

Mayor
Lisa Motoyama
Mayor Pro Tem
Tessa Rudnick



Councilmembers
Paul Fadelli
Gabriel Quinto
Carolyn Wysinger

EL CERRITO CITY COUNCIL MINUTES

TUESDAY, MARCH 21, 2023

REGULAR CITY COUNCIL MEETING (6:00 PM)
City Council Chambers - 10890 San Pablo Ave, El Cerrito

Join Via Zoom:

<https://us06web.zoom.us/j/85949362475?pwd=STY1NWJLdmZOOZFhMWJZaIBMeHI0QT09>

Meeting ID: 859 4936 2475 **Password:** 266756 **Dial in:** 1-408-638-0968

View:

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

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**.

6:00 PM **ROLL CALL – CONVENE REGULAR CITY COUNCIL MEETING**
Mayor Motoyama called the meeting to order at 6:05 PM.
Present: Mayor Motoyama, Councilmember Fadelli, Councilmember Quinto, Councilmember Wysinger **Absent:** Mayor Pro Tem Rudnick

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.

Public Works Director Yvetteh Ortiz - provided updates on current weather conditions and effect on City streets, trees, and power lines.

City Manager Pinkos - announced upcoming community town hall on April 22nd, May 9th special meeting for department budget presentations, and June 6th budget presentation to City Council.

Mayor Motoyama - announced Rotary spaghetti fundraiser on March 25th, the formation of a City Council Ad-Hoc committee comprised of herself and Councilmember Fadelli for the purpose of reviewing City Advisory Body policies.

5. ORAL COMMUNICATIONS FROM THE PUBLIC

Remarks are typically limited to 3 minutes per person. The Mayor may reduce the time limit per speaker depending upon the number of speakers and may limit the total time for public comment to facilitate the completion of business on the agenda. Comments regarding non-agenda, presentation and consent calendar items will be heard first.

Comments related to items appearing on the Public Hearing or Policy Matter portions of the Agenda will be heard prior to the City Council taking action on each item.

All written comments submitted prior to and during the meeting were posted online as supplemental materials and incorporated into the official meeting record. Written public comments for matters not on the agenda were received from Cordell Hindler, Howdy Goudey as Chair of the Environmental Quality Committee, and Susan Purcell.

Oral Public Comments:

Buddy Akacic - commented in support of Council Ad-Hoc on Advisory Body policies, mental health, and senior community.

Susan Purcell - spoke regarding March 21st Save the Soil Day.

Howdy Goudey - commented in support of Council Ad-Hoc on Advisory Body policies, and as Chair of the Environmental Quality Committee presented recommendation to council regarding a ban on oil and gas drilling.

6. PRESENTATIONS

A. Police Department Employee Recognition for Officer of the Year and Professional Staff of the Year

Action Proposed: Approve 1) a proclamation commending and congratulating Officer Michael Olivieri as Officer of the Year and 2) a proclamation commending and congratulating Records Specialist Veronica Ceja as Professional Staff of the Year.

Contact: Paul Keith, Chief of Police, El Cerrito Police Department

Moved/Seconded: Councilmember Quinto/Councilmember Wysinger **Action:** Approved proclamations **Ayes:** Mayor Motoyama, Councilmember Fadelli, Councilmember Quinto, Councilmember Wysinger **Noes:** None **Absent:** Mayor Pro Tem Rudnick

B. Contra Costa Transportation Authority Agency Update

Action Proposed: Receive and file a presentation from Contra Costa Transportation Authority (CCTA) on the agency's programs, projects, and vision for the future.

Contact: Timothy Haile, Executive Director, CCTA

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding potential future bond measures, available funding, senior needs, and I-80 and San Pablo Dam Road improvements.

Action: Received and filed

C. Annual Comprehensive Financial Report for Fiscal Year Ending June 30, 2022

Action Proposed: Receive and file a presentation on the Annual Comprehensive Financial Report for Fiscal Year Ending June 30, 2022

Contact: Sheldon Chavan, Partner, Chavan & Associates LLP; Sandra Dalida, Finance Director/Treasurer, Finance Department

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding ways to improve the City's credit rating, 115 trust funding, reserve levels and fund balance allocations, net position and pension liability, timeline for receipt of the findings letter and single audit and affect on the CalPERS discount rate change.

Action: Received and filed

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.

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

A. Approval of Minutes

Action Proposed: Pass a motion to approve the minutes from the meetings of February 14, February 16, February 21, and March 7, 2023.
Contact: Holly M. Charl  ty, City Clerk, City Management
Action: Approved minutes

B. Prescription Drug Abuse Awareness Proclamation

Action Proposed: Pass a motion to approve a proclamation declaring March 2023 as Prescription Drug Abuse Awareness Month in the City of El Cerrito.
Contact: Holly M. Charl  ty, City Clerk, City Management
Action: Approved proclamation

C. Proclamation Recognizing Education and Sharing Day

Action Proposed: Pass a motion to approve a proclamation declaring April 2, 2023 as Education and Sharing Day in the City of El Cerrito and to raise awareness and strengthen the education of our children.
Contact: Holly M. Charl  ty, City Clerk, City Management
Action: Approved proclamation

D. Economic Development Committee Appointments

Action Proposed: Approve an Economic Development Committee recommendation to reappoint member Jean Shrem and George Gager, effective March 1, 2023.
Contact: Aissia Ashoori, Housing-Economic Development Manager
Action: Approved appointments

E. Committee on Aging Appointments

Action Proposed: Approve the Committee on Aging recommendation and re-appoint Janet James and Kim Marlia to the Committee, effective March 1, 2023.
Contact: Bridget Cooney, Recreation Supervisor, Recreation Department

Action: Approved appointments

F. Annual Progress Report for the General Plan & Housing Element

Action Proposed: Receive and file the attached 2022 Annual Progress Report on the General Plan and Housing Element.

Contact: Diego Romero, Assistant Planner; Aissia Ashoori, Housing-Economic Development Manager; Sean Moss, Planning Manager, Community Development Department

Action: Received and filed

G. Receive Monthly Disbursement and Payment Register Report for the Month of February 2023

Action Proposed: Receive and file the Monthly Disbursement and Check Register Report for the month of February 2023.

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

Action: Received and filed

H. Annual Parcel Assessment for the National Pollutant Discharge Elimination System (NPDES) Program and Drainage Maintenance Activities for Fiscal Year 2023-24

Action Proposed: Adopt a resolution establishing the annual parcel assessment for the National Pollutant Discharge Elimination System (NPDES) program and Drainage Maintenance activities at the current rate of \$38.00 per Equivalent Runoff Unit (ERU) and authorizing the Contra Costa County Flood Control & Water Conservation District to adopt Stormwater Utility Area (SUA) levies based on said amount for Fiscal Year (FY) 2023-24.

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

Action: Approved Resolution No. 2023-22

I. Amendment to Custodial Services Agreement with Universal Building Services

Action Proposed: Adopt a resolution authorizing the City Manager to extend the Recreation Department's custodial services agreement with Universal Building Services through the remainder of fiscal year (FY) 2022-23 for a total amount not to exceed \$95,000.

Contact: Christopher Jones, Recreation Director, Recreation Department

Action: Approved Resolution No. 2023-23

J. Amendment to Agreement with St. Francis Electric for Electrical Traffic Control Devices and Lighting Maintenance and Repair Services

Action Proposed: Adopt a resolution authorizing the City Manager to execute an amendment to the agreement with St. Francis Electric, for Electrical Traffic Control Devices and Lighting Maintenance and Repair Services, to increase the contract amount an additional \$80,000 in fiscal year (FY) 2022-23 and, contingent upon funding being appropriated by the City Council next fiscal year, \$55,000 in FY 2023-24, with the total compensation not to exceed \$175,000 in FY 2022-23 and the total compensation not to exceed \$150,000 in FY 2023-24.

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

Action: Approved Resolution No. 2023-24

K. A Resolution Authorizing Execution of An Agreement for the Affordable Housing Sustainable Communities Program for El Cerrito Plaza Parcel A South for Transit-Oriented Development at the El Cerrito Plaza Station and submission of an application for Affordable Housing Sustainable Community Program funds as a co-applicant with Related

Action Proposed: Adopt a resolution authorizing the City Manager to execute an agreement for the Affordable Housing Sustainable Communities (AHSC) Program as a co-applicant with The Related Companies of California, LLC (Developer), for El Cerrito Plaza Station Transit-Oriented Development (TOD), Parcel A South (EC-PAS) located at 515 Richmond Street, to construct 70 affordable housing units and associated multimodal transportation improvements and to submit an application to the AHSC Program as a co-applicant.

Contact: Aissia Ashoori, Housing Manager; Jarrett Mullen, Sustainable Transportation Program Manager, Community Development Department; Melanie Mintz, Community Development Director

Action: Approved Resolution No. 2023-25

8. PUBLIC HEARINGS

9. POLICY MATTERS

A. Automated License Plate Reader Camera Program

Action Proposed: Adopt a resolution authorizing the City Manager to enter into an agreement with Flock Group Inc. to provide automated license plate reader cameras to the City of El Cerrito for an amount not to exceed \$340,000 between July 1, 2023 and June 30, 2026.

Contact: Paul Keith, Chief of Police, El Cerrito Police Department

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding what is included in the overall crime ranking of the City, placement of cameras, uses in neighboring cities, potential use of public input for placement of cameras, number of cameras, funding source of program, clarification on prohibited uses of the data, federal grant options, method for crimes being added to the hot list, confidentiality of agency data, clarification of use by vendor and disclosure to other agencies as needed, ongoing improvements of algorithms, and use of staffing for program support.

Public Comments: All written comments submitted prior to and during the meeting were posted online as supplemental materials and incorporated into the official meeting record. Written public comments on this item were received from Michael Freeman.

Oral Public Comments:

Michael Freeman - as a member of the American Civil Liberties Union (ACLU) spoke in opposition to the use of license plate readers, and concerns about department policy and potential for misuse.

Mike Katz-Lacabe - spoke in opposition to the use of license plate readers as mass surveillance, concern about retention of non-license plate images and recommended a reduction of retention to 72 hours.

John Stashik - commented on the excessive amount of crime in the city and in favor of approving the item.

Moved/Seconded: Councilmember Quinto/Councilmember Fadelli

Action: Approved Resolution 2023-26 with added language of "WHEREAS, City staff will seek to fund the system with special funds and grant opportunities and reduce impacts to the general fund."

Ayes: Mayor Motoyama, Councilmember Fadelli, Councilmember Quinto, Councilmember Wysinger **Noes:** None **Absent:** Mayor Pro Tem Rudnick

10. CITY COUNCIL LOCAL & REGIONAL LIAISON ASSIGNMENTS

Mayor and City Council communications regarding local and regional liaison assignments, committee reports, and any required reporting under AB 1234 on meetings (as defined by the Brown Act) attended at public expense.

Councilmember Quinto - reported on attendance at Local Area Foundation Commission (LAFCO) Board meeting, Cal Cities Legislative Update, Cal Cities Environmental Policy Committee meeting, and CivicWell Conference.

Councilmember Fadelli - reported on attendance at Cal Cities Transportation Policy Committee meeting.

Mayor Motoyama - reported on attendance at a meeting with the government liaison to the California Public Utilities Commission, Cal Cities Housing,

Community and Economic Development Policy Committee meeting, Cal Cities Revenue and Taxation Policy Committee meeting, and CivicWell Conference.

11. ADJOURN REGULAR CITY COUNCIL MEETING

The next regularly scheduled City Council meeting is Tuesday, April 4, 2023 at 6:00 p.m.

The regular meeting adjourned at 9:22 PM

DocuSigned by:

Lisa Motoyama

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Lisa Motoyama, Mayor

This is to certify that the foregoing is a true and correct copy of the minutes of the City Council meeting of March 21, 2023 as approved by the El Cerrito City Council.

DocuSigned by:

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Holly M. Charlety, MMC, City Clerk