



AGENDA

SPECIAL CITY COUNCIL MEETING TUESDAY DECEMBER 06, 2022 – 5:00 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/86967707751?pwd=MWtvTUhBL1VxZkkybWJaOG1XZm1QQT09>
Meeting ID: 869 6770 7751 **Password:** 288948 **Dial in:** 1-408-638-0968

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

1. In-person by submitting a request to speak to the City Clerk.
2. Via Zoom using the "[Raise Hand](#)" icon to request to speak. If joining by phone, dial *9 to "raise your hand", and when prompted by the host, *6 to unmute/mute.
3. Via email to cityclerk@ci.el-cerrito.ca.us. Email must contain in the subject line **Public Comments – Not on Agenda or Public Comments – Agenda Item #.**

To ensure City Council receives your written comments prior to taking action, they must be received by **2:00 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.**

5:00 P.M. ROLL CALL – CONVENE SPECIAL CITY COUNCIL MEETING

- 1. PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF A MOMENT OF SILENCE**
- 2. TELECONFERENCE AND PUBLIC COMMENT INSTRUCTIONS**
- 3. PUBLIC HEARING (CONTINUED FROM 11/15/2022)**

A. San Pablo Avenue Specific Plan Update - Continued Hearing

Public Hearing adjourned from 11/15/2022, notice published 11/19/2022

Action Proposed: Continue the public hearing and 1) Adopt a resolution certifying the Supplemental Environmental Impact Report (SEIR) for the San Pablo Avenue Specific Plan, adopting Environmental Impact Findings, Findings Regarding Alternatives, adopting a Statement of Overriding Considerations, and adopting the Mitigation Monitoring and Reporting Program (MMRP); 2) Adopt a resolution amending Figure 5: the Land Use & Circulation Map of the El Cerrito General Plan; 3) Adopt a resolution amending the San Pablo Avenue Specific Plan; and 4) Introduce and waive the first reading of an ordinance to rezone properties within the San Pablo Avenue Specific Plan area.

Contact: Sean Moss, Planning Manager; Melanie Mintz, Community Development Director, Community Development

4. 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.

5. 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.

6. 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. Approve the 2023 Regular Meeting Schedule for City Council and provide staff direction to return with an ordinance to modify the regular meeting start time from 7:00 PM to 6:00 PM.**

Action Proposed: Pass a motion to 1) approve the regular meeting schedule for 2023, modifying the regular meeting start time to 6:00 PM, reducing to the third Tuesday of the month for January, July, August and September, adding a Council Retreat on February 4th, and adding three 4:00 PM meetings for bi-annual advisory body interviews; and 2) direct staff to return with legislation to formally modify the regular meeting start time from 7:00 PM to 6:00 PM.

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

- B. Approve Contract Request with Maze and Associates Accountancy Corporation for Accounting Temporary Services**

Action Proposed: Adopt a resolution authorizing the City Manager to increase the professional services agreement for temporary accounting staff with Maze & Associates Accountancy Corporation by \$65,000.00 and extend the terms through June 30, 2023.

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

- C. Adoption of a Side Letter between the City of El Cerrito and the El Cerrito Police Employees' Association**

Action Proposed: Adopt a resolution approving a side letter agreement between the City of El Cerrito and the El Cerrito Police Employees' Association Memorandum of Understanding (MOU) to modify the language on salaries and other working conditions and address recruitment and retention concerns.

Contact: Shannon Bassi, Senior Human Resources Analyst

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

- B. Proclamation Honoring Maintenance Superintendent Bill Driscoll in Retirement**

Action Proposed: Pass a motion to approve a proclamation recognizing and honoring Maintenance Superintendent Bill Driscoll in retirement after serving the City of El Cerrito for 24 years.

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

8. PUBLIC HEARINGS (NOT TO BEGIN PRIOR TO 7PM)

A. Proposed East Bay Sanitary Garbage & Organic Waste Collection and Post-Collection Rates and Integrated Waste Management Fees - Effective January 1, 2023

Notice published 11/26/22 and 12/2/22

Action Proposed: Conduct a public hearing and upon conclusion adopt a resolution establishing maximum allowable East Bay Sanitary (EBS) garbage and organic waste collection and post-collection rates, effective January 1, 2023.

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

B. Temporary Outdoor Dining and Retail Program Urgency Ordinance

Notice Published 11/26/22; 4/5 vote required for adoption; exempt from CEQA per Section 15061(b)(3)

Action Proposed: Conduct a public hearing and upon conclusion adopt an interim urgency ordinance extending the Temporary Outdoor Dining and Retail Program to support business recovery. A four-fifths vote of the City Council is necessary to adopt an interim urgency ordinance.

Contact: Sean Moss, Planning Manager; Diego Romero, Assistant Planner; Aissia Ashoori, Housing-Economic Development Manager, Community Development Department; Yvetteh Ortiz, City Engineer/Public Works Director

9. POLICY MATTERS

A. City Council Wall of Fame Nomination Ad-Hoc Committee Recommendation

Action Proposed: Consider the Wall of Fame Ad-Hoc Committee's recommendation to induct Norman La Force into the El Cerrito Wall of Fame and direct the City Clerk to return to the City Council with a resolution confirming the appointment and schedule the formal induction

ceremony at a future City Council meeting pending availability of all parties involved.

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

B. Consulting Services Agreement with Cascadia Consulting Group to update the City of El Cerrito Climate Action Plan

Action Proposed: Adopt a resolution authorizing the City Manager to execute a consulting services agreement with Cascadia Consulting Group, to develop a Climate Action and Adaptation Plan (CAAP) and a policy or ordinance to prohibit natural gas in new construction citywide concurrent with the development of the CAAP, in the amount not to exceed \$147,335, and amending the Fiscal Year 2022-23 Adopted Budget to appropriate \$147,335 from the General Fund Unreserved Fund Balance to cover the costs for this work.

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

10. CITY COUNCIL LOCAL & REGIONAL LIAISON ASSIGNMENTS

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

11. ADJOURN REGULAR CITY COUNCIL MEETING

The next regularly scheduled City Council meeting is Tuesday, December 20, 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.