

Mayor
Lisa Motoyama
Mayor Pro Tem
Tessa Rudnick



Councilmembers
Paul Fadelli
Gabriel Quinto
Carolyn Wysinger

TUESDAY, MARCH 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/88662612126?pwd=VGF0S1REYWZTGRvM2FFV08xcVdpQT09>

Meeting ID: 886 6261 2126 **Password:** 505123 **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/84442333922?pwd=d0dRZmNUdkg4QXNSYVI0NVpvSmxrdz09>

Meeting ID: 844 4233 3922 **Password:** 112559 **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**.

Mayor
Lisa Motoyama
Mayor Pro Tem
Tessa Rudnick



Councilmembers
Paul Fadelli
Gabriel Quinto
Carolyn Wysinger

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

- 1. CONSIDER AND TAKE ACTION ON ANY REQUEST FROM A COUNCILMEMBER TO PARTICIPATE IN THE MEETING REMOTELY DUE TO EMERGENCY CIRCUMSTANCES PURSUANT TO AB 2449**

- 2. 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.

- 3. 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; and United Professional Firefighters Local 1230.

Contact: Sky Woodruff, City Attorney, City Management

- 4. ADJOURN SPECIAL CITY COUNCIL MEETING**

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

- 1. CONSIDER AND TAKE ACTION ON ANY REQUEST FROM A COUNCILMEMBER TO PARTICIPATE IN THE MEETING REMOTELY DUE TO EMERGENCY CIRCUMSTANCES PURSUANT TO AB 2449**

- 2. PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF A MOMENT OF SILENCE**

- 3. TELECONFERENCE AND PUBLIC COMMENT INSTRUCTIONS**

- 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

Mayor
Lisa Motoyama
Mayor Pro Tem
Tessa Rudnick



Councilmembers
Paul Fadelli
Gabriel Quinto
Carolyn Wysinger

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. PRESENTATIONS

A. Induction of Norman La Force into the El Cerrito Wall of Fame

Action Proposed: Adopt a Resolution to induct Norman La Force into the El Cerrito Wall of Fame, as directed by the City Council on December 6, 2022.

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

7. 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. Women's History Month Proclamation

Action Proposed: Pass a motion to approve a proclamation designating March as "Women's History Month" and March 8, 2023 as "International Women's Day" in the City of El Cerrito.

Contact: Alexandra Orologas, Assistant City Manager, City Management

B. American Red Cross Month Proclamation

Action Proposed: Pass a motion to approve a proclamation declaring March 2023 as American Red Cross Month in the City of El Cerrito and encouraging all Americans to support this organization and its noble humanitarian mission.

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

C. Arbor Week Proclamation

Action Proposed: Pass a motion to approve a proclamation declaring March 7 through March 14, 2023 as Arbor Week in the City of El Cerrito.

Contact: Stephen Pr  e, Environmental Programs Manager, Public Works Department

Mayor
Lisa Motoyama
Mayor Pro Tem
Tessa Rudnick



Councilmembers
Paul Fadelli
Gabriel Quinto
Carolyn Wysinger

D. Proclamation Recognizing March 10, 2023 as the 64th Anniversary of the Tibetan Uprising Day

Action Proposed: At the request of Councilmember Quinto, approve a proclamation recognizing March 10, 2023, the 64th anniversary of the Tibetan national uprising, as “Tibet Uprising Day” in the City of El Cerrito and display the Tibetan flag at City Hall.

Contact: Alexandra Orologas, Assistant City Manager, City Management

E. Approve a Modification to the Travel Allotment for Councilmember Gabe Quinto

Action Proposed: Pass a motion to approve an increase to the travel allotment for Councilmember Gabe Quinto for FY 2022-2023 in an amount of \$2,100 to cover the cost of attendance at the National League of Cities City Summit.

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

F. Authorization of Prohousing Incentive Pilot Program Application

Action Proposed: Adopt a resolution authorizing staff to apply for the Prohousing Incentive Pilot Program.

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

G. Amendment No. 1 to Caltrans Freeway Maintenance Agreement for El Cerrito del Norte Transit-Oriented Development Complete Streets Improvement Project and On-going Operations

Action Proposed: Adopt a resolution approving and authorizing the City Manager to execute Amendment No. 1 to the Freeway Maintenance Agreement of State Highways in the City of El Cerrito (FMA Amendment No. 1) 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

H. Amend Professional Services Agreement for 4Leaf, Inc. for Permit Processing, Inspection, and Other Technical Services

Mayor
Lisa Motoyama
Mayor Pro Tem
Tessa Rudnick



Councilmembers
Paul Fadelli
Gabriel Quinto
Carolyn Wysinger

Action Proposed: Adopt a resolution authorizing the City Manager to execute an amendment to the existing professional services agreement with 4Leaf, Inc., to increase the amount for FY 2022-23 from \$500,000 to \$875,000.

Contact: Melanie Mintz, Community Development Director, Community Development Department

8. PUBLIC HEARINGS

9. POLICY MATTERS

A. Adoption of a Memorandum of Understanding between the City of El Cerrito and the United Professional Firefighters Local 1230

Action Proposed: Adopt a resolution approving an agreement between the City of El Cerrito and the United Professional Firefighters Local 1230 modifying language on salaries, benefits, and creating a new Memorandum of Understanding.

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

B. Construction Contract Award for 2023 Slurry Seal Project, City Project No. C3027.23

Action Proposed: Adopt a resolution approving plans and specifications for the 2023 Slurry Seal Project, City Project No. C3027.23 (Project); accepting the five bids submitted for the Project; authorizing the City Manager to execute a contract in the amount of \$912,120 with VSS International, Inc. and to approve change orders in an amount not to exceed \$92,000 for the construction of the Project; and amending the Fiscal Year (FY) 2022-23 Adopted Budget and Measure A Annual Program of Maintenance and Improvement to transfer \$455,420 from the Measure A Street Improvement Fund Balance to the Measure A Annual Program of Maintenance and Improvement /Capital Outlay for the Project.

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

C. FY 2022-23 Second Quarter General Fund Update

Action Proposed: Receive and file the FY 2022-23 General Fund Budget Quarterly update through December 2022.

Mayor
Lisa Motoyama
Mayor Pro Tem
Tessa Rudnick



Councilmembers
Paul Fadelli
Gabriel Quinto
Carolyn Wysinger

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

D. Fiscal Year 2022-23 Midyear Budget Update

Action Proposed: Receive an update on City revenues and expenditures for the first six months of the fiscal year through December 31, 2022 and adopt a resolution authorizing amendment to the FY 2022-23 budget and approving new spending limits.

Contact: Sandra Dalida, Finance Director/Treasurer, Finance 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, March 21, 2023 at 6:00 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.

RESOLUTION 2023-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO INDUCTING
NORMAN LA FORCE INTO THE EL CERRITO WALL OF FAME

WHEREAS, Norman La Force, a resident of the City of El Cerrito since 1983, has dedicated his time, talent and effort to serving the El Cerrito community and East Bay residents; and

WHEREAS, Mr. La Force exemplifies dedication in public service by having contributed innumerable hours of his time and energy to civic affairs and local government, including his current service on the City's Park & Recreation Commission, and long tenure on the El Cerrito City Council; and

WHEREAS, Mr. La Force served on the City Council from 1991 to 1999, including one term as Mayor in 1995; and

WHEREAS, Mr. La Force participated and chaired numerous campaigns for ballot measures to provide funding for East Bay Parks, including El Cerrito Measure H a tax measure that provided permanent funding for El Cerrito parks and swim center; and

WHEREAS, Mr. La Force's continuing involvement including restoring El Cerrito's creeks, promoting low income and high density housing projects, and leading Measure A to provide funding and reconstruction of El Cerrito Swim Center. Mr. La Force has performed great feats of community service through his dedicated activism on the East Bay Park and Open Space issues; and

WHEREAS, Mr. La Force also served as Chair of Sierra Club's East Bay Shoreline Park Task Force, co-founded Citizens for East Shore Parks, wrote *Creating the Eastshore State Park – An Activist History*, and provided pro bono work on park litigation.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby inducts Norman La Force into the El Cerrito Wall of Fame in recognition of his significant contributions to the El Cerrito community.

I CERTIFY that at a regular meeting on March 7, 2023 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_____.

Holly M. Charléty, City Clerk

APPROVED:

Lisa Motoyama, Mayor

EL CERRITO CITY COUNCIL PROCLAMATION
Designating the Month of March as “Women’s History Month”
and March 8, 2023 as “International Women’s Day”

WHEREAS, women of every race, class, and ethnic background have made historic contributions to the growth and strength of the United States, the state of California, and the City of El Cerrito in countless recorded and unrecorded ways; and

WHEREAS, women have played and continued to play a critical economic, cultural, and social role in every sphere of the life of our nation and in the City of El Cerrito by constituting a significant portion of the labor force working inside and outside the home; and

WHEREAS, women have played a unique role throughout our history by providing the majority of the volunteer labor force; and women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in the United States and throughout the Bay Area; and

WHEREAS, women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and the peace movement, to create a more fair and just society for all; and

WHEREAS, locally, women have played a key role in the City of El Cerrito’s history as leaders in the community, in our schools and universities, and at City Hall; and the City proudly recognizes the importance of issues affecting women and girls and supports further sustainable change in their well-being and advancement; and

WHEREAS, International Women’s Day is celebrated globally on March 8th and addresses the social, economic, and political barriers still facing women and girls while celebrating their achievements and the progress that have been made in support of women’s equality.

NOW THEREFORE, the City Council of the City of El Cerrito does hereby proclaim March 2023 as Women’s History Month and March 8, 2023 as International Women’s Day in the City of El Cerrito, and encourages residents to reflect on, honor, and celebrate the history, courage, commitment, accomplishments, and contributions of women, not only in El Cerrito but throughout America.

Dated: March 7, 2023

Lisa Motoyama, Mayor

EL CERRITO CITY COUNCIL PROCLAMATION
Recognizing March as American Red Cross Month in the City of El Cerrito

WHEREAS, during American Red Cross Month in March, we celebrate the humanitarian spirit of Contra Costa residents and reaffirm our commitment to help ensure no one faces a crisis alone; and

WHEREAS, caring for one another is at the heart of our community and exemplified by El Cerrito residents whose simple acts of kindness through the Red Cross provide help and hope in people's most difficult moments — continuing the lifesaving legacy of Clara Barton, who founded the Red Cross more than 140 years ago to prevent and alleviate human suffering; and

WHEREAS, every day, these ordinary individuals lend a helping hand to make an extraordinary difference for neighbors in need — whether it's providing emergency shelter, food and comfort for families displaced by home fires, floods and other disasters, or donating blood for cancer patients, accident victims, people with sickle cell disease and other life-threatening conditions; and

WHEREAS, in 2022, the Red Cross assisted 172 families in need and held 568 blood drives in Contra Costa, collecting over 16,823 units of blood; and

WHEREAS, every day, these ordinary individuals also support military members and veterans, along with their families and caregivers, assisting 320 cases in 2022; and use vital skills like first aid and CPR to help people survive medical emergencies, and trained over 7,000 in these skills in 2022; and

WHEREAS, in addition, these ordinary individuals, through the Red Cross Sound the Alarm program installed 300 smoke alarms making households safer and trained over 400 youth in preparedness through the Prepare with Pedro and Pillowcase Project; and

WHEREAS, the support, volunteerism and generous donations by these ordinary individuals and partners are critical to our community's resilience and Contra Costa County hereby recognizes March 2023 in honor of all those who fulfill Clara Barton's noble words "You must never think of anything except the need and how to meet it," and ask everyone to join in this commitment.

NOW THEREFORE, the City Council of the City of El Cerrito does hereby proclaim March 2023 as American Red Cross Month in the City of El Cerrito and encourages all residents to reach out and support the Red Cross' humanitarian mission.

Dated: March 7, 2023

Lisa Motoyama, Mayor

EL CERRITO CITY COUNCIL PROCLAMATION
Designating March 7 through March 14, 2023 as Arbor Week

WHEREAS, the first documented Arbor Day was held in 1594 in the Spanish village of Mondonedo, and was initiated in America in 1872 by J. Sterling Morton, who proposed that a special day be set aside for the planting of trees, being quoted as saying “Other holidays focus upon the past; Arbor Day focuses on the future”; and

WHEREAS, the American Arbor Day, was first observed in April 1872 with the planting of one million trees in Nebraska and is now observed on seasonally appropriate dates throughout the world; and

WHEREAS, in California, Arbor Day is observed in March, as part of California Arbor Week starting on the birthday of Luther Burbank, a prodigious California plant breeder who enhanced the diversity, beauty, disease resistance and flavor of ornamental and edible plants by producing hundreds of new varieties of plants and trees; and

WHEREAS, trees planted in urban areas play a vital role in meeting the State’s greenhouse gas emission reduction targets and the goals of the City’s Climate Action Plan by sequestering carbon as well as reducing energy consumption; and

WHEREAS, trees directly contribute to improving air quality by reducing air pollution, removing airborne particulates from the atmosphere, and helping to purify the air; and

WHEREAS, trees play a significant role in maintaining water resources by reducing surface runoff, preserving water quality, and protecting urban water resources; and

WHEREAS, trees provide essential habitats for much of California’s wildlife, including many listed, threatened, and endangered species; and

WHEREAS, trees enhance the aesthetic quality of life in urban communities by providing a natural buffer for surface noise and natural recreational resources for California’s children, youth, and families; and

WHEREAS, a healthy and thoughtfully developed and managed urban forest is a valuable and distinctive natural resource, augmenting the economic base through the provision of resources, community character, and enhancement of the living environment; and

WHEREAS, in order to support the City’s urban forest, in 2019 the City of El Cerrito adopted an amended Public Tree and Shrub Ordinance to protect public trees, set guidelines for planting, pruning, and removal, and to define the elements of the City’s urban forestry program; and

WHEREAS, resulting from that effort, in January 2020, the City of El Cerrito achieved recognition from the Arbor Day Foundation as a Tree City USA for the first time, by meeting four established standards of sound urban forestry management; and

WHEREAS, the City of El Cerrito met the Tree City USA standards for a 4th year in December 2022; and

WHEREAS, in becoming a Tree City USA, the City of El Cerrito joined a nationwide movement of more than 3,500 communities that have made the commitment to manage and expand their urban forest by maintaining a tree board or department, having a community tree ordinance, spending at least \$2 per capita on urban forestry, and maintaining an annual Arbor Day observance and proclamation.

NOW THEREFORE, the City Council of the City of El Cerrito does hereby proclaim March 7 through March 14, 2023, as El Cerrito Arbor Week and urges all citizens to observe and celebrate by planting and caring for trees and participating in City Arbor Week activities for our own benefit and for the benefit of future generations. And furthermore, recognizes Arbor Week by flying the Tree City USA Flag at City Hall.

Dated: March 7, 2023

Lisa Motoyama, Mayor

EL CERRITO CITY COUNCIL PROCLAMATION
Declaring March 10, 2023, as Tibetan Uprising Day in the City of El Cerrito

WHEREAS, on March 10, 2023, Tibetans throughout the world will commemorate the 64th Anniversary of the Tibetan National Uprising against the brutal occupation of their country and pay tribute to the more than one million Tibetans who lost their lives in their struggle for the freedom of Tibet; and

WHEREAS, the occupation and ongoing suppression of human rights and freedom in Tibet and the intentional marginalization of Tibetan language, culture, and identity should continue to be a concern for all freedom-loving people everywhere; and

WHEREAS, on December 19, 2018, the United States President signed the Reciprocal Access to Tibet Act into law, that called for an end to China's isolation of Tibet and providing American citizens, including Tibetan Americans in El Cerrito, with the same opportunity of access to Tibet as enjoyed by Chinese citizens visiting our country; and

WHEREAS, on December 27, 2020, the United States President signed the Tibet Policy and Support Act into law, that makes it official US policy that the Dalai Lama's succession is a strictly religious issue that only he and his followers can decide on and strengthens the landmark Tibetan Policy Act of 2002, addresses the issue of water security and environmental destruction in Tibet, provides humanitarian assistance for Tibetans in Tibet and in exile, and pushes China to negotiate with the Dalai Lama and Tibetan leaders without preconditions; and

WHEREAS, the 2021 Country Reports on Human Rights Practices by the US Department of State, on the subject of Tibet, states that "Significant human rights issues included credible reports of: unlawful or arbitrary killings, including extrajudicial killings by the government; torture and cases of cruel, inhuman, and degrading treatment or punishment by the government; arbitrary arrest or detention; political prisoners; politically motivated reprisals against individuals located outside the country; serious problems with the independence of the judiciary; arbitrary or unlawful interference with privacy; serious restrictions on free expression and media, including censorship; serious restrictions on internet freedom including site blocking; substantial interference with the freedom of peaceful assembly and freedom of association; severe restrictions on religious freedom, despite nominal constitutional protections voided by regulations restricting religious freedom and effectively placing Tibetan Buddhism under central government control; severe restrictions on freedom of movement; the inability of citizens to change their government peacefully through free and fair elections; restrictions on political participation; serious acts of government corruption; coerced abortion or forced sterilization; and violence or threats of violence targeting indigenous persons."; and

WHEREAS, in 2022, a bipartisan and bicameral Bill, Promoting a Resolution to the Tibet-China Conflict Act, was introduced in the U.S. Congress to advance US' interest in peacefully resolving China's occupation of Tibet and pressures the Chinese government to resume negotiations with the Dalai Lama's envoys, asserting that the United States views the Tibet-China conflict as unresolved and that the Tibetan people deserve a say in how they are governed by recognizing their right to self-determination; and

WHEREAS, the principal commitments of His Holiness the Dalai Lama are: promotion of warm-heartedness, compassion, forgiveness, tolerance, contentment, and self-discipline; religious harmony and understanding among the world's major religious traditions; preservation of the rich cultural heritage of Tibet; and the study of ancient Indian knowledge of understanding and training of mind; and

WHEREAS, in 1989 His Holiness the Dalai Lama received the Nobel Peace Prize in recognition of his longstanding commitment to nonviolence, peace, and willingness to compromise and seek reconciliation despite China's brutal occupation of Tibet; and

WHEREAS, in 2007, His Holiness the Dalai Lama was conferred the US Congressional Gold Medal, one of the highest civilian awards, in recognition of his contribution to Tibet and humanity; and

WHEREAS, the City of El Cerrito is home to a vibrant community of Tibetan Americans who have contributed to the diversity of our culture and tradition; and

WHEREAS, the City of El Cerrito stands in solidarity with the Tibetan people and their just, peaceful, and non-violent movement to remind the world of the occupation, suppression, and degradation of culture, religion, land, and identity of the Tibetan people by China.

NOW THEREFORE, the City Council of the City of El Cerrito does hereby declare March 10, 2023, as Tibetan Uprising Day in the City of El Cerrito and the Tibetan flag shall be displayed at City Hall.

BE IT FURTHER RESOLVED that the City of El Cerrito stands in solidarity with the Tibetan people and their just, peaceful and nonviolent movement to remind the world of the ongoing suppression of human rights and freedom in Tibet and the continuous degradation of culture, religion, land and identity of the Tibetan people by China.

Dated: March 7, 2023

Lisa Motoyama, Mayor



AGENDA BILL

Agenda Item No. 7.E.

Date: March 7, 2023
To: El Cerrito City Council
From: Holly M. Charl  ty, City Clerk, City Management
Subject: Approve a Modification to the Travel Allotment for Councilmember Gabe Quinto

ACTION PROPOSED

Pass a motion to approve an increase to the travel allotment for Councilmember Gabe Quinto for FY 2022-2023 in an amount of \$2,100 to cover the cost of attendance at the National League of Cities City Summit.

BACKGROUND/ANALYSIS

Annually, as part of the budget process, the City Clerk works with members of the City Council to identify events and training each member wishes to participate in during the upcoming fiscal year. With this information, as well as information related to local liaison assignments and prior year's events, the City Clerk estimates the total budget needed to cover these costs, and rounds up to provide equal allotments to each member intended to cover these costs. For the current fiscal year, this amount was set at \$5,000. In addition, an allotment in the budget is set for the Councilmember who fulfills the role of Mayor to attend certain events as the representative of the City. Finally, funds are also set aside for attendance at the New Mayor and Councilmembers Academy. These items collectively total the budgeted funds in the City Council's budget for Travel and Training.

In 2020, the City Council Adopted Resolution 2020-60 which requires City Council approval for any expenses which exceed any annual limits established for each office holder.

In 2022, the City joined the National League of Cities (NLC) and has begun to understand the opportunities offered by the organization. In November of 2022, Councilmember Quinto and the City Manager attended the NLC City Summit, which was included in the FY 2022-23 budget for the role of the Mayor. After attending the NLC City Summit and understanding the benefits of the City's Membership, Councilmember Quinto has requested to attend the NLC Congressional City Summit in Washington DC. Because this conference was not included in the requested events, the cost will cause the \$5,000 allotment to be exceeded.

As a result, the request for City Council's consideration is to allow Councilmember Quinto to attend the NLC Congressional City Summit, and to exceed his annual allotment by \$2,100 to cover the cost of attendance. This request does not increase the total funds allocated in the City Council Travel budget and can be covered by unused funds budgeted for the New Mayors and Councilmembers Academy (approximately \$1,250) and from Councilmember Abelson's unused funds (approximately \$850).

STRATEGIC PLAN CONSIDERATIONS

This section is not applicable to this agenda item.

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

There is no budget impact for this item, as the allotment is within the total funds allocated in the City Council Travel and Training budget.

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:



AGENDA BILL

Agenda Item No. 7.F.

Date: March 7, 2023
To: El Cerrito City Council
From: Aissia Ashoori, Housing Manager, Community Development Department;
Melanie Mintz, Community Development Director
Subject: Authorization of Prohousing Incentive Pilot Program Application

ACTION PROPOSED

Adopt a resolution authorizing staff to apply for the Prohousing Incentive Pilot Program.

BACKGROUND

The Prohousing Designation Program was established in the 2019-20 Budget Act to acknowledge the policies of local governments that promote housing development. On February 3, 2023, the City of El Cerrito was designated as a Prohousing jurisdiction under the [Prohousing Designation Program](#). Currently, just 10 jurisdictions in the State have earned this Designation.

The Prohousing Incentive Pilot Program (PIP) is administered and implemented by the California Department of Housing and Community Development (HCD). This is a newly created funding opportunity provided by Chapter 364, Statutes of 2017 (SB 2, Atkins), which established the Building Homes and Jobs Trust Fund. The purpose of the PIP Program is to encourage jurisdictions to pass and implement policies that accelerate housing production, promote favorable zoning and land use, reduce construction and development costs, and provide financial subsidies. On December 15, 2022, HCD issued a [Notice of Funding Availability](#) (NOFA) in the amount of at least \$25,705,545.65 in grant funds.

The PIP funding determination is based on a combination of the base award plus bonus award calculations. The base award is set according to population--El Cerrito falls between 20-49,999 residents--and is eligible for \$250,000. The bonus award is calculated using the City's Prohousing Designation score of 37 multiplied by 10,000 = \$370,000 (capped at \$500,000). Ranked applications will be considered by geographic category: 1) Southern California; 2) Bay Area; 3) San Joaquin Valley; 4) Sacramento Area; 5) Central Coast, North State; and 6) Sierra Nevada. Based on staff estimates, the City is eligible for \$620,000. The maximum PIP award cannot exceed \$5 million per jurisdiction.

The deadline for this competitive application is March 15, 2023. HCD requires that the City Council authorize submittal of an application. To remain eligible for an award, applicants must obtain Prohousing Designation by March 30, 2023.

ANALYSIS

Leveraging affordable housing funds will provide the City with additional resources to support the goals and policies contained in our [Affordable Housing Strategy](#). Additional funding will also support our 2023-2031 Regional Housing Needs Allocation of 1,391 new housing units, including 334 very low-income, 192 low-income, and 241 moderate-income units. Currently, the City's local funding sources are generated through the [Inclusionary Housing Program](#) and the Low-Moderate Income Housing Fund (former Redevelopment Agency). [Contra Costa County](#) also supports funding in El Cerrito for affordable housing. In addition, the City partners with developers to apply for various competitive funding programs through State and Federal sources.

PIP awards are slated to be announced on May 15, 2023. If awarded, the City must expend all funds by June 30, 2025. The NOFA allows the City to undertake activities related to housing and community development uses, including planning/implementation.

Eligible uses pursuant to Health and Safety Code section 50470(b)(2)(D) are:

1. The predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing that is affordable to extremely low-, very low-, low-, and moderate-income households, including necessary operating subsidies
2. Affordable rental and ownership housing that meets the needs of a growing workforce earning up to 120 percent of area median income, or 150 percent of area median income in high-cost areas
3. Matching portions of funds placed into local or regional housing trust funds
4. Matching portions of funds available through the Low- and Moderate-Income Housing Asset Fund pursuant to subdivision (d) of Section 34176 of the Health and Safety Code
5. Capitalized reserves for services connected to the creation of new permanent supportive housing, including, but not limited to, developments funded through the Veterans Housing and Homelessness Prevention Bond Act of 2014
6. Assisting persons who are experiencing or at risk of homelessness, including providing rapid rehousing, rental assistance, navigation centers, emergency shelters, and the new construction, rehabilitation, and preservation of permanent and transitional housing
7. Accessibility modifications
8. Efforts to acquire and rehabilitate foreclosed or vacant homes
9. Homeownership opportunities, including, but not limited to, down payment assistance
10. Fiscal incentives or matching funds to local agencies that approve new housing for extremely low, very low, low-, and moderate-income households.

The above eligible activities are very much aligned with the City's housing policies and plans. If the PIP application is successful, it will increase the City's affordable housing funding availability while providing much needed resources to the El Cerrito community.

STRATEGIC PLAN CONSIDERATIONS

This application and the efforts described herein will assist the City in implementing the following goals of the Strategic Plan: Goal A: Deliver Exemplary Government Services; Goal B: Achieve Long-Term Financial Sustainability; Goal C: Deepen a Sense of Place and Community Identity; and Goal F: Foster Environmental Sustainability Citywide.

ENVIRONMENTAL CONSIDERATIONS

Authorization of the filing of the application is not a project pursuant to the California Environmental Quality Act (CEQA). Any projects funded by the grant will be evaluated under CEQA, as applicable.

FINANCIAL CONSIDERATIONS

The City is required to track and report uses and expenditures annually to HCD. Funds must be expended no later than June 30, 2025. The time of City employees spent administering PIP is not eligible for funding.

LEGAL CONSIDERATIONS

There are no legal considerations as part of this application.

Reviewed by:



Karen Pinkos, City Manager

Attachments:

1. Resolution

RESOLUTION 2023-XX

A RESOLUTION OF THE CITY COUNCIL OF EL CERRITO AUTHORIZING APPLICATION FOR, AND RECEIPT OF, PROHOUSING INCENTIVE PILOT PROGRAM FUNDS.

WHEREAS, pursuant to Health and Safety Code 50470 et. Seq, the Department of Housing and Community Development (Department) is authorized to issue Guidelines as part of an incentive program (hereinafter referred to by the Department as the Prohousing Incentive Pilot Program or “PIP”); and

WHEREAS, the City Council of El Cerrito desires to submit a PIP grant application package (Application), on the forms provided by the Department, for approval of grant funding for eligible activities toward planning and implementation activities related to housing and community development as a result of meeting eligibility criteria including but not limited to Prohousing Designation; and

WHEREAS, on December 15, 2022, the Department issued final Guidelines and issued a Notice of Funding Availability (NOFA), making available a total of at least \$25,705,545.65 for PIP.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that the City Manager is hereby authorized and directed to submit an Application to the Department in response to the NOFA, and to apply for the PIP grant funds in a total amount not to exceed \$620,000.00;

BE IT FURTHER RESOLVED that in connection with the PIP grant, if the Application is approved by the Department, the City Manager is authorized and directed to enter into, execute, and deliver on behalf of the Applicant, a State of California Agreement (Standard Agreement) for the amount of \$620,000.00, and any and all other documents required or deemed necessary or appropriate to evidence and secure the PIP grant, the Applicant's obligations related thereto, and all amendments thereto.

BE IT FURTHER RESOLVED that the City will be subject to the terms and conditions as specified in the Guidelines, and the Standard Agreement provided by the Department after approval. The Application and any and all accompanying documents are incorporated in full as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the Application will be enforceable through the fully executed Standard Agreement. Pursuant to the Guidelines and in conjunction with the terms of the Standard Agreement, the City must use PIP funds for eligible uses and allowable expenditures in the manner presented and specifically identified in the approved Application.

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

I CERTIFY that at a regular meeting on March 7, 2023 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_____.

Holly M. Charléty, City Clerk

APPROVED:

Lisa Motoyama, Mayor



AGENDA BILL

Agenda Item No. 7.G.

Date: March 7, 2023
To: El Cerrito City Council
From: Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department
Subject: Amendment No. 1 to Caltrans Freeway Maintenance Agreement for El Cerrito del Norte Transit-Oriented Development Complete Streets Improvement Project and On-going Operations

ACTION PROPOSED

Adopt a resolution approving and authorizing the City Manager to execute Amendment No. 1 to the Freeway Maintenance Agreement of State Highways in the City of El Cerrito (FMA Amendment No. 1) 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.

BACKGROUND

The El Cerrito del Norte TOD Complete Streets Improvement Project (Project) will implement multimodal transportation improvements identified in the San Pablo Avenue Specific Plan and Active Transportation Plan. The Project is intended to support and catalyze TOD by creating a safe and comfortable environment that balances the needs of all street users, to improve pedestrian and bicyclist safety and access to housing and the Del Norte BART Station, to encourage mode-shift to walking, biking, and taking transit, and to support economic development in Uptown El Cerrito by creating a "sense of place." Planned improvements consist of enhanced and new protected crosswalks, new context-sensitive bikeways, bus boarding islands, circulation improvements, and various streetscape enhancements.

The Project spans several streets, including San Pablo Avenue from Ohlone Greenway near the northern City limit to Potrero Avenue, Eastshore Boulevard from Potrero Avenue to San Pablo Avenue, Hill Street from San Pablo Avenue to Liberty Street, Cutting Boulevard from I-80 to Key Boulevard, and Knott Avenue from San Pablo Avenue to Key Boulevard. A sizable portion of the Project is on State Route 123, requiring that the Project undergo an extensive Caltrans project development process for design and construction. The Project is funded by a variety of sources including federal, state and regional grants as well as developer fees totaling approximately \$13.4 million. The federal funds from the One Bay Area Grant Program are administered by the Caltrans Local Assistance Office, requiring additional steps to obligate the federal funds before the Project can be advertised for construction.

The City and Caltrans entered into a Freeway Maintenance Agreement in 1957, and a Supplemental Freeway Maintenance Agreement (FMA) in 1962. After construction of I-80, the FMAs specified that the City, at its sole expense, was responsible for maintenance of local streets relocated or reconstructed as part of the freeway construction and Caltrans, at its sole expense, was responsible for the maintenance of the freeway and ramps. In El Cerrito, the FMA covers the I-80 mainline and interchange areas at Potrero Avenue and Cutting Boulevard. The construction of a major project in these areas will typically prompt the revision of existing agreements or new agreements per Caltrans standard procedures.

On February 7, 2023, the City Council approved three maintenance agreements for the Project and on-going operations. One of these agreements was a Project Specific Maintenance Agreement (PSMA). The Project includes improvements that are above the typical Caltrans maintained facilities, such as landscaped areas, separated bike lanes, sidewalk bulb-outs, bus stop facilities, and stormwater quality treatment facilities. Given the type and extent of improvements planned as part of the Project, including at the I-80 on-ramps on Cutting Boulevard, Caltrans determined that a PSMA is required to identify the specific improvements and the City's responsibility for maintenance of these facilities at its sole expense. As indicated at that time, Caltrans had just recently determined that an amendment to the existing FMA would also be needed to make it consistent with the PSMA and City staff anticipated bringing the revised FMA to the City Council for its consideration as soon as possible thereafter.

ANALYSIS

The purpose of FMA Amendment No. 1 is to provide consistency between the existing FMA and PSMA and bring it to the current form used by Caltrans. The City Attorney has reviewed and provided comments on the draft amendment. The FMA Amendment No. 1 does not change maintenance responsibilities specified in the maintenance agreements approved by the City Council on February 7, 2023, rather it provides plan drawings identifying the areas within State right-of-way which will be the responsibility of the City to maintain. The maintenance responsibilities are described in the [February 7, 2023 Agenda Bill](#). In addition, Caltrans indicated their current policy is for the FMA to only specify local agency maintenance responsibilities because Caltrans' responsibilities are covered under Section 90, 91.2, 92, and 660 (et seq.) of the California Streets and Highway Code and Section 14000(c) and 14520.3(b) of the California Government Code. In essence, unless specifically stated as the maintenance responsibility of the City, Caltrans is responsible for maintenance on State highways including I-80 mainline and interchange areas.

Caltrans requires execution of FMA Amendment No. 1 to permit construction of the Project on the State highway. From a process standpoint, approval of the amendment as soon as possible is needed to obtain the Caltrans encroachment permit for the Project as well as state funding for construction of the Project this spring. City staff request that the City Council approve FMA Amendment No. 1 and authorize the City Manager to execute the FMA Amendment No. 1.

STRATEGIC PLAN CONSIDERATIONS

The City's Strategic Plan articulates the mission of the City to serve, lead, and support our diverse and transit-rich community by providing exemplary and innovative services, public places and infrastructure, ensuring public safety, and creating an economically and environmentally sustainable future. The El Cerrito del Norte TOD Complete Streets Improvement Project along with the approval of FMA Amendment No. 1 required for its implementation is consistent with the following El Cerrito Strategic Plan goals: *Develop and rehabilitate public facilities as community focal points*; *Deepen a sense of place and community identity* by promoting strong neighborhoods; and *Foster environmental sustainability citywide* by encouraging alternative modes of transportation to the single occupancy vehicle.

ENVIRONMENTAL CONSIDERATIONS

California Environmental Quality Act ("CEQA") Guidelines require preparation of an Initial Study to identify whether a plan or project will have a significant effect on the environment. For projects with potentially significant impacts, proposed mitigations may be included as part of the environmental review process to ensure that such impacts are mitigated to a less than significant level where possible.

The El Cerrito del Norte TOD Complete Streets Improvement Project is a combination of projects identified in the San Pablo Avenue Specific Plan and Active Transportation Plan. The City Council approved a programmatic Environmental Impact Report and associated Mitigation Monitoring and Reporting Program for the San Pablo Avenue Specific Plan in September 2014, and an Initial Study/Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program for the Active Transportation Plan in April 2016. Both documents were prepared per CEQA Guidelines. As part of the Caltrans project development process, City staff and consultants prepared a project checklist to confirm that all impacts of the Project were sufficiently evaluated in these documents. The mitigation measures identified in both Mitigation Monitoring and Reporting Programs will be implemented as appropriate in order to mitigate any identified environmental impacts of the Project under CEQA.

As part of the federal funding requirements, the Project was evaluated for compliance with the National Environmental Policy Act (NEPA), which included conducting several environmental studies. City staff and consultants prepared a Categorical Exclusion with Technical Studies. Caltrans is responsible for determining NEPA compliance and approved the NEPA document on March 1, 2022.

FINANCIAL CONSIDERATIONS

The design and construction of the Project is mostly funded by grants and developer fees of over \$13 million. The grants required the City's commitment to operate and maintain the Project. There are no additional financial considerations beyond those reported in the February 7, 2023 Agenda Bill since the purpose of this FMA Amendment No. 1 is to make the FMA and the PSMA consistent.

LEGAL CONSIDERATIONS

FMA Amendment No. 1 is currently in draft final form. The City Attorney has reviewed the amendment, provided comments, and found that legal considerations have been addressed. Minor revisions are pending. The final amendment will be in substantially the form attached, and the resolution authorizes the City Manager to execute the agreement with minor modifications, subject to review and approval by the City Attorney.

Reviewed by:

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

Karen Pinkos, City Manager

Attachments:

1. Resolution
2. Exhibit A to Resolution

RESOLUTION 2023-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 1 TO THE FREEWAY MAINTENANCE AGREEMENT OF STATE HIGHWAYS IN THE CITY OF EL CERRITO (FMA AMENDMENT NO. 1) 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 COMPLETE STREETS IMPROVEMENT PROJECT (PROJECT) AND ON-GOING OPERATIONS

WHEREAS, the El Cerrito del Norte Transit-Oriented Development (TOD) Complete Streets Improvement Project will implement multimodal transportation improvements identified in the San Pablo Avenue Specific Plan and Active Transportation Plan, adopted by the City Council in September 2014 and April 2016, respectively; and

WHEREAS, the Project is intended to support and catalyze TOD by creating a safe and comfortable environment that balances the needs of all street users, to improve pedestrian and bicyclist safety and access to housing and the Del Norte BART Station, to encourage mode-shift to walking, biking and taking transit, and to support economic development by creating a “sense of place” in Uptown El Cerrito; and

WHEREAS, the design and construction of the Project is funded by a variety of sources including federal, state and regional grants as well as developer fees totaling over \$13 million and the City has committed to operate and maintain the Project once it is constructed; and

WHEREAS, a significant portion of the Project is on the State Route 123, including San Pablo Avenue from Potrero Avenue to Cutting Boulevard and Cutting Boulevard from San Pablo Avenue to I-80, and therefore the Project must be approved by Caltrans; and

WHEREAS, Caltrans and City entered into a Freeway Maintenance Agreement in 1957, and a Supplemental Freeway Maintenance Agreement (FMA) in 1962 to identify maintenance responsibilities within Interstate 80 mainline and interchange areas; and

WHEREAS, on February 7, 2023, the City Council approved a Project Specific Maintenance Agreement (PSMA) to identify the specific improvements to be constructed on State right-of-way as part of the Project and the City's responsibility for maintenance of these improvements at its sole expense (Resolution 2023-10); and

WHEREAS, to obtain Caltrans approval of the Project, Caltrans requires that the City execute the FMA Amendment No. 1 to make the FMA consistent with the PSMA and bring the FMA to current Caltrans standard form.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby approves and authorizes the City Manager to execute the FMA Amendment

No. 1 between the State and the City, which shall be in substantially the form attached hereto as Exhibit A, including any minor amendments and subject to final review by the City Attorney.

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

I CERTIFY that at a regular meeting on March 7, 2023 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 _____.

Holly M. Charléty, City Clerk

APPROVED:

Lisa Motoyama, Mayor

AMENDMENT No. 1
TO FREEWAY MAINTENANCE
AGREEMENT OF STATE HIGHWAYS IN
THE CITY OF EL CERRITO

This AMENDMENT Number 1 to the Supplemental Freeway Maintenance Agreement, hereafter referred to as "AMENDMENT No. 1", is effective on _____, and is entered into by and between the State of California, acting by and through the Department of Transportation, hereinafter referred to as "STATE", and the City of El Cerrito, hereinafter referred to as "CITY". CITY and STATE together are hereafter referred to as "PARTIES".

WITNESSETH:

WHEREAS, a Freeway Maintenance Agreement of State Highway in the City of El Cerrito was executed by CITY and STATE on June 3, 1957; and

WHEREAS, a Supplemental Freeway Maintenance Agreement of State Highway in the City of El Cerrito, herein after referred to as "AGREEMENT", was executed by CITY and STATE on September 11, 1962 ; and

WHEREAS, AGREEMENT by its terms provides that it may be modified or amended at any time upon mutual consent of the PARTIES; and

WHEREAS, the PARTIES mutually desire to identify the maintenance responsibilities of CITY for newly constructed and/or revised improvements within STATE's right of way by Encroachment Permit _____; and

WHEREAS, the PARTIES hereto now desire to amend AGREEMENT for said purpose as provided herein.

NOW, THEREFORE, the PARTIES agree to amend AGREEMENT as follows:

1. Article 2 of AGREEMENT is hereby deleted and replaced in its entirety to read as follows:
 - "2. Exhibit A consists of plan drawings that delineate and describe the areas within STATE right of way which are the responsibility of the CITY to maintain in accordance with this Agreement. If there is mutual agreement on a change in the maintenance responsibilities between PARTIES, the PARTIES can revise the Exhibit A by a mutual written execution of the exhibit."

2. New Article 5 is hereby added to and made a part of AGREEMENT to read as follows:

" 5. BICYCLE LANES AND CYCLE TRACKS constructed as permitted encroachments within STATE's right of way, CITY is solely responsible for all permitted improvements, including but not limited to the delineation, pavement markings, bike lane raised concrete curb island, drainage facilities, slope and structural adequacy. CITY will maintain, at CITY expense, a safe facility for bicycle travel along the entire length of the lane/cycle track by providing sweeping and debris removal when necessary; and all signing and striping, and pavement markings required for the direction and operation of that non-motorized facility."

3. Exhibit "A" of AGREEMENT is hereby deleted and replaced by Exhibit "A" (REVISED).
4. The changes made by this AMENDMENT No. 1 are hereby deemed to be included and made a part of the AGREEMENT and shall remain in full force and effect unless or until they are further amended or terminated. Except for those changes made by this AMENDMENT No. 1, the AGREEMENT remains unchanged and in full force and effect.

IN WITNESS WHEREOF, the PARTIES hereto have set their hands and seals the day and year first above written.

CITY OF EL CERRITO

By:

Karen Pinkos
City Manager

Attest:

By:

Holly Charley
City Clerk

Approved as to form and procedure:

By:

Sky Woodruff
City Attorney

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

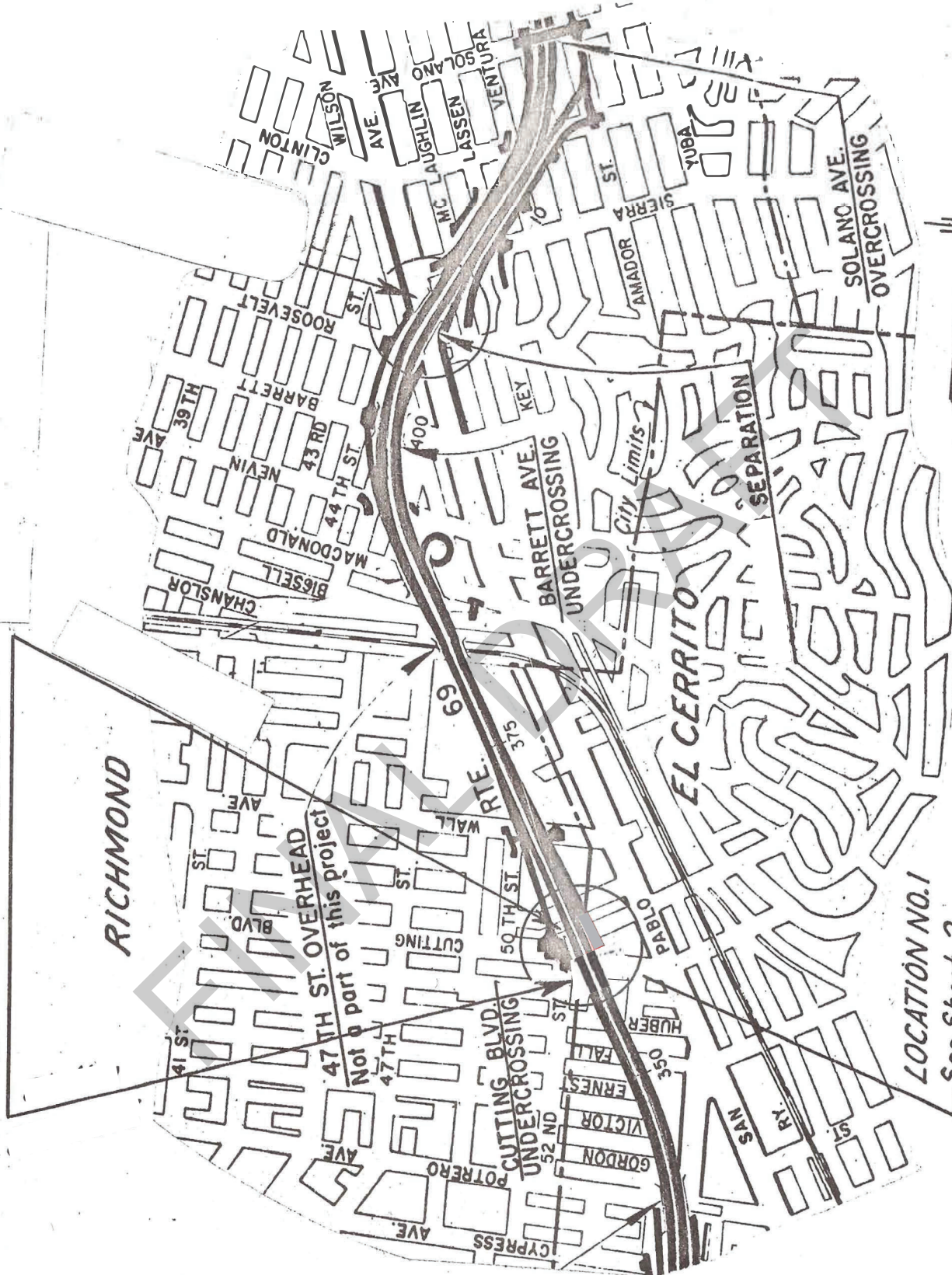
By:_____
LEAH BUDU,
Deputy District Director
Maintenance Division, District 04

EFFECTIVE January 25, 2023
AMENDMENT No. 1

DIST	CO.	RTE.	PM	SHEET OF SHEETS	
IV	CC	80	2.05	1	2

LOCATION LIMITS

RICHMOND



LOCATION NO.1

See Sheet 2
For Details

VICINITY MAP
 FREEWAY MAINTENANCE
 AGREEMENT

EXHIBIT "A" (REVISED)

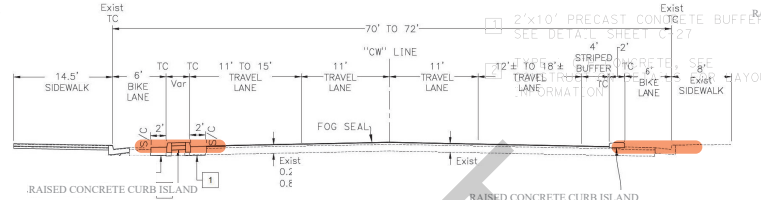
STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
FUNCTIONAL SUPERVISOR
CALCULATED - DESIGNED BY
CHECKED BY
REVISED BY
DATE REVISED

LEGEND:

- MAINTAINED BY CITY OF EL CERRITO
- PLANTING, SEE LANDSCAPE PLANS

- PAVEMENT TREATMENT LIMIT, SEE SHEET L-9
- CALTRANS R/W
- CITY R/W

KEYNOTES:

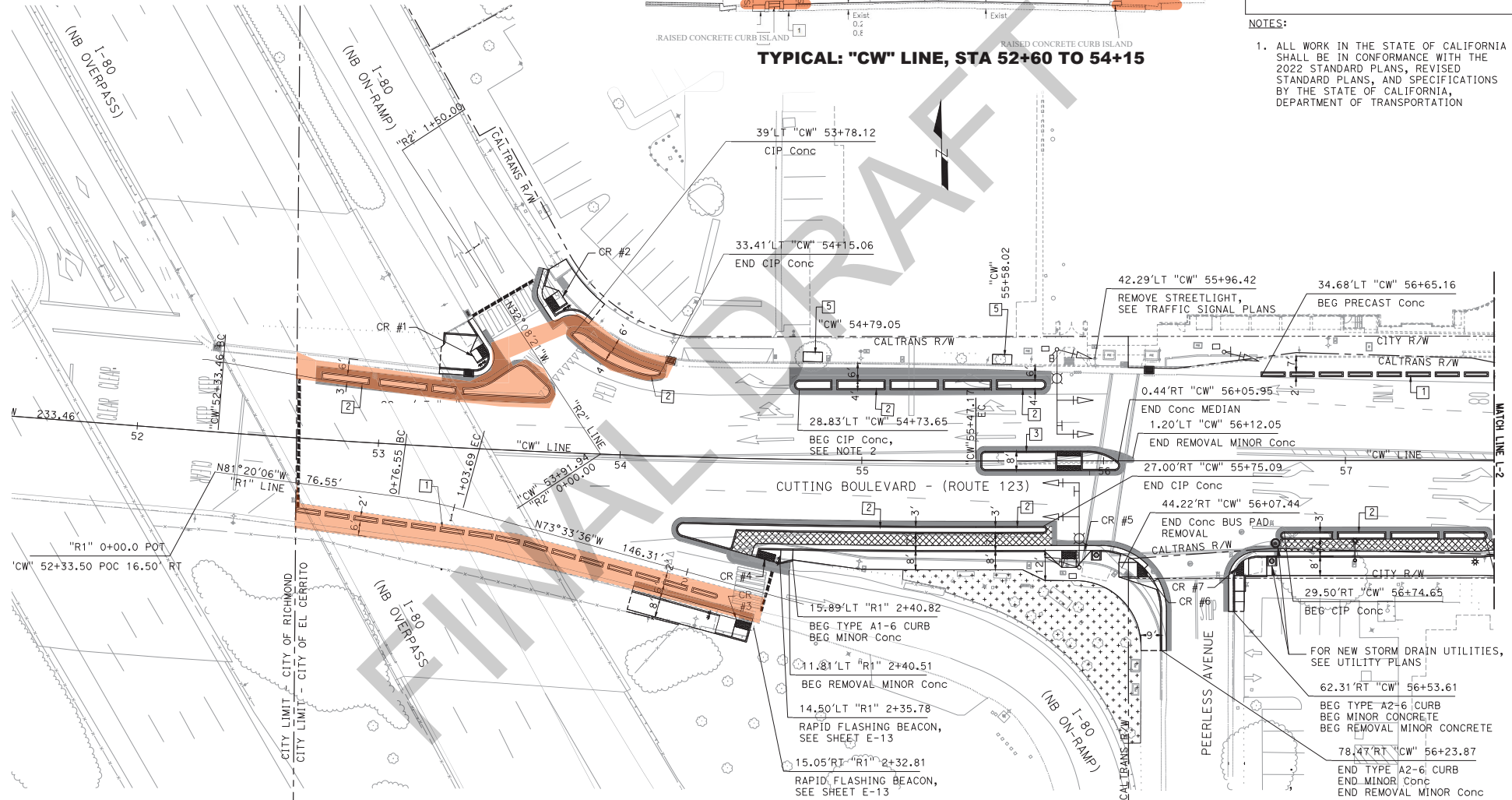


Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
04	CC	80	2.05		

AMENDMENT NO.1
EFFECTIVE JAN. 25, 2023

NOTES:

- ALL WORK IN THE STATE OF CALIFORNIA SHALL BE IN CONFORMANCE WITH THE 2022 STANDARD PLANS, REVISED STANDARD PLANS, AND SPECIFICATIONS BY THE STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION



STATE ROUTE I-80: "CW" LINE, STA 52+60 TO STA 54+15

EXHIBIT A (REVISED),
LOCATION No. 1
SHEET 2 OF 2

BORDER LAST REVISED 7/2/2010

USERNAME ==>
DGN FILE ==> 0413000049e001

RELATIVE BORDER SCALE
IS IN INCHES

0 1 2 3

UNIT 0708

PROJECT NUMBER & PHASE

0000000000



AGENDA BILL

Agenda Item No. 7.H.

Date: March 7, 2023
To: El Cerrito City Council
From: Melanie Mintz, Community Development Director, Community Development Department
Subject: Amend Professional Services Agreement for 4Leaf, Inc. for Permit Processing, Inspection, and Other Technical Services

ACTION PROPOSED

Adopt a resolution authorizing the City Manager to execute an amendment to the existing professional services agreement with 4Leaf, Inc., to increase the amount for FY 2022-23 from \$500,000 to \$875,000.

BACKGROUND

The Community Development Department issues an average of approximately 1,200 building permits per year (2016-2022). In FY 2020-21, this number rose to 1,580 in order to catch up from a lower figure of 1,047 in FY 2019-20. FY 2022-23 appears on track to meet the average. In order to provide permit technician, plan check, and inspection services related to these permits, the City relies on both permanent staff and consultant services. Currently, the City currently also has a Building Official vacancy being filled by professional services. Consultant services are utilized to respond to needs for augmented staffing levels, to provide staff to fill vacancies, and to perform specialized work related to commercial and multifamily development plan check and inspection services, all on an as-needed basis. Due to a consistent increase in solar permit applications (from 79 in FY 2016-17 to 293 in FY 2021-22), along with statutory turn-around times for issuance of solar permits, the City also outsources the solar permitting program in order to meet the mandatory timelines without causing a backlog in permitting for other projects. Fees from development related services are collected to cover the costs of providing the services.

In 2017, as a result of the adoption of the San Pablo Avenue Specific Plan, the Community Development Department anticipated a need for increased specialized activity and established an on-call bank of consultant firms to provide needed services in an efficient manner. On March 20, 2017, pursuant to Government Code 4526 which permits local agencies to select professional services firms on the basis of competency and professional qualifications, and consistent with the City's own procurement policies, the Department issued a Request for Qualification (RFQ) to establish an on-call bank of consultant firms to provide various on call building services on an as-needed basis.

Multiple firms were responsive and Resolution 2017-24 authorized the City Manager to execute professional services agreements with ten consulting firms to provide building services on an on-call basis for an amount not to exceed \$250,000 per year. Each agreement was authorized to have an initial term of three years with the option to

extend for up to two additional years.

Due to personnel availability and qualifications for tasks at hand, the Building Division has used four of the ten originally contracted firms throughout the term for services and has been satisfied with the services provided by all four firms. The list of firms consists of:

1. CSG Consultants
2. 4Leaf, Inc.
3. TRB+ Associates
4. West Coast Consultants, Inc

The initial term authorized by Resolutions 2017-22 was for a total of five years, including three initial years and a two-year extension. On April 5, 2022, by Resolution 2022-20, the City Council authorized the City Manager to extend the terms of the four firms listed above by an additional 18 months, and increase the total annual authority for 4Leaf, Inc. by \$250,000 to a total of \$500,000. The extension was requested in order to allow the Department time to evaluate its needs, and develop and issue a new RFQ, providing new and currently contracted firms the opportunity to submit updated SOQs (Statements of Qualifications). Staff are anticipating having the new RFQ sent out in spring 2023, in order to establish new master contracts prior to the expiration of the term extensions in October 2023. The compensation increase for 4Leaf, Inc. was due, in FY 2021-22 and again in FY 2022-23, to the firm being uniquely able to provide qualified staff to fill building related vacancies and staffing needs as well as provide solar permitting services.

ANALYSIS

In FY 2022-23, staff vacancies, retirements, and personnel leave have continued to create an increased demand for consultant services, and the City has used 4Leaf, Inc. personnel to fill these vacancies and cover staff leave to assure continued timely provision of services. In FY 2022-23, Public Works has also utilized the on-call contract to provide necessary permit related services. In addition to staffing services, 4Leaf, Inc. has provided solar permitting services and, along with the other three firms, provides outside plan check services. The City has one permanent plan checker, and contracts out most large commercial and multifamily projects as well as smaller projects as volume necessitates.

The requested contract amendment to increase the spending authority to 4Leaf, Inc. covers expenses related to vacancies and staffing needs throughout the Division as well as those anticipated to continue servicing solar permits.

STRATEGIC PLAN CONSIDERATIONS

Completing all necessary permit related services in a professional and timely manner is consistent with the 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

There are no funds being requested by the Building Division as a part of this action. All Building Division expenses and their associated revenues and salary savings are within the FY 2022-23 operating budget and reflected in the City's midyear budget adjustment. Expenses for the Public Works Department are covered by salary savings and budget for professional services.

LEGAL CONSIDERATIONS

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

Reviewed by:

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

Karen Pinkos, City Manager

Attachments:

1. Resolution

RESOLUTION 2023-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH 4LEAF, INC., PROVIDING ON-CALL BUILDING AND TECHNICAL SERVICES TO INCREASE THE AMOUNT FOR FY 2022-23 FROM \$500,000 TO \$875,000

WHEREAS, the City requires the services of consultant firms to perform on-call building and technical services; and

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

WHEREAS, Government Code Section 4526 allows State and local agencies to select professional services firms such as 4Leaf on the basis of demonstrated competency and professional qualifications, and selection on that basis is consistent with the City's procurement policy; and

WHEREAS, Resolution 2017-74 authorized the City Manager to execute contracts with ten Firms to provide on-call building services; and

WHEREAS, the authorization allowed an initial term of three years with an option to extend for up to two additional years; and

WHEREAS, Resolution 2022-20 authorized the City Manager to extend the contract term for all four firms for additional 18 months, and increased the compensation for 4Leaf only to \$500,000; and

WHEREAS, the need for consulting services to provide plan check, inspection, solar permitting and staffing services to fill vacancies and augment staff has continued; and

WHEREAS, the Department of Public Works has also needed to access services through the 4Leaf, Inc. contract; and

WHEREAS, an additional \$375,000 is required to provide anticipated services; and

WHEREAS, the services provided by 4Leaf, Inc. are largely covered by development related fees and also by salary savings, in the case of vacancies; and

WHEREAS, the Departments' operating budgets anticipate both the revenues and expenses associated with the requested contract amendment; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that that the City Manager is hereby authorized to execute an amendment to the professional services agreement with 4Leaf, Inc. to increase the compensation amount by \$375,000 for an amount not to exceed \$875,000.

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

I CERTIFY that at a regular meeting on March 7, 2023 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 _____.

Holly M. Charl  ty, City Clerk

APPROVED:

Lisa Motoyama, Mayor



AGENDA BILL

Agenda Item No. 9.A.

Date: March 7, 2023
To: El Cerrito City Council
From: Shannon Bassi, Senior Human Resources Analyst, Human Resources
Subject: Adoption of a Memorandum of Understanding between the City of El Cerrito and the United Professional Firefighters Local 1230

ACTION PROPOSED

Adopt a resolution approving an agreement between the City of El Cerrito and the United Professional Firefighters Local 1230 modifying language on salaries, benefits, and creating a new Memorandum of Understanding.

BACKGROUND/ANALYSIS

On April 21, 2020, the City Council approved a side letter (Resolution 2020-20), extending the agreement by one-year with the United Professional Firefighters Local 1230 (Resolution 2020-20), making the current Memorandum of Understanding effective through June 30, 2022. The United Professional Firefighters Local 1230 Unit (Local 1230) represents the Fire Captains, Fire Engineers, and Firefighters in the El Cerrito Fire Department.

The following is a summary of the proposed agreement with the United Professional Firefighters Local 1230:

- The agreement will be effective July 1, 2022 through June 30, 2025.
- The City will increase the Post-Employment Health Plan by the following amounts:
 - Effective on ratification of the Tentative Agreement, the City shall increase its contribution by \$100 per month for a total City contribution of \$400 per month for each member of the bargaining unit to the member's Post Employment Health Plan account.
 - Effective July 2023, the City shall increase its contribution by \$75 per month for a total City contribution of \$475 per month for each member of the bargaining unit to the member's Post Employment Health Plan account.
 - Effective July 2024, the City shall increase its contribution by \$50 per month for a total City contribution of \$525 per month for each member of the bargaining unit to the member's Post Employment Health Plan account.
- Retirement Plan Cost Sharing: If CalPERS rules and regulations allow for the implementation of Government Code Section 20516 (Cost Sharing) on a bargaining unit by bargaining unit basis, the City will amend their contract with CalPERS to incorporate Government Code Section 20516 (Cost Sharing) for Fire Suppression Personnel. The City and the Union agree that this provision of

Government Code Section 20516 shall apply to the following (for Classic employees):

- Effective upon implementation of Government Code Section 20516, 3.0% of the 12% cost sharing amount that a Classic employee contributes would count towards the employee contributions.
- Effective the first full pay period in July 2023 – 4.0% of the 13% cost sharing amount that a Classic employee contributes would count towards the employee contributions.
- Pension Reimbursement: Effective the first full pay period in July 2023, classic employees shall make an additional 1.0% contribution towards PERS, for a total of 13% contribution towards PERS. A salary increase of 1% will be implemented effective July 2023 to off-set the additional retirement contribution.
- Effective September 18, 2022, the base monthly salaries will be increased by the following amounts: Fire Captain (3%), Fire Engineer (4.5%), and Firefighter (5.5%). Effective the first full pay period in July 2023, the base monthly salary for all classifications in the bargaining unit shall be increased by 3.75%. Effective the first full pay period in July 2024, the base monthly salary for all classifications in the bargaining unit shall be increased by 4.5%.
- Uniform Allowance: Effective the first full pay period in January 2023, the allowance shall be increased by \$34.62 per pay period. Effective the first full pay period in January 2024, the allowance shall be increased to \$38.47 per pay period.

In addition, there were miscellaneous changes, including: 1) amending benefit language to "Alternate HMO" 2) the addition of Juneteenth as an official holiday in the MOU (previously approved by City Council city-wide) 3) amending Columbus Day to Indigenous People Day, and lastly 4) a modification to the "Station Bid" month from September to November.

STRATEGIC PLAN CONSIDERATIONS

Adopting the Resolution for the United Professional Firefighters Local 1230 fulfills Goal A, Deliver Exemplary Government Services, including the strategies of "Recruiting and retaining a talented and effective workforce" and "Maintain emphasis on providing excellent customer service"; and, Goal B, "Achieve long-term financial sustainability."

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

Below is a summary of the total cost impacts for the following areas upon implementation of these proposed changes:

- The Post-Employment Health Plan will cost approximately \$55,800 to implement over two years.
- The total cost for the proposed base salary increases over two years is

approximately \$441,250 (based on current salaries).

- The total cost of a 1% salary increase to off-set the 1% Pension Reimbursement is approximately \$57,600 and will continue to yield savings from the ongoing 1% Pension Reimbursement for Classic employees.
- The total cost to increase the uniform allowance is \$9,600.
- The cost of adding the Juneteenth Holiday was already realized in the FY 2022-2023 budget.
- There is no cost to modify the vacation and shift schedules.
- There is no cost to implement Government Code Section 20516 (CalPERS cost sharing agreement)

LEGAL CONSIDERATIONS

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

Reviewed by:



Karen Pinkos, City Manager

Attachments:

1. Resolution
2. Exhibit A to Resolution

RESOLUTION 2023-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO APPROVING AN AMENDMENT TO THE EXISTING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE UNITED PROFESSIONAL FIREFIGHTERS ASSOCIATION, LOCAL 1230 (LOCAL 1230) TO MODIFY LANGUAGE ON SALARIES AND BENEFITS FROM JULY 1, 2022 THROUGH JUNE 30, 2025.

WHEREAS, the Meyers-Milias-Brown Act allows employee units within the City to represent themselves on matters concerning salaries, hours and working conditions; and

WHEREAS, the Employer-Employee Relations Ordinance of the City of El Cerrito provides the methods and procedures for meeting and conferring in good faith; and

WHEREAS, the United Professional Firefighters, Local 1230 is recognized as the majority bargaining unit for firefighters, fire engineers and fire captains; and

WHEREAS, representatives of the City of El Cerrito and the United Professional Firefighters, Local 1230, have met and conferred in good faith; and

WHEREAS, Resolution 2020-20 approved the current Memorandum of Understanding with United Professional Firefighters, Local 1230; and

WHEREAS, the City of El Cerrito and United Professional Firefighters, Local 1230 representatives have agreed to modify the salaries and benefits through June 30, 2025.

NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby approve the Tentative Agreement, attached hereto as Exhibit A, between the City of El Cerrito and United Professional Firefighters, Local 1230 effective through June 30, 2025, and authorizes the City Manager to execute the Tentative Agreement, including any minor amendments and subject to final review by the City Attorney.

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

I CERTIFY that at a regular meeting on March 7, 2023 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 March __, 2023.

Holly M. Charl  ty, City Clerk

APPROVED:

Lisa Motoyama, Mayor

**TENTATIVE AGREEMENT #2
BETWEEN
CITY OF EL CERRITO
AND
LOCAL 1230**

February 9, 2023

- **3.1 Duration of this Memorandum**

This agreement shall be in full force and effect commencing on July 1, ~~2022~~2019, through June 30, ~~2025~~. Terms and conditions of this Agreement shall remain in full force until adoption of a successor Agreement.

Nothing herein shall prevent the parties to this agreement from meeting and conferring and making modification hereto by mutual consent.

- **7.3 Retirement Health Plan**

B. Post-Employment Health Plan Retiree Medical:

Prior to July 1, 2008 the City will contract with Nationwide Retirement Solutions to establish a Post-Employment Health Plan.

Effective July 2008 the City shall contribute \$300.00 per month for each member of the bargaining unit to the member's Post Employment Health Plan account.

Effective on ratification of the Tentative Agreement the City shall increase its contribution by \$100 per month for a total City contribution of \$400 per month for each member of the bargaining unit to the member's Post Employment Health Plan account.

Effective July 2023, the City shall increase its contribution by \$75 per month for a total City contribution of \$475 per month for each member of the bargaining unit to the member's Post Employment Health Plan account.

Effective July 2024, the City shall increase its contribution by \$50 per month for a total City contribution of \$525 per month for each member of the bargaining unit to the member's Post Employment Health Plan account.

- **7.4 Retirement Plan for Fire Suppression Personnel**

If CalPERS rules and regulations allow for the implementation of Government Code Section 20516 (Cost Sharing) on a bargaining unit by bargaining unit bases, the City will amend their contract with CalPERS to incorporate Government Code

Section 20516 (Cost Sharing) for Fire Suppression Personnel. The City and the Union agree that this provision of Government Code Section 20516 shall apply to the following:

- Classic Employee

- Effective upon implementation of Government Code Section 20516 – 3.0% of the 12% that a classic employee contributes.
- Effective the first full pay period in July 2023 – 4.0% of the 13% that a classic employee contributes.

13.1 Base Monthly Salaries

The intention of both parties to the MOU is to achieve a median salary level with respect to surrounding response jurisdictions. Both parties recognize that wage adjustments are based partially on projections and that the actual median may differ from the final salary achieved.

~~A. Effective the first full pay period in July 2019, the base monthly salary for the classifications listed below shall be increased as follows:~~

Fire Captain	1.0%
Fire Engineer	4.0%
Firefighter	1.5%

~~B. Effective the first full pay period in July 2020, the base monthly salary for all classifications in the bargaining unit shall not be increased.~~

A. Effective September 18, 2022, the base monthly salary for the classifications listed below shall be increased as follows:

<u>Fire Captain</u>	<u>3.0%</u>
<u>Fire Engineer</u>	<u>4.5%</u>
<u>Firefighter</u>	<u>5.5%</u>

B. Effective the first full pay period in July 2023, the base monthly salary for all classifications in the bargaining unit shall be increased by 3.75%.

C. Effective the first full pay period in July 2024, the base monthly salary for all classifications in the bargaining unit shall be increased by 4.5%.

13.3 Pension Reimbursement

- Classic employees shall make a 12.0% employee contribution towards PERS.
- Effective the first full pay period in July 2023 classic employees shall make an additional 1.0% contribution towards PERS, for a total of 13% contribution towards PERS.
- Effective the first full pay period in July 2023, members of the bargaining

unit shall receive a 1.0% salary increase. This salary increase will assist with offsetting the employee cost of the 1.0% additional retirement contribution.

- ~~Effective the first full pay period in July 2022, new employees, as defined by PERS shall pay a minimum of 14% towards PERS pension costs.~~
- Employees hired after December 31, 2012, who are not “Classic Employees” as defined for PERS and are receiving retirement benefits as per the Public Employees’ Pension Reform Act (PEPRA), shall pay 50% of the normal costs of their retirements as determined by PERS.

- 7.1 Health Insurance

The City has a Flexible Benefits Plan which is consistent with Section 125 of the Internal Revenue Code.

- A. With the exception of the employee who chooses the “no medical plan” option, the City will contribute an amount equivalent to the lowest cost medical plan rate according to dependent status regardless of which medical plan is chosen. “According to dependent status” means that if an employee is single the employee shall receive the equivalent to the lowest cost single premium in employee’s flexible spending account. If the employee and a dependent are enrolled in a City medical plan, the employee shall receive the equivalent to the lowest cost two-party premium in employee’s flexible spending account. If the employee and more than one dependent are enrolled in a City medical plan, the employee shall receive the equivalent to the lowest cost family premium in employee’s flexible spending account.
- B. The employee may select one of the following medical plans within their individual Flexible Benefits Plan:
 - HMO Kaiser (S)
 - Sutter Health Plus-Alternative HMO
- C. In the event that an employee has alternate comprehensive group medical coverage through a spouse’s medical plan or some other group medical plan, the employee may select elect to receive “cash in-lieu” of medical coverage after they provide proof of such medical coverage to the Human Resources Department. In this event, the City shall contribute the Seven Hundred and Ninety-three dollars and Eighteen Cents (\$793.18) to the employee’s Flexible Benefits Plan and the employee may receive this amount in cash, in which case the amount is treated as taxable income, or the employee may reallocate it toward the purchase of other benefits in the Plan, or a combination of both. The “cash in-lieu benefit amount shall be \$350 per month for: a) Employees hired after December 31, 2020; or b) existing employees who discontinue the City’s medical coverage and opt for “cash in lieu” of medical coverage at a later date as long as they meet the requirements as described above.

8.1 Holidays

The number of designated holidays for Fire suppression personnel shall be ~~fourteen~~^{thirteen} (14¹³). The following days are designate "holidays" and shall be the basis for benefits associated with this section:

New Year's Day

~~Columbus Day~~Indigenous People Day

Martin Luther King Jr. Day

Veteran's Day

Lincoln's Birthday

Thanksgiving Day

Washington's Birthday

Day after Thanksgiving

Memorial Day

Christmas Day

Juneteenth (June 19)

Employee's Birthday

July 4

Labor Day

10.4 Vacation and Shifts

Each vacation pick in a multiple of ~~three~~^{two} consecutive shifts shall begin on the first duty shift of a tour of duty. ~~Single shift picks shall be subject to the approval of the Fire Chief.~~

12.1 Modification

A. Bi-Annual

Every two years, a "Station Bid" process will be implemented in the month of ~~November~~^{September} which will give employees the opportunity to change their current shift and station. During this process a member may select their previous assignment if still available. If an employee's previous assignment is not available, they will have to make another selection. The bidding process shall be in accordance to Department policy.

18.1 Uniform Allowance

~~A.—~~ The classifications of Fire Captain, Fire Engineer and Firefighter shall receive ~~an annual~~ uniform allowance ~~of \$725. This payment shall be paid in full on the first payroll date in December 2019.~~

~~A.~~ Effective the first full pay period in January 2020, this allowance shall be paid each pay period in the amount of \$27.89.

~~B.~~ Effective the first full pay period in January 2023, the allowance shall be increased to \$34.62 per pay period.

~~B.C.~~ Effective the first full pay period in January 2024, the allowance shall be increased to \$38.47 per pay period.



AGENDA BILL

Agenda Item No. 9.B.

Date: March 7, 2023
To: El Cerrito City Council
From: Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department
Subject: Construction Contract Award for 2023 Slurry Seal Project, City Project No. C3027.23

ACTION PROPOSED

Adopt a resolution approving plans and specifications for the 2023 Slurry Seal Project, City Project No. C3027.23 (Project); accepting the five bids submitted for the Project; authorizing the City Manager to execute a contract in the amount of \$912,120 with VSS International, Inc. and to approve change orders in an amount not to exceed \$92,000 for the construction of the Project; and amending the Fiscal Year (FY) 2022-23 Adopted Budget and Measure A Annual Program of Maintenance and Improvement to transfer \$455,420 from the Measure A Street Improvement Fund Balance to the Measure A Annual Program of Maintenance and Improvement /Capital Outlay for the Project.

BACKGROUND

The 2023 Slurry Seal Project, City Project No. C3027.23 is a component of the Measure A funded Annual Street Improvement Program. The Project was originally bid as the 2022 Slurry Seal Project in Fall 2022. The two bids submitted at the time were significantly over the Engineer's Estimate. At the October 4, 2022 Council Meeting, the City Council rejected all bids and authorized City staff to amend the project scope, if necessary, and rebid the Project (Resolution 2022-78)

This Project will resurface 16 street segments that currently have minor distressed pavement as listed below.

Street Name	From	To
Alva Avenue	Jordan Avenue	Tassajara Avenue
Ashbury Avenue	Eureka Avenue	Moeser Lane
Edwards Avenue	Barrett Avenue	Rosalind Avenue
Eureka Avenue	Richmond Street	Liberty Street
Franciscan Way	Contra Costa Drive	South City Limit
Kensington Road	Terrace Drive	South City Limit
Lexington Avenue	Potrero Avenue	Hill Street
Liberty Street	Fairmount Avenue	Central Avenue
Moeser Lane	Pomona Avenue	Richmond Street

Moeser Lane	Navellier Street	Pomona Avenue
Nason Avenue	Jordan Avenue	Poinsett Avenue
Norvell Street	Eureka Avenue	Moeser Lane
Pomona Avenue	Eureka Avenue	Stockton Avenue
Waldo Avenue	Ashbury Avenue	Richmond Street
Wildcat Drive	Rifle Range Road	End
South 55th Street	Potrero Avenue	South City Limit
Gordon Avenue	East End	City Limit

City staff removed one street from the project scope given a planned development that would impact the street, and added traffic signing and striping work at other locations to respond to requests received from the public and improve safety.

The work generally consists of patch paving, the application of a slurry seal treatment, installation of traffic signs, striping and markings, and other related work. For bidding purposes and to allow flexibility of award within available funding, the work was divided into a Base Bid and two Additive Alternate Bids.

The Notice Inviting Bids for the Project was advertised in the West County Times on January 16 and 23, 2023. Additionally, the notice along with a complete set of Contract Documents was sent to eight Builder and Construction Exchanges in the Bay Area and Northern California and made available for purchase through the BPXpress website, an online planroom used by the City. The notice was also posted on the City's website. A non-mandatory pre-bid conference was held on January 31, 2023. One addendum was issued.

ANALYSIS

Five bids were received by the advertised bid opening date and time of February 7, 2023 at 2 p.m. The bids were publicly opened and read by the City Clerk. All bids were checked for completeness and found to be responsive.

The Contract Documents stipulated that the low bidder was to be determined by the total amount of the Base Bid only. The apparent low bidder at the bid opening was American Asphalt; however, City staff found variations between the item unit price extension and the item total shown by the bidder for one item. In the case of a discrepancy in the item total and unit prices, the Contract Documents require that the unit price listed in the bid serve as the basis for calculating the item total, and thus the total bid amount by American Asphalt must be conformed accordingly. When City staff conformed the totals, the total bid amount was found to be \$810 higher than the amount shown at the time of the bid opening. Although this amount is small, City staff has determined that the bid from American Asphalt is not the lowest bid, rather, the bid from VSS International, Inc. (VSS) is the lowest as summarized below.

Name and Location of Bidder	Base Bid	Additive Alternate Bid – Gordon Ave	Additive Alternate Bid – S 55th St	Grand Total
VSS International, West Sacramento, CA	\$820,120.00	\$29,000.00	\$63,000.00	\$912,120.00
American Asphalt, Hayward, CA	\$820,495.20	\$84,538.74	\$156,109.41	\$1,061,143.35
Dolittle Construction, Snoqualmie, WA	\$852,000.00	\$34,659.00	\$73,341.00	\$960,000.00
Pavement Coatings, Woodland, CA	\$898,105.00	\$40,380.00	\$84,070.00	\$1,022,555.00
Sierra Nevada Construction, Sparks, NV	\$932,314.30	\$58,229.80	\$74,462.90	\$1,065,007.00
Engineer's Estimate	\$840,507.67	\$28,661.20	\$65,181.60	\$934,350.47

VSS's bid is lower than the Engineer's Estimate by about 3%. The Additive Alternate Bid items are also the lowest of all bidders.

Overall, construction prices are much higher than two years ago as previously reported. However, given that the City received five bids, City staff were able to compare prices. There is also a need to resurface these streets before they continue to deteriorate and the extent and cost of pavement repair work significantly increases. City staff recommends that the City Council award the construction contract in the amount of \$912,120.00, including the two Additive Alternate Bid items, to VSS International, Inc. as the lowest responsive and responsible bidder. City staff also recommends that City Council approve change orders in an amount not to exceed \$92,000 for the construction of the Project.

STRATEGIC PLAN CONSIDERATIONS

Award of the construction contract is consistent with the following El Cerrito Strategic Plan goals: *Develop and rehabilitate public facilities as community focal points* by addressing ongoing and deferred maintenance of facilities and infrastructure and *Ensure the public's health and safety* by maintaining streets in a state of good repair for all modes of transportation.

ENVIRONMENTAL CONSIDERATIONS

The Project is categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) because the Project is a repair to an existing facility involving negligible or no expansion of use beyond that presently existing. More specifically, restoration or rehabilitation of deteriorated or damaged facilities to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as an earthquake, landslide, or flood, is exempt from CEQA.

FINANCIAL CONSIDERATIONS

Funding for the Project in the amount of \$675,000 is included in the FY 2022-23 Adopted Budget and Capital Improvement Program, under the Annual Street Improvement Program in the Measure A Street Improvement Fund.

The estimated expenditures in FY 2022-23 total \$1,130,420.00 as summarized below.

Amend Project Scope & Rebid	\$10,000
Construction Contract	\$912,120
Construction Contract Contingency	\$92,000
Construction Management & Inspection	\$96,300
Materials Testing	\$15,000
Miscellaneous (printing, postage, etc)	\$5,000
Total	\$1,130,420

The expenditures are higher than the current budget as a result of the current construction market and the need for external construction management due to current City staffing levels and the size of the Project. The estimated expenditures result in a funding shortfall of \$455,420. There is a need to resurface these streets as soon as possible and rebidding of the Project confirmed the City received competitive bids. As such, City staff is requesting that the City Council amend the FY 2022-23 Adopted Budget and Capital Improvement Program to transfer \$455,420 from the Measure A Street Improvement Fund Balance to the Measure A Annual Program of Maintenance and Improvement /Capital Outlay for construction of the Project.

As of February 15, 2023, the projected ending fund balance in the Measure A Street Improvement Fund for FY 2021-22 is \$2,342,735 and for FY 2022-23 is \$1,754,431 as summarized below.

Preliminary Unaudited FY 2021-22 Fund Balance	\$2,342,735
FY 2020-21 Budget	
Revenues	\$1,508,376
Expenses	(\$2,096,680)
Projected FY 2022-23 Fund Balance	\$1,754,431

There is sufficient fund balance to cover the \$455,420 costs associated with the Project. The Finance Department has reviewed and confirmed these projected fund balances.

LEGAL CONSIDERATIONS

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

Reviewed by:



Karen Pinkos, City Manager

Attachments:

1. Resolution

RESOLUTION 2023-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO APPROVING PLANS AND SPECIFICATIONS FOR THE 2023 SLURRY SEAL PROJECT, CITY PROJECT NO. C3027.23 (PROJECT); ACCEPTING THE FIVE BIDS SUBMITTED FOR THE PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT IN THE AMOUNT OF \$912,120 WITH VSS INTERNATIONAL, INC. AND TO APPROVE CHANGE ORDERS IN AN AMOUNT NOT TO EXCEED \$92,000 FOR CONSTRUCTION OF THE PROJECT; AND AMENDING THE FISCAL YEAR (FY) 2022-23 ADOPTED BUDGET AND MEASURE A ANNUAL PROGRAM OF MAINTENANCE AND IMPROVEMENT TO TRANSFER \$455,420 FROM THE MEASURE A STREET IMPROVEMENT FUND BALANCE TO THE MEASURE A ANNUAL PROGRAM OF MAINTENANCE AND IMPROVEMENT/CAPITAL OUTLAY FOR THE PROJECT

WHEREAS, the 2023 Slurry Seal Project, City Project No. C3027.23 is a component of the Annual Street Improvement Program, and will resurface 16 street segments that currently have minor distressed pavement; and

WHEREAS, the Project generally consists of patch paving, the application of a slurry seal treatment, installation of traffic signs, striping and markings; and

WHEREAS, the Project was originally advertised for bid in August 2022, and the City received two bids that were significantly above the Engineer's Estimate; and as a result, in October 2022, the City Council (Resolution 2022-78) rejected the bids and authorized City staff to amend the scope of the project, if necessary, and rebid the Project; and

WHEREAS, City staff amended the project scope to remove one street segment given a planned development that would impact it and added traffic signing and striping work at other locations to respond to requests received from the public to improve safety; and

WHEREAS, the Notice Inviting Bids for the Project was advertised in the West County Times on January 16 and 23, 2023, the notice and complete set of Contract Documents were sent to eight Builder and Construction Exchanges, and the Contract Documents were made available to contractors through an online planroom; and

WHEREAS, a non-mandatory pre-bid meeting was held on January 31, 2023, and one addendum was issued; and

WHEREAS, five bids were publicly opened and read by the City Clerk on February 7, 2023 at 2 p.m., the advertised bid opening date and time; and

WHEREAS, based on the Base Bid as stipulated in the Contract Documents, VSS International, Inc. submitted the lowest responsive and responsible bid in the amount of \$820,120.00, which is approximately 3 percent below the Engineer's Estimate; and

WHEREAS, VSS International, Inc. also submitted the lowest bids for the Additive Alternate Bid items; and

WHEREAS, there is a need to resurface these streets before they continue to deteriorate and the extent and cost of pavement repair work significantly increases, and rebidding of the Project confirmed the City received competitive bids; and

WHEREAS, funding for the Project in the amount of \$675,000 is included in the FY 2022-23 Adopted Budget and Capital Improvement Program, under the Annual Street Improvement Program in the Measure A Street Improvement Fund; and

WHEREAS, an additional amount of \$455,420 is needed to cover the estimated expenditures in FY 2022-23; and

WHEREAS, an amendment to the FY 2022-23 Adopted Budget and Capital Improvement Program, including the Measure A Annual Program of Maintenance and Improvement, is needed to cover these costs; and

WHEREAS, the project work is an appropriate use of Measure A Street Improvement funds; and

WHEREAS, the Project is categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) because the project is a repair to an existing facility involving negligible or no expansion of use beyond that presently existing.

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

- 1) Approves plans and specifications for the 2023 Slurry Seal Project, City Project No. C3027.23 (Project);
- 2) Accepts the five bids submitted for the Project; and
- 3) Authorizes the City Manager to execute a contract in the amount of \$912,120 with VSS International, Inc. and to approve change orders in an amount not to exceed \$92,000 for the construction of the Project; and
- 4) Amends the FY 2022-23 Adopted Budget and Capital Improvement Program to transfer \$455,420 from the Measure A Street Improvement Fund Balance to the Measure A Annual Program of Maintenance and Improvement/Capital Outlay for the Project.

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

I CERTIFY that at a regular meeting on March 7, 2023 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 _____.

Holly M. Charl  ty, City Clerk

APPROVED:

Lisa Motoyama, Mayor



AGENDA BILL

Agenda Item No. 9.C.

Date: March 7, 2023
To: El Cerrito City Council
From: Sandra Dalida, Finance Director/Treasurer, Finance Department
Subject: FY 2022-23 Second Quarter General Fund Update

ACTION PROPOSED

Receive and file the FY 2022-23 General Fund Budget Quarterly update through December 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 attached FY 2022-23 Second Quarter General Fund Update Report reflects the actual revenues and expenditures through December 31, 2022 at the Citywide and department levels, and includes comparative information for the prior fiscal year at the same point-in-time.

Revenue

The FY 2022-23 General Fund revenues are budgeted at \$45.7 million. FY 2022-23 revenues are trending on budget, primarily due to increased tax receipts and increased charges for services.

Expenditures

General Fund expenditures are budgeted at \$44.8 million for FY 2022-23. Departments are on track through December 31, 2022, utilizing 45% of budgeted expenditures. Personnel is the largest component of General Fund expenditures (75%), and it is expected that due to the level of current vacancies, some departments will need to increase their professional services and/or overtime budgets, which will offset potential salary savings. Staff will continue to monitor these expenses. Overall, expenditures are on track with most departments spending approximately 45% of their annual budget through the second quarter of FY 2022-23.

Conclusion

The City of El Cerrito is well positioned to meet its FY 2022-23 budget and staff are committed to fiscal responsibility, maximizing revenue opportunities, and maintaining expenditures within approved budgets.

STRATEGIC PLAN CONSIDERATIONS

The report is consistent with the City's Strategic Plan Goal B to achieve long-term financial stability and provides essential information to develop plans to ensure the

Citywide revenue meets the cost of providing Citywide services, including adequate reserves in the face of significant unanticipated revenue shortfalls. In addition, providing financial information represents best practices in fiscal management.

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

The Quarterly General Fund Update Report provides an overview of the City's budget revenue and expenditure status through December 31, 2022. FY 2022-23 General Fund revenues are budgeted at \$45.7 million and expenditures budgeted at \$44.8 million. Overall, year-to-date actual revenue (\$18.7 million) and expenditures (\$20.3 million) and projection trends through fiscal year-end results in the City being well positioned to remain within budget.

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:

1. FY 2022-23 Second Quarterly Report



City of El Cerrito
Quarterly General Fund Budget Update
FY 2023 through December 31, 2022

INTRODUCTION

The City of El Cerrito is pleased to submit the quarterly budget report through December 31, 2022. The Update Report provides a high-level overview of the City's budget status. Funding from the American Rescue Plan Act is managed and tracked from a special revenue fund and, thus, is not reflected in this report.

SUMMARY

The City of El Cerrito is currently on track to meet its FY 2022-23 budget goals. FY 2022-23 revenues are trending on budget, primarily due to increased tax receipts and increased charges for services (detailed below). Similarly, expenditures are on track with most departments spending approximately 45% of their annual budget through the second quarter of FY 2022-23.

GENERAL FUND REVENUES

FY 2022-23 General Fund revenues are budgeted at \$45.7 million. The chart below reflects year-to-date actual revenue collections, percent of collections compared to the budget, and provides comparison to FY 2021-22 actual revenue collections at the 12/31/21 point-in-time.

Revenues	2023 Adopted Budget	YTD Actual 12/31/2022	% of Adopted Budget	YTD Actual 12/31/21
Property and Other Taxes	\$ 28,894,817	\$ 14,086,599	49%	\$ 12,553,478
Licenses & Permits	\$ 893,864	\$ 526,813	59%	\$ 695,713
Fines & Forfeitures	\$ 140,000	\$ 50,293	36%	\$ 91,068
Use of Money and	\$ 434,456	\$ 266,556	61%	\$ 178,147
Intergovernmental	\$ 8,270,048	\$ 3,792,726	46%	\$ 1,759,158
Charges for Services	\$ 5,932,150	\$ 2,840,901	48%	\$ 2,896,381
Other Revenue	\$ 136,000	\$ 262,342	193%	\$ 120,893
Other Financing Sources	\$ 975,781	\$ 0	0%	\$ 476,325
	\$ 45,677,116	\$ 18,775,202	41%	\$ 18,771,163

PROPERTY AND OTHER TAXES

Tax revenues as of December 31, 2021, are at 49% of the adopted FY 2022-23 budget. This is within budget estimates for the fiscal year. The City received the first biannual payment of property taxes in December, which comprise the largest portion of City revenues. Property taxes and specifically real property transfer taxes are trending favorable, and sales tax receipts are \$1 million higher compared to the same period last fiscal year.

LICENSES AND PERMITS

Licenses and permits are currently at 59% of the budgeted revenues. These licenses include building permits, parking permits, and tobacco retailer license fees. Building permits are trending lower than the previous fiscal year primarily due to FY 2022 receipts include catching up on the backlog of permit issuances due to COVID-19. Licenses and permits are on track to meet or exceed the budget.

FINES AND FORFEITURES

The City has collected 36% of the budgeted revenues in the fines and forfeitures category. These items include parking citations, penalties, and moving vehicle citations. Fines are lower than the previous fiscal year due to the overall decrease in vehicular traffic from pre-pandemic levels which results in fewer citations being issued.

USE OF MONEY AND PROPERTY

Use of money and property is currently at 61% of the budgeted revenues for FY 2022-23. This primarily consists of short- and long-term rental fees from City properties and interest income. Due to rising interest rates, interest income has already exceeded the FY 2023 estimate. Rentals are trending higher due to increasing facility rentals.

INTERGOVERNMENTAL REVENUES

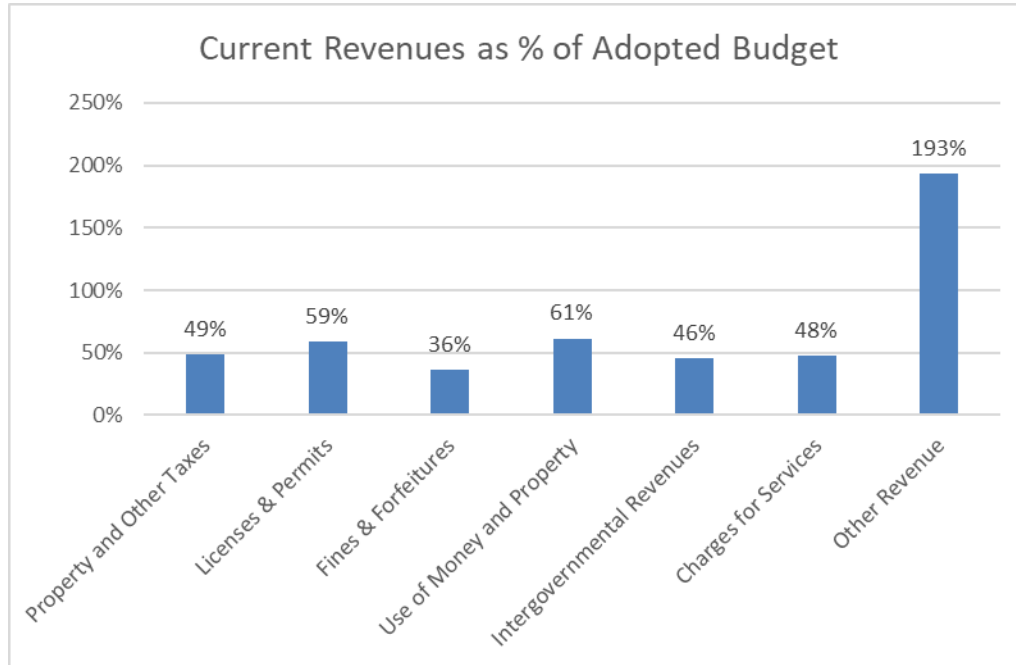
Intergovernmental revenues are currently at 46% of the annual budget. These revenues include grants and intergovernmental transfers and reimbursements, but do not include American Rescue Plan Act (ARPA) funds, which are tracked in a special fund for reporting purposes. This line item is trending behind the budget due to the timing of the receipt of the Kensington Fire District contract payments. Revenue is trending higher than the previous fiscal year due to receiving the VLF payment earlier than last year and revenue was delayed for the Kensington Fire District contract in FY 2022 due to timing of contract execution.

CHARGES FOR SERVICES

Charges for services encompass program fees and charges for doing business with the City of El Cerrito. This includes community development fees for functions such as permitting and inspections, and recreation fees for City programming. The City has received 48% of the budgeted revenues in this category and is trending with the current year collections. Childcare services continue to trend higher than the previous year and recreation programs continue to be in high demand. The Ravenscliff Childcare Program reflects negative revenue due to the timing of fee refunds associated with pandemic closures, and programs are back on track.

OTHER REVENUE/OTHER FINANCING SOURCES

Other revenue includes donations and other miscellaneous revenues. These types of revenues comprise a small portion of the City's budgeted revenues and operating transfers in. Other Financing Sources refers to loans and indirect transfers.



GENERAL FUND EXPENDITURES

General Fund expenditures are budgeted at \$44.8 million for FY 2022-23. Departments are on track through December 31, 2022, utilizing 45% of budgeted expenditures. Personnel is the largest component of General Fund expenditures (75%), and it is expected that due to the level of current vacancies some departments will need to increase their professional services and/or overtime budgets which will offset potential salary savings. Staff will continue to monitor these expenses.

The chart below shows the year-to-date actual expenditures by department, the percent expensed compared to the budget, and the previous fiscal year's expenditures for comparison.

Expenditures	2023 Adopted Budget	YTD Actual 12/31/22	% of Adopted Budget	YTD 12/31/21
General Taxes	\$ -	\$ 47,368		\$ -
Administration	\$ 7,424,423	\$ 3,558,794	48%	\$ 2,959,325
Police	\$ 12,986,734	\$ 5,840,564	45%	\$ 5,913,526
Fire	\$ 13,346,883	\$ 6,145,669	46%	\$ 6,343,775
Public Works	\$ 2,307,220	\$ 966,772	42%	\$ 762,953
Community Development	\$ 3,181,129	\$ 1,381,198	43%	\$ 1,485,699
Recreation	\$ 5,559,574	\$ 2,435,934	44%	\$ 2,162,293
Total	\$ 44,805,963	\$ 20,376,298	45%	\$ 19,627,571

ADMINISTRATION

The Administration's budget is at 48% of the adopted FY 2022-23 budget. This is within budget estimates for the fiscal year. Human Resources costs are trending higher due increased legal services related costs for labor contract negotiations, and increased premium for workers compensation, general liability, and other coverage. The department is trending slightly above actual expenditures for the same point-in-time in FY 2021-22.

POLICE

The Police Department is at 45% of the expenditure budget and projects to remain within budget for the fiscal year. Despite variances at the division/unit expenditures in comparison to prior fiscal year, overall, the Department's expenditures are lower than the same period in FY 2021-22.

FIRE

The Fire Department is at 46% of the expenditure budget, which is higher than the same point-in-time last fiscal year. Increase expenditures related to the new labor agreement, including a 4.5% COLA, retroactive to October 2022 requires additional appropriation and is included in the FY 2022-23 Mid-Year Update.

PUBLIC WORKS

The Public Works Department is 42% expensed for the current budget and on pace for the fiscal year. The budget is trending higher than the previous fiscal year due to operating at full capacity.

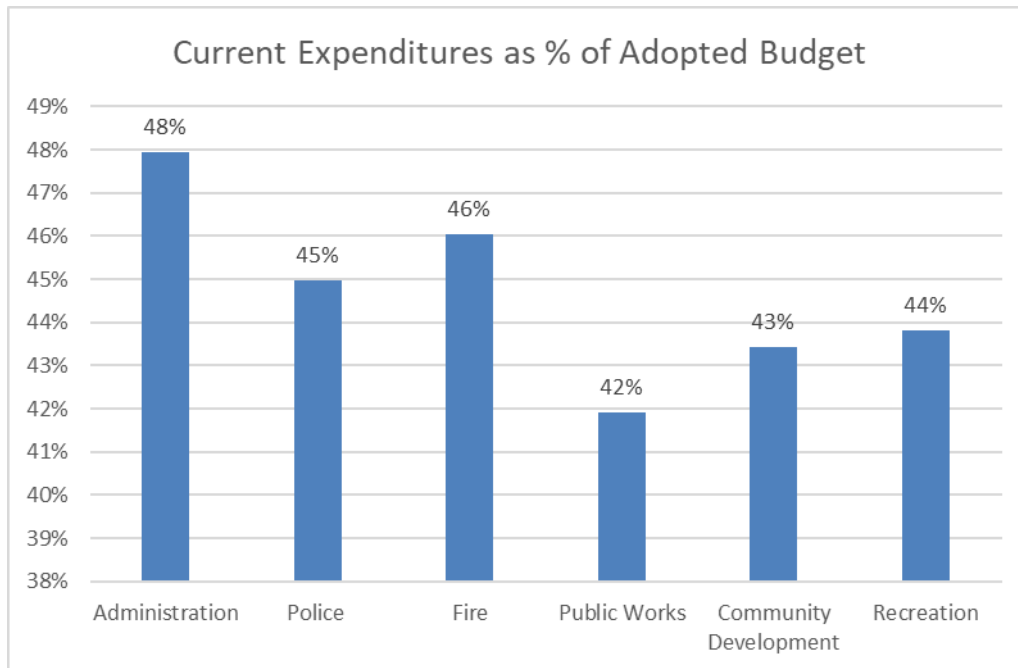
COMMUNITY DEVELOPMENT

The Community Development Department is 43% expensed for the current budget and trending lower for the fiscal year primarily due to timing of projects, and expenditures are trending lower than the same point-in-time in FY 2021-22.

RECREATION

The Recreation Department is 44% expensed for the current budget and on pace to meet its budget. The budget is trending higher than the previous fiscal year due to operating at a more "normal pre-pandemic" program schedule.

Quarterly General Fund Budget Update
FY 2023 through December 31, 2022



CONCLUSION

Based on the City's overall revenue and expenditure percentages, the City of El Cerrito is well positioned to meet its budget for FY 2022-23. Staff are committed to fiscal responsibility and ensuring that each department's expenditures remain within approved budgets.



AGENDA BILL

Agenda Item No. 9.D.

Date: March 7, 2023
To: El Cerrito City Council
From: Sandra Dalida, Finance Director/Treasurer, Finance Department
Subject: Fiscal Year 2022-23 Midyear Budget Update

ACTION PROPOSED

Receive an update on City revenues and expenditures for the first six months of the fiscal year through December 31, 2022 and adopt a resolution authorizing amendment to the FY 2022-23 budget and approving new spending limits.

BACKGROUND AND ANALYSIS

GENERAL FUND REVENUES, EXPENDITURES, AND FUND BALANCE

REVENUE

Based on actual revenues to date and estimates for the remaining six months of the fiscal year, staff is recommending one-time and ongoing General Fund revenue adjustments totaling \$1,223,621.19 as detailed below. In addition, the City is requesting approval to recognize \$31,000 received in one-time donations and establish an ongoing Miscellaneous Donations Budget of \$4,000 and adjust revenue and expenditure budgets.

FY 2022-23 Mid-Year Budget Request			
General Fund			
Dept	One-Time Revenue	Ongoing Revenue	TOTAL REVENUE
City Manager			-
Human Resources			-
Finance Dept		125,000.00	125,000.00
Community Development	462,000.00		462,000.00
Fire Department (diff btwn OES fees/exp)	338,890.00 5,731.19	222,000.00	
	344,621.19	222,000.00	566,621.19
Police Department			-
Public Works	70,000.00		70,000.00
Recreation Department			-
TOTAL GF IMPACT	876,621.19	347,000.00	1,223,621.19

EXPENDITURES

The staff is recommending approval of ongoing and one-time General Fund expenditures and budgetary adjustment related to the use of Special Funds.

FY 2022-23 Mid-Year Budget Request							
General Fund							
Dept	One-Time Revenue	Ongoing Revenue	TOTAL REVENUE	One-Time Expense	Ongoing Expense	TOTAL EXPENSE	Net General Fund
City Manager			-	60,000.00	44,000.00	104,000.00	(104,000.00)
Human Resources			-		110,203.00	110,203.00	(131,131.00)
Finance Dept		125,000.00	125,000.00	239,731.00	16,400.00	256,131.00	\$ (131,131.00)
Community Development	462,000.00		462,000.00	558,618.26		558,618.26	\$ (96,618.26)
Fire Department (diff btwn OES fees/exp)	338,890.00 5,731.19	222,000.00		771,650.20	211,124.75		
	344,621.19	222,000.00	566,621.19	771,650.20	211,124.75	982,774.95	(416,153.76)
Police Department			-	801.40		801.40	\$ (801.40)
Public Works	70,000.00		70,000.00	158,439.00	10,063.87	168,502.87	\$ (98,502.87)
Recreation Department			-			-	\$ -
TOTAL GF IMPACT	876,621.19	347,000.00	1,223,621.19	1,789,239.86	391,791.62	2,181,031.48	\$ (957,410.29)

City Manager

1. Approve request to increase Professional Services expenditure budget by \$60,000 for costs associated with services related to exploring a ballot measure for the proposed Library project.
2. Approve the request to add back one (1.0) Management Assistant position, eliminated in 2020-21, to provide administrative support for the City Manager's Office and the Finance Department. The Management Assistant will be responsible for performing critical meeting planning, coordination, and calendaring for the City Manager, Assistant City Manager, and Finance Director/City Treasurer; coordinate postings and distribution of meeting agendas, packets, minutes and material distributions for specified Advisory Boards and Commissions; coordinate incoming and outgoing mail, coordinate replenishment of warrant stock and related supplies, and coordinate record retention and destruction processes. The absence of any administrative support for the City Manager's Office and the Finance Department leaves these critical duties unassigned due to the lack of bandwidth of management staff and finance professional staff. This position is represented by SEIU. The cost for the remainder of FY 2022-23 is \$44,000.00. The annualized cost associated with restoring the Management Assistant position will be included in the FY 2023-24 Recommended Budget.
3. Approve request to upgrade the current vacant Management Analyst position to Assistant to the City Manager, which had been eliminated in FY 2020-21. This position is better suited to the functions of the City Manager's office and will, among other duties, be responsible for the coordination of public information and

engagement specifically including the Library project, upcoming Strategic Plan process, and emergency operations. The Assistant to the City Manager position is an at-will position and, same as the Management Analyst position, is in the Management and Confidential unit. Because of the current vacancy, funding is available through salary savings for the rest of the fiscal year, and annualized costs will be included in the FY 2023-24 Budget.

Human Resources

1. Approve request to restore ongoing General Fund expenditure appropriation inadvertently omitted from the FY 2022-23 Adopted Budget.
2. Approve the request for ongoing General Fund expenditure appropriation increase associated with cost increases due to increased rates/cost from providers or increased need and utilization occurring during the fiscal year. The increased costs will be included in the FY 2023-24 Proposed Budget.

Finance Department

1. Approve request for \$16,400 for ongoing costs associated with licensing and configuration of a new budget system. The FY 2022-23 Adopted Budget includes \$20,000 annual funding for the outgoing budget system and the additional funding requested for the new budget system is \$16,400 for one-time technical professional services for budget system configuration, data migration, budget publication (hard copy and web versions) and staff training. The total cost for Year 1 of the budget system contract is \$36,400 (approx.5% cost increase each subsequent year of the 3-year contract term). The annualized cost will be included in the FY 2023-24 Proposed Budget.
2. Approve request for \$17,000 for one-time technical professional services from the City's financial systems provider, NewWorld Tyler, to configure automated data extracts from the financial system to the new budget system and to plan and implement the NewWorld Position Control and Forecasting Module (enabling position cost modeling and scenario forecasting for the 74% of City General Fund expenditures including comparative analysis for changes in benefit costs, labor costs, and position/overhead cost allocation).
3. Approve request for \$160,118 for one-time funding for professional accounting services to backfill three Finance Department vacant positions (Budget Manager, Senior Accountant, and Accountant I).
4. Approve request to increase expenditure budget by \$62,613 to cover costs associated with one-time payouts for one staff retirement and one separation.

Community Development Department

1. Approve request to recognize revenue totaling \$462,000 and increase expenditure appropriation totaling \$558,612.28 for a net General Fund increase of \$96,618.26. Revenue and expenditures are primarily related to Plan Check Fees and Major Project expenditures for BART TOD Application, BRIDGE, and

other projects.

Fire Department

1. Revenue and Fee Increases

Approve request for ongoing FY 2022-23 General Fund revenue increase of \$222,000 associated with reimbursed expenses, one-time excess Plan Check Fees of \$5,731.29, and net difference in OES fees and OES fee expenses of \$338,890. The revenue will be annualized and included in the FY 2023-24 Proposed Budget.

2. Salaries and Wages

Approve expenditure appropriation increase of \$925,774.95 that includes cost increases related to the Local 1230 labor contract increase of 4.5% and retroactive pay from October 2022, overtime pay increase of \$505,050, special overtime pay increase of \$40,000, workers' compensation premium increase of \$169,660, and projected overtime pay and holiday pay based on the current vacancy rate at the new labor contract rate. In addition, the cost includes the Department's request for a part-time civilian position to assist with timely plan checks and mid-rise buildings. The ongoing increased cost associated with the 4.5% labor contract will be annualized and included in the FY 2023-24 Proposed Budget.

3. Vehicles and Equipment Purchases

Approve request for one-time General Fund expenditure appropriation increase of \$57,000 to purchase two (2) command vehicles, at a cost of \$45,000 to replace two vehicles which are past their useful life, and \$12,000 for the purchase of eleven (11) computers to replace computers purchased in 2013 and no longer functioning.

Police Department

1. Equipment Lease

Approve request for increased ongoing expenditure appropriation in the amount of \$801.40 for increased copier lease costs.

2. Asset Forfeiture Fund Expenditures

Approve expenditure from Asset Forfeiture Fund accounts in the amount of \$49,000.00 for retention programs, food service supplies, and a catalytic converter theft prevention program. The Asset Forfeiture Fund balance is \$299,973.72 and these funds are earmarked for law enforcement activities and/or drug awareness programs. No General Funds are requested.

3. Supplemental Law Enforcement Services Fund (SLESF)

The State of California, by statute, allocates designated funds to counties and cities for the Citizens' Option for Public Safety Funds (COPS). COPS funding is allocated to provide additional resources for public safety at the local level for front-line law enforcement activities. COPS funding cannot be used to supplant any existing funds and the COPS funding must be maintained in a Supplemental Law Enforcement Services Fund.

California Government Code 30061 stipulates that in the case of a city, the city council shall appropriate existing and anticipated SLESF moneys exclusively to fund frontline municipal police services, in accordance with written requests submitted by the chief of police of that city or the chief administrator of the law enforcement agency that provides police services for that city. Accordingly, the El Cerrito Police Department is submitting planned expenditures and uses of SLESF. No change in revenue or expenditure budgets are requested.

Category	Amount
Body worn cameras	\$45,000
Building renovation services and expenses	\$45,000
Recruitment services and expenses	\$30,000
Safety Supplies	\$30,000

Public Works Department

General Fund

1. Approve request to restore (1.0) Engineering Technician position, eliminated in FY 2020-21, to perform a variety of specialized engineering and transportation services, including field reviews and inspections for permits, evaluation and response to requests from the public, maintain and update engineering records, maps and drawings, and support capital improvement projects. Other Public Works staff and consultants are covering some of the Engineering Technician's critical duties, at the expense of other duties which are not backlogged. The cost for the remainder of FY 2022-23 is \$36,595.87. The Engineering Technician position is an SEIU position. The annualized cost associated with adding back the Engineering Technician position will be included in the FY 2023-24 Recommended Budget.
2. Approve request to add a part-time Senior Program Manager to add capacity to meet Citywide goals and objectives, manage projects and procurement processes to complete on-going maintenance and facilities work, expedite and streamline the procurement of supplies and equipment, plan for and address deferred maintenance such as budget and resource development, and develop standard operating procedures to improve efficiency and ensure environmental compliance. Also, the part-time Senior Program Manager position will support larger environmental efforts, such as the Hillside Natural Area Wildfire Resiliency Plan, develop a new Post-Collection Agreement, and comply with new Clean Water Program permit requirements. The cost for the remainder of FY 2022-23 is \$42,656.29, and the position is a member of the Management/Confidential unit. The annualized cost associated with the part-time Senior Program Manager position will be included in the FY 2023-24 Recommended Budget.

3. Approve one-time request to increase expenditure budget by \$15,000 to cover costs associated with one-time payouts for one staff retirement.
4. Approve one-time request for \$22,000 for Building Maintenance services to resolve functionality issues for City Hall Council Chambers audio visual room and air conditioning units.
5. Approve one-time request for \$22,000 for Building Maintenance services for the Community Center roof gutters to prevent damage to the building.
6. Encroachment Permit Application - Approve request to recognize \$70,000 in revenue from cost reimbursement related to the Encroachment Permit Application and add \$70,000 expenditure appropriation budget for professional services to review traffic control plans and inspection by on-call consultants for a large utility project and EMBUD Wildcat Pipeline.

Measure J Return to Source Fund

1. Approve request to recognize \$10,000.00 in revenue from Measure J Return To Source fund balance and one-time increase of expenditure budgets totaling \$35,000.00 for professional services.
2. \$10,000.00 for staff augmentation for on-call transportation consultant required to review traffic requests and evaluate safety concerns and will be paid from Measure J Return to Source fund balance.
3. \$25,000.00 for staff augmentation to provide on-call engineering consultant to partially back-fill a Senior Engineer vacancy and perform time-sensitive activities. The Senior Engineer position has been vacant since May 2022 and has created critical delays. The engineering consultant will be assigned projects with non-negotiable deadlines, urgent and safety-related engineering services.

SB-1 Road Repair Fund

1. Approve one-time request for \$40,000.00 for infrastructure maintenance services for Underground Services Alert Marking of electrical conduits and repair of streetlight and transportation infrastructure. \$18,000.00 of cost will be reimbursed and recognized as revenue related to Damage Claim Recoveries.

Street Improvements Fund

1. Approve one-time request for \$5,000.00 for professional services for Capital Improvement Project (CIP) for the close-out of Gladys-B-EI Dorado Street Improvement Projects and grant reimbursement activities.

Integrated Waste Management Fund

1. Approve one-time request for \$24,800.00 for environmental insurance premiums for environmental legal liability hazard insurance for the Recycling and Environmental Resource Center (bill triennial) that was not included in the FY 2022-23 Adopted Budget but is included in the IWM 10-Year Plan.

Recreation Department

1. Approve request to restore two (2) positions, Assistant Supervisor (Aquatics) and Administrative Clerk Specialist which are essential for successful program service planning and delivery. No additional General Funds are requested, as the cost associated with the addition of the two (2) positions of approximately \$36,000 for the remainder of FY 2022-23 will be absorbed within current budget due to the sunset of the Kensington modular lease (currently subleased by Kensington Police Department and the lease expires in May 2023). The Administrative Clerk Specialist is an SEIU position and the Assistant Supervisor is unrepresented. The annualized cost associated with the two positions will be included in the FY 2023-24 Recommended Budget.

DONATIONS

The City, as a qualified organization under Internal Revenue Code Section 170(c) (1), “for the use of a state, a possession of the United States or the District of Columbia, made exclusively for public purposes.” IRC 170 indicates, a charitable donation must be a gift whereas the donor does not receive anything of value for the contribution.

Local governments must follow IRS guidance to issue a written acknowledgement of any contribution donation of \$250.00 or more. Accordingly, aligned with IRS guidance and transparency purposes, the City is requesting approval to accept various restricted donations and increase revenue and expenditure appropriations corresponding with the terms of the donation.

Community Center Donation

On June 13, 2022, the Recreation Department received a \$5,000 earmarked donation from Albany-El Cerrito Access for accessibility improvements at the El Cerrito Community Center located at 7007 Moeser Lane. The City is requesting approval to accept the \$5,000 donation and increase revenue and expenditure budgets within restricted donation accounts.

Senior Center Programs Donation

On August 26, 2022, the Recreation Department received a \$25,000 earmarked donation for Senior Center Programs from the Lillie T. Jue Living Trust. The City is requesting approval to accept the \$25,000 donation and increase revenue and expenditure budgets within restricted donation accounts.

Employee Recognition Event Donation

On January 27, 2023, the City received a \$1,000 earmarked donation in support of the City’s Employee Recognition Event from the United Professional Fire Fighters of Contra Costa County IAFF Local 1230. The City is requesting approval to accept the \$1,000 donation and increase revenue and expenditure budgets within restricted donation accounts.

Miscellaneous Restricted Donations

Throughout the fiscal year, Departments receive various small, earmarked donations - - ranging in value from less than \$1.00 to \$200.00. The City is requesting approval to establish an ongoing fiscal year Miscellaneous Donations budget with a revenue and expenditure budget of \$4,000. Expenditures will always reconcile with donation revenue received, with no negative General Fund impact.

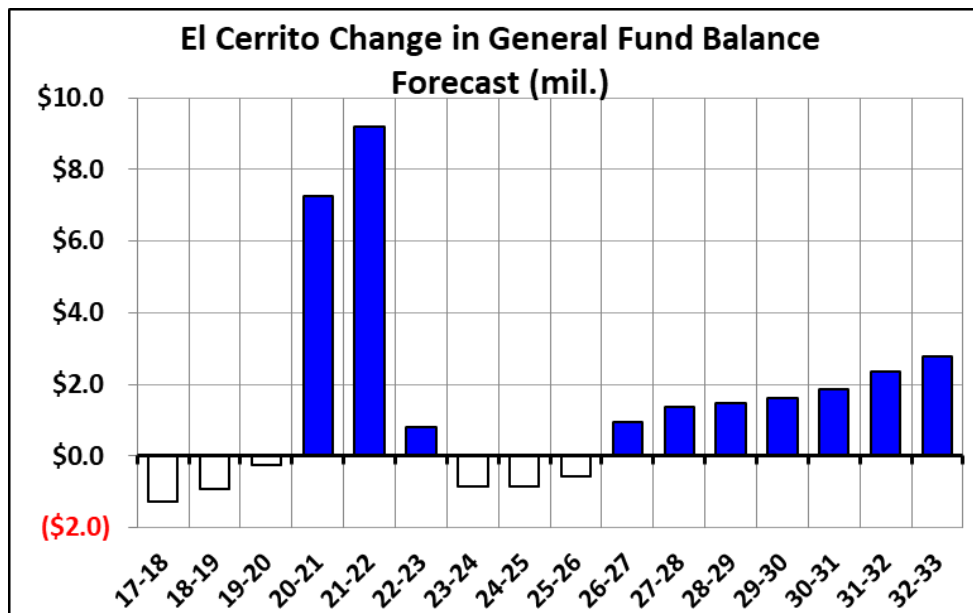
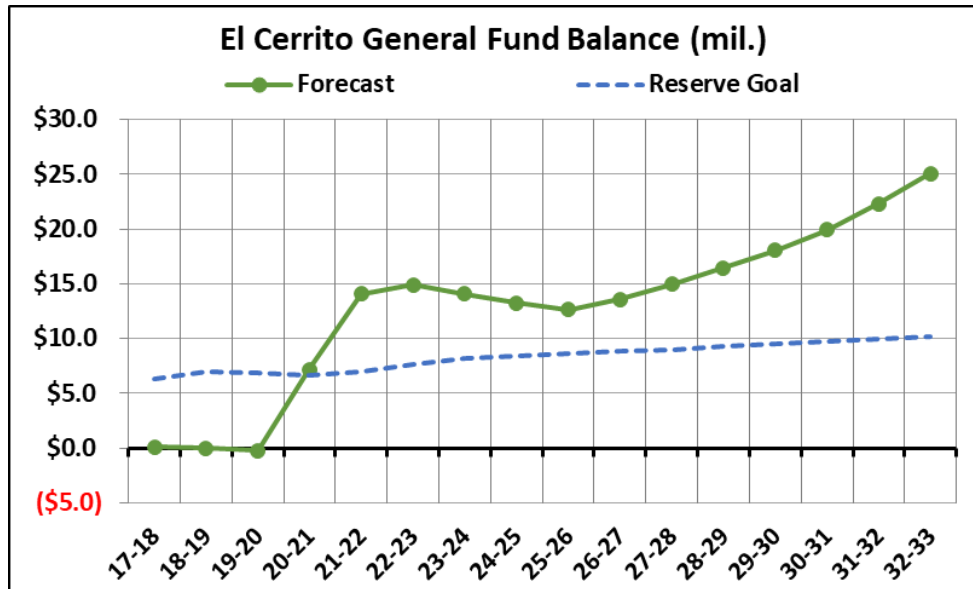
Donations				
Category	Recommendation	Status	Expenditure	Revenue
Community Center Donation	Increase revenue and expenditure appropriation related to restricted donation.	One-Time	5,000.00	5,000.00
Senior Center Programs Donation	Increase revenue and expenditure appropriation related to restricted donation.	One-Time	25,000.00	25,000.00
Employee Recognition Event	Increase revenue and expenditure appropriation related to restricted donation.	One-Time	1,000.00	1,000.00
Miscellaneous Restricted Donations, Recreation Department	Increase revenue and expenditure appropriation related to restricted donation.	One-Time	4,000.00	4,000.00
TOTAL			35,000.00	35,000.00
NET GENERAL FUND				-

UNRESERVED FUND BALANCE AND TEN-YEAR PROJECTIONS

The City is recommending use of \$957,410 of Unreserved Fund Balance for the previously described proposed one-time expenditures related to retroactive pay for executed labor agreements, critical technology upgrades and software licenses, election-related costs, and professional services to backfill vacant positions. At the end of FY 2020-21, the Unreserved Fund Balance was \$7.1 million and the projected FY 2021-22 fund balance is projected to be at least \$7 million for a cumulative Unreserved Fund Balance of \$14.1 million. The final Unreserved Fund Balance will be included in the FY 2021-22 Annual Comprehensive Financial Report (ACFR) presented at an upcoming City Council Meeting.

The following charts show the Ten-Year Projections for both the year-end FY 2021-22 actuals, and the fund balance following the proposed midyear adjustments, and the assumptions are listed beneath each table. As shown in Table 2, the midyear adjustments still reflect the City being well above the 10% minimum in the City's Comprehensive Financial Policy as well as the 17% GFOA-recommended minimum. As both of these models show a snapshot of each point in time, it allows the City Council to see that with current conditions, and for the next three fiscal years before the property tax adjustment due to the end of the Successor Agency in 2026, the budget will still need to be closely monitored to ensure that the General Fund balance remains at or above the minimum recommended balances. However, it is clear that the actions the City Council has taken toward fiscal sustainability have made a significant difference in the future of the General Fund Balance and has restored stability to the City's budget now and in the future.

Table 1: Estimated General Fund Balance and Change in Fund Balance, Actual through FY 2021-22 and Forecast through 2032-33, Cash Basis

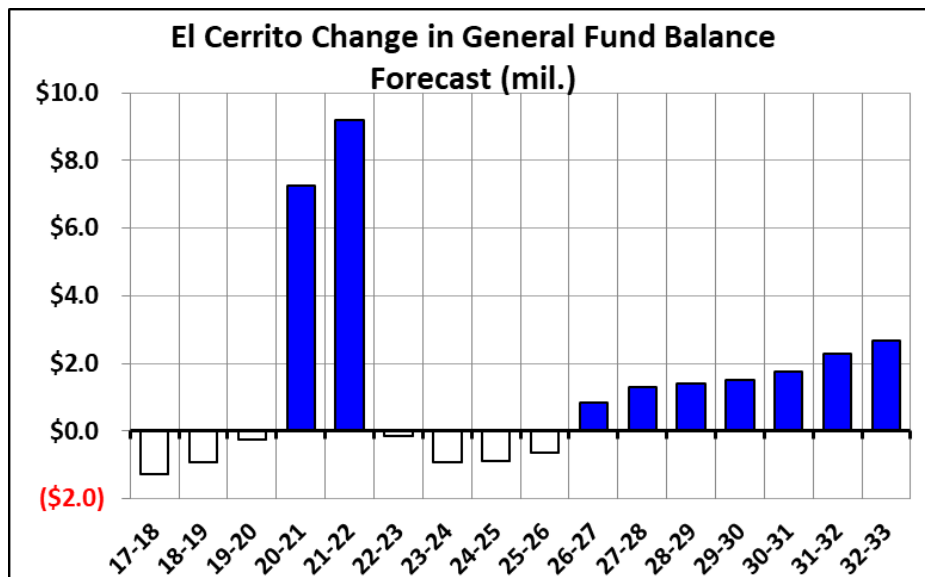
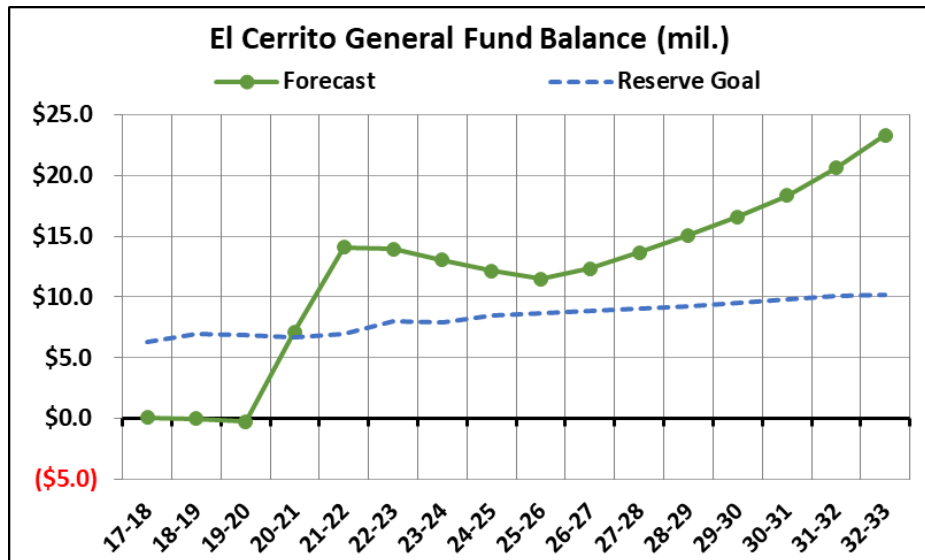


Assumptions/Data:

- FY 2021-22 actual revenues and expenditures
- FY 2022-23 approved revenues and expenditures
- Pension estimated at \$9.9 million for FY 2023-24 compared to budget of \$8.3 million for FY 2022-23
- FY 2026-27 property tax revenues increase by \$1.2 million due to the end of the Successor Agency

- Personnel increases by 4.5% in FY 2023-24 then settles at a 3% annual increase
- Healthcare costs increase by 10% in FY 2023-24 then settles at a 5% annual increase
- All other non-personnel line items increase 5% for FY 2024, 4% for FY 2023 and 3% ongoing

Table 2: Estimated General Fund Balance and Change in Fund Balance, Actual through FY 2021-22 and Forecast through 2032-33, Cash Basis
Includes Mid-Year Appropriation Adjustments



Assumptions/Data:

- Includes all assumptions in the first model above

- Includes one-time revenues of \$876,621 and ongoing revenues of \$398,500
- Includes one-time expenditures of \$1,789,240 and ongoing expenditures of \$391,792

STRATEGIC PLAN CONSIDERATIONS

Approving the requested mid-year budget adjustments is consistent with Goal A: Deliver exemplary government services; and Goal B: Achieving long-term financial sustainability.

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

Each fiscal year, the City Council adopts a resolution establishing spending limits by Fund. On June 21, 2022, Resolution 2022-49 was adopted by City Council authorizing \$69,573,629 in total spending limits across all funds for FY 2022-23. The following chart summarizes the requests by Fund and the total spending authority requested as a part of this action.

Fund	Midyear Request	Total
General Fund	\$2,181,032	\$47,046,145
Gas Tax Fund	23,488	676,521
NPDES	9,124	418,726
Landscaping and Lighting	1,350	867,341
Measure J Return to Source	20,139	457,941
Measure A Parcel Tax		270,350
Measure H Parcel Tax		704,536
Asset Forfeiture	49,000	49,000
Vehicle Abatement		30,900
SB-1 Road Repair	40,000	743,232
Street Improvement Fund	7,225	2,103,905
Public Art Fund		100,000
Measure J – Paratransit		163,862
Federal, State, & Local Grants		395,511
C.O.P.S. Grant		153,000
City LMI Housing		207,528
Capital Improvements		11,127,175
Measure J Storm Drain	10,963	807,702
Integrated Waste Management	32,323	4,113,444
Vehicle/Equipment Replacement		136,591
Employees' Pension Trust Section 401A		85,000
Financing Authority City Hall Debt Svc		582,763
Financing Authority Street Improv Debt Svc		707,100
	\$2,374,644	\$71,948,273

Authorization is needed to align budgets with current operations, recognize donation funds and associated expenditures, increase spending authority to add requested positions and expenditures, and modify the FY 2022-23 total appropriations accordingly.

LEGAL CONSIDERATIONS

Approval of the attached resolution is required to amend the City's FY 2022-23 spending authority.

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

RESOLUTION NO. 2023-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO AMENDING THE SPENDING AUTHORITY BY FUND FOR THE CITY OF EL CERRITO FOR FISCAL YEAR 2022-23

WHEREAS, on June 21, 2022 the City Council of the City of El Cerrito adopted the Fiscal Year 2022-23 Budget with spending limits across funds (Resolution 2022-49); and

WHEREAS, changes to the spending limits throughout the year are necessary to account for unexpected opportunities, unforeseen changes, or if the City's financial position changes and additional spending authority is required to meet the needs of the City; and

WHEREAS, staff presented this update to the City Council of the City of El Cerrito for its consideration and the City Council has reviewed and analyzed it; and

WHEREAS, this update includes the restoration of 4 full-time positions, an upgrade of one full-time position, and the addition of 2 part-time positions within the funding requested; and

WHEREAS, proposed changes to spending authority from tax proceeds are within the City's Fiscal Year 2022-23 Gann Appropriations Limit as defined by California State Constitution Article XIIB.

NOW THEREFORE, BE IN RESOLVED by the City Council of the City of El Cerrito that it hereby amends the spending authority by fund for fiscal year 2022-23 as follows:

General Fund	\$47,046,145
Gas Tax Fund	676,521
NPDES	418,726
Landscaping and Lighting	867,341
Measure J Return to Source	457,941
Measure A Parcel Tax	270,350
Measure H Parcel Tax	704,536
Asset Forfeiture	49,000
Vehicle Abatement	30,900
SB-1 Road Repair	743,232
Street Improvement Fund	2,103,905
Public Art Fund	100,000
Measure J – Paratransit	163,862
Federal, State, & Local Grants	395,511
C.O.P.S. Grant	153,000
City LMI Housing	207,528
Capital Improvements	11,127,175
Measure J Storm Drain	807,702
Integrated Waste Management	4,113,444
Vehicle/Equipment Replacement	136,591
Employees' Pension Trust Section 401A	85,000
Financing Authority City Hall Debt Svc	582,763
Financing Authority Street Improv Debt Svc	707,100
	\$71,948,273.00

BE IT FURTHER RESOLVED that the City Council of the City of El Cerrito hereby authorizes the City Manager or her designee to:

1. Create such appropriations into such new accounts as may be appropriate for proper accounting in the City's financial system and to make any necessary non-material changes to finalize the budget document.
2. Apply correct accounting rules for the proper classification of interfund transactions, including transfers between funds, or other financial transactions as may be necessary to address bond or loan covenants or any other requirements imposed by formal, legal agreements between the City any other parties, as previously entered into by the City.
3. Approve payment of goods and services received by the City in accordance with the City's approved budgets, programs, and policies, subject to a limitation of \$45,000 for any single vendor in any one fiscal year, beyond which amount the City Council retains authority to approve payment with the exception of those items falling under other statutory authority (e.g., Public Works, State purchasing).
4. Shift expenditure authority within funds among departments, as may be necessary to meet the City's operational needs.

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

I CERTIFY that at a regular meeting on March 7, 2023 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 March ____, 2023.

Holly M. Charléty, City Clerk

APPROVED:

Lisa Motoyama, Mayor



SUPPLEMENTAL AGENDA MATERIALS

March 7, 2023

(Revised March 8, 2023)

REGULAR CITY COUNCIL MEETING

PUBLIC COMMENT INDEX

1. Public Comments received

Agenda Item 9B – Construction Contract Award for 2023 Slurry Seal Project, City Project No. C3027.23

1. Presentation

Agenda Item 9C – FY 2022-23 Second Quarter General Fund Update

1. Presentation

Agenda Item 9D – Fiscal Year 2022-23 Midyear Budget Update

1. Presentation

Supplemental information on Agenda Items 9C and 9D above



SUPPLEMENTAL AGENDA MATERIALS PUBLIC COMMENT INDEX

REGULAR CITY COUNCIL MEETING March 7, 2023

The following Public Comments were **received by 2:00:00 p.m. 3/7/2023**, were provided directly to City Councilmembers in advance of the meeting, and were posted online as supplemental materials at www.el-cerrito.org/CouncilMeetingMaterials

REGULAR CITY COUNCIL MEETING Public Comments – Items Not on the Agenda

1. Cordell Hindler

From: [Cordell Hindler](#)
To: [City Clerk](#)
Subject: Public Comments
Date: Thursday, March 2, 2023 4:40:29 PM

Hello Honorable Mayor Motoyama, Council Members and Staff,

I have some Comments for the Record

1. For a Future Agenda, The Council should Consider Inviting Lesa McIntosh To Provide an Update on The Proposed Rates for EBMUD
2. Also To Have Danny Wan To Provide a Presentation of the Plans that the Port of Oakland is Planning to Recover from the Pandemic

Sincerely
Cordell



Construction Contract Award for 2023 Slurry Seal Project, Project No. C3027.23

City of El Cerrito City Council Meeting
March 7, 2023

Proposed Actions

- ❖ Approve plans and specifications
- ❖ Accept the five bids submitted
- ❖ Authorize the City Manager to execute a contract in the amount of \$912,120 with VSS International, Inc. and to approve change orders in an amount not to exceed \$92,000
- ❖ Amend the FY 2022-23 Adopted Budget and Capital Improvement Program to transfer \$455,420 from the Measure A Street Improvement Fund Balance

Project Scope

Slurry seal treatment 16 street segments, patch paving, installation of traffic signs, striping and markings, and other related work

Street Name	From	To
Alva Avenue	Jordan Avenue	Tassajara Avenue
Ashbury Avenue	Eureka Avenue	Moeser Lane
Edwards Avenue	Barrett Avenue	Rosalind Avenue
Eureka Avenue	Richmond Street	Liberty Street
Franciscan Way	Contra Costa Drive	South City Limit
Kensington Road	Terrace Drive	South City Limit
Lexington Avenue	Potrero Avenue	Hill Street
Moeser Lane	Pomona Avenue	Richmond Street
Moeser Lane	Navellier Street	Pomona Avenue
Nason Avenue	Jordan Avenue	Poinsett Avenue
Norvell Street	Eureka Avenue	Moeser Lane
Pomona Avenue	Eureka Avenue	Stockton Avenue
Waldo Avenue	Ashbury Avenue	Richmond Street
Wildcat Drive	Rifle Range Road	End
South 55th Street	Potrero Avenue	South City Limit
Gordon Avenue	East End	City Limit

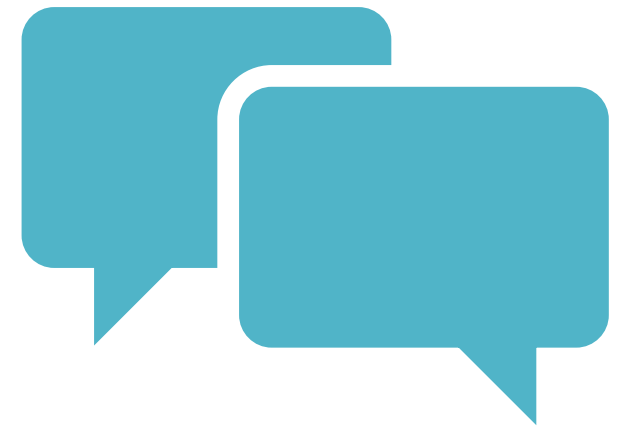
Five Submitted Bids

Name and Location of Bidder	Base Bid	Additive Alternate Bid – Gordon Ave	Additive Alternate Bid – S 55 th St	Grand Total
VSS International, West Sacramento, CA	\$820,120.00	\$29,000.00	\$63,000.00	\$912,120.00
American Asphalt, Hayward, CA	\$820,495.20	\$84,538.74	\$156,109.41	\$1,061,143.35
Dolittle Construction, Snoqualmie, WA	\$852,000.00	\$34,659.00	\$73,341.00	\$960,000.00
Pavement Coatings, Woodland, CA	\$898,105.00	\$40,380.00	\$84,070.00	\$1,022,555.00
Sierra Nevada Construction, Sparks, NV	\$932,314.30	\$58,229.80	\$74,462.90	\$1,065,007.00
Engineer's Estimate	\$840,507.67	\$28,661.20	\$65,181.60	\$934,350.47

FY 2022-23 Budget Amendment

- Total Project Expenditures: \$1,130,420
 - Current Funding: \$675,000 from Measure A Street Improvement Fund
 - Projected Fund Balance Ending FY 2022-23: Approx. \$1.7 Million
- **Transfer \$455,420 from Measure A Street Improvement Fund Balance**

Questions & Comments



City Council Meeting
Tuesday, March 7, 2022

FY 2022-23 Second Quarter General Fund Update



Second Quarter General Fund Update

through 12/31/2022

Revenues	2023 Adopted Budget	YTD Actual 12/31/2022	% of Adopted Budget	YTD Actual 12/31/21
Property and Other Taxes	\$ 28,894,817	\$ 14,086,599	49%	\$ 12,553,478
Licenses & Permits	\$ 893,864	\$ 526,813	59%	\$ 695,713
Fines & Forfeitures	\$ 140,000	\$ 50,293	36%	\$ 91,068
Use of Money and	\$ 434,456	\$ 266,556	61%	\$ 178,147
Intergovernmental	\$ 8,270,048	\$ 3,792,726	46%	\$ 1,759,158
Charges for Services	\$ 5,932,150	\$ 2,840,901	48%	\$ 2,896,381
Other Revenue	\$ 136,000	\$ 262,342	193%	\$ 120,893
Other Financing Sources	\$ 975,781	\$ (3,051,028)	-313%	\$ 476,325
	\$ 45,677,116	\$ 18,775,202	41%	\$ 18,771,163

* Other Revenue incls Cannabis Revenue (48997)

Second Quarter General Fund Update

through 12/31/2022

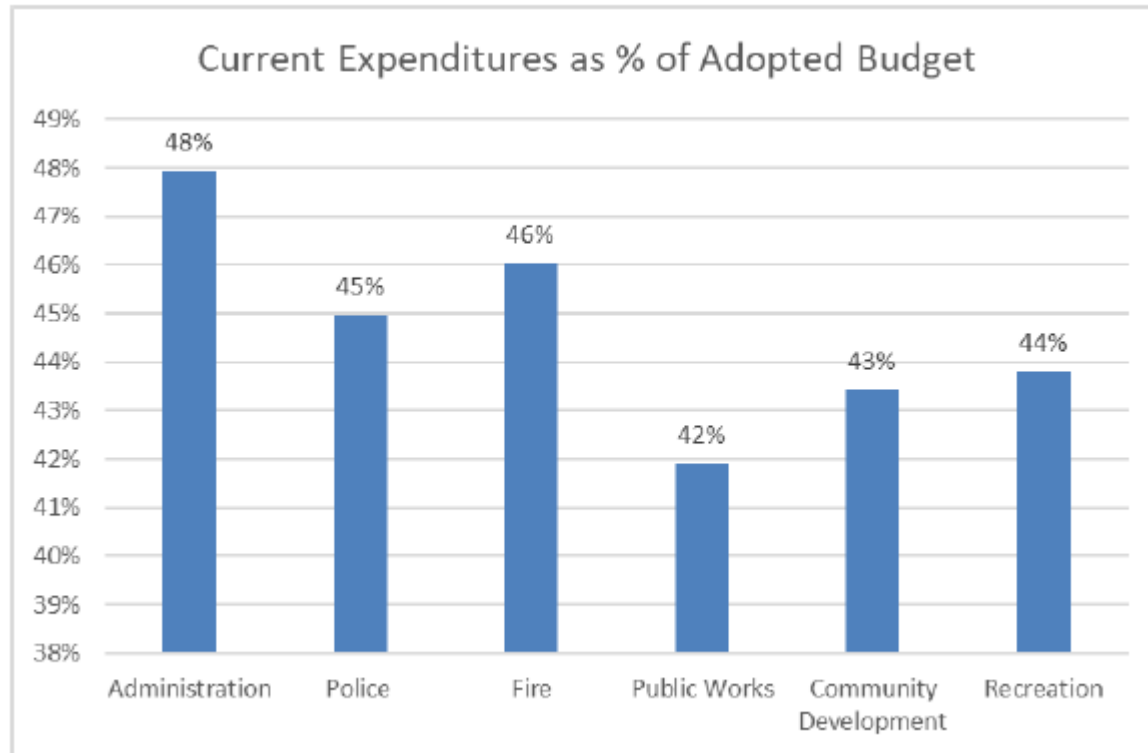
GENERAL FUND EXPENDITURES

General Fund expenditures are budgeted at \$44.8 million for FY 2022-23. Departments are on track through December 31, 2022, utilizing 45% of budgeted expenditures. Personnel is the largest component of General Fund expenditures (75%), and it is expected that due to the level of current vacancies some departments will need to increase their professional services and/or overtime budgets which will offset potential salary savings. Staff will continue to monitor these expenses.

Expenditures	2023 Adopted Budget	YTD Actual 12/31/22	% of Adopted Budget	YTD 12/31/21
General Taxes	\$ -	\$ 47,368		\$ -
Administration	\$ 7,424,423	\$ 3,558,794	48%	\$ 2,959,325
Police	\$ 12,986,734	\$ 5,840,564	45%	\$ 5,913,526
Fire	\$ 13,346,883	\$ 6,145,669	46%	\$ 6,343,775
Public Works	\$ 2,307,220	\$ 966,772	42%	\$ 762,953
Community Development	\$ 3,181,129	\$ 1,381,198	43%	\$ 1,485,699
Recreation	\$ 5,559,574	\$ 2,435,934	44%	\$ 2,162,293
Total	\$ 44,805,963	\$ 20,376,298	45%	\$ 19,627,571

Second Quarter General Fund Update

through 12/31/2022



CONCLUSION

Based on the City's overall revenue and expenditure percentages, the City of El Cerrito is well positioned to meet its budget for FY 2022-23. Staff are committed to fiscal responsibility and ensuring that each department's expenditures remain within approved budgets.

FY 2022-23 Second Quarter General Fund Update

Questions

City Council Meeting
Tuesday, March 7, 2022

FY 2022-23 Mid-Year Budget Update



FY 2022-23 Mid-Year Budget Update

REVENUE

Based on actual revenues to date and estimates for the remaining six months of the fiscal year, the staff is recommending one-time and ongoing General Fund revenue adjustments totaling \$1,223,621.19 as detailed below. In addition, the City is requesting approval to recognize \$31,000.00 received in one-time donations and establish an ongoing Miscellaneous Donations Budget of \$4,000.00 and adjust revenue and expenditure budgets.

FY 2022-23 Mid-Year Budget Request			
General Fund			
Dept	One-Time Revenue	Ongoing Revenue	TOTAL REVENUE
City Manager			-
Human Resources			-
Finance Dept		125,000.00	125,000.00
Community Development	462,000.00		462,000.00
Fire Department <i>(diff btwn DES fees/exp)</i>	338,890.00 5,731.19	222,000.00	
	344,621.19	222,000.00	566,621.19
Police Department			-
Public Works	70,000.00		70,000.00
Recreation Department			-
TOTAL GF IMPACT	876,621.19	347,000.00	1,223,621.19

FY 2022-23 Mid-Year Budget Update

EXPENDITURES The staff is recommending approval of ongoing and one-time General Fund expenditures, net zero budget appropriation transfers between accounts to align expenditures with operational practices, and budgetary adjustment related to the use of Special Funds.

General Fund							
Dept	One-Time Revenue	Ongoing Revenue	TOTAL REVENUE	One-Time Expense	Ongoing Expense	TOTAL EXPENSE	Net General Fund
City Manager			-	60,000.00	44,000.00	104,000.00	(104,000.00)
Human Resources			-		110,203.00	110,203.00	(131,131.00)
Finance Dept		125,000.00	125,000.00	239,731.00	16,400.00	256,131.00	\$ (131,131.00)
Community Development	462,000.00		462,000.00	558,618.26		558,618.26	\$ (96,618.26)
Fire Department (diff btwn OES fees/exp)	338,890.00 5,731.19	222,000.00		771,650.20	211,124.75		
	344,621.19	222,000.00	566,621.19	771,650.20	211,124.75	982,774.95	(416,153.76)
Police Department			-	801.40		801.40	\$ (801.40)
Public Works	70,000.00		70,000.00	158,439.00	10,063.87	168,502.87	\$ (98,502.87)
Recreation Department			-			-	\$ -
TOTAL GF IMPACT	876,621.19	347,000.00	1,223,621.19	1,789,239.86	391,791.62	2,181,031.48	\$ (957,410.29)

FY 2022-23 Mid-Year Budget Update

UNRESERVED FUND BALANCE

The City is recommending use of \$957,410.00 of Unreserved Fund Balance for proposed one-time expenditures (detailed below) related to retroactive pay for executed labor agreements, critical technology upgrades and software licenses, election-related costs, and professional services to backfill vacant positions.

At the end of FY 2020-21, the Unreserved Fund Balance was \$7.1 million and the projected FY 2021-22 fund balance is projected to be at least \$7 million for a cumulative Unreserved Fund Balance of \$14.1 million. The final Unreserved Fund Balance will be included in the FY 2021-22 Annual Comprehensive Financial Report (ACFR) presented at an upcoming City Council Meeting.

FY 2022-23 Mid-Year Budget Update

Donations

Donations			
Category	Recommendation	Status	Expenditure
Community Center Donation	Increase revenue and expenditure appropriation related to restricted donation.	One-Time	5,000.00
Senior Center Programs Donation	Increase revenue and expenditure appropriation related to restricted donation.	One-Time	25,000.00
Employee Recognition Event	Increase revenue and expenditure appropriation related to restricted donation.	One-Time	1,000.00
Miscellaneous Restricted Donations, Recreation Department	Increase revenue and expenditure appropriation related to restricted donation.	One-Time	4,000.00
TOTAL			35,000.00
NET GENERAL FUND			-

FY 2022-23 Mid-Year Budget Update

Questions

Additional Information Slides

**FY 2022-23 Second Quarter
General Fund Update**

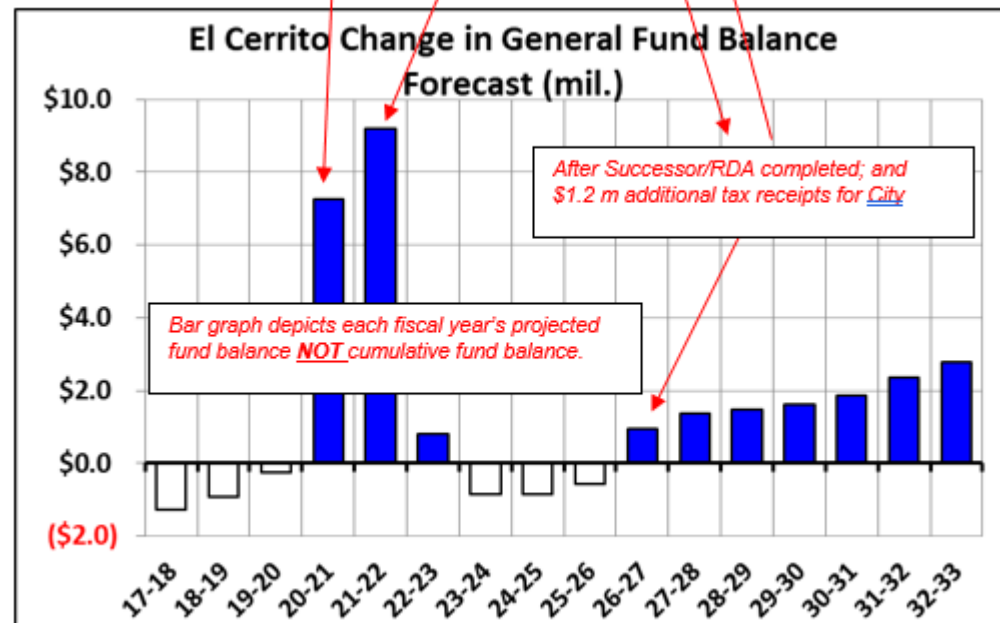
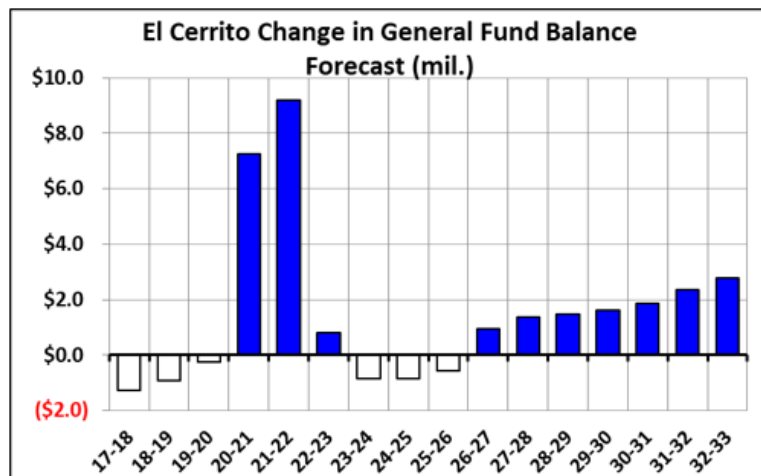
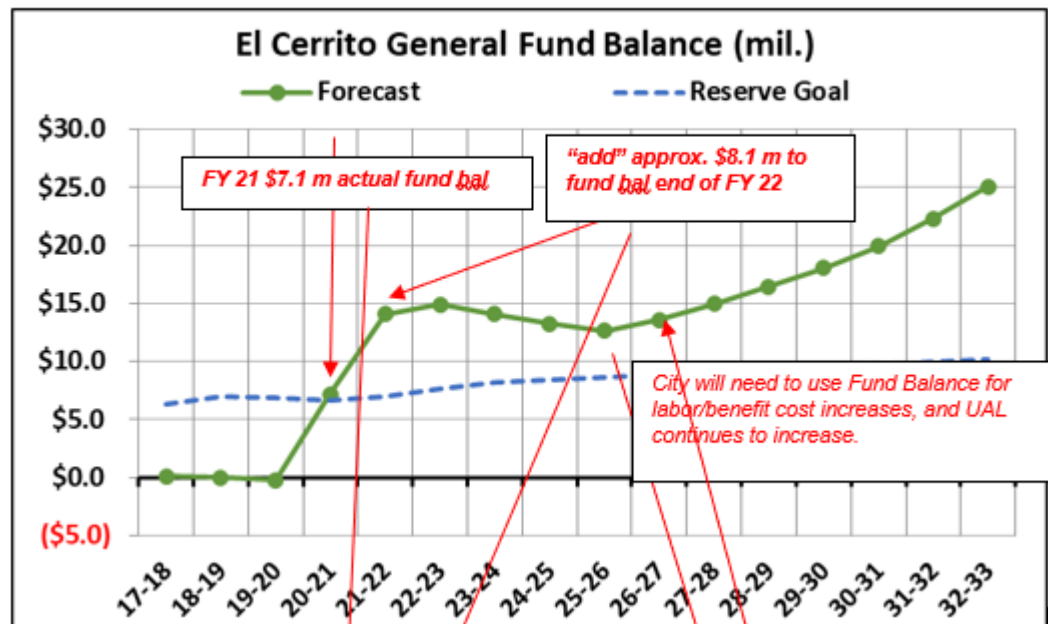
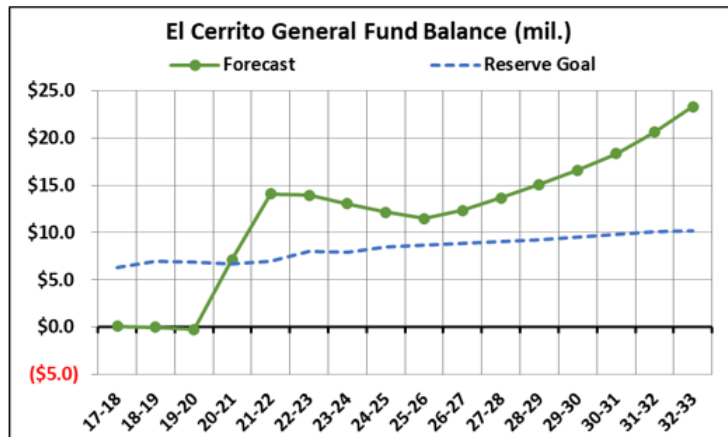
and

FY 2022-23 Mid-Year Budget Update



City of El Cerrito

Estimated General Fund Balance and Change in Fund Balance,
Actual through FY 2021-22 and Forecast through 2032-33, Cash Basis
Includes Mid-Year Appropriation Adjustments



Assumptions/Data:

- Includes all assumptions in the first model above
- Includes one-time revenues of \$876,621 and ongoing revenues of \$398,500
- Includes one-time expenditures of \$1,789,240 and ongoing expenditures of \$391,792

Cannabis

as of December 31, 2022

59% of Budget

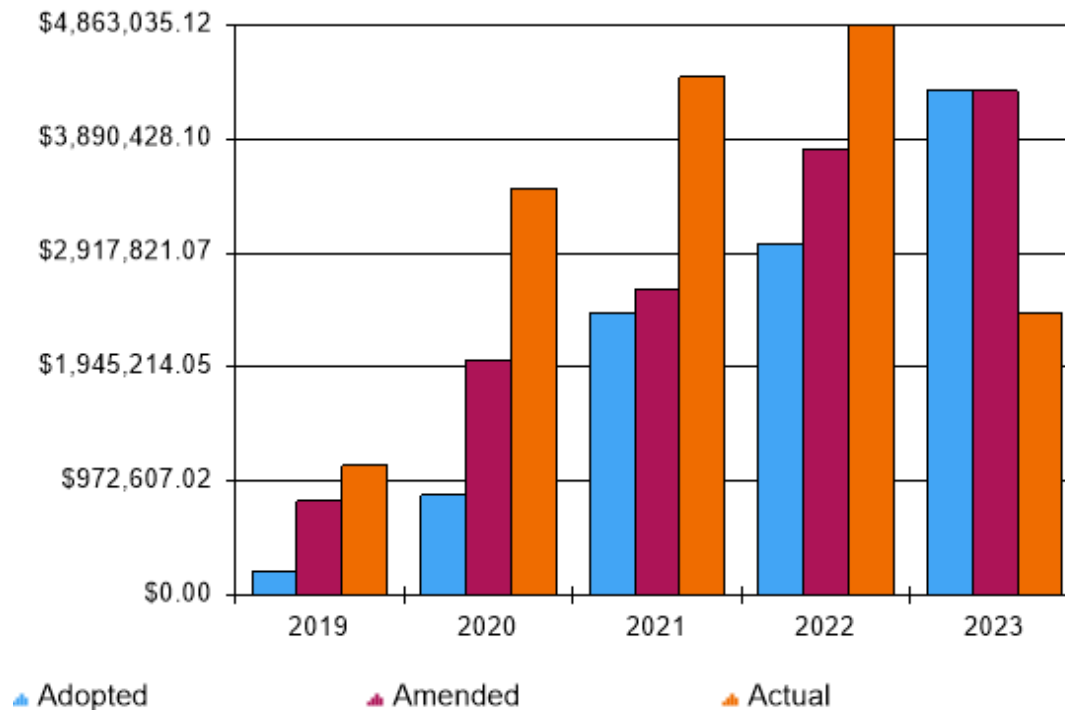
Cannabis Revenue				
<i>(Other Revenue, Miscellaneous Revenue)</i>				
Location	FY 2021-22		FY 2022-23 (ytd)	
	1% (MSC)	5% General Fund (\$30K to Comm Dvlp Ops)	1% (MSC)	5% General Fund (\$30K to Comm Dvlp Ops)
Location 1 (open 08/21)	\$ 55,070.00	\$ 275,353.00	\$ 50,637.00	\$ 223,186.00
Location 2 (est open 08/23)	\$ -	\$ -	\$ -	\$ -
TOTAL	\$ 55,070.00	\$ 275,353.00	\$ 50,637.00	\$ 223,186.00

Real Property Transfer Tax

as of December 31, 2022

59% of Budget

5 Year Trend Analysis by Account



	2019	2020	2021	2022	2023
Adopted	\$200,000.00	\$850,000.00	\$2,400,000.00	\$3,000,000.00	\$4,300,000.00
Amended	\$800,000.00	\$2,000,000.00	\$2,600,000.00	\$3,800,000.00	\$4,300,000.00
Actual	\$1,102,562.80	\$3,467,532.27	\$4,419,107.40	\$4,863,035.12	\$2,397,936.44

Other Financing Sources: Transfer In from other Sources

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget
Fund 101 - General Fund				
REVENUE				
<i>Other Financing Sources</i>				
49110	Loan Proceeds	.00	.00	.00
49120	Debt Proceeds	.00	.00	.00
49130	Refunding Proceeds	.00	.00	.00
49140	Capital Lease Financing	.00	.00	.00
49990.206	Operating XferIN-MEAS A	.00	.00	.00
49990.207	Operating XferIn-MEAS H	.00	.00	.00
49990.221	Operating XferIN-GRANTS	.00	.00	.00
49990.222	Operating Transfer in - COPS	.00	.00	.00
49990.223	Operating Xferin-ARPA	.00	.00	.00
49990.501	Operating Xfer In-IWM	3,671.00	.00	3,671.00
49990.834	Operating Xfer In-FIN	.00	.00	.00
49991.201	Indirect Xfer In-Gas	106,080.00	.00	106,080.00
49991.202	Indirect Xfer In-NPDES	75,000.00	.00	75,000.00
49991.203	Indirect Xfer In-LLAD	163,200.00	.00	163,200.00
49991.204	Indirect Xfer In-MEAS J	66,872.00	.00	66,872.00
49991.205	Indirect Xfer In-Storm Drain	74,000.00	.00	74,000.00
49991.207	Indirect Xfer In-Measure H Park & Facilities	50,000.00	.00	50,000.00
49991.214	Indirect Xfer In-Paratransit	35,020.00	.00	35,020.00
49991.501	Indirect Xfer In-IWM	401,938.00	.00	401,938.00
49999	Transfer From Unreserved Fund Balance Acct 101 33010	.00	(200,000.00)	(200,000.00)
<i>Other Financing Sources Totals</i>		\$975,781.00	(\$200,000.00)	\$775,781.00
REVENUE TOTALS		\$975,781.00	(\$200,000.00)	\$775,781.00
Fund 101 - General Fund Totals				
REVENUE TOTALS		975,781.00	(200,000.00)	775,781.00
Fund 101 - General Fund Totals		\$975,781.00	(\$200,000.00)	\$775,781.00