

EL CERRITO CITY COUNCIL MINUTES

REGULAR CITY COUNCIL MEETING TUESDAY, OCTOBER 18, 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/88543428390?pwd=eEtRUHplNHFjdTROb1o5Vm9TL2lxdz09>
Dial in: 1-408-638-0968 **Meeting ID:** 885 4342 8390 **Password:** 547379

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

Mayor Quinto called the meeting to order at 7:01 PM.
Present In-Person: Mayor Quinto, Councilmember Fadelli,
Councilmember Rudnick **Present Remotely:** Mayor Pro Tem Motoyama,
Councilmember Abelson **Absent:** None

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

2. TELECONFERENCE AND PUBLIC COMMENT INSTRUCTIONS

3. COUNCIL/STAFF COMMUNICATIONS

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

City Manager Pinkos - update on local and state emergency, improvement of state auditor ranking, and receipt of State Coastal Conservation Grant; announced Great Shake Out October 20th, October 19th Unity Day, and October 20th Spirit Day.

Mayor Quinto - reported out on 6pm closed session, Mayoral proclamations issued for centenarians Tadashi Yoshii and Theodore Crum; reported on meeting with Make El Cerrito Fire Safe, Nations Giant Hamburger to recognize their 70th anniversary, meeting with Congressman Richie Torres, and members of the Methodist Church.

Councilmember Rudnick - reported on attendance at El Cerrito Folk Music Festival, and El Cerrito Fire Department Badge Pinning ceremony.

Councilmember Fadelli - reported on attendance at El Cerrito Fire Department Badge Pinning ceremony, and Ride Electric and Harvest Festival event in Berkeley.

Mayor Pro Tem Motoyama - reported on attendance at El Cerrito Fire Department Badge Pinning ceremony, and Toastmaster's 40th Anniversary event.

Councilmember Abelson - received plaque from Chamber of Commerce in recognition of work in the city.

4. ORAL COMMUNICATIONS FROM THE PUBLIC

Remarks are typically limited to 3 minutes per person. The Mayor may reduce the time limit per speaker depending upon the number of speakers and may limit the total time for public comment to facilitate the completion of business on the agenda. Comments regarding non-agenda, presentation and consent calendar items will be heard first. Comments related to items appearing on the Public Hearing or Policy Matter portions of the Agenda will be heard prior to the City Council taking action on each item.

All written comments submitted prior to and during the meeting were posted online as supplemental materials and incorporated into the official meeting record. Written public comments for matters not on the agenda were received from Cordell Hindler.

Oral Public Comments:

John Stashik - commented on status with State Auditor and holiday lights on San Pablo.

Buddy Akacic - spoke regarding work on city advisory body meetings, and request to return to in-person meetings.

Greg Lyman - announced the upcoming Sundar Shadi holiday light display from December 17 - December 26.

Vanessa Warheit - commented on communicating issues with technology, knowing attendees at the meeting, and consent item 5.N. and funding.

5. ADOPTION OF THE CONSENT CALENDAR

All items on the consent calendar shall be acted upon in one motion, unless a member of the City Council or staff request separate consideration.

Moved/Seconded: Councilmember Rudnick/Mayor Pro Tem Motoyama

Action: Adopted the Consent Calendar as indicated below. **Ayes:** Mayor Quinto, Mayor Pro Tem Motoyama, Councilmember Abelson, Councilmember Fadelli, Councilmember Rudnick **Noes:** None

A. Approval of Minutes

Action Proposed: Pass a motion to approve the minutes from the meetings of August 16, September 20, 26, and 27, and October 11, 2022.

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

Action: Approved minutes, revising August 16th Council Communication for Mayor Pro Tem Motoyama to read "BART Plaza Open House"

B. Code Enforcement Appreciation Week Proclamation

Action Proposed: Pass a motion to approve a proclamation recognizing the second week of October as Code Enforcement Appreciation Week.

Contact: Jennifer Bright, Management Assistant, Community Development Department

Action: Approved proclamation

C. Filipino American History Month Proclamation

Action Proposed: At the request of Mayor Quinto, approve a proclamation recognizing October 2022 as Filipino American History Month in El Cerrito.

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

Action: Approved proclamation

D. National Arts and Humanities Month Proclamation

Action Proposed: Pass a motion to approve a proclamation in support and recognition of October 2022 as National Arts and Humanities Month in El Cerrito.

Contact: Karen Pinkos, City Manager, City Management

Action: Approved proclamation

E. Red Ribbon Week Proclamation

Action Proposed: Pass a motion to approve a proclamation declaring October 23 - 31 as "Red Ribbon Week" and encouraging everyone to participate in drug prevention activities, making a visible statement to support a drug-free life.

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

Action: Approved proclamation

F. Toastmasters International Proclamation

Action Proposed: At the request of Councilmember Motoyama, approve a proclamation recognizing Toastmasters International and the El Cerrito Club on its 40th anniversary.

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

Action: Approved proclamation

G. Environmental Quality Committee Appointment Recommendation

Action Proposed: Approve an Environmental Quality Committee recommendation to appoint Simrun Dhoot 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

Action: Approved appointment

H. Financial Advisory Board Recommendation

Action Proposed: Receive and file a recommendation from the Financial Advisory Board regarding General Fund Reserve and surplus allocations.

Contact: Sandra Dalida, Finance Director/City Treasurer

Financial Advisory Board (FAB) Chair written comments shared regarding the FAB's recommendation, appreciation for the opportunity, and sharing that the FAB is looking forward to working with the Section 115 Trust work group and proposing additional recommendations in the future.

Action: Received and Filed

I. Committing to Core Principles of Democracy: Free and Fair Elections

Action Proposed: At the request of Mayor Quinto, adopt a resolution committing to the core principles of democracy: free and fair elections.

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

Action: Approved Resolution No. 2022-75, modifying the NOW THEREFORE BE IT RESOLVED clause to read "NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that the City will continue to support elections that are safe, free and fair, and will work with the Contra Costa County Clerk-Recorder-Register to prevent any attempts by any elected officials, candidates, special interest groups, or other actors to undermine the election process, threaten election workers or voters, or disregard the collective will of the voters."

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

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

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

Action: Approved Resolution No. 2022-76

K. Consulting Services Agreement with Siegfried Engineering for the Design of the Arlington Park Improvements Project, City Project No. C3082

Action Proposed: Adopt a resolution authorizing the City Manager to execute a Consulting Services Agreement with Siegfried Engineering to provide design services for the Arlington Park Improvements Project, City Project No. C3082, in an amount not to exceed \$64,700.

Contact: Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department; Christopher Jones, Recreation Director, Recreation Department

Action: Approved Resolution No. 2022-77

L. Reject Construction Bids for 2022 Slurry Seal Project, City Project No. C3027.23

Action Proposed: Adopt a resolution rejecting all bids submitted for the 2022 Slurry Seal Project, City Project No. C3027.23; and authorizing City staff to amend project scope, if necessary, and rebid the project.

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

Action: Approved Resolution No. 2022-78

M. Construction Contract Award for Community Recreation Swimming Pool Re-Plastering Project, City Project No. C5030.5

Action Proposed: Adopt a resolution approving plans and specifications for the Community Recreation Swimming Pool Re-Plastering Project, City Project No. C5030.5 (Project); rejecting the bid submitted by USA Construction as non-responsive and accepting the bid submitted by Tricon Construction, Inc., DBA Tricon Aquatics (Tricon) for the Project; and authorizing the City Manager to execute a contract within the current budget for the Project, contingent on successful negotiations with Tricon for construction of the Project.

Contact: Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department; Christopher Jones, Recreation Director, Recreation Department

Action: Approved Resolution No. 2022-79

N. Budget Amendment for City Hall Electric Vehicle Charging Station

Action Proposed: Adopt a resolution amending the Fiscal Year (FY) 2022-23 Adopted Budget and Capital Improvement Program to appropriate \$58,721 from the General Fund balance to replace the electric vehicle (EV) charging station at City Hall.

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

Action: Approved Resolution No. 2022-80

- O. **Establish Speed Limits for Ten Speed Zones on Ashbury Avenue, Barrett Avenue, Colusa Avenue, Fairmount Avenue, Lincoln Avenue, Moeser Lane and Sea View Drive**

Action Proposed: Adopt a resolution establishing the speed limits for 10 speed zones to allow for enforcement of these limits using radar, lidar and other electronic devices in conformance with State of California requirements.

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

Action: Approved Resolution No. 2022-81

6. **PRESENTATIONS**

- A. **Annual Sundar Shadi Garden Club Awards**

Action Proposed: Receive and file a brief presentation and acknowledgement of contest winners.

Contact: Pamela Austin, El Cerrito Garden Club Representative

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding drought resistant and juniper free displays in El Cerrito.

Action: Received and filed

- B. **Citizens Street Oversight Committee Annual Report for Fiscal Year 2020-21**

Action Proposed: Receive and file the Citizens Street Oversight Committee Annual Report for Fiscal Year 2020-21 to City Council and Citizens of El Cerrito.

Contact: Vanessa Hill, Committee Chair, Citizens Street Oversight Committee; Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department

Action: Received and filed

7. **PUBLIC HEARING**

- A. **Adoption of Building Code Updates**

Notice published on 10/8/2022

Action Proposed: Conduct a public hearing and upon conclusion 1) Adopt a Resolution which makes findings justifying changes to 2022 California Building Standards Code and 2) Introduce by title, waive the first reading, and set the second hearing for November 1, 2022 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

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding electrification, nuisance abatement process, and local amendments.

Public Hearing: Mayor Quinto opened the public hearing.

Public Comments: All written comments submitted prior to and during the meeting were posted online as supplemental materials and incorporated into the official meeting record. Written public comments on this item were received from Scott Tipping. No oral public comments.

Moved/Seconded: Councilmember Fadelli/Councilmember Rudnick

Action: Closed the Public Hearing. **Ayes:** Mayor Quinto, Mayor Pro Tem Motoyama, Councilmember Abelson, Councilmember Fadelli, Councilmember Rudnick **Noes:** None

Moved/Seconded: Mayor Pro Tem Motoyama/Councilmember Abelson

Action: Adopted Resolution No. 2022-82 **Ayes:** Mayor Quinto, Mayor Pro Tem Motoyama, Councilmember Abelson, Councilmember Fadelli, Councilmember Rudnick **Noes:** None

Moved/Seconded: Mayor Pro Tem Motoyama/Councilmember Rudnick

Action: Introduce by title, waive the first reading, and set the second hearing for 11/1/2022 for the proposed ordinance **Ayes:** Mayor Quinto, Mayor Pro Tem Motoyama, Councilmember Abelson, Councilmember Fadelli, Councilmember Rudnick **Noes:** None

8. POLICY MATTERS

9. CITY COUNCIL LOCAL & REGIONAL LIAISON ASSIGNMENTS

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

Councilmember Rudnick - reported on attendance at the RecycleMore meeting.

Councilmember Fadelli - reported on attendance at the Contra Costa Transportation Authority meeting.

10. ADJOURN REGULAR CITY COUNCIL MEETING

The next regularly scheduled City Council meeting is Tuesday, November 1, 2022 at 7:00 p.m.

The regular meeting adjourned at 8:29 PM.



Gabe Quinto, Mayor

This is to certify that the foregoing is a true and correct copy of the minutes of the City Council meeting of October 18, 2022 as approved by the El Cerrito City Council.



Holly M. Charléty, MMC, City Clerk