

Mayor
Lisa Motoyama
Mayor Pro Tem
Tessa Rudnick



Councilmembers
Paul Fadelli
Gabriel Quinto
Carolyn Wysinger

EL CERRITO CITY COUNCIL MINUTES

TUESDAY, FEBRUARY 7, 2023

SPECIAL CITY COUNCIL MEETING (5:00 PM)

Hillside Conference Room - 10890 San Pablo Ave, El Cerrito

Join Via Zoom:

<https://us06web.zoom.us/j/85276251169?pwd=OE91T2p6S2ZOc1VZSWVyNUIBZVA1QT09>

Meeting ID: 852 7625 1169 **Password:** 606388 **Dial in:** 1-408-638-0968

REGULAR CITY COUNCIL MEETING (6:00 PM)

Council Chambers - 10890 San Pablo Ave, El Cerrito

Join Via Zoom:

<https://us06web.zoom.us/j/81055939387?pwd=UnJ3Z1ZLUGttcXZKSDRFNU56RkRzd09>

Meeting ID: 810 5593 9387 **Password:** 732723 **Dial in:** 1-408-638-0968

View (Regular Meeting Only):

1. Cable T.V. Broadcast on KCRT Channel 28
2. Livestream Online at www.el-cerrito.org/CouncilMeetingMaterials

Teleconferencing: Consistent with the Brown Act as amended by AB 361 (2021), all individuals may participate in-person at the location listed above, or remotely via zoom. In-person attendance limited to available seats and designated accessible spaces only (no standing room). Masks are strongly recommended ([full in-person protocols available here.](#))

Accommodations: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at 510-215-4305. Notification 48 hours prior to the meeting will enable the City to make reasonable accommodations. Closed Captions available via zoom.

Conduct: This meeting shall be conducted pursuant to the El Cerrito [City Council Rules of Order and Procedure](#), including adjourning by 11:00 PM unless extended to a specific time determined by a majority of the Council.

Public Comments:

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.
3. *By Phone* at 1-408-638-0968, dial *9 to "raise your hand".
4. *By Email* to cityclerk@ci.el-cerrito.ca.us identified in the subject line as **Public Comments – Agenda Item #.**

Written comments received by **2:00 p.m. the day of the meeting** 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 will be posted **after the meeting**.

5:00 PM ROLL CALL - CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Motoyama called the meeting to order at 5:00 PM.

Present In-Person: Mayor Motoyama (absent from 7:16 – 7:50 PM), Mayor Pro Tem Rudnick, Councilmember Fadelli, and Councilmember Quinto **Absent:** Councilmember Wysinger

1. ORAL COMMUNICATIONS FROM THE PUBLIC

All persons wishing to speak should sign up with the City Clerk. Remarks are typically limited to 3 minutes per person and to items on the special meeting agenda only.

None

2. CLOSED SESSION CONFERENCE WITH NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency Designated Representatives: Karen Pinkos, City Manager; Alexandra Orologas, Assistant City Manager; Shannon Bassi, Senior Human Resources Analyst; Glenn Berkheimer, Labor Negotiator; and Sky Woodruff, City Attorney.

Employee Organizations: Public Safety Management Association (PSMA); and United Professional Firefighters Local 1230.

Contact: Sky Woodruff, City Attorney, City Management

The City Council convened to Closed Session at 5:02 PM. No reportable action.

3. ADJOURN REGULAR CITY COUNCIL MEETING

The special meeting adjourned at 5:45 PM

6:00 PM ROLL CALL – CONVENE REGULAR CITY COUNCIL MEETING

Mayor Motoyama called the meeting to order at 6:02 PM. **Present In-**

Person: Mayor Motoyama, Mayor Pro Tem Rudnick, Councilmember Fadelli, and Councilmember Quinto **Present Remotely:** Councilmember Wysinger **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.

Public Works Director Yvetteh Ortiz - announced the City, in partnership with Contra Costa Transportation Authority, was awarded \$8 million dollars from the Federal Safe Streets and Roads for All Grant program.

Housing Manager Aissia Ashoori - announced the new City Pro Housing designation status announced by the California Governor Newsom.

Mayor Motoyama - announced upcoming Rosie the Riveter event; reported on the 5:00 PM closed session; announced 4th quarter recognition of centenarians including Edith Paolini, Florence Bryndza, Phyllis R. Cobb, Lai Tsen, and

Theresa Parella; and announced the formal disbanding of the Climate Action, State Audit Fiscal Response, and Wall of Fame Ad-Hoc committees.

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, Avis Codron (Chair, Park and Recreation Commission), El Cerrito Tennis Club, and Howdy Goudy; and consent item #5B from Howdy Goudey.

Oral Public Comments:

Buddy Akacic - spoke regarding the senior community in El Cerrito.

5. PRESENTATIONS

A. Proclamation Honoring Captain Brian Cheshareck Firefighter of the Year

Action Proposed: Approve a proclamation honoring Captain Brian Cheshareck as Firefighter of the Year in the City of El Cerrito.

Contact: Eric Saylor, Fire Chief, Fire Department

Moved/Seconded: Mayor Pro Tem Rudnick/Councilmember Quinto

Action: Approved the Proclamation. **Ayes:** Mayor Motoyama, Mayor Pro Tem Rudnick, Councilmember Fadelli, Councilmember Quinto, Councilmember Wysinger **Noes:** None

B. Legislative Bodies and Remote Participation Regulations Effective March 1, 2023

Action Proposed: Receive and file a presentation reviewing updates to legislation related to remote participation in meetings subject to the Brown Act including AB361, AB2449, and existing requirements under the Brown Act.

Contact: Holly M. Charléty, City Clerk; Sky Woodruff, City Attorney, City Management

Action: Received and filed

C. Presentation of wood-frame target story ("soft story") multi-unit residential properties

Action Proposed: Receive and file a presentation regarding a study of wood-frame target story ("soft story") multi-unit residential properties in El Cerrito.

Contact: Aissia Ashoori, Housing Manager; Keith Marks, Chief 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 multi-family units, future development regulations, education and outreach for available retrofit rebates, available state funding, improvements to new and existing buildings, updating inventory to reflect properties doing work without a mandate, property owner options for funding assistance, importance of the 1980 cutoff, and age of structures in relation to age.

Action: Received and filed

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.

Moved/Seconded: Mayor Pro Tem Rudnick/Councilmember Quinto **Action:** Approved the consent calendar as indicated below. **Ayes:** Mayor Motoyama, Mayor Pro Tem Rudnick, Councilmember Fadelli, Councilmember Quinto, Councilmember Wysinger **Noes:** None

A. Day Of Remembrance Of Japanese American Incarceration During World War II

Action Proposed: At the request of Mayor Motoyama, approve a proclamation recognizing February 19 as a Day of Remembrance of Japanese American Incarceration in El Cerrito.

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

Action: Approved Proclamation

B. Black History Month Proclamation

Action Proposed: Pass a motion to approve a proclamation declaring February as Black History Month in the City of El Cerrito, and flying the Pan African Flag for the month of February.

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

Action: Approved Proclamation

C. Lunar New Year Proclamation

Action Proposed: Pass a motion to approve a proclamation recognizing the cultural and historical significance of Lunar New Year in the City of El Cerrito.

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

Action: Approved Proclamation

D. 2nd Read and Adoption of an Ordinance Amending City Council Regular Meeting Start Time

1st Reading 1/17/2023

Action Proposed: Pass a motion to waive the second reading and adopt Ordinance 2023-02 amending Section 2.04.010 to change the Regular City Council meeting start time from 7:00 p.m. to 6:00 p.m

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

Action: Adopted Ordinance No. 2023-2

E. Parking Time Limit Modification in front of 10340 San Pablo Avenue

Action Proposed: Approve a resolution authorizing the Public Works Director/City Engineer to install eighteen (18) feet of green curb markings with a parking time limit of thirty (30) minutes in front of 10340 San Pablo Avenue.

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

Action: Approved Resolution No. 2023-6

F. Acceptance and Agreements for Emergency Vehicle Access Easements at 1711 and 1755 Eastshore Boulevard

Action Proposed: Adopt a resolution accepting two Emergency Vehicle Access Easements from Security Public Storage – El Cerrito, LLC, and from El Cerrito Affordable Housing Partners, LLC (“Owners”), to provide access for emergency vehicles at 1711-1755 Eastshore Boulevard, and authorizing the City Manager to execute two Certificates of Acceptance for the Easement Deeds and record the easements.

Contact: Sean Moss, Planning Manager, Community Development

Action: Approved Resolution No. 2023-7

7. PUBLIC HEARINGS

8. POLICY MATTERS

A. Predevelopment Loan with ECP Parcel A South Housing Partners, LP for the El Cerrito Plaza BART Transit-Oriented Development, and Inclusion of City Owned Property in Project Application

Action Proposed: 1) Adopt a resolution authorizing the City of El Cerrito to enter into a Predevelopment Loan Agreement (Loan) with ECP Parcel A South Housing Partners, LP (Developer), for the property located at 515 Richmond Street - APN 504-050-012-5 - also known as Parcel A South (ECP-PAS) - El Cerrito Plaza BART Transit-Oriented Development (Development) for predevelopment activities related to the construction of 70 affordable housing units; and 2) Adopt a resolution authorizing the inclusion of a small City-owned property to be included in an entitlement

application for a portion of the residential development in the El Cerrito Plaza BART Station Transit-Oriented Development Project and authorizing the City Manager to sign necessary development applications to include the property and to initiate negotiations for potential conveyance of the property to BART.

Contact: Aissia Ashoori, Housing Manager; Sean Moss, Planning Manager; Melanie Mintz, Community Development Director, Community Development Department

Mayor Motoyama recused herself to avoid any potential conflict of interest and left the Council chamber at 7:16 PM.

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding low- and moderate-income housing asset fund, expected growth and future funding sources,

Public Comments:

Rebecca Saltzman - BART Boardmember, spoke regarding the project and collaboration between the City and BART and shared perspective as an El Cerrito resident.

Moved/Seconded: Councilmember Quinto/Councilmember Fadelli

Action: Approved Resolution No. 2023-8 and 2023-09. **Ayes:** Mayor Pro Tem Rudnick, Councilmember Fadelli, Councilmember Quinto, Councilmember Wysinger **Noes:** None **Absent:** Mayor Motoyama (recused due to potential conflict of interest)

B. Caltrans Maintenance Agreements for El Cerrito del Norte Transit-Oriented Development Complete Streets Improvement Project and On-going Operations

Action Proposed: Adopt a resolution approving and authorizing execution of an Electrical Facilities Cost Sharing Agreement, Amendment No. 3 to Agreement for Maintenance of State Highways, and a Project Specific Maintenance Agreement between the State of California Department of Transportation (Caltrans) and the City of El Cerrito (City) for the El Cerrito del Norte Transit-Oriented Development (TOD) Complete Streets Improvement Project and on-going operations.

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

Mayor Motoyama returned to the Council Chambers at 7:50 PM.

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding future plans for Cutting Blvd., investment, cost increases, and commonality of self-insurance on similar projects in other jurisdictions.

Public Comments:

Howdy Goudey - spoke regarding the transition of electrical accounts back to Caltrans and the continuation of deep green renewable power sources.

Linda Cain - commented on the process for public comments and looking forward to improvements in the Del Norte Area.

Moved/Seconded: Mayor Motoyama/Councilmember Fadelli **Action:** Approved Resolution No. 2023-10 and directed staff to separately negotiate with Caltrans regarding the responsibility for the trash capture devices under a future amendment to the Agreement for Maintenance of State Highways in the City of El Cerrito or implementation of another mechanism for trash load reduction that would benefit both parties in complying with Water Quality Control Board requirements.
Ayes: Mayor Motoyama, Mayor Pro Tem Rudnick, Councilmember Fadelli, Councilmember Quinto, Councilmember Wysinger **Noes:** None

9. CITY COUNCIL LOCAL & REGIONAL LIAISON ASSIGNMENTS

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

Councilmember Quinto - reported on attendance at Crime Prevention Committee and thanked outgoing member Eugene Go.

Councilmember Fadelli - announced appointment as Chair for the West Contra Costa Transportation Advisory Committee (WCCTAC) and appointed to serve on the Contra Costa Transportation Authority.

Councilmember Wysinger - reported on attendance at Design Review Board and Financial Advisory Board, service on the Insurance Commission

Mayor Motoyama - reported attendance at Cal Cities New Mayors and Councilmember Conference; Housing, Community, and Economic Development Policy Meeting; Revenue and Taxation Policy Meeting; ribbon cutting for Super Slice; Police Department swearing in ceremony; Contra Costa Mayors Conference and City Council retreat.

10. ADJOURN REGULAR CITY COUNCIL MEETING

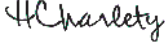
In memory of former El Cerrito Councilmember and Mayor Janet Abelson.

The regular meeting adjourned at 8:29 PM in honor of former Mayor and Councilmember Janet Abelson.

DocuSigned by:

Lisa Motoyama, Mayor

This is to certify that the foregoing is a true and correct copy of the minutes of the City Council meeting of February 7, 2023 as approved by the El Cerrito City Council.

DocuSigned by:

Holly M. Charléty, MMC, City Clerk

Certificate Of Completion

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Status: Completed

Subject: Meeting Documents from 2.21.2023 Council meeting

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Document Pages: 54

Signatures: 22

Envelope Originator:

Certificate Pages: 5

Initials: 0

Lina Huang

AutoNav: Enabled

Stamps: 4

10890 San Pablo Ave

Envelopeld Stamping: Enabled

El Cerrito, CA 94530

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

lhuang@ci.el-cerrito.ca.us

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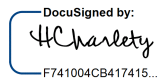
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City of El Cerrito

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Lisa Motoyama

lmotoyama@ci.el-cerrito.ca.us

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Signed: 2/28/2023 12:45:06 PM

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Accepted: 2/28/2023 12:40:21 PM

ID: 228a4156-b695-4e47-ac19-ae365adf8dd3

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp

Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	2/27/2023 3:21:25 PM
Certified Delivered	Security Checked	2/28/2023 12:40:21 PM
Signing Complete	Security Checked	2/28/2023 12:45:06 PM
Completed	Security Checked	2/28/2023 12:45:06 PM
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