- Relocate wood piles to Zone 2 if applicable.
- Remove or prune flammable plants and shrubs near windows.
- Remove vegetation and items that could catch fire from around and under decks.
- Create a minimum 6-foot separation between trees, shrubs or vegetation and combustible materials.

Zone 2

Zone 2 extends from 30 feet to 100 feet out from buildings, structures, decks, etc. in only those areas within the City of El Cerrito designated as the Very High Fire Hazard Severity (VHFHS) Zones. Vacant lots in Zone 2 shall be maintained to be 30 feet wide along the property line. NOTE: All Zone 1 requirements shall be followed in addition to the following Zone 2 requirements:

- Cut or mow weeds and grass shall be cleared to a maximum height of 6 inches.
- All fire hazardous vegetation except for weeds and grass shall be cleared and maintained to a height no greater than 18 inches above the ground.



Fire Hazard Reduction Checklist



Zone 1 Requirements

Definition: Zone 1 extends 30 feet from buildings, structures, decks, etc. in all portions within the City of El Cerrito including the designated Very High Fire Hazard Severity (VHFHS) Zones

- ☐ Remove all dead plants, grass and weeds within 30 feet of buildings, structures, decks, etc.
- ☐ Remove dead or dry leaves and pine needles from your yard, roof and rain gutters
- ☐ Trees shall be maintained so that no portion is closer than 10 feet from any chimney opening
- ☐ Trees, shrubs, bushes or other vegetation adjacent to or overhanging any structure shall be maintained free of dead limbs and other combustible matter such as vines and loose papery bark
- ☐ On mature trees, limbs should be removed up to 10' above the ground. Smaller trees should be limbed to 1/3rd of their height up to 6' above the ground, but in no case less than 18" from the ground
- ☐ Relocate wood piles to Zone 2 if applicable
- ☐ Remove or prune flammable plants and shrubs near windows
- ☐ Remove vegetation and items that could catch fire from around and under decks
- ☐ Create a minimum 6-foot separation between trees, shrubs or vegetation and combustible materials
- ☐ Vacant lots in Zone 1 shall be maintained to be 10 feet wide along the property line

Zone 2 Requirements

Definition: Zone 2 extends from 30 feet to 100 feet out from buildings, structures, decks, etc. in only those areas within the City of El Cerrito designated as the Very High Fire Hazard Severity (VHFHS) Zones. NOTE: All Zone 1 requirements shall be followed in addition to the following Zone 2 requirements

- ☐ Cut or mow weeds and grass shall be cleared to a maximum height of 6 inches
- ☐ All fire hazardous vegetation except for weeds and grass shall be cleared and maintained to a height no greater than 18 inches above the ground
- ☐ Vacant lots in Zone 2 shall be maintained to be 30 feet wide along the property line

To find out if your property is located within the Very High Fire Hazard Severity Zone, go to : <https://egis.fire.ca.gov/FHSZ/> On the upper left hand side, click on the bottom icon for Address Search.



CITY OF EL CERRITO

10900 San Pablo Avenue • El Cerrito • CA • 94530
(510) 215-4457 • FAX (510) 232-4917 • fpo@ci.el-cerrito.ca.us

November 2, 2022

Parcel Number: **5XX-XXX-XXX**
Property Address: XXXXX, El Cerrito, CA 94530
Property Owner: XXXX
Property Owner's Address: XXXX

NOTICE TO DESTROY WEEDS AND REMOVE RUBBISH, REFUSE AND OTHER FLAMMABLE MATERIAL

On **November 1, 2022** the El Cerrito City Council declared that your property in the City of El Cerrito, designated above by address and parcel number, constitutes a public nuisance because of the presence of weeds, rubbish, litter or other flammable material which creates a fire hazard, a menace to the public health, or is otherwise noxious or dangerous.

A previous notice was sent to you informing you of the October 4, 2022 hearing which was rescheduled to November 1, 2022 and further informing you of your obligation to remove the weeds, rubbish, refuse and other flammable material from your property. **If you do not immediately abate these nuisance conditions, the City will do so and the costs for removal of the weeds, rubbish, refuse and other flammable material will be assessed against your property as a lien and special assessment.** These removal costs shall then be collected in the time and in the manner of ordinary municipal taxes.

You will not receive any further notices from the City prior to this removal. The City shall perform this removal either through its own staff or through private contract sometime between the dates of **November 2, 2022 to November 30, 2022**. It is impossible to predict what it will cost the City to remove these nuisance conditions from your property. The costs depend on the severity of those conditions. In past years these abatement costs have sometimes exceeded \$8,000 per parcel for those parcels with severe nuisance conditions.

The City Council will conduct a public hearing on **January 17, 2023** to confirm the cost of the abatement work performed on your property. The meeting will be held via teleconference or in the **El Cerrito City Council Chambers at 10890 San Pablo Avenue in El Cerrito at 6:00 p.m.** Please refer to the agenda for meeting information at www.el-cerrito.org/CouncilMeetingMaterials. During this public hearing you will be given the opportunity to voice objections regarding the report and the assessment of the abatement costs for your property. At this hearing you will also be given the opportunity to object, protest and/or present evidence to support your arguments.

If you have any questions, contact the El Cerrito Fire Department at 10900 San Pablo Avenue. The phone number is (510) 215-4450.

Chase Beckman

Chase Beckman
Fire Marshal



AGENDA BILL

Agenda Item No. 7.B.

Date: November 1, 2022
To: El Cerrito City Council
From: Keith Marks, Building Official; Melanie Mintz, Community Development Director, Community Development Department
Subject: 2nd Read and Adoption of Building and Fire Code Ordinance

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.

BACKGROUND/ANALYSIS

The 2022 California Building Standards Code (CBSC), which includes the Fire Code, becomes effective in California cities on January 1, 2023. Typically, every three years, the California Building Standards Commission reviews and revises the California Building, Existing Building, Fire, Plumbing, Mechanical, Residential, and Electrical Codes. The California Health and Safety Code requires local agencies to adopt the building standards contained in these uniform statewide codes but allows cities to modify the codes to reflect local conditions.

A city may establish more restrictive standards in their Building Codes because of local climatic, geological, or topographical conditions. The ordinance includes proposed modifications to require Class A roofing material for all roof replacements, which provides the highest standard in regards to the roofing material's ability to resist external fire. All roof covering material allowed in the code comes with a fire rating of A to C, A being the most restrictive. Most roofing material used currently already meets Class A requirements, including asphalt, metal, and tile that are all non-combustible. This proposal to amend the code will mean that any new roofing material, either for new roofs or re-roofs, will now have protection from fires spreading from one roof to the next even in areas not in the high fire hazard zone. Additional costs to contractors are expected to be minimal, since most roofs in the City do already use material that meet this new requirement.

The attached draft ordinance adopting the 2022 CBSC generally represents a continuation of existing City practice with regard to local modifications. It revalidates and readopts the City's current local amendments and includes El Cerrito's minor modifications due to local climatic, geologic, and topographic conditions, and adds the amendments regarding roof cover material, in Title 16 of the El Cerrito Municipal Code.

There are minor changes to the reference numbering in the new California Codes, and the proposed ordinance reflects these new reference numbers to ensure that the Municipal Code continues to relate accurately to the California Building Standards Code. Other construction-related California Codes are not included in this ordinance as City staff is not recommending that they be amended; instead those Codes will be automatically adopted and enforced as published by the State on January 1, 2023.

The City Council approved Resolution 2022-82 and held the first reading of the ordinance at the October 18, 2022 Regular City Council meeting. No substantial changes have been made to the draft ordinance. This hearing serves as the second reading for the local modification of the new California Building Standards Codes, as required by Government Code.

STRATEGIC PLAN CONSIDERATIONS

The task of updating and adopting the new California codes specifically modified to align with El Cerrito's local climatic, geologic and topographic conditions is in keeping with Strategic Plan Goals A: Delivering exemplary government services and E: Ensuring the public's health and safety.

ENVIRONMENTAL CONSIDERATIONS

This project is exempt from environmental review under the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3), Review for Exemptions - General Rule, in that it can be seen with certainty that there is no possibility for these actions to have a significant effect on the environment.

FINANCIAL CONSIDERATIONS

The cost of implementing this project is already included in the City of El Cerrito's FY 2022-23 Budget. No additional funding is necessary.

LEGAL CONSIDERATIONS

State law requires that the local agency adopt findings for any local modifications to the building standards contained in the CBSC. These findings are included in the attached resolution. The City of El Cerrito is following the general process for adopting another code by reference, pursuant to Government Code 50022.3.

The City Council must determine that the form of this publication is sufficient to give notice to interested persons of the purpose of the ordinance and the subject matter thereof, and the resolution contains a finding to this effect. In addition, the City Clerk is required to keep on file a copy of the codes to be adopted by reference for at least 15 days before the public hearing as well as after its adoption pursuant to Government Code section 6066. The City Attorney has reviewed and approved the attached draft ordinance.

Reviewed by:

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

Karen Pinkos, City Manager

Attachments:

1. Ordinance 2022-03

ORDINANCE NO. 2022-03

AN ORDINANCE OF THE CITY OF EL CERRITO AMENDING TITLE 16 OF THE EL CERRITO MUNICIPAL CODE TO ADOPT, WITH MODIFICATIONS TO ADDRESS UNIQUE LOCAL CONDITIONS, THE 2022 EDITION OF THE CALIFORNIA GREEN BUILDING CODE, THE 2022 EDITION OF THE CALIFORNIA BUILDING CODE (BASED ON THE 2021 INTERNATIONAL BUILDING CODE), VOLUMES 1 AND 2, INCLUDING SEVERAL APPENDICES THERETO, THE 2022 CALIFORNIA FIRE CODE (BASED ON THE 2021 INTERNATIONAL FIRE CODE), INCLUDING ALL APPENDICES THERETO, THE 2022 EDITION OF THE CALIFORNIA ADMINISTRATIVE CODE, THE 2022 EDITION OF THE CALIFORNIA RESIDENTIAL CODE (BASED ON THE 2021 INTERNATIONAL RESIDENTIAL CODE) WITH SOME APPENDICES, THE 2022 EDITION OF THE CALIFORNIA EXISTING BUILDING CODE (BASED ON THE 2021 INTERNATIONAL EXISTING BUILDING CODE) INCLUDING SOME APPENDICES, THE 2022 CALIFORNIA PLUMBING CODE (BASED ON THE 2021 UNIFORM PLUMBING CODE), THE 2022 CALIFORNIA MECHANICAL CODE (BASED ON THE 2021 UNIFORM MECHANICAL CODE), THE 2022 CALIFORNIA ELECTRICAL CODE (BASED ON THE 2020 NATIONAL ELECTRICAL CODE), AND THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE .

The City Council of the City of El Cerrito does hereby ordain as follows:

DIVISION I. That certain documents, copies of which are on file and are open for inspection by the public in the office of the Building Official of the City of El Cerrito, being marked and designated as the California Building Standards Code, 2022 Edition, comprising Title 24, Parts 1, 2 (Vol. 1 and 2), 2.5, 3, 4, 5, 6, 9,10, 11, and 12 California Code of Regulations, together with all appendices thereto and the California Housing Law Regulations, are hereby adopted, with certain modifications to reflect unique local conditions, as contained in the Municipal Code of the City of El Cerrito for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the City of El Cerrito. Each and all of the regulations, provisions, conditions, and terms of such California Building Standards Code, California Housing Law Regulations, all of which are on file in the office of the Building Official are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance. The application and use of the Appendices in the California Building Standards Codes and California Fire Code are adopted individually and are subject to approval of the Building Official and Fire Chief respectively.

The City Council of the City of El Cerrito further ordains as follows:

DIVISION II. TITLE 16, CHAPTER 16.02., ORDINANCE NO. 2019-09, (CALIFORNIA BUILDING CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.02, TITLED "CALIFORNIA BUILDING CODE":

Chapter 16.02

CALIFORNIA BUILDING CODE

Sections:

16.02.010	California Building Code - Adoption
16.02.020	Chapter 1 Subsection 105.2 (4) Amended - Exempted Work
16.02.030	Chapter 1 Section 107.6 Added - Garage, Carport and Driveway Grades
16.02.040	Chapter 1 Subsection 107.3 Amended - Examination of Documents
16.02.050	Chapter 1 Section 114.1.1 Added - Littering of Streets
16.02.060	Chapter 1 Section 117 Added - General Regulation of Construction
16.02.070	Chapter 5 Section 501.2 Amended – Address Identification
16.02.080	Chapter 9 Subsection 903.2 Amended - Automatic Fire-Extinguishing Systems
16.02.090	Chapter 9 Subsection 904.3.5 Amended - Alternative Automatic Fire-Extinguishing Systems
16.02.100	Chapter 9 Subsection 905.3.1 Amended - Standpipe Requirements
16.02.110	Chapter 17 Subsection 1705.3 Amended – Required Special Inspections and Tests
16.02.120	Chapter 19 Subsection 1905.1.8 Amended - Modifications to ACI 318
16.02.130	Chapter 23 Subsections 2308.6.4 and 2308.6.5 and tables 2308.6.1 and 2308.6.3(1) Amended - Wood
16.02.140	Chapter 23 Subsection 2304.11.2.6 Amended – Wood Siding
16.02.150	Chapter 25 Section 2505 Deleted – Shear Wall Construction
16.02.160	Chapter 1, Section 110.7 Added - Storm Water Pollution Control Measures
16.02.170	Appendix G Subsection G102.3 Added – Flood Resistant Construction
16.02.180	Chapter 12, Section 1202.7 Added – Ventilation of weather exposed assemblies
16.02.190	Chapter 14, Section 1403.14 Added – Projections exposed to weather.
16.02.200	Appendix G Subsection G102.3 Added – Flood Resistant Construction
16.02.210	Chapter 23, Section 2304.12.2.4 Amended – Laminated timbers
16.02.220	Chapter 23, Section 2304.12.2.5 Amended – Supporting members for permeable floors and roofs.
16.02.230	Chapter 7A, Section 705A.1 Amended – General

16.02.010 California Building Code - Adoption.

The Building Code for the City, sometimes referred to as “the CBC,” is the 2022 California Building Code, incorporating Volumes 1 and 2, (based on the International Building Code, 2021 Edition), including Appendix chapters D, F, G, H, and J, as approved by the California Building Standards Commission, and as published in Title 24, Part 2, Volumes 1 and 2 of the California Code of Regulations.

16.02.020 Chapter 1 Subsection 105.2 (4) Amended - Exempted Work

Subsection 105.2(4) of the CBC is amended to read:

4. Retaining walls which do not retain more than thirty (30) inches of earth when the earth retained is level and where there is no surcharge load and retaining walls which do not retain more than two (2) feet of earth when the earth retained is sloping not greater than 2h:1v and there is no surcharge load. The above does not apply to retaining walls impounding Class I, II, or IIIA Liquids. See CBC Section 2304.12.5 for treatment of wood used for retaining walls.

16.02.030 Chapter 1 Section 107.6 Added -Garage, Carport & Driveway Grades

Section 107.6 is added to the CBC, to read as follows:

Section 107.6 Garage, Carport and Driveway Grade Requirements.

- (a) Garage and carport floors shall be concrete.
- (b) Any person to whom a building permit has been issued shall, where established, obtain official line and grade information as required in Section 13.20.150 of the City Code prior to the construction of foundations or footings for carports and garages.
- (c) When official line and grade has not been established, it shall be the responsibility of that person to provide such information as required by City Engineer to establish lines and grades.
- (d) Any person to whom a building permit has been issued shall construct the finish floor of carports and garages to an elevation which shall conform to the official driveway data as set forth on plan LL-1031 on file with the City Engineer.

16.02.040 Chapter 1 Subsection 107.3 Amended - Examination of Documents

Subsection 107.3.1.1 is added to the CBC, to read as follows:

Review by Fire Chief. Whenever application is made for a building permit, as required by the CBC, the Building Official shall withhold issuance of the building permit until notification from the Fire Chief that all plans required by the California Fire Code (chapter 16.26 of this title) have been reviewed and approved, and that the requirements specified in Section 16.26 have been met.

16.02.050 Chapter 1 Section 114.1.1 Added - Littering of Streets

Section 114.1.1 is added to the CBC, to read as follows:

Section 114.1.1 - Littering of Streets

It shall be unlawful for any person to excavate, dig or move dirt, rock, or other substances so as to allow fragments thereof from being thrown or dropped against or upon lots or buildings, or upon any public right-of-way. Any person dropping such material or tracking dirt, mud, or rocks from private property upon any public right-of-

way shall immediately cause the same to be removed. Transportation of dirt and rock requires a permit obtained pursuant to chapter 13.24 of the El Cerrito Municipal Code.

16.02.060 Chapter 1 Section 117 Added - General Regulation of Construction

Section 117 is added to the CBC, to read as follows:

Section 117 - General Regulation of Construction

- (a) Work may be prohibited during inclement weather upon the order of the City Building Official.
- (b) The hours of work shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturday. Work shall be prohibited on Sundays and Holidays.

Work hours in the public right-of-way shall be regulated by Public Works Department.

- (c) Work must be controlled to prevent causing a public nuisance such as dust, noise, vibrations, uncontrolled storm water runoff, and traffic congestion.

16.02.070 Chapter 5 Section 501.2 Amended – Address Identification

Section 502.1 of the CBC is amended to read as follows:

Section 502.1 – Address Identification.

- a) The city shall keep on file a description of the method to be used in the assignment of street address identification numbers. This method shall be approved by Council resolution and shall be available for inspection by any member of the public.
- b) Every main structure or building constructed, altered, repaired, or moved into the city shall be assigned a street identification number by the Building Official.
- c) Numbers identifying the street address shall be placed on the street side of the building or structure in such manner as to be plainly visible from the street or public way. Identification numbers shall be a minimum of four (4) inches in height with minimum ½” stroke width for residential, and six (6) inches in height with minimum 1” stroke width for commercial buildings, and of a color to contrast with the surrounding color. Numbers shall be installed prior to final inspection and occupancy of the building or structure.
- d) The premises street address shall be internally or externally illuminated to the satisfaction of the Building Official.

- e) Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response.
- f) Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole, or other approved sign or means shall be used to identify the structure.
- g) The owner shall be responsible for the maintenance of identification numbers.
- h) Any change of the assigned street identification number must be approved by the Building Official.
- i) Every owner or occupant of any building or structure not numbered in accordance with the provisions of this section shall, within ten (10) days after notice given by the City change the number of such building or structure to the number specified in the notice.

16.02.080 Subsections 903.2 Amended - Automatic Fire-Extinguishing Systems

Subsection 903.2 of the CBC is amended to add:

- a) In every building where the total floor area exceeds 5,000 square feet.
- b) In every building having three (3) or more stories.

16.02.090 Subsection 904.3.5 Amended – Alternative Automatic Fire-Extinguishing Systems

Section 904.3.5 of the CBC is amended by adding the words, “or when required by the Fire Chief.”

16.02.100 Subsection 905.3 Amended - Standpipe Requirements

Subsection 905.3 is amended by adding the following:

Standpipes shall be required in all buildings three (3) stories in height in addition to other requirements in this section, or when required by the Fire Chief.

16.02.110 Subsection 1705A.3 Amended – Required Special Inspections and Tests

CBC Subsection 1705A.3, Concrete Construction is amended to read as follows:

1705.3 Concrete Construction. Special inspections and tests for concrete construction shall be performed in accordance with this section and TABLE 1705A.3.

Exceptions: Special inspections and tests shall not be required for:

1. Isolated spread concrete footings of buildings three stories or less above *grade plane* that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength, f'_c , no greater than 2,500 pound per square inch (psi) (17.2 Mpa).

16.02.120 Subsection 1905.1.7 Amended – Modifications to ACI 318

Section 1905.1.7 ACI 318, section 14.1.4 Delete ACI 318, section 14.1.4, and replace with the following:

14.1.4 - Plain concrete in structures assigned to seismic design category C, D, E or F.

14.1.4.1 - Structures assigned to Seismic Design Category C, D, E or F shall not have elements of structural plain concrete, except as follows:

- (a) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.

Exception: In detached one and two-family dwelling three stories or less in height, the projection of the footing beyond the face of the supported member is permitted to exceed the footing thickness.

- (b) Plain concrete footing supporting walls are permitted, provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. A minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

Exception: In detached one and two-family dwellings three stores or less in height and constructed with stud bearing walls, plain concrete footings with at least two continuous longitudinal reinforcing bars not smaller than No. 4 are permitted to have a total area of less than 0.002 times the gross cross –sectional area of the footing.

16.02.130 Chapter 23 Amended - Wood

The following tables 2308.6.1 and 2308.6.3(1) and sections 2308.6.4 and 2308.6.5 are amended to read as follows:

Table 2308.6.1 - Wall Bracing Requirements

Remove “PCP” and “GB” from the table column under the heading of “Bracing method” and remove footnotes “c” and “d” and any other references to “Portland Cement Plaster” and/or “Gypsum board”.

Table 2308.6.3(1) - Bracing Methods

Under column “Methods, Material”, remove rows “GB Gypsum board (double sided)” and “PCP Portland cement plaster” from table.

Section 2308.6.4 - Braced wall panel construction

Remove reference to “PCP” from text.

Section 2308.6.5 – Alternative bracing is deleted and replaced with the following:

2308.6.5 Alternate Bracing

An alternate braced wall (ABW) or a portal frame with hold-downs (PFH) described in this section is permitted to substitute for a 48-inch (1219 mm) braced wall panel of Method DWB, WSP, SFB, PBS, or HPS.

16.02.140 Subsection 2304.12.1.5 Amended – Wood Siding

Subsection 2304.12.1.5 of the CBC is amended to add the following sentence at the end thereof:

Siding Materials: Wood shingles or shakes shall be Class B or better which comply with ASTM E108 or UL 790, except that in very high fire hazard severity zones, no wood shake or shingle siding shall be permitted regardless of class designation. See section 8.30.030 of the El Cerrito Municipal Code for roofing standards in very high fire hazard severity zones.

16.02.150 Section 2505 Deleted – Shear Wall Construction

Section 2505 of the CBC on the use of gypsum or lath and plaster for shear wall construction is deleted in its entirety.

16.02.160 Chapter 1, Section 110.7 Added - Storm Water Pollution Control Measures

Chapter 1 Section 110.7 is added to the CBC to read as follows:

Storm water pollution control measures shall be implemented during all construction phases of development to prevent pollution from entering waterways. Specific practices of the California Stormwater Quality Association (CASQA) Construction Best Management Practices Handbook shall be incorporated herein.

16.02.170 Appendix G Subsection G102.3 Added – Flood Resistant Construction

Section G102.3 is added to the CBC, to read as follows:

Section G102.3 - Construction in Special Flood Hazard Area

Construction within special Flood Hazard Areas must comply with chapter 13.40 of the El Cerrito Municipal Code.

16.02.180 Chapter 12, Section 1202.7 Added – Ventilation of weather exposed assemblies

Chapter 12, Section 1202.7 is added to the CBC to read as follows:

Balconies, landings, decks, stairs, and similar exterior projecting elements and appurtenances exposed to the weather and sealed underneath shall have cross ventilation for each separate enclosed space by ventilation openings protected against the entrance of rain or snow. Blocking and bridging shall be arranged so as not to interfere with the movement of air. The net free ventilation area shall not be less than $1/150^{\text{th}}$ of the area of the space ventilated. Ventilation openings shall comply with Section 1203.2.1. An access panel of sufficient size shall be provided on the underside of the enclosed space to allow periodic inspection.

Exceptions:

1. An access panel is not required where the exterior coverings applied to the underside of the joists are easily removable using ordinary tools.
2. Removable soffit vents 4 inches minimum in width may be used to satisfy both ventilation and access panel requirements.

16.02.190 Chapter 14, Section 1403.14 Added – Projections exposed to weather.

Chapter 14, Section 1403.14 is added to the CBC to read as follows:

Balconies, landings, decks, stairs and similar floor projections exposed to the weather shall be constructed of naturally durable wood, preservative-treated wood, corrosion resistant (e.g. galvanized) steel, or similar approved materials.

16.02.200 Chapter 23, Section 2304.12.2.3 Amended – Supporting members for permanent appurtenances.

Chapter 23, Section 2303.12.2.3 of the CBC is amended to read as follows:

Naturally durable or preservative-treated wood shall be utilized for those portions of wood members that form the structural supports of buildings, balconies, porches, or similar appurtenances where such members are exposed to the weather.

16.02.210 Chapter 23, Section 2304.12.2.4 Amended – Laminated timbers

Chapter 23, Section 2304.12.2.4 of the CBC is amended to read as follows:

The portions of glued-laminated timbers that form the structural supports of a building or other structure, projecting element, or appurtenance and are exposed to weather shall be pressure treated with preservative or be manufactured from naturally durable or preservative-treated wood.

16.02.220 Chapter 23, Section 2304.12.2.5 Amended – Supporting members for permeable floors and roofs.

Chapter 23, Section 2304.12.2.5 of the CBC is amended to read as follows:

Wood structural members that support moisture-permeable floors and roofs that are exposed to the weather, such as concrete or masonry slabs, shall be of naturally durable or preservative wood and shall be separated from such floors or roofs by an impervious moisture barrier. The impervious moisture barrier system protecting the structure supporting floors shall provide positive drainage of water that infiltrates the moisture-permeable floor topping.

16.02.230 Chapter 7A, Section 705A.1 Amended – General.

Chapter 7A, Section 705A.1 of the CBC is amended as follows:

Roofs shall comply with the requirements of [Chapter 7A](#) and [Chapter 15](#). Roofs shall have a roofing assembly installed in accordance with its listing and the manufacturer's installation instructions and shall be Class A rating when tested in accordance with ASTM E108 or UL790.

DIVISION III. TITLE 16, CHAPTER 16.03., ORDINANCE NO. 2019-09, (CALIFORNIA RESIDENTIAL CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.03, TITLED “CALIFORNIA RESIDENTIAL CODE”:

Chapter 16.03

CALIFORNIA RESIDENTIAL CODE

Sections:

- 16.03.010 California Residential Code - Adoption
- 16.03.020 Chapter 1 Subsection R105.2 (3) Amended - Exempted Work
- 16.03.030 Chapter 1 Section R106.2.1 Added - Garage, Carport and Driveway Grades
- 16.03.040 Chapter 1 Subsection R106.3.1 Amended - Examination of Documents
- 16.03.050 Chapter 1 Section R103.5 Added - Littering of Streets
- 16.03.060 Chapter 1 Section R115 Added - General Regulation of Construction
- 16.03.065 Chapter 1 Section 116 Added - Small Residential Rooftop Solar Energy System Review Process
- 16.03.068 Chapter 3 Section R310.1 Amended – Emergency escape and rescue opening required
- 16.03.070 Chapter 3 Section R319.1 Amended - Premises Identification Numbering
- 16.03.080 Chapter 3 Section R322.1 of the CRC Amended-Flood-Resistant Construction
- 16.03.090 Section R402.1 of the CRC Deleted – Wood Foundations
- 16.03.100 Chapter 6 Section R602.10.2 and Table R602.10.3(3) of the CRC Amended – Seismic Reinforcing
- 16.03.110 Chapter 7 Subsection R703.6 Amended – Wood Shakes and Shingles

- 16.03.120 Chapter 9 Subsection R902.1 Amended Fire Rating of Roof Covering Material
- 16.03.130 Chapter 9 Subsection R902.1.2 Amended Roof Covering in All Areas

16.03.010 California Residential Code - Adoption.

The Residential Code for the City, sometimes referred to as “the CRC,” is the 2022 California Residential Code, (based on the International Building Code, 2021 Edition), including Appendix chapters H and Q, as approved by the California Building Standards Commission, and as published in Title 24, Part 2.5 of the California Code of Regulations.

16.03.020 Chapter 1 Subsection 105.2(Building)(3) Amended - Exempted Work

Subsection 105.2(Building)(3) of the CRC is amended to read:

3. Retaining walls which do not retain more than thirty (30) inches of earth when the earth retained is level and where there is no surcharge load, and retaining walls which do not retain more than two (2) feet of earth when the earth retained is sloping not greater than 2h:1v and there is no surcharge load. The above does not apply to retaining walls impounding Class I, II, or IIIA Liquids. See CBC Section 2304.12.5 for treatment of wood used for retaining walls.

16.03.030 Chapter 1 Section 106.2.1 Added -Garage, Carport & Driveway Grades

Section 106.2.1 is added to the CBC, to read as follows:

Section 106.2.1 Garage, Carport and Driveway Grade Requirements.

- (a) Garage and carport floors shall be concrete.
- (b) Any person to whom a building permit has been issued shall, where established, obtain official line and grade information as required in Section 13.20.150 of the City Code prior to the construction of foundations or footings for carports and garages.
- (c) When official line and grade has not been established, it shall be the responsibility of that person to provide such information as required by City Engineer to establish lines and grades.
- (d) Any person to whom a building permit has been issued shall construct the finish floor of carports and garages to an elevation which shall conform to the official driveway data as set forth on plan LL-1031 on file with the City Engineer.

16.03.040 Chapter 1 Subsection R106.3.1 Amended - Examination of Documents

Subsection R106.3.1 is amended by adding a second paragraph to the CRC, to read as follows:

Review by Fire Chief. Whenever application is made for a building permit, as required by the CRC, the Building Official shall withhold issuance of the building permit until notification from the Fire Chief that all plans required by the California Fire Code (chapter 16.26 of this title) have been reviewed and approved, and that the requirements specified in Section 16.26 have been met.

16.03.050 Chapter 1 Section R113.5 Added - Littering of Streets

Section R113.5 is added to the CRC, to read as follows:

Section R113.5 - Littering of Streets

It shall be unlawful for any person to excavate, dig or move dirt, rock, or other substances so as to allow fragments thereof from being thrown or dropped against or upon lots or buildings, or upon any public right-of-way. Any person dropping such material or tracking dirt, mud or rocks from private property upon any public right-of-way shall immediately cause the same to be removed. Transportation of dirt and rock requires a permit obtained pursuant to chapter 13.24 of the El Cerrito Municipal Code.

16.03.060 Chapter 1 Section R115 Added - General Regulation of Construction

Section R115 is added to the CRC, to read as follows:

Section R115 - General Regulation of Construction

- (a) Work may be prohibited during inclement weather upon the order of the City Building Official.
- (b) The hours of work shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturday. Work shall be prohibited on Sundays and Holidays.
- (c) Work hours in the public right-of-way shall be regulated by Public Works Department.
- (d) Work must be controlled to prevent causing a public nuisance such as dust, noise, vibrations, uncontrolled storm water runoff, and traffic congestion.

16.03.065 Chapter 1, Section R116 added—Small Residential Rooftop Solar Energy System Review Process.

Section R116 is added to the CRC to read as follows:

Section 116 – Small Residential Rooftop Solar Energy System Review Process

A. The following words and phrases as used in this section are defined as follows:

“Electronic submittal” means the utilization of one or more of the following:

1. e-mail,
2. the internet,
3. facsimile.

“Small residential rooftop solar energy system” means all of the following:

1. A solar energy system that is no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal.
2. A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the City and paragraph (iii) of subdivision (c) of Section 714 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.
3. A solar energy system that is installed on a single or duplex family dwelling.
4. A solar panel or module array that does not exceed the maximum legal building height as defined by the authority having jurisdiction.

“Solar energy system” has the same meaning set forth in paragraphs (1) and (2) of subdivision (a) of Section 801.5 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.

B. Section 65850.5 of the California Government Code provides that, on or before September 30, 2015, every city, county, or city and county shall adopt an ordinance that creates an expedited, streamlined permitting process for small residential rooftop solar energy systems.

C. Section 65850.5 of the California Government Code provides that in developing an expedited permitting process, the city, county, or city and county shall adopt a checklist of all requirements with which small rooftop solar energy systems shall comply to be eligible for expedited review. The building official is hereby authorized and directed to develop a modified version of the eligibility checklist from the 2020 California Solar Permitting Guidebook to conform to the City of El Cerrito’s unique climactic, geological, seismological, or topographical conditions and adopt such checklist.

D. The checklist shall be published on the city’s internet website. The applicant may submit the permit application and associated documentation to the City’s building division by personal, mailed, or electronic (when developed and available) submittal together with any required permit processing and inspection fees.

E. Prior to submitting an application, the applicant shall:

1. Verify to the applicant’s reasonable satisfaction through the use of standard engineering evaluation techniques that the support structure for the small residential rooftop solar energy system is stable and adequate to transfer all wind, seismic, and dead and live loads associated with the system to the building foundation; and

2. At the applicant's cost, verify to the applicant's reasonable satisfaction using standard electrical inspection techniques that the existing electrical system, the main panel make and type, including existing line, load, ground and bonding wiring as well as main panel and subpanel sizes are adequately sized, based on the existing electrical system's current use, to carry all new photovoltaic electrical loads and accept new electrical connections.
- F. For a small residential rooftop solar energy system eligible for expedited review, only one inspection shall be required, which shall be done in a timely manner and may include a consolidated inspection by the building official and fire chief. If a small residential rooftop solar energy system fails inspection, a subsequent inspection is authorized; however, the subsequent inspection need not conform to the requirements of this subsection.
- G. An application that satisfies the information requirements in the checklist, as determined by the building official, shall be deemed complete. Upon receipt of an incomplete application, the building official shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.
- H. Upon confirmation by the building official of the application and supporting documentation being complete and meeting the requirements of the checklist, the building official shall administratively approve the application and issue all required permits or authorizations. Such approval does not authorize an applicant to connect the small residential rooftop energy system to the local utility provider's electricity grid. The applicant is responsible for obtaining such approval or permission from the local utility provider.

16.03.068 Section R310.1 Amended – Emergency escape and rescue opening required

Section R301.1 of the CRC is amended as follows:

Exception 2 is deleted in its entirety.

16.03.070 Section R319.1 Amended - Premises Identification Numbering

Section R319.1 of the CRC is amended to read as follows:

Section R319.1 - Premises Identification Numbering.

Address Identification.

- a) The city shall keep on file a description of the method to be used in the assignment of street address identification numbers. This method shall be approved by Council resolution and shall be available for inspection by any member of the public.

- b) Every main structure or building constructed, altered, repaired or moved into the city shall be assigned a street identification number by the Building Official.
- c) Numbers identifying the street address shall be placed on the street side of the building or structure in such manner as to be plainly visible from the street or public way. Identification numbers shall be a minimum of four (4) inches in height with minimum ½" stroke width for residential, and six (6) inches in height with minimum 1" stroke width for commercial buildings, and of a color to contrast with the surrounding color. Numbers shall be installed prior to final inspection and occupancy of the building or structure.
- d) The premises street address shall be internally or externally illuminated to the satisfaction of the Building Official.
- e) Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response.
- f) Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other approved sign or means shall be used to identify the structure.
- g) The owner shall be responsible for the maintenance of identification numbers.
- h) Any change of the assigned street identification number must be approved by the Building Official.
- i) Every owner or occupant of any building or structure not numbered in accordance with the provisions of this section shall, within ten (10) days after notice given by the City change the number of such building or structure to the number specified in the notice.

16.03.080 Section R322.1 of the CRC Amended-Flood-Resistant Construction

Section R322.1 of the CRC is amended by adding the following sentence:

Construction within special Flood Hazard Areas must comply with Chapter 13.40 of the El Cerrito Municipal Code.

16.03.090 Section R402.1 of the CRC Deleted – Wood Foundations

Section R402.1 of the CRC concerning the use of wood foundations is deleted in its entirety.

16.03.100 Section R602.10 and Table R602.10.3(3) of the CRC Amended – Wall Bracing

Section R602.10.4 containing Table R602.10.3(3) of the CRC is amended as follows:
Footnote “e” at the end of CRC Table R602.10.3(3), is amended to read:

- e. In Seismic Design Categories D₀, D₁, and D₂, Methods GB, PFG, and CS-SFB are not permitted and the use of Method PCP is limited to one-story single family dwellings and accessory structures.

16.03.110 Subsection R703.6 Amended – Wood Shakes and Shingles

Subsection R703.6 of the CRC is amended to add the following sentence:

Wood shingles or shakes shall conform to CSSB and be fire resistance Class B or better which comply with ASTM E108 or UL 790, except that in very high fire hazard severity zones, no wood shake or shingle siding shall be permitted regardless of class designation. See section 8.30.030 of the El Cerrito Municipal Code for roofing standards in very high fire hazard severity zones.

16.03.120 Subsection R 902.1 Amended – Roofing Covering Materials

Subsection R902.1 of the CRC is amended to read as follows:

Roofs shall be covered with materials as set forth in Sections [R904](#) and [R905](#). A minimum Class A roofing shall be installed in areas designated by this section including where the edge of the roof is less than 3 feet (914 mm) from a [lot line](#). Class A roofing required by this section to be listed shall be tested in accordance with ASTM E108 or UL 790.

Exceptions:

1. Class A [roof assemblies](#) include those with coverings of brick, masonry and exposed [concrete roof deck](#).
2. Class A [roof assemblies](#) include ferrous or copper shingles or sheets, metal sheets and shingles, [clay](#) or [concrete](#) roof tile, or slate installed on noncombustible decks.
3. Class A [roof assemblies](#) include minimum 16 ounces per square foot copper sheets installed over combustible decks.
4. Class A [roof assemblies](#) include slate installed over [underlayment](#) over combustible decks.

16.03.130 Subsection Section R 902.1.2 Amended – Roof Coverings in all other Areas

Subsection R902.1.2 of the CRC is amended to read as follows:

The entire [roof covering](#) of every existing structure where more than 50 percent of the

total roof area is replaced within any one-year period, the entire [roof covering](#) of every new structure, and any [roof covering](#) applied in the alteration, [repair](#) or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class A.

DIVISION IV. TITLE 16, CHAPTER 16.04., ORDINANCE NO. 2019-09, (CALIFORNIA PLUMBING CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.04, TITLED “CALIFORNIA PLUMBING CODE”:

Chapter 16.04

CALIFORNIA PLUMBING CODE

Sections:

16.04.010 California Plumbing Code - Adoption

The Plumbing Code for the City, sometimes referred to as “the CPC,” is the California Plumbing Code, 2022 Edition, (based on the Uniform Plumbing Code, 2021 Edition), as approved by the California Building Standards Commission, and as published in Title 24, Part 5, of the California Code of Regulations.

DIVISION V. TITLE 16, CHAPTER 16.06., ORDINANCE NO. 2019-09, (CALIFORNIA MECHANICAL CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.06 TITLED “CALIFORNIA MECHANICAL CODE”:

Chapter 16.06

CALIFORNIA MECHANICAL CODE

Sections:

16.06.010 California Mechanical Code - Adoption.

The Mechanical Code for the City, sometimes referred to as “the CMC,” is the California Mechanical Code, 2022 Edition, (based on the Uniform Mechanical Code, 2021 Edition), as approved by the California Building Standards Commission, and as published in Title 24, Part 4, of the California Code of Regulations

DIVISION VI. TITLE 16, CHAPTER 16.08., (CALIFORNIA ELECTRICAL CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.08, TITLED “CALIFORNIA ELECTRICAL CODE”:

Chapter 16.08

CALIFORNIA ELECTRICAL CODE

Sections:

- 16.08.010 California Electrical Code - Adoption.**
- 16.08.040 Article 230.70 (A) (1) Amended - Readily Accessible Location**

16.08.010 California Electrical Code - Adoption

The Electrical Code for the City sometimes referred to as “the CEC,” is the California Electrical Code, 2022 Edition, (based on the National Electrical Code, 2020 Edition), as approved by the California Building Standards Commission, and as published in Title 24, Part 3, of the California Code of Regulations, except as amended and supplemented in the manner set forth in this chapter.

16.08.040 Article 230.70 (A) (1) Amended - Readily Accessible Location

Article 230.70 (A) (1) of the National Electric Code is amended to read as follows:

The service disconnecting means shall be installed at a readily accessible location outside of a building or structure near the point of entrance of the service conductors for single family dwellings. For other occupancies where direct access from the exterior does not occur, a remote control (shunt trip) activating the disconnect shall be located on the exterior of the building in a location and manner acceptable to the Fire and Building Officials.

DIVISION VII. TITLE 16, CHAPTER 16.09., ORDINANCE NO. 2019-09, (CALIFORNIA EXISTING BUILDING CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.09 TITLED “CALIFORNIA EXISTING BUILDING CODE”:

Chapter 16.09

California Existing Building Code

Section:

- 16.09.010 California Existing Building Code – Adoption**
- 16.02.030 Section 405 Added - Repairs including all subsections associated**

16.09.010 California Existing Building Code - Adoption.

The Existing Building Code for the City, sometimes referred to as “the CEBC,” is the 2022 California Existing Building Code, (based on the International Existing Building Code, 2021 Edition), including Appendix chapters A3 and A4, as approved by the California Building Standards Commission, and as published in Title 24, Part 10 of the California Code of Regulations.

16.02.030 Chapter 4, Section 405 Added - Repairs including all subsections associated

The following repair requirements are hereby added as a new Subsection 405.2.3.1.1 to Chapter 4, Section 405 "Repairs" of the CBC to read as follows:

405.2.3.1.1 Seismic evaluation and design. Seismic evaluation and design of an existing building and its components shall be based on the following criteria.

405.2.3.1.2 Evaluation and design procedures. The seismic evaluation and design shall be based on the procedures specified in the building code, ASCE 31 *Seismic Evaluation of Existing Buildings* (for evaluation only) or ASCE 41 *Seismic Rehabilitation of Existing Buildings*. The procedures contained in Appendix A of the *International Existing Building Code* shall be permitted to be used as specified in Section 405.2.3.1.4.

405.2.3.1.3 CBC level seismic forces. When seismic forces are required to meet the building code level, they shall be one of the following:

1. 100 percent of the values in the building code. The R factor used for analysis in accordance with Chapter 16 of the building code shall be the R factor specified for structural systems classified as "Ordinary" unless it can be demonstrated that the structural system satisfies the proportioning and detailing requirements for systems classified as "Intermediate" or "Special".
2. Forces corresponding to BSE-1 and BSE-2 Earthquake Hazard Levels defined in ASCE 41. Where ASCE 41 is used, the corresponding performance levels shall be those shown in Table 405.2.3.1.3.

**TABLE 405.2.3.1.3
ASCE 41 and ASCE 31 PERFORMANCE LEVELS**

OCCUPANCY CATEGORY (BASED ON IBC TABLE 1604.5)	PERFORMANCE LEVEL FOR USE WITH ASCE 31 AND WITH ASCE 41 BSE-1 EARTHQUAKE HAZARD LEVEL	PERFORMANCE LEVEL FOR USE WITH ASCE 41 BSE-2 EARTHQUAKE HAZARD LEVEL
P I	Life Safety (LS)	Collapse Prevention (CP)
e II	Life Safety (LS)	Collapse Prevention (CP)
r III	Note (a)	Note (a)
IV	Immediate Occupancy (IO)	Life Safety (LS)

or

- a. Performance levels for Occupancy Category III shall be taken as halfway between the performance levels specified for occupancy Category II and Occupancy Category IV.

405.2.3.1.4 Reduced CBC level seismic forces. When seismic forces are permitted to meet reduced building code levels, they shall be one of the following:

1. 75 percent of the forces prescribed in the building code. The R factor used for analysis in accordance with Chapter 16 of the California Building Code shall be the R factor as specified in Section 405.2.3.1.3.

2. In accordance with the applicable chapters in Appendix A of the *International Existing Building Code* as specified in Items 2.1 through 2.5 below. Structures or portions of structures that comply with the requirements of the applicable chapter in Appendix A shall be deemed to comply with the requirements for reduced building code force levels.

- 2.1. The seismic evaluation and design of unreinforced masonry bearing wall buildings in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A1.

- 2.2. Seismic evaluation and design of the wall anchorage system in reinforced concrete and reinforced masonry wall buildings with flexible diaphragms in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A2.

- 2.3. Seismic evaluation and design of cripple walls and sill plate anchorage in residential buildings of light-frame wood construction in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A3.

- 2.4. Seismic evaluation and design of soft, weak, or open-front wall conditions in multiunit residential buildings of wood construction in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A4.

3. In accordance with ASCE 31 based on the applicable performance level as shown in Table 405.2.3.1.3.

4. Those associated with the BSE-1 Earthquake Hazard Level defined in ASCE 41 and the performance level as shown in Table 405.2.3.1.3. Where ASCE 41 is used, the design spectral response acceleration parameters S_x and S_{x1} shall not be taken less than 75 percent of the respective design spectral response acceleration parameters S_D and S_{D1} defined by the *International Building Code* and its reference standards.

405.2.3.1.5 Wind Design. Wind design of existing buildings shall be based on the procedures specified in the building code.

405.2.3.1.6 Repairs to damaged buildings. Repairs to damaged buildings shall comply with this section.

405.2.3.1.7 Unsafe conditions. Regardless of the extent of structural damage, unsafe conditions shall be eliminated.

DIVISION VIII. TITLE 16, CHAPTER 16.20., ORDINANCE NO. 2019-09, (HOUSING AND PROPERTY MAINTENANCE CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.20, TITLED "HOUSING AND PROPERTY MAINTENANCE CODE":

Chapter 16.20

HOUSING AND PROPERTY MAINTENANCE CODE

16.20.010 - Housing and Property Maintenance Code—Adoption

The housing code for the city is the California Housing Law Regulations combined with the 2021 International Property Maintenance Code (IPMC) except as amended and supplemented in the manner set forth in this chapter.

16.20.011 - IPMC 101.1 amended—Title.

Section 101.1 of the IPMC is amended as follows:

That portion of the sentence reading "Name of Jurisdiction" is deleted and replaced with "City of El Cerrito."

16.20.012- IPMC 103.1 amended—Creation of Agency.

Section 103.1 of the IPMC is amended as follows:

That portion of the sentence reading "Insert Name of Jurisdiction" is deleted and replaced with "Community Development Department."

16.20.020 - IPMC 102.3 amended—Application of other codes.

- Section 102.3 of the IPMC is amended as follows:

The International Codes are not adopted by the City, and where referenced in this code, shall be replaced with the California Codes.

16.20.030 - IPMC 107 amended—Means of appeal.

- Section 107 of the IPMC is amended as follows:

Section 107 is deleted in its entirety and replaced with ECMC sections 1.14.080, 1.14.090, 1.14.100, and 1.14.110

16.20.035- IPMC 302.4 amended—Weeds.

Section 302.4 of the IPMC is amended as follows:

That portion of the sentence reading "jurisdiction to insert height in inches" is deleted and replaced with "twelve inches."

16.20.040 - IPMC 304.14 amended—Insect screens.

- Section 304.14 of the IPMC is amended as follows:

That portion of the sentence reading "During the period from [date] to [date]," is deleted and replaced with "During the entire year,"

16.20.050 - IPMC 308.3.1 amended—Disposal of garbage.

- Section 308.3.1 of the IPMC is amended as follows:

That portion of the sentence reading "an approved incinerator unit in the structure available to the occupants in each dwelling unit" shall be deleted in its entirety.

16.20.055 - IPMC 602.3 amended—Heat supply.

- Section 602.3 of the IPMC is amended as follows:

That portion of the sentence reading "during the period from [date] to [date]" is deleted and replaced with "during the entire year."

16.20.060 - IPMC 602.4 amended—Occupied work spaces.

- Section 602.4 of the IPMC is amended as follows:

That portion of the sentence reading "during the period from [date] to [date]" is deleted and replaced with "during the entire year."

DIVISION IX. TITLE 16, CHAPTER 16.24., ORDINANCE NO. 2019-09, (CALIFORNIA GREEN BUILDING CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.24, TITLED "CALIFORNIA GREEN BUILDING CODE":

Chapter 16.24

CALIFORNIA GREEN BUILDING CODE

Section:

16.24.010 California Green Building Code - Adoption.

The Green Building Code for the City is the California Green Building Standards Code, 2022 Edition, as approved by the California Building Standards Commission, and as published in Title 24, Part 11, of the California Code of Regulations.

DIVISION X. TITLE 16, CHAPTER 16.26., ORDINANCE NO. 2019-09, (CALIFORNIA FIRE CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.26, TITLED "CALIFORNIA FIRE CODE":

Chapter 16.26

CALIFORNIA FIRE CODE

Section:

16.26.010 California Fire Code - Adoption.
16.26.020 Chapter 1 Section 1.1.1.2 Added - Title
16.26.030 Chapter 1 Section 1.1.8 Amended - Amendments to the Fire Code
16.26.040 Chapter 1 Section 1.11.1 Amended - Office of the State Fire Marshall
16.26.050 Chapter 1 Section 102.1 Amended - Applicability
16.26.060 Chapter 1 Section 102.9 Amended - Matters Not Provided For
16.26.070 Chapter 1 Section 104.1 Amended - General Authority and Responsibility
16.26.080 Chapter 1 Section 104.1.1A and 104.1.1B Added - General Authority
Peace Officer Status
16.26.090 Chapter 1 Section 104.9 Amended - Alternative materials and methods
16.26.100 Chapter 1 Section 105.1.1 Amended - Required permits

- 16.26.110 Chapter 1 Section 105.6 Amended - Required operational permits
- 16.26.120 Chapter 1 Section 109 Amended - Board of Appeals
- 16.26.130 Chapter 2 Section 202 Amended – General Definitions
- 16.26.140 Chapter 2 Section 202 Amended - Definitions - F
- 16.26.150 Chapter 2 Section 202 Amended - Definitions - R
- 16.26.160 Chapter 3 Section 321 Added - General precautions against fire
- 16.26.170 Chapter 4 Section 401.5 Amended - Making false report
- 16.26.180 Chapter 5 Sections 503, 504, 505 and 507 Amended -Fire Service Features
- 16.26.190 Chapter 6 Section 603.6 Amended - Building Services and Systems
- 16.26.200 Chapter 9 Section 903.2 Amended – Automatic Fire Extinguishing Systems
- 16.26.210 Chapter 9 Section 903.2 Amended - Automatic Fire Sprinkler Systems
- 16.26.220 Chapter 9 Section 905.3.1 Amended - Standpipe Systems
- 16.26.230 Chapter 9 Section 907.2 Amended - Fire Alarm and Detection Systems
- 16.26.240 Chapter 9 Section 907.7.2 Amended - Record of completion
- 16.26.250 Chapter 10 Section 1010.1.10 Amended - Panic and fire exit hardware
- 16.26.260 Chapter 10 Section 1028.5 Amended - Exit and pathways
- 16.26.270 Chapter 50 Section 5004 Added - Hazardous Materials
- 16.26.280 Chapter 50 Section 5004.1 Amended - General Provisions
- 16.26.290 Chapter 53 Section 5304.2S Added - Compressed Gasses
- 16.26.300 Chapter 56 Section 5601.1.1A Added - Explosives and Fireworks
- 16.26.310 Chapter 57 Section 5704.2.11.5 Added - Flammable and Combustible Liquids – Below Ground Tanks
- 16.26.320 Chapter 57 Section 5704 Amended - Flammable and Combustible Liquids - Above Ground Tanks
- 16.26.330 Chapter 58 Section 5803A Added - Flammable Gases and Flammable Cryogenic Fluids
- 16.26.340 Chapter 61 Section 6103.2.1.7 Amended - Liquefied Petroleum Gases – Inside Buildings
- 16.26.350 Chapter 61 Section 6104.2A Added - Liquefied Petroleum Gases – Outside Buildings

16.26.010 California Fire Code - Adoption.

It is hereby adopted by the city council of the city of El Cerrito for the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion, that certain codes and standards known as the 2022 California Building Standards Code, Title 24, California Code of Regulations (CCR), Part 9 (California Fire Code), and by reference the 2021 International Fire Code published by the International Code Council, Inc. (ICC), (including Appendix Chapters A, B, C, D, E, F, G, I, and J) save and except such portions as are deleted, modified or amended by this chapter, of which not less than one copy each have been and are now filed in the office of the Fire Chief and the Building Official of the City of El Cerrito and the same is hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this chapter shall take effect, the provisions thereof shall be controlling within the limits of the City of El Cerrito.

16.26.020 Chapter 1 Section 1.1.1.2 Added - Title

Section 1.1.1.2 Title is added as follows:

Section 1.1.1.2 These regulations shall be known as the Fire Code of the City of El Cerrito, hereinafter referred to as "this code." The California Fire Code and the International Fire Code adopted by reference in Section 1, amendments thereto, additions, and deletions as set forth in this Section shall become effective as set forth in Section 1.1.8 Division and Appendix numbers used are those of the California Fire Code.

16.26.030 Chapter 1 Section 1.1.8 Amended - Amendments to the Fire Code

Section 1.1.8 is amended by adding the following:

The limits referred to in Section 1.1.8.1 of the California Fire Code and International Fire Code adopted by reference in Section 1, amendments thereto, additions, and deletions and appendices as set forth in this section shall become effective as set forth in Section 1.1.9 Article, Section, Division, and Appendix numbers used are those of the California Fire Code.

16.26.040 Chapter 1 Section 1.11.1 Amended - Office of the State Fire Marshall

Section 1.11.1 is amended by adding 1.11.1 A, B and C

A. The California Fire Code as adopted and amended herein shall be enforced by the city fire prevention division which is hereby established, and which shall be operated under the supervision of the fire marshal.

B. The fire marshal in charge of the fire prevention division shall be appointed by the fire chief of the city of El Cerrito on the basis of examination to determine his or her qualifications for the position.

C. The chief of the fire department shall recommend to the city council the employment of technical staff members, who, when such authorization is made, shall be selected on the basis of examination to determine their qualifications for the position.

16.26.050 Chapter 1 Section 102.1 Amended – Applicability

Section 102.1 is amended by adding Section 102.1.1

Section 102.1.1 Buildings in existence at the time of the adoption of this code may have their existing use or occupancy continued, if such use or occupancy was legal at the time of the adoption of this code, provided such continued use is not dangerous to life.

Section 102.2 is amended by adding section 102.2.1

Section 102.2.1 Plans for compliance. Upon written notice to the responsible property owner, plans for compliance shall be submitted and approved, and within 18 months or earlier depending on the life-safety significance of the hazard work shall be completed or the building shall be vacated until made to conform.

16.26.060 Chapter 1 Section 102.9 Amended - Matters Not Provided For

Section 102.9 is amended by adding subsection 102.9.1A

102.9.1A Unless otherwise limited by law, the applicable provisions of this code shall apply to vehicles, ships, boats, and mobile vehicles and other facilities when fixed in a specific location within the boundaries of this jurisdiction.

16.26.070 Chapter 1 Section 104.1 Amended - General Authority and Responsibility

Section 104.1 is amended by adding the following:

The Fire Chief or the Fire Code Official is authorized to render interpretations of this code and to make and enforce rules and supplemental regulations in order to carry out the application of its provisions. The Chief may be guided by the 2016 Supplement to the Uniform Fire Code. Such interpretations, rules and regulations, and supplements shall be in conformance with the intent and purpose of this code and shall be available to the public during normal business hours.

16.26.080 Chapter 1 Section 104.1.1A and 104.1.1B Added - General Authority Peace Officer Status

Section 104.1.1A and 104.1.1B are added in their entirety to read as follows:

Section 104.1.1A The Fire Chief and his designated representatives shall have the powers of peace officers while engaged in the performance of their duties with respect to the prevention, investigation, and suppression of fires and the protection and preservation of life and property against the hazards of fire and conflagration.

Section 104.1.1B The Chief, or his duly authorized agents, may issue citations for violations of this ordinance in accordance with Chapter 5C (commencing with Section 853.5), Title 4, Part 2, of the Penal Code.

16.26.090 Chapter 1 Section 104.9 Amended - Alternative materials and methods

Section 104.9 is amended by adding 104.9.3

Section 104.9.3 - The city council, the fire chief and the fire marshal shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies for which permits are required in addition to those now enumerated in the California Fire Code. The fire marshal shall post such list in a conspicuous place at the offices of the fire prevention division and distribute copies thereof to interested persons.

16.26.100 Chapter 1 Section 105.1.1 Amended - Required permits

Section 105.1.1 is amended by adding Section 105.1.1A:

Section 105.1.1A Fee for Plan Review, Inspection and Permits. Fees required by the City shall be established in the City's master fee schedule, to defray: the costs for plan review of plans required by this code; requested or required inspection services; administrative costs; issuance of permits and all other direct costs incurred by the city.

Section 105.4.1.1 is amended by adding Section 105.4.1.2 (1 to 6):

Section 105.4.1.2 Review of Plans. Whenever required by this Code, plans shall be submitted to the Fire Chief for review and approval prior to construction. Whenever application is made for a building permit, as required by the Building Code, the Building Official shall withhold issuance of the building permit until notification from the Fire Department that plans required by this code have been reviewed and approved and that the requirements set forth in section 105 have been met. In addition to plan submittals required by other sections of this Code, plans shall be submitted whenever any of the following land developments and/or improvements are proposed:

1. Subdivision of land.
2. Construction, alteration, or renovation of a building.
3. Demolition of a building.
4. Provision of a water supply for fire protection.
5. Provision of access for fire apparatus.
6. An occupancy for the storage, use, or handling of any hazardous substance, hazardous material process, or hazardous device.

16.26.110 Chapter 1 Section 105.6 Amended - Required operational permits

Section 105.6 is amended by adding 105.6.52 thru 105.6.55.

52. Christmas tree sales. To use a property for the purpose of selling cut Christmas trees. See applicable provisions of Chapter 3 General Precautions against fire.

53. Pumpkin patches/lots. To use a property for the purpose of selling pumpkins and seasonal items. See applicable provisions of Chapter 3 General Precautions against fire.

54. Liquefied petroleum gases. To store, use, or handle liquefied petroleum gas inside buildings. See Chapter 38.

55. Rockets. To launch model rockets. See California Code of Regulations Title 19, Division 1, Article 17.

16.26.120 Chapter 1 Section 109 Amended - Board of Appeals

Section 109 is amended by adding 109.1.1

Section 109.1.1 Whenever the fire chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code has been misconstrued or wrongly interpreted, the applicant may appeal within thirty days the chief's decision to the city council.

16.26.130 Chapter 2 Section 202 Amended – General Definitions

Section 202 - General Definitions is amended as follows: by changing the definition of Jurisdiction and adding the definition for Fire Marshal by adding Sections 202. A and 202. B.

- A. Wherever the word "jurisdiction" is used in the California Fire Code, it shall be held to mean the City of El Cerrito.
- B. Where the party responsible for the enforcement of the California Fire Code is given the title of "Fire Marshal," add the following definition: Fire Marshal is the chief of the bureau of fire prevention.

16.26.140 Chapter 2 Section 202 Amended - Definitions – F

Section 202 -F - is amended by adding:

Facility - any structure or location used for storing, processing, or handling material or equipment.

Fair - a temporary enterprise principally devoted to the exhibit or sale of products of commerce, agriculture or industry, or to entertainment and amusement and may include the operation of amusement rides or devices, or concession booths.

Firebreak - a continuous strip of land upon and from which all rubbish, weeds, grass or other growth that could be expected to burn when dry has been abated or otherwise removed in order to prevent the surface extension of fire from one area to another.

Fire trail - a graded firebreak of sufficient width, surface, and design to provide access for fire personnel and equipment to suppress and to assist in preventing a surface extension of fires.

Fuel break - a specified width, strip, or block of land on which the vegetation has been permanently modified to a low volume fuel type so that fires burning on it can be more readily controlled.

16.26.150 Chapter 2 Section 202 Amended - Definitions – R

Section 202 - R is amended by adding:

Response Time - the calculated time difference between receiving a report of an alarm and the application of extinguishing agent.

Running Time - the calculated time difference between leaving the first due fire station and arriving on the emergency scene.

Rural Area - that area generally designated for agricultural or open space uses with parcels over 10 acres in size.

Rural Residential Area - that area generally designated for single family residential use with parcels between 3 and 10 acres in size.

16.26.160 Chapter 3 Section 321 Added - General precautions against fire

Chapter 3 Section 321 is added in its entirety:

Section 321 Exterior hazard control.

Section 321.1 Weeds and Rubbish to be Destroyed or Removed.

It shall be unlawful for any person owning, occupying, renting, managing, or controlling any real property in this jurisdiction to cause, or permit to remain on the property, or on portions of streets adjoining such property, any weeds, rubbish, litter or other flammable material which creates a fire hazard, a menace to the public health or which is otherwise noxious or dangerous. It shall be the duty of every such person to remove or destroy such weeds, rubbish, litter or other flammable material. Destruction by burning within the jurisdictions unlawful unless the written permission of the Fire Chief of the City is first obtained, and all other applicable permits are obtained from appropriate governing jurisdictions.

Section 321.2 Definitions, as used in this article

1. "Weed," as used in this part, means all weeds growing upon streets or private property in this jurisdiction and includes any of the following:
2. Weeds that bear seeds of a downy nature or are subject to flight.
3. Sagebrush, chaparral and any other brush or weeds which obtain such large growth as to become, when dry, a fire menace to adjacent improved property or to streets.
4. Weeds that are otherwise noxious or dangerous.
5. Poison oak and poison ivy when the conditions of growth are such as to constitute a menace to the public health.
6. Dry grass, stubble, brush, litter or other flammable materials that endanger the public safety by creating a fire hazard.
7. "Rubbish" means waste matter, litter, trash, refuse, debris and dirt on streets, or private property in the jurisdiction that is, or when dry may become a fire hazard.

8. "Streets" include alleys, parkways, driveways, sidewalks and areas between sidewalks and curbs.
9. "Person" includes individuals, firms, partnerships and corporations.
10. "Cost of Abatement" shall include all expenses incurred by jurisdiction, including administrative costs, in its work of abatement undertaken pursuant Section 318 of this ordinance.
11. "Superintendent" shall mean the City Manager or designee.

Section 321.3 Declaration of Policy.

The City Council, as the supervising, legislative and executive authority of this jurisdiction, hereby declares that the removal of dry grass, stubble, brush, rubbish, litter or other flammable material which creates a fire hazard, a menace to the public health or which is otherwise noxious or dangerous is a matter of extreme municipal importance. The City Council hereby adopts the following Fire Hazard Abatement Program for the purpose of abating fire hazards caused by the presence of dry grass, stubble, brush, rubbish, litter or other flammable material on private properties within the City. This program shall be conducted in accordance with the provisions of Government Code Sections 39560-39588 as those sections presently exist or as may be amended. The City Manager or designee shall be deemed the street superintendent for the purpose of carrying out the provisions of this policy.

Section 321.4 Abatement Procedures

- a. The City Council of El Cerrito shall declare by resolution annually, or as often as may be necessary, those properties which are deemed public nuisances because of the presence of dry grass, stubble, brush, rubbish, litter, or other flammable material which creates a fire hazard, a menace to the public health or which is otherwise noxious or dangerous.
- b. The resolution may also declare that certain identified properties are seasonal and recurrent nuisances as defined by Government Code Section 39562.1
- c. The resolution shall designate a date, time and place for a hearing at which the owners of the properties identified in the resolution may object to the designation of their properties as public nuisances, and object to the abatement actions proposed by the City as authorized by Government Code Sections 39560-39588.
- d. Written notice shall be provided to the owners of the properties identified in the resolution informing them of the date, time, and place of the hearing. This notice shall be in substantially the same form as contained in Government Code Section 39566. Notice to the owners of those properties declared seasonal and recurrent nuisances shall incorporate the provisions contained in Government Code Section 39562.1. The notice shall be served as provided for in Government Code Sections 39564-39567.1.

e. At the hearing, the City Council shall hear and consider all objections. By resolution, the City Council shall allow or overrule these objections. The City Council shall also order the City Manager or designee to abate the public nuisances' conditions at the properties designated in the initial resolution by having the dry grass, stubble, brush, rubbish, litter or other flammable material which creates a fire hazard, a menace to the public health or which is otherwise noxious or dangerous removed.

f. The City Manager may abate these public nuisance conditions either through the use of City employees or by private contract. The City Manager is authorized to execute such public contracts as may be necessary to abate these public nuisance conditions.

g. The City Manager shall keep a report of the cost of abatement for each property subject to the City Council resolution. At such time as the City Manager deems appropriate, a hearing shall be scheduled before the City Council for confirming the report. Notice shall be mailed to each property owner at least five days before the date of the hearing. The notice shall inform the property owner of the costs of abatement of the public nuisance conditions on the property; date, time and place of the hearing at which the property owner may object to the report; and a statement that if the report is confirmed by the City Council, that the costs of tax bill levied against the parcel for collection at the time and in the manner of ordinary municipal taxes. The report shall also be posted at least three days prior to the hearing date at or near the hearing place as required by Government Code Section 39575.

h. At the time fixed for the hearing, the City Council shall consider the report and hear any objections from the property owners liable to be assessed the costs of abatement. The City Council may modify the report if it is deemed necessary. The City Council may also establish installment payments for the abatement costs as provided for in Government Code Section 39581. At the conclusion of the hearing, the City Council shall confirm the report by resolution.

i. The cost of abatement upon each property and the costs incurred by the City in enforcing the abatement shall constitute a special assessment against the property as provided for in Government Code Section 39577. A lien shall attach to the property upon recordation of the order confirming the assessment by the County Recorder. On or before August 10th of each year, the City Manager shall file a certified copy of the report with the County Auditor. As authorized by Government Code Section 39581, the amount of the assessment shall be collected at the time and in the manner of ordinary municipal taxes, subject to the same penalties and procedure of foreclosure and sale provided for ordinary municipal taxes.

Section 321.5 Alternate Mitigation.

In lieu of ordering abatement of fire hazards as provided in Section 321.4, the Fire Chief may order the preparation of firebreaks/fuel breaks around parcels of property when combustible weeds, crops, or brush is present. In determining the proper width of firebreaks/fuel breaks, the Fire Chief shall consider the height of the growth, weather conditions, topography and accessibility to the property of fire protection equipment. The procedure set forth in Section 321.4 for the abatement of weeds and rubbish shall also apply to the preparation of firebreaks/fuel breaks.

Section 321.6 Alternate Procedures

The procedures provided for by this Article are an alternative to any other procedure adopted by the City Council for the abatement of public nuisances, such as Chapter 8.34 of the El Cerrito Municipal Code, or which may be authorized by the law of the State of California.

Section 320.7 Peat Fire, Penalties Therefore

a. It is the duty of each person, firm, corporation or association not to permit on their property a peat fire in, or a fire involving combustible vegetable materials under the surface of the natural ground. It is hereby declared that it is the duty of any person as herein defined to take all necessary precautions to extinguish any subsurface fire involving peat or vegetative material at his/her own cost and expense.

b. If there exists upon the lands of any person herein defined, subsurface fire involving the burning or combustion of peat or vegetative matter, and the owner or occupant thereof has not taken reasonable precautions within a reasonable time to extinguish or minimize such fire or combustion, the City of El Cerrito may, in addition to its regular duties to extinguish or minimize such fire or combustion, enter upon the lands of any person as herein defined and extinguish such fire or combustion. Any costs incurred by the Fire Department in fighting the fire and for the cost of providing rescue or emergency medical services shall be a charge against said person. The charge shall constitute a debt of that person and is collectable by the fire department incurring those costs in the same manner as in the case of an obligation under contract, express or implied. (Health & Safety Code 13009.)

16.26.170 Chapter 4 Section 401.5 Amended - Making false report

Section 401.5 is amended by adding an additional sentence:

Section 401.5 A charge may be made for excessive false alarms.

16.26.180 Chapter 5 Sections 503, 504, 505 and 507 Amended -Fire Service Features

Chapter 5 Sections 503, 504, 505 and 507 are amended as follows.

Section 503.4 is amended by adding Section 503.4.2:

Section 503.4.2 When approved, gates and barriers may be installed across or over Fire Department access roads. These installations shall meet the standards approved by the Fire Chief and design shall be approved prior to installation.

Section 504.1 is amended by adding:

504.1.1 Exterior exit pathway surfaces leading from an exit to a public way shall be maintained and suitable for pedestrian use in all weather conditions.

Section 505 is amended by adding 505.1.1

505.1.1 Approved address numbers attached to the building, or the primary address of the building shall be internally or externally illuminated.

Section 507.1 is amended by adding a preface sentence to read as follows: The type of water supply provided shall meet the standards approved by the Fire Chief.

16.26.190 Chapter 6 Section 603.6 Amended - Building Services and Systems

Section 603.6 is amended by adding subsection 603.6.6:

Section 603.6.6 Spark Arrester. Chimneys used with fireplaces or heating appliances in which solid or liquid fuel is used shall be maintained with a spark arrester as required for incinerators by the mechanical code.

16.26.200 Chapter 9 Section 903.2 Amended – Automatic Fire Extinguishing Systems

Section 903.2 is amended by adding 903.2.20:

903.2.20. An automatic fire extinguishing system shall be required in all occupancies of 5000 square feet or greater. This shall include addition of square footage causing building to be greater than 5,000 square feet.

16.26.210 Chapter 9 Section 903.2 Amended - Automatic Fire Sprinkler Systems

Section 903.2 is amended by adding subsections 903.2.21.1 through 903.2.21.10

Section 903.2.21.1 Fire Department Delivery Capability. An automatic fire sprinkler system shall be installed in all new buildings or occupancies or in existing buildings or structures that change occupancy classification or use when the required fire flow exceeds 2,000 GPM, or the total floor area exceeds 5,000 square feet.

For the purpose of this section, buildings separated by area separation walls, as set forth in Section 706 of the California Building Code, shall not be considered to create separate buildings unless such walls are constructed as specified in the California Fire Code.

Section 903.2.21.2 Undetermined Occupancy. When fire sprinkler systems are required in buildings of undetermined occupancy, they shall be designed and installed to have a sprinkler density of not less than that required for an Ordinary Hazard Group 2 use, with a minimum design area of 3,000 square feet. Occupancy is considered undetermined if not classified at the time the building permit is issued. Where a subsequent occupancy requires a fire sprinkler system of greater density than Ordinary Hazard Group 2, the system shall be upgraded to such use.

Section 903.2.21.3 Response Times. An automatic fire sprinkler system shall be installed in all new buildings or occupancies when any of the following requirements is exceeded.

Section 903.2.21.4 Run Times. A maximum running time of 3 minutes or a maximum response time of 5 minutes from the first-due station. Times shall be measured by the most direct route on surface streets.

Section 903.2.21.5 Distance from Fire Apparatus Access. The Fire Chief may require installation of automatic fire sprinkler system when the exterior wall of the 1st story is located more than 150 feet from approved fire apparatus access.

Section 903.2.21.6 Other Codes. An automatic sprinkler system shall be installed in all other occupancies as may be required by the Uniform Building Code or the California Building Code.

Section 903.2.21.7 NFPA 13D fire sprinkler systems installed shall be interconnected to the structure's smoke detection or fire alarm system. The smoke of fire alarm systems need not be monitored by a central monitoring station.

Section 903.2.21.8 Group R-3 Substantial Addition or Expansion. An automatic sprinkler system shall be provided throughout all existing Group R-3 dwellings where a substantial addition or expansion occurs, and the new total fire area of the structure exceeds 3,600 square feet.

Section 903.2.21.9 Number of design sprinklers NFPA Standard 13D/13R. For Group R-3 buildings up to 5000 square feet, the number of design sprinklers shall be in accordance with NFPA 13D and the listing requirements for individual sprinklers. Group R-3 buildings in excess of 5000 square feet or over three stories tall, shall meet the requirements of NFPA 13R. A 10% safety margin, in pressure, shall be provided in the design at the point of connection to the public main.

Section 903.2.21.10 Additional locations of sprinklers of Group R-3. Additional locations of fire sprinklers shall be as follows:

- Attached garages/carports, shall be provided with sprinkler protection.
- All bathrooms regardless of size shall be provided with sprinkler protection.
- Crawl spaces or areas beneath stairs, accessible or if intended to be used for living or storage purposes and break areas below stairs as a separate entry where over 6 feet in height at any point, shall be provided with sprinkler protection.
- Attics spaces that contain mechanical equipment such as furnaces and water heaters shall be provided with sprinklers limited to the protection of the equipment itself. Sprinkler coverage at a minimum shall protect the access opening.

Section 903.2.21.11 Additional NFPA 13D requirements. Additional NFPA 13D requirements shall be as follows:

- Sprinkler control valves shall be located upstream of the domestic tie in and are **indicating** valves.
- Hydraulic placards at the riser shall be provided.
- Spare sprinkler box with at least one of each type used shall be provided.

16.26.220 Chapter 9 Section 905.3.1 Amended - Standpipe Systems

Section 905.3.1 Subsection (2) is amended by replacing subsection (2) in its entirety:

Section 905.3.1 Subsection (2). "Three stories" (3) or more in height replaces four stories (4) or more in height.

Section 905.3.1 is amended by adding subsection (6):

6. When standpipes are required and the building is equipped with automatic fire sprinklers, a class one standpipe(s) is required, and the standpipe shall be interconnected with the fire sprinkler system.

16.26.230 Chapter 9 Section 907.2 Amended - Fire Alarm and Detection Systems

Section 907.2 is amended by adding subsection 907.2 A:

Section 907.2 A. At the discretion of the Fire Chief, single-station smoke alarms or multiple-station smoke alarms may be required to be connected to an approved 24-hour monitored fire alarm system.

16.26.240 Chapter 9 Section 907.7.2 Amended - Record of completion

Section 907.7.2 is amended by adding subsection 907.7.2.1

Section 907.7.2.1 Acceptance, maintenance, and testing records. A copy of acceptance, maintenance and testing records shall be maintained on site and shall be available to the city upon request.

16.26.250 Chapter 10 Section 1010.1.10 Amended - Panic and fire exit hardware.

Section 1010.1.10 Exception is amended by adding the following sentence:

The use of this exception may be revoked by the Fire Chief or the Building Official for due cause.

16.26.260 Chapter 10 Section 1028.5 Amended – Access to Public Way

Section 1028.5 is amended by adding Subsection 1028.5.1:

Section 1028.5.1. Exterior Exit Pathways. Exterior exit pathway surfaces leading from an exit to a public way shall be maintained and suitable for pedestrian use in all weather conditions.

16.26.270 Chapter 50 Section 5001.2 Added - Hazardous Materials

Section 5001.1 is amended by adding subsection 5001.1.2:

Section 5001.1.2 Coordinated Enforcement. Where the Contra Costa County Health Services Department is enforcing State Health and Safety and/or County health regulations, the Fire Department will coordinate efforts to eliminate duplication of time and resources to comply with hazardous material regulations. When approved by the Fire Chief equivalent documentation and compliance may be accepted in lieu of requirements of Appendix E. Where Contra Costa County Health & Safety regulations and California Fire Code regulations conflict, the more restrictive provisions shall prevail.

Exception: Where state or county regulations specifically limit or pre-empt local regulations to be more restrictive.

16.26.280 Chapter 50 Section 5004.1 Amended - Scope

Section 5004.1 is amended by adding 5004.1. A, and 5004.1. B

A. The limits referred to in Section 5004.1 of the California Fire Code, into which the storage of hazardous materials is restricted are hereby established as follows: All areas within the jurisdiction shall be for retail in group M occupancies.

B. Exception - A permit shall be obtained from the Fire Marshal approving on site Hazardous Materials for retail sales, storage, or commercial/industrial use.

16.26.290 Chapter 53 Section 5304.2A Added - Compressed Gasses

Section 5304.2 is amended by adding 5304.2A

A. The limits referred to in Section 5304.2 (ch 54, 58, 60 through 67) of the California Fire Code, in which the storage of compressed natural gas is restricted, are hereby amended as follows: All areas within the jurisdiction without an approved permit by the Fire Marshall.

16.26.300 Chapter 56 Section 5601.1.1A Added - Explosives and Fireworks

Section 5601.1.1 is amended by adding 5601.1A and Exception:

A. The limits referred to in Section 5601.1 of the California Fire Code and Title 19 Division 1 Chapter 6 and 10 subchapter 3, in which the storage of storage of explosives and blasting agents is restricted, are hereby amended as follows: All areas within the jurisdiction.

Exception: The Fire Marshall may authorize limited amount of explosives or blasting agents with permit.

16.26.310 Chapter 57 Section 5704.2.11.6 Added - Flammable and Combustible Liquids – Below Ground Tanks

Section 5704.2.11.5 is added in its entirety to read:

Section 5704.2.11.5. Abandonment and status of tanks. Tanks taken out of service as a result of properties being abandoned or its use being changed shall be removed in accordance with Section 5704.2.14.2

Section 5704.2.13.1.3 is amended in its entirety to read:

Section 5704.2.13.1.3 Out of Service for More Than 180 Days. Underground tanks that have been out of service for a period greater than 180 days shall be removed from the ground in accordance with Section 5704.2.14 and the site shall be restored in an approved manner. Permit requirements with the Contra Costa County Health Services Department, Environmental Division shall be complied concurrently with the permit requirements of the City.

Section 5704.2.13.2.3 is deleted in its entirety.

Section 5704.2.13.2.3 is amended to replace “one year” with “more than 180 days”

Section 5704.2.13.2.3. Out of service for more than 180 days aboveground tanks which have been out of service for a period greater than 180 days shall be removed in accordance with Section 5704.2.14 and the site shall be restored in an approved manner. Permit requirements with the Contra Costa County Health Services Department, Environmental Division shall be complied with concurrently with the permit requirements of the City.

16.26.320 Chapter 57 Section 5704 Amended - Flammable and Combustible Liquids - Above Ground Tanks

Section 5704.2.9.6.1 is amended by adding 5704.2.9.6.1A and 5704.2.9.6.1B establishment of limits of districts in which storage of flammable or combustible liquids in outside aboveground tanks is prohibited or restricted:

A. The limits referred to in Section 5704.2.9.6.1 of the California Fire Code, in which the storage of flammable or combustible liquids in outside above ground tanks is restricted, are hereby amended as follows: All areas within the jurisdiction without an approved permit by the Fire Marshal.

B. The limits referred to in Section 5704.2.9.6.1 in which new bulk plants for flammable or combustible liquids are prohibited, are hereby amended as follows: Any area which is zoned other than industrial without an approved permit from the Fire Marshal.

16.26.330 Chapter 58 Section 5803A Added - Flammable Gases and Flammable Cryogenic Fluids

Section 5803 is amended by adding 5803A and Exception:

A. Stationary containers is restricted, are hereby established as follows: All areas within the jurisdiction without an approved permit by the Fire Marshal.

Exception: The Fire Marshall may authorize limited amount of explosives or blasting agents with permit.

16.26.340 Chapter 61 Section 6103.2.1.7 Amended - Liquefied Petroleum Gases - Inside Buildings

Section 6103.2.1.7 is amended in its entirety to read:

Section 6103.2.1.7 Individual portable containers used, stored, or handled inside of buildings used for assembly or business for people cooking, display, or similar use shall be limited in size to one quart capacity and shall be of an approved type. The number of portable containers permitted will be at the discretion of the Fire Chief or authorized representative.

16.26.350 Chapter 61 Section 6104.2A Added - Liquefied Petroleum Gases - Outside Buildings

Section 6104.2 is amended by adding 6104.2 A

A. The limits referred to in Section 6104.2 of the California Fire Code, in which storage of liquefied petroleum gas is restricted, are hereby amended as follows: All areas of the jurisdiction without an approved permit from the Fire Marshal.

DIVISION X. CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City Council finds that adoption of this ordinance is exempt from the California Environmental Quality Act (Public Resources Code §§ 21000 et seq., "CEQA," and 14 Cal. Code Reg. §§ 15000 et seq., "CEQA Guidelines") under the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment, and in this case it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment (CEQA Guidelines § 15061(b)(3).

DIVISION XI. SEVERABILITY CLAUSE

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance. The Council hereby declares that it would have adopted the ordinance, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases be declared invalid.

DIVISION XII. EFFECTIVE DATE

This Ordinance shall take effect and be enforced thirty days after the date of its adoption. Prior to the expiration of fifteen days from the passage thereof, the ordinance or a summary thereof shall be posted or published as may be required by law, and thereafter the same shall be in full force and effect.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the City Council on October 18, 2022 and passed by the following vote:

AYES: Mayor Quinto; Mayor Pro Tem Motoyama; Councilmembers
Abelson, Fadelli, and Rudnick
NOES: None
ABSTAIN: None
ABSENT: None

ADOPTED AND ORDERED published at a regular meeting of the City Council held November 1, 2022, and passed by the following vote:

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

APPROVED:

Gabe Quinto, Mayor

ATTEST:

Holly M. Charléty, City Clerk

ORDINANCE CERTIFICATION

I, Holly M. Charléty, City Clerk of the City of El Cerrito, do hereby certify that this Ordinance is the true and correct original Ordinance No. 2022-03 of the City of El Cerrito; that said Ordinance was duly enacted and adopted by the City Council of the City of El Cerrito at a meeting of the City Council held on the 1st day of November, 2022; and that said Ordinance has been published and/or posted in the manner required by law.

WITNESS my hand and the Official Seal of the City of El Cerrito, California, this
_____ day of November 2022.

Holly M. Charléty, City Clerk



AGENDA BILL

Agenda Item No. 8.A.

Date: November 1, 2022
To: El Cerrito City Council
From: Sandra Dalida, Finance Director/City Treasurer, Finance Department
Subject: 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.

BACKGROUND/ANALYSIS

The El Cerrito City Council adopted an annual Budget for FY 2022-23 on June 21, 2022. The Council has closely monitored the City's budget and financial position and directed City staff to submit quarterly General Fund financial update reports.

The General Fund Update (Attachment 1) includes information on revenues and expenditures and lists the year-to-date totals by classification and by department. This report summarizes the major General Fund revenue and expenditure categories through September 30, 2022 on a cash basis and includes comparisons to the prior year's budget. Similar to the first quarter reports from prior fiscal years, revenue cycles for many revenue sources - including property taxes - occur in the second, third and fourth quarters of the fiscal year. Consequently, revenue receipts are not realized in equal quarterly amounts.

The following are FY 2022-23 highlights occurring for the report period of July 1, 2022 through September 30, 2022 and reflect preliminary unaudited cash basis information.

1. Total revenue was \$5.3 million, approximately 12% of the adopted FY 2022-23 budget. As a reminder, property taxes are the City's largest income category and are received in December and April each year. The majority of revenues are non-departmental, as they are general and not allocated to one department.
2. Real property transfer taxes are performing as reflected in the adopted FY 2022-23 budget, which is slightly less than the prior fiscal year as reflected in the adopted budget for this category. Staff will continue to monitor revenue streams closely and will report back to the City Council at midyear.
3. Total expenditures were \$9.4 million, or 21% of the adopted budget, which is on track and slightly below budget for the quarter.
4. Personnel costs of \$7.1 million include all personnel related costs. Personnel is the largest component of General Fund expenditures (73%), and with current

vacancy levels some departments may need to increase their professional services and/or overtime budgets, which will be offset by the savings in salaries and wages. Staff will continue to monitor these expenses.

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

General Fund revenues and expenditures for FY 2022-23, both overall and by department, are tracking as expected for the first quarter of the fiscal year.

As reported in the FY 2021-22 Fourth Quarter Unaudited General Fund Budget Update, the City projected a surplus of approximately \$8 million which substantially exceeds the \$528,000 projected surplus reported during midyear FY 2021-22. The higher than projected surplus resulted from increased real property transfer tax and sales tax revenues, previous budget reductions, and the last tranche of American Rescue Plan Act (ARPA) funding that was counted toward revenue loss. The City Council has directed staff and the Financial Advisory Board (FAB) to discuss funding policies with respect to the General Fund reserves, the Emergency Disaster and Recovery Fund, and the future Section 115 Trust for pension obligations.

LEGAL CONSIDERATIONS

This section is not applicable to this agenda item.

Reviewed by:



Karen Pinkos, City Manager

Attachments:

1. FY 2022-23 1st Quarter General Fund Update



General Fund Budget Update

Quarter 1 FY 2022-23

07/01/22 – 09/30/22

INTRODUCTION

The City of El Cerrito is pleased to submit the Quarter 1 FY 2022-23 General Fund Budget Update, for the period 07/01/22 through 09/30/22. The report provides a high-level overview of the City's budget status, reflecting unaudited expenditures and revenue.

GENERAL FUND REVENUE

FY 2022-23 General Fund revenue is budgeted at \$45.6 million. Table 1 shows the year-to-date revenues by classification, and Table 2 shows the year-to-date revenues by department. As of September 30, 2022, tax revenues are at 9% budget, which is primarily due to revenue cycles for property taxes, the largest income source for the City, which is received in December and April and consequently is not reflected in Quarter 1 revenue actuals. Taxes partially received during Quarter 1 includes utility users' taxes, sales taxes, and real property transfer taxes (July and August only). Overall General Fund revenues for Quarter 1 is at 12% of the total FY 2022-23 Adopted Budget, which is slightly less than the 14% received for Quarter 1 FY 2021-22.

Table 1 reflects real property transfer taxes for the months of July and August only, as September funds (totaling \$317,754) were received in October and will be reflected in the FY 2022-23 Midyear Budget Update. Adding the September real property tax funds to the Quarter 1 revenue actuals results in year-to-date revenue of \$892,717 or 20% of the Adopted Budget. Property transfer taxes are performing as projected in the FY 2022-23 Adopted Budget, which is slightly less than the prior fiscal year. Staff will continue to monitor revenue streams closely and will report back to the City Council at midyear.

Table 1
General Fund Revenue Quarter 1

Classification	YTD Budget Amount	YTD Actual Amount	% of Budget	Prior Year Total Actual
Property Taxes	\$11,213,200	\$0	0%	\$0
Sales Taxes	7,430,117	638,616	9%	538,229
Transient Occupancy Taxes	150,000	0	0%	0
Franchise Taxes	1,400,000	401,162	29%	113,269
Business License Taxes	1,100,000	475,010	43%	845,492
Property Transfer Taxes	4,300,000	574,963	13%	1,024,566
Utility Users' Taxes	3,300,000	453,088	14%	496,130
Other Taxes	1,500	0	0%	560
Taxes Totals	\$28,894,817	\$2,542,840	9%	\$3,018,246
Licenses & Permits	893,864	304,894	34%	335,381
Fines & Forfeitures	140,000	23,710	17%	47,738
Use of Money and Property	434,456	102,546	24%	98,653
Intergovernmental Revenues	8,270,048	678,724	8%	642,536
Charges for Services Totals	5,932,150	1,651,168	28%	1,383,680
Other Revenue Totals	136,000	64,858	48%	56,548
Other Financing Sources Totals	975,781	0	0%	239,080
Totals	\$45,677,116	\$5,368,739	12%	\$5,821,861



Table 2
General Fund Revenues – Department
Quarter 1

Revenue	FY 2022-23 Adopted Budget	Year To Date Actual (thru Qtr 1)	Year To Date % of Adopted Budget	Comparison Qtr 1 FY 2022
Non-departmental	\$33,504,534	\$2,573,051	8%	\$3,315,214
Administration	12,900	539	4%	13,316
Police	214,000	46,509	22%	65,413
Fire	5,072,648	706,190	14%	642,108
Public Works	397,400	100,860	25%	109,738
Community Development	1,912,214	655,462	34%	753,920
Recreation	4,563,420	1,286,128	28%	922,152
Total	\$45,677,116	\$5,368,739	12%	\$5,821,861

GENERAL FUND EXPENDITURES

General Fund expenditures are budgeted at \$44.9 million for FY 2022-23. Tables 3 and 4 show the expenditures year-to-date by classification and by department, respectively. Departments are on track for Quarter 1 at 21% of budgeted expenditures. This is slightly below the Quarter 1 FY 2021-22 expenditures at 25%.

As in previous fiscal years, Personnel is the largest component of General Fund expenditures (73%). Due to the current level of vacant positions, some departments may need to increase their professional services and/or overtime budgets which will be offset by savings in salaries and wages. Staff will continue to monitor these expenses.

Table 3
General Fund Expenditures – Classification
Quarter 1

Classification	YTD Budget Amount	YTD -Q1 Actual Amount	% of Budget	Prior Year Total Actual
Personnel	\$32,777,811	\$7,190,442	22%	\$8,292,649
Purchased Professional & Technical Services	4,421,343	593,041	13%	725,821
Purchased Property Services	2,297,704	124,682	5%	200,315
Other Purchased Services	2,950,883	1,477,397	50%	561,638
Supplies	773,131	26,161	3%	62,009
Property & Capital	443,147	36,212	8%	57,750
Financing Costs	532,280	18,461	3%	151,648
Other Financing Uses	667,763	0	0%	332,806
Totals	\$44,864,062	\$9,466,396	21%	\$10,384,635

In Table 3, the actual expenditures reflect for the “Other Purchased Services” classification includes the one-time full fiscal year’s annual insurance premiums which are paid each year in July. Also, in Table 4, expenditures reflected for the Administration Department includes the one-time full fiscal year’s annual payments.



Table 4
General Fund Expenditures – Departments
Quarter 1

Expenditures	FY 2022-23 Adopted Budget	Year To Date Actual (thru Qtr 1)	Year To Date % of Adopted Budget	Comparison Qtr 1 FY 2022
Administration	\$6,435,515	\$2,173,782	34%	\$1,543,173
Police	12,986,734	2,385,022	18%	2,946,684
Fire	13,346,883	2,715,279	20%	3,286,621
Public Works	2,307,220	287,662	12%	395,288
Community Development	3,181,129	565,728	18%	637,862
Recreation	5,559,574	1,316,466	24%	1,147,456
Non-departmental	1,047,007	22,457	2%	427,553
Total	\$44,864,062	\$9,466,396	21%	\$10,384,635

SUMMARY

The City of El Cerrito is currently on track to meet FY 2022-23 budget goals. Revenues are not received in equal quarterly releases, primarily due to the biannual funding cycle (December and April) for property taxes. Expenditures are on track, with departments spending approximately 21% of their annual budget in Quarter 1.

Staff is continuously monitoring revenue and expenditure trends. Any trends indicating a need for budget adjustments is determined after the completion of Quarter 2 and will be reported to City Council at the FY 2022-23 Midyear budget session.



SUPPLEMENTAL AGENDA MATERIALS

**REGULAR CITY COUNCIL MEETING
November 1, 2022**

PUBLIC COMMENT INDEX

1. Public Comments received

Agenda Item 5G – Letter of Opposition on California Public Utilities Commission (CPUC) Rulemaking 20-08-020

1. Additional Background Information



SUPPLEMENTAL AGENDA MATERIALS PUBLIC COMMENT INDEX

REGULAR CITY COUNCIL MEETING November 1, 2022

The following Public Comments were **received by 3:00:00 p.m. 11/01/2022**, 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. Cordell Hindler

Agenda Item 5B – Human Rights in Iran Proclamation

1. Jaleh Niazi

From: [Cordell Hindler](#)
To: [City Clerk](#)
Subject: Public Comments- Not on Agenda
Date: Thursday, October 27, 2022 3:13:06 PM

Good Evening Mayor Quinto, Council Members and Staff, I have some comments for the Record

1. for a Future Agenda, The Council Should Invite Danny Wan to provide a Presentation on how the Port of Oakland has recovered from the Pandemic
2. Also to have a Status on the Class & Comp study

Sincerely
Cordell

Thank you for this opportunity to declare my solidarity with the evolving revolution in Iran for basic human rights, led by women and the youth demanding a free, democratic and just society. My name is Jaleh Niazi, and I am a pediatrician in Berkeley serving the Bay Area communities.

As women all across the country in Iran, supported by most members of society, are putting their bodies and their lives in front of a brutal militarized police demanding basic human rights, chanting Zan Zendeghi, Azadi, Woman Life Liberty we must amplify their voices. The unarmed demonstrators, some as young as 8, are facing batons, guns, when arrested torture and death in the dungeons of the Islamic Republic of Iran, yet they keep on showing up on the streets demanding freedom and the end to this oppressive regime.

These women are standing on the shoulders of women who have paved the way. No one has been a stronger defender of rights of women, children and ethnic and religious minorities than Ms. Nasrin Sotoudeh, who is currently serving a sentence of 38 years and 148 lashes, albeit on medical furlough, for simply being their lawyer and speaking the truth. Known as the Iranian Mandela, due to her stance against gender apartheid, she was recently interviewed by Time Magazine on

September 29, 2022, at great peril to herself. I quote “This is one of the most extensive protests that you’ve (we’ve) had. It’s spread to cities and towns all over. As you know, the spark for it was the killing of Mahsa Amini, which really embodies by itself the 43 years of pain that women have endured in this country. This is for us a physical, bodily experience. It’s as real an aspect of life here as it could be. Sentence after sentence, ruling after ruling are imposed on our bodies in terms of our dress. And not only that, but rape and other transgressions. They hit you and hurt you and bruise you and wrap you up in the veil once again that conceals the harm that’s inflicted on you..... She goes on to say that these demonstrations can lead to a regime change and states “We expect support from everyone, because we are defending our common values and principles”

So how can we outside Iran support them? The United States, the most powerful country in the world, was founded on ideals of justice and liberty, albeit for a select section of society, but having the capacity to change to realize it for all members. Unfortunately, its foreign policy has been toxic to the Middle East, however, her people are some of the most decent people I have ever met. President Biden in his first State of the Union speech spoke of upholding human rights around the world. This is the time to show that he means what he said. I know that it is tricky, given the history of the CIA coup d’etat in 1953, overthrowing a popular prime minister,

Dr. Mossadegh, and the fear of labeling this movement as American, but standing up for women's rights should not be that difficult. President Obama just recently stated that he had wished he had done more to support the 2009 Green Movement. First of all we must not enable the Islamic Republic by providing it funds in any shape or form. So the United States or any other democratic country should not legitimize the brutal regime by negotiating with them. No nuclear deal. As a matter of fact, the American Government should seize the assets of all of the Iranian government officials and arrest, at a minimum deport them out of the country, because they have been found guilty of crimes against humanities in international courts, most recently in August 2022 in Sweden. The U.S. should use its influence to ask its allies to do the same. While the Iranian government and security forces have made life for their own citizens unbearable, how dare they send their children with the money they have stolen from Iran to Western countries to live freely and in luxury. Seize their assets and deport them. Our first lady, our vice president, other first ladies, women leaders in Congress, in broadcasting, in entertainment, and other influencers should voice repeatedly their solidarity with the women and the people of Iran. Military intervention is not an option but support of the internet and communication systems is a must. I thank President Biden for working on this. President Biden, please don't sit with wolves in sheep skin, who are pretending to represent the Iranian community abroad but have other

agendas. NIAC, for years has white washed the human rights violations in Iran; they do not represent the Iranian American community nor the Iranian people, but the interests of the regime. This is the group that influenced President Obama's decision.

Another group, the Mujahidin Khalq fought on the side of Iraq in the Iran Iraq war, and have little following in the country . So, even though Mr. Azimi, who is now being interviewed by many news outlets, claims that Maryam Rajavi, their leader, is leading this movement, it is simply a lie. The women, the youth of Iran are leading this movement. Listen to their voices. Help them realize their dreams and after they have overthrown this regime, use your power to have an international committee monitor a fair election in Iran. Despite the Islamic Republic of Iran's rhetoric, Iranians love Americans and American values. Actually, it is a two way streak. The founding fathers consulted Cyropedia, from thousands of years ago, to see how to govern and honor a land made of different ethnicities, religions and languages. President Biden, if you do what America at its best stands for, it will not only free a people from an oppressive regime but will have the added benefit of winning you many more votes in November.

But what can ordinary citizens do to support democracy in Iran. Share and reshare on all platforms any news that comes about Iran, to keep this struggle alive in the world's eyes, because the Islamic Republic is counting on people losing interest. Call out those who are providing Fake news about these demonstrations. Signs petitions in support of the movement. For example there is a petition circulating requesting the United Nations to remove the Islamic Republic from UN's Women's Rights Commission (what a farce). University students are under attack by the militarized police. We here can write to our universities and ask them to write a statement of solidarity with them; here is an example https://docs.google.com/document/d/12T9dclEJkg56I0kSCBhb2gOI_Gc_k2GnZDWT8iKjPoA/edit?usp=sharing . Healthcare workers, including a physician have been killed and injured by the police. International medical organizations should be asked to make statements of solidarity with their colleagues in Iran. Because the wounded can and do get arrested when going to hospitals the AMA can set up telehealth capabilities to try to attend to their wounds outside of a healthcare facility. Attend rallies in support of the Iranian movement. And contact your representatives to pass resolutions in support of human rights and against human rights violations that are happening in Iran. This is the United States and people have the right to hold their representatives accountable; this is what a free society looks like. I am here today because of this fact.

Mayor Quinto and the El Cerrito City Council, I thank you for your strong support of human rights, particularly women's rights in Iran. With this proclamation El Cerrito is the seventh cosignatory, and the fifth city to pass a resolution in support of human rights in Iran, putting the Islamic Republic on notice that their behavior is no longer acceptable. Alameda County Democratic Party and the University of California student association are two cosignatories of a similar resolution. Cities of Berkeley, Oakland, Danville , Pinole and Santa Cruz have already passed resolutions in support of human rights in Iran. Cities of Richmond and Emeryville are passing resolutions tonight. We hope to build this movement all across the country, signing up as many cities in the U.S. and outside of the United States, modeled by the successful campaign for Nelson Mandela and against the South African apartheid system initiated by Glasgow, Scotland eventually signing up more than 2500 cities in 56 countries around the world. The Iranian Mandela and the women's rights movement deserve nothing less.

Dear Mayor Quinto and the El Cerrito City Council, thank you for being the voice of the Iranian women and the Iranian People and giving me this opportunity to express my opinions. Zan Zendeghi Azadi.

CPUC NET ENERGY METERING (NEM) DECISION BACKGROUND

California Solar and Storage Association
September, 2022

The California Public Utilities Commission (CPUC) has been considering changes to the current net energy metering (NEM) rules that apply to solar, behind the meter storage and small microgrids. We expect a formal decision very soon.

The NEM rules establish how much solar customers will get compensated for excess solar they don't need to serve their own needs that is exported to the utility system. The NEM discussion has largely focused on the residential solar market but there are significant impacts to non-residential customers such as schools, cities, hospitals and small businesses.

Under today's NEM rules, customers are paid the retail rate for excess solar energy that is exported to the utility system. That means they are paid the same as what they pay for electricity under their underlying utility rate plan.

As part of the NEM rule changes the CPUC is considering imposing large monthly fees on residential and non-residential (including public sector) solar customers that could significantly depress the clean energy market, and negatively impact California-based clean energy businesses supporting a sizable number of jobs statewide. Further, the CPUC is considering deep cuts (70-80%) to the solar export credit that would immediately reduce the value of solar for residential, commercial, educational, government, non-profit, and agricultural solar energy systems.

While it is not unreasonable to modernize the NEM rules, a graduated change is needed to avoid shocking the solar energy market and preventing Californians from moving to renewable energy. California businesses, schools and cities need more clean energy solutions, not less, especially considering concerns with climate change and resiliency in many California communities.

The attached letter seeks to remind the CPUC of the importance of a balanced decision in the NEM proceeding for the non-residential sector. We appreciate your support.

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Slashing solar incentives only helps private utilities. California regulators must back down

BY THE SACRAMENTO BEE EDITORIAL BOARD

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Ramon Torres, who lives in the Madera Ranchos area of Madera County, looks up at the solar panels covering the top of his roof on Friday, March 27, 2021. A state proposal would dramatically reduce bill credits paid out by PG&E and other utilities for excess power fed back to the grid. Torres believes this is unfair since those credits helped him finance his solar panels. CRAIG KOHLRUSS ckohlruess@fresnobee.com

California's most powerful utility companies want you to believe that there is a hidden war taking place between ordinary customers and the 1.3 million households in the state with solar panels on their properties.

Under a program called [net energy metering](#), utility companies credit solar customers for the excess energy they export to the grid after they've powered their homes. That provides incredible savings for each solar-powered household, but customers who don't use solar pay an estimated \$3.4 billion more each year, essentially forcing them to shoulder the difference through higher monthly bills.

Corporations such as PG&E, Southern California Edison and San Diego Gas and Electric Co. claim that communities of color and lower-income households are harmed the most by this formula for rooftop solar. Utilities say that households with photovoltaics aren't paying their fair share when they use grid-supplied energy at night, creating an unfair cost shift that must be rectified.

Everything about this cynical, corporate-driven argument stinks. If the California Public Utilities Commission, the state's utility regulator, sides with the companies, they'll gut net energy metering and

fundamentally alter California's booming solar energy economy. Right now, the CPUC is weighing several proposals from public advocacy groups and the state's biggest utilities, some of which would slash solar subsidies and charge fees for grid usage, making it harder for households to pay off their solar installations.

The push for rooftop solar reforms has nothing to do with ideology or classism or systemic inequities. It is about companies trying to manipulate the public into believing that democratized clean energy production is bad for the state. The CPUC should not once again bail out corporations like PG&E, which has routinely scorched olive branches it never deserved. Why would California give it another?

The appeal of rooftop solar and the immediate and long-term savings has never been greater, and the proliferation of the self-sustaining technology has made it accessible to most California households that want it. This year, the average cost to install a 5-kilowatt system was \$14,100, according to Energy Sage, an online marketplace funded by the U.S. Department of Energy. That's before the 26% federal tax credit and other state and local incentives are factored in, lowering the cost even further.

In 2019, 42% of California solar adopters had an annual income of \$100,000 or less, and 14% earned under \$50,000, according to Lawrence Berkeley National Laboratory data. Five years ago, those two demographics accounted for over half of Sacramento County's solar conversions.

California's building regulations require new homes to be equipped with solar panels, which could drive 100,000 new installations a year. But the housing crisis creates razor-thin margins for affordable projects that routinely face funding gaps to leverage investment dollars into tax credits. Increasing solar costs further compromises funding models that were already on shaky ground.

In a sense, net energy metering in California has created a carbon tax on utility companies, which are feeling the squeeze of the clean energy transition in the form of higher costs for systems built on fossil fuels. Through policy and market forces, these antiquated, profit-driven corporations, which are responsible for environmental destruction, mass death and financial hardship, are being forced to reckon with a consumer base driven by self-sufficiency and sustainability.

As clean energy goals are incorporated into enforceable laws in the coming years, private utilities will be required to fund and build industrial-scale solar and wind farms to comply with climate-minded regulations. Disempowering California residents who wish to take control of their energy production would only hinder our ability to meet our climate goals, effectively surrendering agency to corporations that have shown they cannot be trusted. Democratized rooftop solar threatens their ability to generate massive revenues from wind and solar farms, projects they will ultimately be forced to build to stave off extinction.

That they're making social justice and equity claims for their own gain is despicable. What the utilities are unwilling to say out loud is that their rates will increase regardless. PG&E faces billions in wildfire liabilities, which grow every fire season. And the infrastructure repairs mandated by California law are going to eat up their budgets either way.

The same Black and brown families they hold up as pawns in a manufactured class struggle over solar subsidies were always going to be affected. If rooftop solar and net energy metering are preserved, lower-income households will at least have an exit strategy and the benefits of a market that is growing as intended.