

Mayor
Lisa Motoyama
Mayor Pro Tem
Tessa Rudnick



Councilmembers
Paul Fadelli
Gabriel Quinto
Carolyn Wysinger

TUESDAY, JUNE 6, 2023

SPECIAL CITY COUNCIL MEETING (5:30 PM)
Hillside Conference Room - 10890 San Pablo Ave, El Cerrito

Join Via Zoom:

<https://us06web.zoom.us/j/85984539574?pwd=S3dYRkErVzZFVFSWHNRQmpvcFZsUT09>

Meeting ID: 859 8453 9574 **Password:** 123892 **Dial in:** 1-408-638-0968

**CONCURRENT SPECIAL MEETING OF THE EL CERRITO PUBLIC FINANCING
AUTHORITY, EMPLOYEE PENSION TRUST BOARD,
AND REGULAR MEETING OF THE CITY COUNCIL (6:00 PM)**
City Council Chambers - 10890 San Pablo Ave, El Cerrito

Join Via Zoom:

<https://us06web.zoom.us/j/84475890592?pwd=RkhPU3BOeGhDOWswMGh3U2s2enhtQT09>

Meeting ID: 844 7589 0592 **Password:** 776634 **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**.

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5:30 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 COUNSEL - ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): One potential case

Contact: Sky Woodruff, City Attorney, City Management
- 4. ADJOURN REGULAR CITY COUNCIL MEETING**

6:00 PM ROLL CALL – CONVENE CONCURRENT SPECIAL PUBLIC FINANCING AUTHORITY, EMPLOYEE PENSION TRUST BOARD, AND 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 for public comment to facilitate the completion of business on the agenda. Comments

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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

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. Loving Day Proclamation

Action Proposed: Approve a proclamation declaring June 12, 2023 as Loving Day in the City of El Cerrito, and encourage people to reflect on the Loving family and all of the pioneers who have and will continue to fight for the civil right to love.

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

B. LGBTQIA Pride Month Proclamation

Action Proposed: Approve a proclamation declaring the month of June as Lesbian, Gay, Bi-Sexual, Transgender/Transsexual, Queer/Questioning, Intersex and Agender/Asexual (LGBTQIA) Pride month in the City of El Cerrito and recognize Pride Month by flying the Progress Pride flag at City Hall during the month of June.

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

C. GLSEN 2023-2024 Rise Up Campaign Proclamation

Action Proposed: At the request of Mayor Motoyama, approve a proclamation in support of the Gay, Lesbian, and Straight Education Network (GLSEN) 2023-2024 Rise Up Campaign to support LGBTQI+ young people in schools.

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

D. Juneteenth Proclamation

Action Proposed: At the request of Councilmember Wysinger, approve a proclamation in support and recognition of Juneteenth on Monday,

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June 19, 2023 and further recognize Juneteenth by flying the flag at City Hall June 17-19, 2023.

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

E. Consulting Services Agreement with LSA Associates, Inc. to develop the Hillside Natural Area Fire Resilience and Forest Conservation Management Plan

Action Proposed: Adopt a resolution authorizing the City Manager to execute a consulting services agreement with LSA Associates, Inc. (LSA) to develop the Hillside Natural Area (HNA) Fire Resilience and Forest Conservation Management Plan, in an amount not to exceed \$145,000 as funded by the Wildfire Resilience Capacity Building Grant from the State of California Coastal Conservancy and amending the Fiscal Year 2022-23 Adopted Budget to appropriate \$145,000 in funding from the State Coastal Conservancy grant in the Capital Improvement Fund.

Contact: Stephen Pr  e, Environmental Programs Manager/City Arborist; Karineh Samkian, Senior Program Manager; Susan Kattchee, Interim Operations and Environmental Services Division Manager; Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department

F. Amendment to Professional Services Agreement with Maze and Associates

Action Proposed: Adopt a resolution to authorize the City Manager to amend the professional services agreement with Maze and Associates for temporary Finance staffing support by \$89,882 for a total amount not to exceed amount of \$250,000.

Contact: Pete Salazar, Interim Finance Director/City Treasurer; Karen Pinkos, City Manager, City Management

8. PUBLIC HEARINGS

A. Annual Review and Renewal of the Military Equipment Ordinance
Notice published 5/27/2023; Annual Report posted 4/17/2023

Action Proposed: Conduct a public hearing, and upon conclusion, adopt a resolution approving the El Cerrito Police Department Military Equipment Report for 2022 and the Military Equipment Policy, including an updated Equipment Inventory, and renewing Ordinance 2022-01.

Contact: Paul Keith, Chief of Police, Police Department

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9. POLICY MATTERS

**A. CITY COUNCIL/PUBLIC FINANCING AUTHORITY/EMPLOYEE
PENSION TRUST BOARD ITEM
Proposed Fiscal Year 2023-24 Budget**

Action Proposed: Receive and file a presentation on the Draft Proposed Fiscal Year 2023-24 City Budget and provide direction to staff as necessary.

Contact: Karen Pinkos, City Manager; Will Provost, Assistant to the City Manager, City Management

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 for meetings (as defined by the Brown Act) attended at the public's expense.

11. ADJOURN REGULAR CITY COUNCIL MEETING

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

EL CERRITO CITY COUNCIL PROCLAMATION
Recognizing June 12, 2023 as Loving Day in the City of El Cerrito

WHEREAS, Mildred and Richard Loving were arrested in 1958 for violating Virginia's felony law prohibiting interracial marriage; and

WHEREAS, the Loving family was convicted of violating the law and given a suspended sentence provided that they did not return to their home in the Commonwealth of Virginia as a couple for 25 years; and

WHEREAS, the Loving family did not back down but took their case to the United States Supreme Court and won, overturning their conviction and creating a landmark civil rights victory; and

WHEREAS, their case *Loving v Virginia* (1967) ended all laws prohibiting interracial marriage nationwide, paving the way for all consenting adults to marry the one they love; and

WHEREAS, our country, state and region are moving forward in the 21st Century as a multiracial and multicultural society; and

WHEREAS, an annual celebration known as Loving Day is held on June 12 in communities throughout the nation to commemorate and celebrate the anniversary of the 1967 Supreme Court decision; and

WHEREAS, the City of El Cerrito joins other communities to find a common vision from our interwoven past to build a society free of racism for the benefit of our collective future.

NOW THEREFORE, the City Council of the City of El Cerrito does hereby declare June 12, 2023 as Loving Day in the City of El Cerrito and invites everyone to recognize this day as a celebration of multiculturalism, and to reflect on the Loving family and all the pioneers who have and will continue to fight for the civil right to love.

Dated: June 6, 2023

Lisa Motoyama, Mayor

EL CERRITO CITY COUNCIL PROCLAMATION
Recognizing June as LGBTQIA Pride Month in the City of El Cerrito

WHEREAS, the City of El Cerrito has a diverse Lesbian, Gay, Bisexual, Transgender/Transsexual, Queer/Questioning, Intersex and Agender/Asexual (LGBTQIA) community and is committed to supporting visibility, dignity, and equity for all people in the community; and

WHEREAS, many of the residents, students, city employees, and business owners within the City of El Cerrito who contribute to the enrichment of our City are a part of the Lesbian, Gay, Bisexual, Transgender/Transsexual, Queer/Questioning, Intersex and Agender/Asexual community; and

WHEREAS, various advancements have been made with respect to equitable treatment of Lesbian, Gay, Bisexual, Transgender/Transsexual, Queer/Questioning, Intersex and Agender/Asexual persons throughout the nation, but there continues to be some opposition against people from this community and around the world making it important for cities like El Cerrito to stand up and show support for our residents who are affected; and

WHEREAS, several cities across the United States recognize and celebrate June as LGBTQIA Pride Month; and

WHEREAS, June has become a symbolic month in which Lesbian, Gay, Bisexual, Transgender/Transsexual, Queer/Questioning, Intersex and Agender/Asexual people and supporters come together in various celebrations of pride; and

WHEREAS, the rainbow flag, also known as the LGBTQIA pride flag or gay pride flag, has been used since the 1970s as a symbol of Lesbian, Gay, Bisexual, Transgender/Transsexual, Queer/Questioning, Intersex and Agender/Asexual pride and LGBTQIA social movements; and

WHEREAS, since 2013 the rainbow flag has been flown at City Hall throughout the month of June to symbolize the City's celebration of diversity and support for the Lesbian, Gay, Bisexual, Transgender/Transsexual, Queer/Questioning, Intersex and Agender/Asexual community; and

WHEREAS, the Progress Pride Flag was designed in 2018, adding a 5-colored chevron to the LGBTQIA Rainbow Flag to place a greater emphasis on inclusion and progression.

NOW THEREFORE, the City Council of the City of El Cerrito does hereby declare the month of June as LGBTQIA Pride month in the City of El Cerrito and invites everyone to reflect on ways we all can live and work together with a commitment to mutual respect and understanding, and further, recognizes Pride Month by flying the Progress Pride Flag at City Hall during the month of June.

Dated: June 6, 2023

Lisa Motoyama, Mayor

EL CERRITO CITY COUNCIL PROCLAMATION
Proclaiming support for the Gay, Lesbian, and Straight Education Network (GLSEN)
2023-2024 Rise Up campaign

WHEREAS young people, teachers, school staff, families, and communities must be free of the violence of racism, transphobia, homophobia, sexism, ableism, and all forms of systemic oppression; and

WHEREAS K-12 schools must be safe and liberatory learning environments that include and affirm Lesbian, Gay, Bisexual, Transgender/Transsexual, Queer/Questioning plus (LGBTQI+) young people, especially those who are transgender, nonbinary, intersex, Black, Indigenous, people of color, people with disabilities, and from all communities that experience marginalization; and

WHEREAS advocates have designated 2023-2024 as a time for communities to Rise Up in support of LGBTQI+ young people in schools; and

WHEREAS LGBTQI+ young people frequently experience bias-based bullying and harassment, discrimination, and punitive discipline that increases the likelihood they will enter the school-to-prison pipeline; and

WHEREAS 96% of LGBTQ+ students reported hearing anti-LGBTQ+ remarks from students in California schools, and almost half of California students (46%) experienced at least one form of anti-LGBTQ+ discrimination at school; and

WHEREAS LGBTQI+ young people are more likely than their non-LGBTQI+ peers to experience mental health concerns, including stress, anxiety, and depression; and

WHEREAS nearly half of LGBTQI+ young people seriously considered suicide in the last year, a trend that increases among Indigenous, Black, and multiracial LGBTQI+ young people; and

WHEREAS every young person must have equal educational opportunity and freedom from the fear that their basic civil and educational rights will be taken away from them; and

WHEREAS young people who develop in positive school climates, free of bullying, harassment, and discrimination, report greater physical and psychological safety, greater mental well-being, and improved educational and life outcomes; and

WHEREAS positive school transformation must recognize that safety is too a low bar and that all communities deserve to be acknowledged and affirmed in our schools.

NOW, THEREFORE, the City Council of the City of El Cerrito does hereby support the goals and ideals of the Rise Up campaign and encourages other municipalities to support the Rise Up campaign and consider laws and policies that prohibit bias-based victimization, exclusion, and erasure.

Dated: June 6, 2023

Lisa Motoyama, Mayor

EL CERRITO CITY COUNCIL PROCLAMATION

Proclaiming recognition and support of Juneteenth on Monday, June 19, 2023

WHEREAS, the first enslaved Africans were brought as captives to what is now the Commonwealth of Virginia in 1619 where they were bought and sold as slave labor for 250 years suffering unspeakable acts of violence; and

WHEREAS, President Abraham Lincoln issued the Emancipation Proclamation on January 1, 1863, declaring "that all persons held as slaves within the rebellious states are, and henceforward shall be free"; and

WHEREAS, the Emancipation Proclamation was the vehicle used to pass the 13th Amendment to the U.S. Constitution abolishing slavery in this nation on January 31, 1865; and

WHEREAS, on June 19, 1865, Major General Gordon Granger arrived in Galveston, Texas, announcing General Order Number 3 which ended both the Civil War and slavery; and

WHEREAS, June 19 is known as Juneteenth Day and is now celebrated in all 50 States and the District of Columbia as a special day of observance in recognition of the emancipation of all slaves in the United States, and in 2021 the Federal Government recognized Juneteenth Day as a Federal Legal Public Holiday which is observed in the City of El Cerrito; and

WHEREAS, our nation is facing a new reckoning as the legacy of sharecropping, Jim Crow, redlining and police violence against Black Bodies continues to pervade and permeate our society, institutions, and systems of law; and

WHEREAS, although the 13th Amendment provided for freedom, it also laid the groundwork for mass incarceration within the African American community by stating "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction"; and

WHEREAS, the Black community of El Cerrito held the first Martin Luther King Day March over 30 years ago when the City of El Cerrito refused to recognize the holiday and the community is proud that 30 plus years later, in collaboration with the City of El Cerrito, it is the longest continuously running MLK Day celebration; and

WHEREAS, the City of El Cerrito acknowledges the impact that this history of racism has had in shaping and continuing to shape our society, institutions, and systems of laws, fostering many of the current-day disparities in education, health care, housing, and employment.

NOW THEREFORE, the City Council of the City of El Cerrito does hereby recognize Monday, June 19, 2023, as Juneteenth to acknowledge the historical significance of the day and commit to working toward the dismantling of institutionalized racism, and further, recognizes Juneteenth by flying the flag at City Hall June 17-19.

Dated: June 6, 2023

Lisa Motoyama, Mayor



AGENDA BILL

Agenda Item No. 7.E.

Date: June 6, 2023
To: El Cerrito City Council
From: Stephen Prée, Environmental Programs Manager/City Arborist; Karineh Samkian, Senior Program Manager; Susan Kattchee, Interim Operations and Environmental Services Division Manager; Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department
Subject: Consulting Services Agreement with LSA Associates, Inc. to develop the Hillside Natural Area Fire Resilience and Forest Conservation Management Plan

ACTION PROPOSED

Adopt a resolution authorizing the City Manager to execute a consulting services agreement with LSA Associates, Inc. (LSA) to develop the Hillside Natural Area (HNA) Fire Resilience and Forest Conservation Management Plan, in an amount not to exceed \$145,000 as funded by the Wildfire Resilience Capacity Building Grant from the State of California Coastal Conservancy and amending the Fiscal Year 2022-23 Adopted Budget to appropriate \$145,000 in funding from the State Coastal Conservancy grant in the Capital Improvement Fund.

BACKGROUND & ANALYSIS

Over several years, community concerns regarding fire risk in the City of El Cerrito's (City) HNA and surrounding residential communities have significantly increased. The City has responded with ongoing and increased vegetation maintenance activities by completing work largely based on planning efforts that were completed many years ago, including the 1994 City of El Cerrito HNA Fire Hazard Reduction Plan and Initial Study/Negative Declaration.

However, the need for more robust, comprehensive, and current vegetation management practices, that balance fuel reduction with native forest conservation, has become increasingly evident and was recognized in the City's 2015 Urban Greening Plan. Additionally, in 2019, the El Cerrito Parks and Recreation Facilities Master Plan specifically called for action to "support the El Cerrito-Kensington Wildfire Action Plan goals and policies by creating defensible spaces, increasing weed abatement, and managing dead or diseased trees and other vegetation, especially in the HNA".

In 2019, El Cerrito voters passed Measure H to further fund park maintenance activities and with these funds the City has increased its fire fuel reduction activities. Given the recent and potentially ongoing drought, rising global temperatures and community concerns regarding the risk of wildfire, an updated plan with the required environmental site analysis is needed to guide the City in the most effective, sustainable, and cost efficient fuel reduction and forest conservation activities and to inform future grant requests.

In December 2021, Urban Forest Committee (UFC) members informed City staff of a State of California Coastal Conservancy Wildfire Resilience Capacity Building Grant opportunity that had the potential to support needed planning work for the HNA. Together, UFC members and City staff, working across departments, applied for the grant, proposing to use grant funding to hire a consultant to develop a HNA Fire Resilience and Forest Conservation Management Plan (Plan) that is consistent with the City Council-adopted Urban Greening Plan and Parks and Recreation Facilities Master Plan.

The City was awarded a grant of \$145,000 to prepare the Plan. The City Council approved the award of grant funds at the November 3, 2022 City Council meeting per Resolution 2022-83.

Purpose of Project

The purpose of the project is to establish and adopt a comprehensive fire hazard reduction and vegetation management plan for the City HNA. This Plan will:

- identify and protect critical resource areas,
- guide the City's fire fuel reduction, native forest conservation, and maintenance activities, and
- evaluate access improvements, connectivity and enhancements to the trail network that links natural features, schools and community assets.

The project will also include California Environmental Quality Act (CEQA) review and determination. The City will use this Plan and CEQA documents to guide future maintenance and stewardship activities, and grant applications for work in the HNA.

Request for Proposals

The City's Public Works (PW) Department issued a Request for Proposals (RFP) from qualified consultants to assist the City in developing the Plan and required CEQA documents. The RFP included the following scope:

Task 1 - Project Site Assessment and Draft Plan Preparation

Task 1.1 – Project Initiation

Task 1.2 – Analysis (Site Assessment)

Task 1.3 – Community Engagement

Task 1.4 – Develop Draft Plan

Task 2 - CEQA Document Preparation

Task 2.1 – Draft Initial Study

Task 2.2 – Staff Review

Task 3 - Stakeholder Outreach and Review

Task 3.1 – Community Engagement

Task 3.2 – Finalize Plan and CEQA Documents

Task 4 - City Council Consideration

The RFP requests that a Plan be developed by August 31, 2024 to meet the grant timeline. The planning process will include significant community outreach, including two community workshops. Staff will seek City Council approval of CEQA and the proposed Plan in the summer/fall of 2024.

The RFP was posted to the City's website on March 30, 2023 and published in the West County Times on April 3, 2023. A notice inviting proposals was also emailed directly to 13 consulting firms. By the due date of April 27, 2023, the City received two proposals summarized in Table 1.

Table 1 - Summary of Proposals Received

	LSA	Dudek
Cost Proposed	\$144,910	\$144,684

Consultant Selection

Following receipt of the proposals, a selection committee comprised of staff from the PW Department evaluated the proposals based on qualifications and experience of the firm and the experts assigned, demonstrated experience on comparable projects, completeness, clarity, organization, and conformance to the RFP, client references, and cost competitiveness.

Based on the proposal evaluation, PW staff invited both firms to an interview to better understand each proposal, the firms' approach to the project, and their cost proposal. City staff met after the interviews were completed to determine which firms' proposal best suits the needs of the City and LSA emerged as the top-ranked consultant (Attachment 2).

City staff has selected the LSA team due to their technical expertise and certifications, and their extensive experience creating similar local fuel reduction plans, including a recent plan for U.C. Berkeley and the Big Eddy Wildland-Urban Interface Fuels Reduction Project in Shasta County. LSA is familiar with the HNA, the Senior Wildland Fire Manager from Wildland Res Mgt has over 35 years' experience in providing fire management services to northern California communities. The public outreach subconsultant, Cascadia, has already begun developing a relationship with the El Cerrito community through their work on the City's Climate Action and Adaptability Plan, and subconsultant Solano Archaeological Services has completed cultural resources inventories for CEQA, including full records searches and Native American outreach in a fuel load reduction project funded by Cal Fire.

City staff is recommending that the City Council authorize the City Manager to enter into an agreement with LSA (Consultant) for an amount not to exceed \$145,000 to develop the Plan for the City of El Cerrito as funded by a grant from the State Coastal Conservancy.

STRATEGIC PLAN CONSIDERATIONS

Engaging the professional services of LSA to develop the Plan is consistent with the following El Cerrito Strategic Plan Goals:

Deepen a Sense of Place and Community.

- Develop and Rehabilitate Public Facilities as Community Focal Points by providing guidance for the long-term planning and conservation of one of the City's most treasured and unique natural assets.
- Ensure the Public's Health and Safety by strategizing effective fire resilience work.
- Foster Environmental Sustainability Citywide by conducting environmental analyses (CEQA) and planning for the protection and management of endemic tree and plant communities with their associated environmental benefits.

ENVIRONMENTAL CONSIDERATIONS

The action to develop the Plan is statutorily exempt from CEQA under 14 CCR Section 15262 (Feasibility and Planning Studies) because it involves development of a management plan and related CEQA documentation for possible future actions that have not yet been funded or approved. To support the City in completing the projects identified in the Plan, the Consultant will prepare an Initial Study (IS) in accordance with CEQA Guidelines Appendix G, and if applicable the Consultant will prepare a Mitigated Negative Declaration to be attached to the IS.

FINANCIAL CONSIDERATIONS

The grant award amount (\$145,000) will pay for all the costs for the Consultant to produce the Plan based on a specific task outlined in the RFP. The grant was received by the City and the attached resolution will appropriate the funds for the grant's intended purpose. The State Coastal Conservancy grant has no "local match" requirement. The final grant reimbursement will be based on the actual Consultant costs. The PW Department will be able to manage the planning effort with existing staff.

The project is included in the Capital Improvement Program. However, funding was identified as unsecured at the time the City Council adopted the Fiscal Year 2022-23 Budget. Therefore, City staff is requesting that the City Council amend the FY 2022-23 Adopted Budget to appropriate \$145,000 in funding from the Wildfire Resilience Capacity Building Grant in the Capital Improvement Fund.

LEGAL CONSIDERATIONS

The City Attorney has reviewed the proposed actions, found that legal considerations have been addressed, and the consulting services agreement will conform to the City's standard agreement as approved 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. LSA Proposal

RESOLUTION 2023 - XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSULTING SERVICES AGREEMENT WITH LSA ASSOCIATES, INC. TO DEVELOP A HILLSIDE NATURAL AREA FIRE RESILIENCE AND FOREST CONSERVATION PLAN IN THE AMOUNT OF \$145,000 AS FUNDED BY THE WILDFIRE RESILIENCE CAPACITY BUILDING GRANT FROM THE STATE OF CALIFORNIA COASTAL CONSERVANCY AND AMENDING THE FISCAL YEAR 2022-23 ADOPTED BUDGET TO APPROPRIATE \$145,000 IN FUNDING FROM THE STATE COASTAL CONSERVANCY GRANT IN THE CAPITAL IMPROVEMENT FUND

WHEREAS, the City's vegetation management activities in the Hillside Natural Area (HNA) are based on planning efforts completed years ago and there is a need for a comprehensive plan to manage fire risk and conserve native plant communities; and

WHEREAS, the City applied for a Wildfire Resilience Capacity Building Grant from the State of California Coastal Conservancy and was awarded grant funding in the amount of \$145,000 for the development of the HNA Fire Resilience and Forest Conservation Plan (Plan); and

WHEREAS, the El Cerrito City Council approved the award of grant funds at the November 1, 2022 regular meeting per Resolution 2022-83; and

WHEREAS, the purpose of the project is to develop the Plan and prepare California Environmental Quality Act (CEQA) documents which will guide future maintenance and stewardship activities in the HNA; and

WHEREAS, City Staff issued a Request for Proposals on March 30, 2023 on the City website, published it in the West County Times on April 3, 2023, and emailed directly to 13 qualified consultants to assist the City in developing the Plan; and

WHEREAS, the City received two proposals by the April 27, 2023 due date; and

WHEREAS, upon consideration of the qualifications and experience of the firms and the experts assigned, demonstrated experience on comparable projects, completeness, clarity and organization of the proposal, and references, the City's selection committee, composed of staff in the Public Works Department, determined that the proposal received from LSA Associates, Inc. best fits the needs of the City; and

WHEREAS, funding for these consulting services is reimbursable by the State Coastal Conservancy in a no-match grant in an amount not to exceed \$145,000.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of El Cerrito authorizes the City Manager to execute a consulting services agreement with LSA Associates, Inc. to develop the Hillside Natural Area Fire Resilience and Forest Conservation Management Plan, in an amount not to exceed \$145,000 as funded by the

Wildfire Resilience Capacity Building Grant from the State of California Coastal Conservancy and amending the Fiscal Year 2022-23 Adopted Budget to appropriate \$145,000 in funding from the State Coastal Conservancy grant in the Capital Improvement Fund.

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

I CERTIFY that at a regular meeting on June 6, 2023, the City Council of the City of El Cerrito passed this Resolution by the following vote:

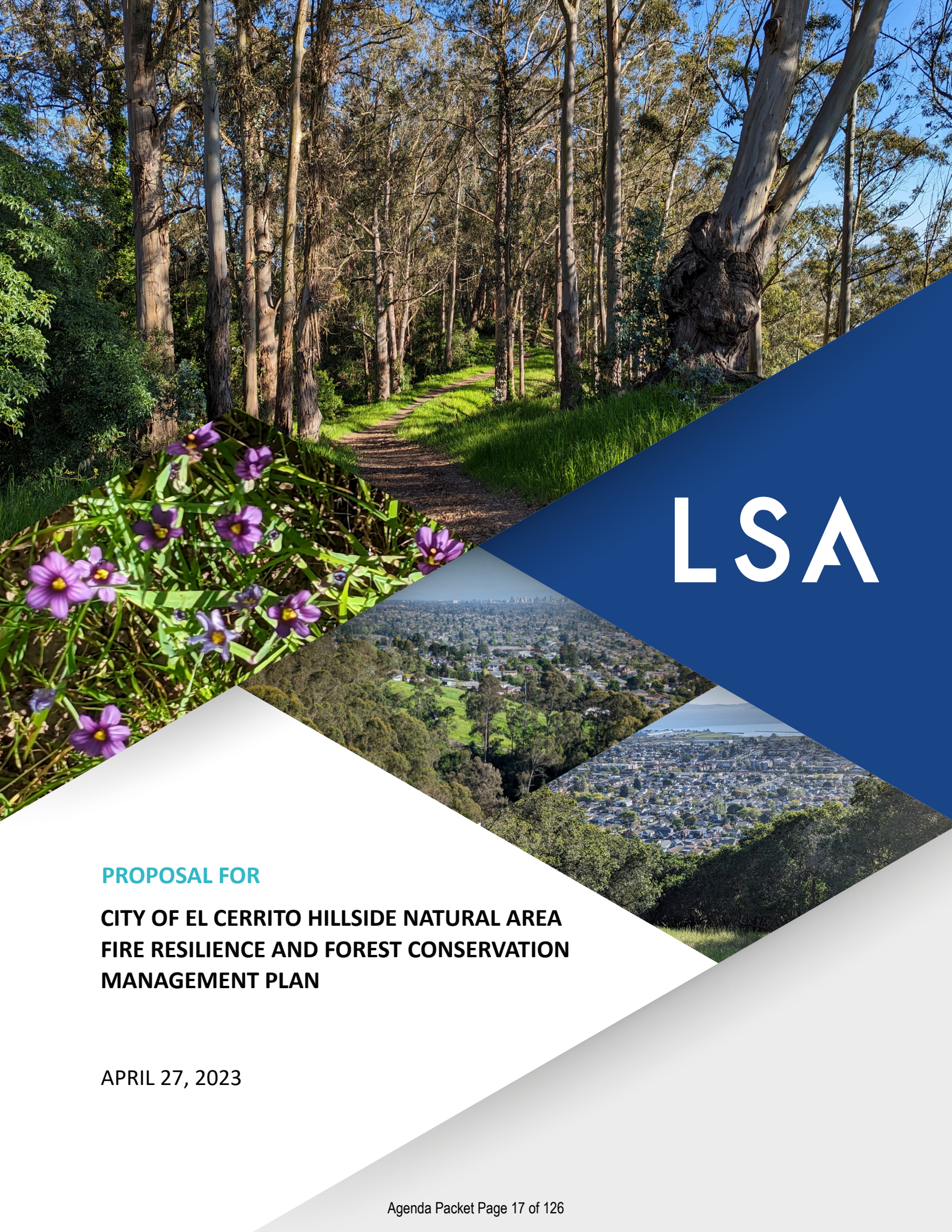
AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:

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



LSA

PROPOSAL FOR

CITY OF EL CERRITO HILLSIDE NATURAL AREA FIRE RESILIENCE AND FOREST CONSERVATION MANAGEMENT PLAN

APRIL 27, 2023

1. Cover Letter

April 27, 2023

Karineh Samkian
City of El Cerrito
Public Works Department
10890 San Pablo Avenue
El Cerrito, CA 94530

Subject: Proposal to Provide Hillside Natural Area Fire Resilience and Forest Conservation Management Plan

Dear Ms. Samkian,

LSA welcomes the opportunity to provide services to the City of El Cerrito (City) for the Hillside Natural Area Fire Resilience and Forest Conservation Management Plan. Our approach to this endeavor is based on a long history of working with the City and other East Bay communities in addressing natural resource management and community protection. LSA is known for practical solutions that provide realistic, achievable goals with minimal follow-up maintenance within existing organizational and fiscal structures.

To supplement the services offered by LSA's in-house staff, LSA has comprised a team consisting of Wildland Res Mgt, Solano Archaeological Services, and Cascadia Consulting to provide the required breadth of services to the City of El Cerrito. Our team of experts includes International Society of Arboriculture (ISA)-certified arborists, biologists, botanists, an archaeologist, an environmental planner, fire and forest ecologists, geographic information systems (GIS), and public outreach specialists. This experience will save the City time and money by maximizing the utility, quality, and applicability of project deliverables. LSA guarantees the final document will be extremely reader friendly and contain high quality graphics.

LSA has been working with Bay Area communities for more than four decades, with multiple projects in El Cerrito (including the 1987 Hillside Natural Area Vegetation Management Plan, a fuel reduction report for the Madera property in 2014, a California Department of Fish and Wildlife 1602 permit application for the Routine Maintenance Agreement [RMA], ongoing environmental awareness training for the City maintenance department and contractors, and nesting bird and wildlife surveys at the various RMA areas). Our previous work with City staff and the City's fire department to develop the best approaches to managing the wildfire risk at the Hillside Natural Area is the foundation of our proposal.

For this project, **Ross Dobberteen, Ph.D.** will serve as the Principal in Charge and has over 27 years of experience in assisting technical leaders in meeting objectives on projects throughout northern California. **Steve Kohlmann, Ph.D., CWB**, will serve as Project Manager/main point of contact and has over 30 years of experience in Biological Resources, specifically in Forestry and Special Status Species Surveys. Dr. Kohlmann will maintain regular email and phone communications with key City staff to

provide brief project updates, discuss scheduling, and respond to City requests or questions. The Project Manager typically responds to all emails, texts, and phone messages within 24 hours. LSA understands that the City has an ambitious schedule of targeted project milestones and project completion within 13 months, and we are committed to meeting or exceeding this schedule.

LSA understands that the State Coastal Conservancy requires public acknowledgement of the Conservancy's funding in all project-related press releases, contacts with the media, and social media postings/website. All public materials generated by the project will adhere to the Conservancy's Logo and Signage Guidelines.

LSA has received and reviewed all addenda issued for this Request for Proposal (RFP).

We submit these qualifications with a great deal of enthusiasm and believe that our experience and local knowledge can help the City of El Cerrito achieve its desired goals. Our local teams look forward to the opportunity to make their community/home an even more beautiful place to live and raise their families. If you have any questions regarding this proposal, please contact our designated Project Manager and primary point of contact, Dr. Steve Kohlmann.

Sincerely,

LSA Associates, Inc.



Anthony Petros
Chief Executive Officer



2. General Information

About the Firm

LSA, founded in 1976, is a full-service environmental planning and impact assessment firm. We are 100 percent employee-owned with a staff of approximately 180 full-time and part-time employees in nine offices throughout California.

The LSA Team brings comprehensive experience in environmental consulting along with technical expertise in biological resources field assessments, wildlife biology, wetland science and delineations, wildfire risk and hazards assessments, botany, soil science, arboriculture services and community engagement/outreach. Our environmentally sound solutions are designed specifically to be the most effective, sustainable and cost-effective to ensure that the City of El Cerrito (City) is achieving its goals and promises to the community. During our Environmental and Biological assessment, we evaluate the project in relation to the community as a whole, making sure to maintain or increase the value of cultural and social resources such as trails, infrastructure, and access points.

The LSA Team located in Point Richmond will lead the project and serve as the primary point of contact for the City. With staff located within the City and San Francisco Bay Area, our team is able to respond to requests from the City in a timely manner as well as provide a strong understanding of local laws, ordinances, regulations, policies, requirements, and permitting.

LSA

Legal Name and Address

LSA Associates, Inc.
Years in business: 46
157 Park Place,
Pt. Richmond, CA 94801
(510) 236-6810
www.LSA.net

LSA Primary Contact

Steve Kohlmann, Ph.D., CWB
Project Manager
Steve.Kohlmann@lsa.net
(510) 961-6777

LSA Secondary Contact

Ross Dobberteen, Ph.D.
Principal in Charge
Ross.Dobberteen@lsa.net
(510) 376-5766





For this project, the LSA Team will include Wildland Res Mgt, Solano Archaeological Services, and Cascadia Consulting. Each subconsultant brings a unique and highly specialized skill to the team including local fire expertise and professional forestry management. LSA considers its subconsultants an extension of ourselves. All materials produced by the LSA Team will be as thoughtful and complete as possible and in full compliance with the City's review processes and procedures.

Subconsultants

Solano Archaeological Services

Solano Archaeological Services LLC (SAS) provides cultural resources management expertise for government agencies, non-profit organizations, and private landowners throughout California and parts of the greater United States. Cost conscious and responsive, SAS has assembled a multidisciplinary team of specialists to address specific project needs. Positive relationships established over the years with a diverse array of clients and the Native American communities throughout the State allow us to efficiently conduct studies with professional integrity, sound archaeological methods, and great efficiency. Founded in 2005 by Managing Principal Jason A. Coleman, M.A., R.P.A., SAS is in its eighteenth year of operation and proudly continues to serve those needing assistance with a wide range of cultural resources issues.



LSA's Biologists have permits that authorize surveys for various special-status species:

- Birds
- Reptiles/Amphibians
- Invertebrates
- Mammals
- Plants

Our Biologists have developed professional relationships with Regulatory Agencies, some of which are listed below:

- CDFW
- USACE (Corps)
- San Francisco Bay Conservation and Development Commission
- RWQCB
- Caltrans
- FHWA
- United States FWS
- National Marine Fisheries Service
- California Coastal Commission

The services offered by SAS include California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA)/Section 106-level cultural resources studies, archaeological testing and significance evaluations, data recovery, large-acreage surveys, burial disinterment and analyses, laboratory analyses and collections management, and construction monitoring. SAS specializes in conducting large-scale surveys for fuels reduction, forest revitalization, vegetation treatment and management, wetland restoration efforts, and development projects. SAS is a State of California certified Small/Micro Business (#1756256).

Wildland Res Mgt

Wildland Res Mgt, a Nevada Corporation, is a consulting firm that emphasizes wildland fire management in the urban-wildland interface. Several projects entailed preparation of fire management plans for large landowners in areas of sensitive species and concerned communities. Other projects have involved the use of state-of-the-art fire behavior prediction systems or developed training programs.



Cascadia Consulting Group

Cascadia Consulting Group (Cascadia) is a 100% women-owned and -managed business (WA State WBE #W2F0024649) established in 1993 with over 80 full-time consultants working out of its headquarters in Seattle and a satellite office in Oakland. It includes renowned leaders in the environmental field, with nearly three decades of experience designing, managing, implementing, marketing, and evaluating engagement programs that drive meaningful improvements for local communities and the environment.



Cascadia has supported hundreds of climate and sustainability planning processes for public, private, and non-profit clients over two decades. Virtually all of Cascadia's climate planning efforts also include extensive community outreach and stakeholder engagement. Participatory planning for these projects takes many forms, including interviewing government staff and key stakeholders to identify opportunities and gaps, facilitating collaborative goal-setting and visioning exercises, and working closely with community leaders to raise awareness of climate threats and solicit input on strategies that advance climate justice principles. It has led climate-focused public engagement for dozens of local communities throughout California—including the cities of Albany, Cupertino, Dublin, El Cerrito, Foster City, Livermore, Pleasanton, and Santa Clara, as well as Alameda and San Mateo counties. Cascadia has reached thousands of Bay Area residents through public meetings and other engagement activities to raise awareness of the climate crisis and develop community-supported mitigation strategies and policies at the local and statewide levels.



3. Statement of Experience and Qualifications

LSA Personnel

The table below presents our complete team's role, expertise, qualifications, and summary of performing similar services. *All staff identified below have considerable experience working with public agencies.* Complete resumes are included in the Appendix.

Assigned Personnel and Expertise	Qualification Details
Ross Dobberteen, Ph.D. Role: Principal in Charge/Wetland Scientist Responsible for oversight of the Project Manager. Assists in difficult contracting or project management issues should they arise. Responsible for final decisions regarding staffing availability. Conducts quality control review of all California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) documents and quality assurance for all technical studies. Expertise: - Wetland Permitting and Mitigation Plans - Biological Impact Assessment - Water Quality Management - Endangered Species Assessment	Education <i>Ph.D., Environmental Science and Policy, Dissertation: Scientific Analysis and Policy Evaluation of Wetland Replication in Massachusetts, Tufts University, Medford, Massachusetts, 1989</i> <i>M.S., Biology, Tufts University, Medford, Massachusetts, 1986</i> <i>B.A., Biology, Honors Thesis, University of California, Santa Cruz, 1982</i> Summary of Performing Similar Services Dr. Dobberteen manages wetland and endangered species permitting projects. He has over 27 years of permitting experience in the Bay area and has developed excellent working relationships with key regulatory staff from the U.S. Army Corps of Engineers (USACE), U.S. Fish and Wildlife Service (USFWS), Regional Water Quality Control Board (RWQCB), California Department of Fish and Wildlife (CDFW), and the San Francisco Bay Conservation and Development Commission (BCDC). He has extensive experience in all aspects of wetland regulation including delineating jurisdictional wetlands and other waters; permit preparation at the local, State, and federal levels; and design and implementation of mitigation plans involving creation, restoration, and enhancement of wetland areas. His project experience also includes Section 7 Endangered Species Act (ESA) consultations, assessment and permitting for wetland-associated endangered species, and development and implementation of construction monitoring programs for protected species.
Steve Kohlmann, Ph.D., CWB Role: Project Manager/Associate Forester and Wildlife Biologist Responsible for oversight of all tasks for the duration of the contract. Responsible for coordination and implementation of all task orders and identifying/resolving technical issues as they arise. Responsible for quality assurance review of all technical work products. Provides contract administration and is the point of contact.	Education <i>Ph.D., Wildlife and Fisheries Sciences, Texas A&M University, College Station, 1995</i> <i>M.S., Forest Sciences, Munich University (Germany), 1988</i> Summary of Performing Similar Services Dr. Kohlmann is a broadly trained forester and wildlife biologist with more than 30 years of experience. He has a varied and extensive background in conservation planning; non-industrial and urban forest management;



Assigned Personnel and Expertise	Qualification Details
Expertise: - Urban Forestry Management - Land Conservation - Climate Justice and Green Infrastructure - Urban Ecosystems and Ecosystem Services - Mitigation and Restoration Planning - Quantitative Ecology and Modeling	carbon sequestration in rangeland, riparian, and urban areas; project management; urban forest assessments; and applied ecosystems management.
Dan Sidle Role: Assistant Project Manager/Associate Biologist Expertise: - Biological Resources Habitat and Species Assessments - Wetland Permitting and Revegetation and Mitigation Plans - Biological Resources and Special-Status Species Surveys	Education <i>M.S., Graduate Program in Public Policy and Management (Natural Resources Concentration), University of Oregon, Eugene, 1999</i> <i>B.A., Environmental Studies/Economics, University of California, Santa Cruz, 1993</i> Summary of Performing Similar Services Mr. Sidle is highly experienced at preparing revegetation and mitigation plans, managing and monitoring restoration/mitigation projects, preparing biological resources sections of environmental documents (i.e., Environmental Impact Reports and Initial Studies/Mitigated Negative Declarations), preparing regulatory permit applications, conducting biological habitat assessments, conducting nesting bird surveys, and conducting special-status wildlife surveys (including monarch butterfly roosts), and construction monitoring. Mr. Sidle has prepared restoration/mitigation plans and biological resource habitat assessments for several projects in the Bay and greater San Francisco Bay Area.
Anna Van Zuuk Role: Certified Arborist/Botanist Expertise: - Arboriculture - Botany - Wetland Delineation - GIS Graphics Design - Restoration - Regulatory Permitting <i>Certified Arborist: No. WE-12612A, International Society of Arboriculture</i>	Education <i>B.S., Environmental Horticulture and Urban Forestry—with Distinction, University of California, Davis, 2011</i> Summary of Performing Similar Services Ms. Van Zuuk is a biologist, botanist, and Certified Arborist with more than 9 years of experience. Ms. Van Zuuk conducts tree inventories, urban forest assessments, biological studies including plant and wildlife surveys, and jurisdictional wetland delineations. She has worked on projects in the Bay Area and throughout Northern California.
Hannah de la Calle Role: Botanist Expertise: Vegetation Surveys and Monitoring	Education <i>B.S., Evolution, Ecology, and Biodiversity, University of California, Davis, 2021</i> Summary of Performing Similar Services Mx. de la Calle is an ecologist with 4 years of experience working on a variety of ecological projects (e.g., tree and



Assigned Personnel and Expertise	Qualification Details
- Mapping Extent of Plant Species and Sensitive Communities using GPS - Rare Plant Surveys - Tree Ring Dating - Controlled Burning - Residual Dry Matter (RDM) surveys	vegetation surveys, rare plant surveys, and seed collection). In addition, they have spent over 2 years working with the North Fork Mono Tribe as a tribal consultant on cultural burns. This work includes leading burns, identifying cultural resources and gathering sites, and communicating with a diverse group of tribal members, agency employees, academics, and community members.
Shanna K. Guiler, AICP Role: Associate Environmental Planner Expertise: - Parks, Recreation and Open Space Planning - Site Assessment and Use Feasibility - Environmental Planning and Analysis - Community Assessment/Public Involvement	Education <i>M.U.E.P., Urban and Environmental Planning, University of Virginia, Charlottesville, 2002</i> <i>B.A., Physics, University of California, Los Angeles, 1993</i> Summary of Performing Similar Services Ms. Guiler is skilled at evaluating complex projects and preparing user-friendly planning documents that incorporate reliable technical data and sound environmental analysis. Her experience includes impact analysis, environmental documentation for project compliance under both the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA), and permit processing for federal, State, and local public agencies as well as private developers.
Cara Cunningham Role: Associate Environmental Planner Expertise: - CEQA Document Preparation - Environmental Analysis - Air Quality Analysis - Greenhouse Gas Emissions Analysis	Education <i>B.S., City & Regional Planning, minor in Real Property Development, California Polytechnic State University, San Luis Obispo, June 2015</i> Summary of Performing Similar Services Ms. Cunningham provides technical assistance on a variety of planning and environmental documents including Environmental Assessments, Initial Studies, and Environmental Impact Reports. At LSA, Ms. Cunningham has been involved in residential and commercial development projects, road improvement projects, and program-level plans. Ms. Cunningham has a strong foundation in land use planning and is well versed in addressing impacts to air quality, greenhouse gas emissions, and noise.
Solano Archaeological Services	
Jason Coleman, M.A., RPA Role: Co-Principal Investigator Expertise: - Surveyed over 100,000 acres throughout California - Field directed numerous large scale testing and date recovery projects - Active archaeologist for over 27 years	Education <i>M.A., Anthropology, California State University, Hayward</i> <i>B.A., Anthropology, University of California, Berkeley, with Honors</i> Summary of Performing Similar Services Mr. Coleman will be co-principal investigator for the cultural assessments for the Hillside Natural Area Fire Resilience and Forest Conservation Management Plan.



Assigned Personnel and Expertise	Qualification Details
Brian Ludwig, Ph.D., RPA Role: Principal Investigator Expertise: - Over 35 years in cultural resources management - Proficient in CEQA, NEPA and Section 106 Compliance	Education <i>Ph.D., Anthropology, Rutgers University.</i> <i>M.A., Anthropology, Rutgers University.</i> <i>B.A., Anthropology, Montclair State University</i> Summary of Performing Similar Services Dr. Ludwig will be the main principal archaeologist for the Hillside Natural Area Fire Resilience and Forest Conservation Management Plan
Wildland Res Mgt	
Carol Rice Role: Senior Wildland Fire Manager Expertise: - Local Fire Expert - Fire Ecology	Education <i>M.S., Wildland Resource Sciences Program</i> <i>B.S., Forestry</i> Summary of Performing Similar Services Ms. Rice has over 35 years of experience providing wildland fire management services to northern California communities. Ms. Rice and Wildland Res Mgt have developed a notable "track record" in producing wildfire assessments, risk minimization, and forest management approaches.
Cascadia Consulting	
Gretchen Muller Role: Outreach Director Expertise: - Project Management - Communication Skills - Ability to work well with elected officials, scientists, policy makers, and the public	Education <i>M.S., Social Science</i> <i>B.S., Environmental Science, B.A., Anthropology</i> Summary of Performing Similar Services Ms. Muller brings expertise in multi-stakeholder facilitation, strategic planning, communications planning, inclusive outreach and engagement, and social marketing. She is a conservation planner with over 18 years of experience providing leadership for complex and high-profile planning and projects that span the science/policy interface. Clients rely on Ms. Muller to quickly discern the big picture, ask questions, and develop strategies to build awareness and support for their projects across diverse audiences.
Maddie Seibert Role: Outreach Associate Expertise: - Staff Engagement - Climate and Sustainability Action Planning Projects	Education <i>M.M.S., Global Affairs & Public Policy</i> <i>B.S., Environmental Science</i> <i>B.A., International Affairs</i> Summary of Performing Similar Services Ms. Seibert manages planning and facilitation projects across Cascadia's portfolio. Her recent work includes leading staff engagement for the Puget Sound Clean Air Agency throughout their Strategic Plan update, managing an effort to update San Juan County's (WA) Recreation, Open Space, and Stewardship Plan, and guiding development of the City of Renton's (WA) Electric Vehicle Charging Plan. She has held a central role



Assigned Personnel and Expertise	Qualification Details
	on many climate and sustainability action planning projects—including for Livermore (CA), San Francisco (CA) and San Mateo County (CA) – and guided outreach and behavior change projects around waste reduction and recycling for cities in the Bay Area.
Alicia Fennell Role: Outreach Associate Expertise: - Community Engagement and Facilitation - Quantitative Analysis - Leading and Facilitating Environmental Education Programs	Education <i>M.E.S.M., Bren School of Environmental Science & Management</i> <i>B.A., Environmental Studies</i> Summary of Performing Similar Services Ms. Fennell leads and supports Cascadia’s climate and sustainability projects through community engagement and facilitation, quantitative analysis, and report writing. She works with jurisdictions to support various aspects of the climate action planning process, from facilitating community and stakeholder workshops to conducting greenhouse gas inventory analyses.



Relevant Recent Experience

The following projects provide a sample of the LSA Team's experience with forest management and habitat restoration services throughout northern California. All projects included developing and implementing community engagement campaigns for high touch communities.

City of Stockton, Strategic Plan for the Reuse of Van Buskirk Golf Course (2020–2023)

The City of Stockton intends to designate the former Van Buskirk Golf Course as an urban forest park to enhance public space and create a regional facility that will offer opportunities that engage residents and attract visitors.

Van Buskirk Park is a 192.71-acre former golf course in Stockton along the north bank of Walker Slough, French Camp Slough, and the San Joaquin River. As a subcontractor to DesignWorkshop, LSA developed an urban forest conditions and management report and three future scenarios to address the future management of this flood and fire-prone area.



LSA conducted a complete urban forest inventory for the park. Using the i-Tree Eco software, we provided estimates of the urban forest structure, such as species composition, number of trees, tree density, tree health condition, leaf area and total biomass of trees, total carbon stored and net carbon annually sequestered by the urban forest, the hourly amount of pollution removed by the urban forest, associated percentage of air quality improvement throughout a year, public health benefits, and the economic value that is associated with the incidence of adverse health effects. Other parameters evaluated include oxygen production, avoided runoff, and bio-emissions (e.g., volatile organic compounds, ozone, and carbon monoxide). We also simulated various tree planting scenarios and examined the net gain (after 30 years) in terms of climate adaptation, fire risk, and public health.

Following the completion of the draft Master Plan document, the City of Stockton is currently conducting public meetings and workshops to solicit input from the community. Design completion is anticipated by the end of the year.

Callan Realty Company, Meadowood Estates Interim and Long-Term Special-Status Species Mitigation and Monitoring Plan (2019–2021)

Meadowood Estates is a 20.8-acre parcel located in Hillsborough, in San Mateo County, California, that was approved for development of an eight-lot subdivision and associated infrastructure. LSA was retained by Callan Realty Company to conduct special-status species plant and animal surveys as required in the project's EIR and to determine microhabitat characteristics for the six rare plants



identified on site for development of required avoidance and preparation of relocation/planting plans for impacted species. Special-status plants identified included Franciscan onion, bent-flowered fiddleneck, San Francisco collinsia, California bottle-brush grass, San Mateo woolly sunflower, and Crystal Springs lessingia.

Additionally, under Hillsborough Ordinance 755, parcels less than 5 acres are required to implement wildfire fuel modification. Actions to reduce fuel volume, flammability, establish/maintain fuel discontinuity, and reduce the possibility of fire traveling through tree crowns were developed as part of the project EIR.



LSA was also tasked with preparation of a long-term management plan on a lot-by-lot basis that integrated mitigation and management actions for the six special-status plants and protection guidelines for San Francisco dusky-footed woodrat nests with the Fuels Management Plan prepared by Wildland Res Mgt.

Solano County Water Agency, Putah Creek Riparian Forest and Salmon Habitat Restoration(2022–2024)

The Solano County Water Agency (SCWA) requested LSA's assistance in developing a complete tree inventory and restoration plan for a 29-acre site along Putah Creek, near the city of Davis.

LSA inventoried over 900 trees at the project site. Each tree was individually marked and georeferenced to determine how floodplain recontouring and channel redesign can maximize the retention of native trees. We also conducted a complete biological resource assessment to determine potential effects of the project on the riparian forest ecosystem and special-status species.



LSA planning staff assisted SCWA in developing planning goals and actions, describing existing conditions, identifying implementation of avoidance and minimization measures, and designing the restoration monitoring and adaptive management strategies. LSA prepared the environmental documentation (Initial Study/Mitigated Negative Declaration) for the project in compliance with CEQA, and prepared various permit applications.

Subconsultants

Solano Archaeological Services

Big Eddy Wildland-Urban Interface (WUI) Fuels Reduction Project (2023), Community of Fall River Mills, Shasta County, California



The Fall River Resource Conservation District (FRRCD) proposed the Big Eddy WUI Fuels Reduction Project on private lands in Shasta County. The project area lies just south of the community of Fall River Mills, adjacent to the Pit River, and straddles both sides of Cassel Fall River Road. The project area was situated on 50 privately owned parcels of varying acreage. The proposed project planned to implement fuel reduction activities to improve the protection of homes, communities, critical infrastructure, and public and private lands from wildfire while protecting environmental and cultural resources. The project will reduce fuel loads in an oak woodland area consisting of white oak, Western juniper, and various pines located adjacent to and near Cassel Fall River Road, south of the town of Fall River Mills. Operating under a California Department of Forestry and Fire Protection (CAL FIRE) grant, SAS was tasked with completing a CEQA-level cultural resources inventory, including a full records search at the Northeast Information Center, Native American outreach, a pedestrian survey, and documentation. During the survey, SAS field crew discovered six newly identified sites (lithic scatters, prehistoric habitation sites, and historic debris scatters) as well as eight isolated finds (mostly flakes and cans). SAS also relocated a previously recorded site P-47-003646, a large prehistoric habitation site with midden and milling stations. SAS made the California Register of Historic Resources (CRHR) eligibility recommendations and site-specific mitigation measures for all of the identified resources and provided the FRRCD with a report documenting the finds.

Wildland Res Mgt

Fire Mitigation Program Support, University of California, Berkeley

Wildland Res Mgt provides professional expertise supporting the Hill Campus and Remote Reserves owned by UC Berkeley. Ms. Rice wrote the grant application that garnered the campus \$3.6 million to fund treatments for hazard reduction and evacuation support. She wrote prescriptions for defensible space contracts, provided analyses on Federal Emergency Management Agency (FEMA) grant implementation, and developed bid specifications for contractors to implement the plan and analyze environmental impacts. Consultation is ongoing, including the preparation of a new five-year wildland fire management plan for the 800-acre Hill Campus, and supporting the development of a programmatic EIR based on that plan.

Cascadia Consulting

Climate Action Plan Engagement, City and County of San Francisco

Cascadia planned and executed an inclusive outreach and community engagement process to raise awareness of climate action and inform the development of the City and County of San Francisco's Climate Action Plan. These outreach and engagement efforts were crucial to building awareness and understanding of the climate crisis for residents; establishing feedback loops between the City and its residents; growing trust and support for the City to accelerate action to reduce emissions; and building capacity among residents, City staff, and community groups to foster meaningful, collaborative action on climate policy. Cascadia prioritized communities that are most vulnerable to environmental impacts and those that have historically been hardest to reach. The Cascadia team collaborated with City staff to deliver a comprehensive engagement strategy via the recruitment of trusted community partners and a public engagement toolkit that will reach the target audiences through multiple channels, including online workshops, focus groups, and social media.



To address challenges of dissenting opinions among the public, our team met participants where they were at by encouraging them to voice their input and ensuring that public forums were equitable and inclusive spaces where all participants felt comfortable contributing, regardless of age, gender, ethnicity, wealth, preferred language, or other characteristics.

LSA Team's List of Fire Resilience and Forest Conservation Management Plans

- 1987 Hillside Natural Area Vegetation Management Plan
- Napa County Community Wildfire Protection Plan
- Risk Assessments, FireWise Community Applications, Community Wildfire Protection Plans; Napa FireWise Communities Foundation
- Wildland Fire Management Plan and Update to the Fire Hazard Reduction Plan, Lawrence Berkeley National Laboratory
- Santa Clara County Community Wildfire Protection Plan
- Community Wildfire Protection Plan and Mitigated Negative Declaration, Sacramento Metro Fire
- Wildfire Hazard Reduction and Resource Management Plan and Programmatic EIR/EIS, East Bay Regional Park District
- Fire Behavior Modeling of Wildland Interface Fuels, Moraga Orinda Fire Department
- Fire Behavior Modeling, Gaming, City of Oakland
- Fuel Break Management Plan; East Bay Regional Park District

LSA Team's Ability and Approach

The proposed methodology for the preparation of the El Cerrito Hillside Natural Area Fire Resilience and Forest Conservation Management Plan ("Plan") will consist of five interconnected components:





Our approach to this project is characterized by a nimble team working in synergy to produce a streamlined and effective workflow. Our approach to developing the Plan for the City of El Cerrito is a strategic planning process that results in a comprehensive, multi-tiered Plan with a clearly defined vision and goals, stakeholder input, and built-in mechanisms for adaptive management. The primary objective is to optimize the multiple benefits of the City's Hillside Natural Area over the long term, adopting an ecosystem management approach. While we pride ourselves on our technical document preparation skills, we believe that the most important aspect of our overall services is our project management skills. Our track record of quality products and meeting demanding schedules, and our reputation with past and current clients provide the best guarantee of success in meeting the City's needs. The following are the LSA methods and procedures for managing schedules, budgets, and quality control:

- **Communication:** Good project management extends beyond the use of sophisticated tools. It has been LSA's experience that the single most critical element for the successful completion of the project is the early development of clear channels for communication between LSA's Project Manager and the client. We typically produce monthly status reports, including narrative descriptions of all major activities performed during the month. However, contact with the client typically occurs much more frequently. Ongoing and frequent communication between the Project Manager and City staff will serve as the primary vehicle for identifying emerging project issues and solutions early on so as to minimize schedule impacts.
- **Understanding the Issues/Project Schedule:** Our staff has the ability to identify key issues and solutions early in the environmental process, which assists in foreseeing problems and avoiding potential cost overruns or schedule delays. These skills are used to advise LSA's clients of impending issues and to assist in resolving those issues. Additionally, LSA's significant technical and regulatory experience results in a "big picture" understanding of project delivery. We can easily identify strategies to respond to project delays and provide options for getting projects back on track while maintaining the legal defensibility of the documents being prepared.
- **Inclusive and Informative Community Engagement:** Community engagement is a central component of the planning process. We have seen that inclusive engagement leads to more community buy-in for planning outcomes and more effective and equitable implementation, and that strategic and robust community engagement ensures the long-term success of climate adaptation strategies. To ensure an inclusive community engagement process, Cascadia and LSA will work with City staff and key community stakeholders to conduct stakeholder and community engagement that weaves input throughout the planning process. Effective community engagement requires meeting communities where they are and working *with*, not *for*, communities to design an engagement process that provides innovative, accessible, authentic, and transparent options to participate in planning processes.
- **Quality Management:** LSA manages quality throughout the life of the project, not merely at the end of the project. LSA's overall goal is to improve quality on each subsequent project. This requires implementation of strategies to improve quality at the very beginning of each project and carrying those strategies throughout the project and beyond. To ensure that the Plan meets the best technical and professional quality sought by the highest industry standards, LSA has developed an internal document review program for each document that leaves the office. Once a document is



prepared, it is reviewed and corrected by a professional editor and then receives Principal review prior to its submittal to the client.

- **Budget Control:** Project billing is tracked by internal accounting software that enables LSA Project Managers to track project budget status on a weekly basis to assist in maintaining tight control over project budgets.
- **Commitment of Senior Personnel:** When necessary, LSA uses upper-level, experienced personnel not just as supervisors, but as the primary investigators and authors of technical reports, EIRs, and planning documents. This use of upper-level staff eliminates the need for multiple internal reviews.
- **Commitment to Scheduling Needs:** LSA's commitment to meeting scheduling needs and project demands extends to doing whatever it takes to complete the job. Throughout the project duration, we will review and track project progress, keeping the City apprised of any foreseeable issues or schedule challenges. LSA uses Deltek software for internal tracking of deliverables by project phase; this software will alert us early when the project schedule is in danger of veering "off-track." We typically allow 3 weeks for review of any deliverables (up to 20 substantial, non-replicated comments) by the City and generally will have a revised document back to the City within 1 week. If the City requires detailed comment disposition reports/tables, we may increase the turnaround for revisions to 10 days, depending on the size of the document and the number of comments received.
- **Cost reduction:** LSA understands that the budget for this project is restricted to the amount awarded by the Coastal Conservancy Grant. In addition, the project has an ambitious schedule to produce a final Plan by August 2024. To ensure that the project stays within this budget and project schedule, we will design a **Plan that avoids significant impacts to all wetlands**, streams, or jurisdictional waters that would trigger time-consuming permit applications from the USACE, the RWQCB, and/or the CDFW ("Lake and Streambed Alteration Agreement"). Under current conditions, the permitting process for any impacts to wetlands, streams, or other sensitive aquatic resources would greatly exceed the given timeline. To ensure that no sensitive aquatic areas are affected (and no permits are needed), we will buffer each drainage, stream, or potential wetland with a 30-foot buffer excluding all activities that could have an effect on aquatic resources ("no work zone"). This buffering also makes the time-consuming jurisdictional wetland delineation unnecessary, thereby saving significant costs. LSA anticipates the preparation of the El Cerrito Hillside Natural Area Fire Resilience and Forest Conservation Management Plan to take approximately 13 months to complete once the Notice to Proceed is issued. We have prepared a preliminary project schedule below to outline our vision for the project's progress and schedule of deliverables. We will finalize this project schedule after feedback from the City during the project kickoff meeting.



4. Cost Proposal

20230647.P		Total LSA Hours	Total LSA Fees
City of El Cerrito			
Hillside Natural Area Plan			
4/26/2023			
Phase 01	Project Site Assessment and Draft Plan Preparation		
1.1	Project Initiation	8.00	\$1,393.60
1.2	Analysis	64.00	\$9,620.00
1.3	Community Engagement (not including Cascadia)	2.00	\$343.20
1.4	Develop Draft Plan	90.00	\$15,756.00
Phase 01 Project Site Assessment and Draft Plan Preparation Subtotal		164.00	\$27,112.80
Phase 02	CEQA Document Preparation		
2.1	Draft Initial Study	164.00	\$28,527.20
2.2	Staff Review	21.00	\$2,844.40
Phase 02 CEQA Document Preparation Subtotal		185.00	\$31,371.60
Phase 03	Stakeholder Outreach and Review		
3.1	Community Engagement (not including Cascadia)	2.00	\$343.20
3.2	Finalize Plan and CEQA Documents	35.00	\$5,688.80
Phase 03 Stakeholder Outreach and Review Subtotal		37.00	\$6,032.00
Phase 04	Adoption by City Council		
4.1	Adoption by City Council	20.00	\$3,972.80
Phase 04 Adoption by City Council Subtotal		20.00	\$3,972.80
Subtotal Labor		406.00	\$68,489.20
Sub Consultants			
(1)	Solano Archaeologists (CEQA support)		\$10,755.23
(2)	Wildland Res Mgt (Wildfire/Forest Mgmt.)		\$28,710.00
(3)	Cascadia Consulting (Community Engagement)		\$36,256.00
Subtotal Sub Consultants			\$75,721.23
Mileage			\$439.51
GPS Units			\$165.00
Subtotal Reimbursable Expenses			\$700.00
Total			\$144,910.42



5. Approach, Scope, and Timeline

Task 1 – Project Site Assessment and Draft Plan Preparation

Task 1.1 - Project Initiation

LSA will coordinate with City staff to schedule a kickoff meeting within 2 weeks of receiving the Notice to Proceed (NTP). During the kickoff meeting, we will discuss and memorialize the following:

- Final Work Plan for the project;
- File and data access / sharing;
- Timeline, trigger dates, and deliverables;
- Progress tracking;
- Communication chain, meetings, and video-conferencing; and
- Risk and issue management, prioritization.

During the project kickoff, we will also discuss a detailed plan for engaging the City Council and Commission stakeholders as needed to gather feedback on measures relevant to their group and ensure that the Plan aligns with other City activities, priorities, and initiatives. Our team can present at these meetings, and also has experience developing meeting agendas and slide decks for City staff use. Our proposed budget includes preparation for and participation in up to two City stakeholder meetings with representatives from various commissions and committees at key points in the planning process (draft Plan and CEQA review/see Task 3.1). LSA will produce an agenda before the kickoff meeting and a summary within 10 days following the kickoff meeting.

Task 1.2 - Analysis

The Analysis Task of the project will include three distinct phases:

- **Document review.** In coordination with City staff, LSA will review existing documents, current management approaches, contracts, staffing, and other organizational constraints. This review will also include the development of a stakeholder list and categorical goals for the Plan Area in short-, mid-, and long-range timeframes.

Existing Conditions. Before visiting the site, the LSA Team will review local sources of vegetation description (by vegetation alliances or general types), wildlife communities, and special-status species observations (California Natural Diversity Database [CNDDB] records).

Fuels and Fire History. We will also identify and develop a map of the vegetative fuel types in the Hillside Natural Area and its immediate environs (expanding as much as 500 feet into adjacent neighborhoods). We will acquire remotely-sensed data that portrays on a 10-meter resolution the vegetation type, surface fuel model, canopy density, canopy height, ladder fuel index and height of the tree canopy base. We will seek information regarding the ignition history and wildfire history in the park, and in the region, as it affects the Hillside Natural Area. The causes of ignitions will be investigated, linking the uses of the park to potential ignition risks. We will also research and portray the weather conditions most likely to be conducive to wildfire ignition and risk. Local remote automated weather stations form a network of reliable weather observations. Nationally-accepted weather analysis software such as FireFamily++ will be used.

Archaeological and Historical Records Search and Literature Review. A standard pre-field comprehensive records search will be conducted through the Northwest Information Center (NWIC) at Sonoma State University. The NWIC will review the California Historical Resources Information System (CHRIS) for any listings within a half-mile radius of the project area, identifying any documented archaeological sites and studies to provide an assessment of the



project area's archaeological sensitivity. The NWIC search will also include, but not necessarily be restricted to, a review of the following State of California Department of Parks and Recreation and Office of Historic Preservation inventories:

- California Inventory of Historic Resources
- National Register of Historic Places
- California Register of Historic Places
- California Historical Landmarks
- California Points of Historical Interest

In addition to the NWIC records search, the LSA Team will research land-use patterns associated with the project area to establish a chain of ownership of the involved property to aid in the evaluation of discovered resources. This research will include a review of General Land Office plat maps, historic aerials, and historic U.S. Geological Survey (USGS) topographic quadrangles. All NWIC and LSA Team research findings will be thoroughly analyzed before fieldwork commences.

- **Data collection.** The LSA Team will conduct the necessary field assessments, surveys, and studies, including:

Biological Field Survey. California Environmental Quality Act (CEQA) compliance requires the identification of special-status species and their habitats, wetlands and other regulated waters, and other potential biological resource constraints to property development. A qualified biologist familiar with the site's natural history will conduct a pedestrian survey, searching for evidence of special-status species presence, sensitive natural communities, rare plants, and the existence of other sensitive areas, such as wetlands. The survey will also address the potential for the project area to support special-status species and sensitive habitats.

Forest Conditions Survey: A site visit will assess the accuracy of remotely sensed data and/or maps of previous plans. If needed, updates to the maps will be made. The LSA Team will visit the site to capture topographic features and terrain, especially in regard to the location of the forest in the Plan Area relative to aspect (slope), exposure, and positioning (ridgetop, mid-slope, draw, basin), as well as any particular canyons that may funnel heat. The location and condition of existing trails will be inventoried during that survey.

Native American Community Outreach. California Public Resources Code (PRC) Sections 21080.1, 21080.3.1, and 21080.3.2 require public agencies to consult with appropriate California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of mitigating impacts to cultural resources. To meet PRC requirements, the LSA Team will contact the NAHC and request a review of the NAHC Sacred Lands File database for documented cultural properties in or near the project area. The NAHC will also be asked to provide a list of Native American contacts who will be notified in writing of the project and solicited for any available information on potential unrecorded cultural resources or properties in the project area. Although the LSA Team can provide client and agency assistance, per Assembly Bill 52, only the lead agency can conduct formal consultation with requesting tribal governments. Other than initiating outreach and assisting with formal consultation, the LSA Team cannot play any direct government-to-government roles in the process and also does not anticipate a presence at any in-person meetings. The results of this outreach to the Native American community will be summarized in the Cultural Resources Inventory and Evaluation Report.

Pedestrian Archaeological Survey. An analysis of topographic quadrangles has shown that almost the entire project area lies on excessive (35 degrees and over) slope. These types of slopes are a safety hazard when conducting survey transects, and they are also considered



landforms of low archaeological sensitivity. As such, the LSA Team proposes to conduct a pedestrian survey in any areas that can be accessed safely, including existing trails and areas of slope less than 35 degrees. As regular survey transecting will not be possible in such terrain, the ground surface will be surveyed strategically as the terrain allows. The LSA Team will take representative digital photographs of the project area, and thoroughly video and photograph any discovered resources. A sub-meter accurate GPS unit (Trimble Geo7X) will be utilized to verify the project area perimeter and document resource boundaries as appropriate (polygons for area sites, lines for linear sites, and points for isolated finds). State of California Department of Parks and Recreation (DPR) Series 523 forms will be utilized to document any findings.

- **Reports.** During the analysis phase, the LSA Team will assemble, analyze, and examine various relevant ecological and societal elements of the Plan Area. In particular, this will result in the following reports:

Biological Resources Assessment. The purpose of the Biological Resources Report is to provide a CEQA-compliant identification of special-status species and their habitats, wetlands and other regulated waters, and other potential biological resource constraints to the Plan development. The report will include a description of the project, an explanation of the methods used to conduct the analysis, the results of field surveys including documentation of plant and wildlife species observed, and a list of special-status species (plants and animals) that could potentially occur at the site (and the likelihood of occurrence). The report also provides recommended mitigation measures to address the requirements of CEQA.

Cultural Resources Inventory and Evaluation Report. The LSA Team will prepare a full CEQA report that documents the Project Description, regulatory context, cultural setting, Native American consultation/outreach program, the results of NWIC and LSA Team research, and the findings of the field survey. Each documented cultural resource will be evaluated for the California Register of Historic Resources (CRHR) listing eligibility. The report will also provide project-specific recommendations based on resource CRHR evaluations in conjunction with Native American concerns, and potential effects of project implementation. In addition, the report also include protocols for the inadvertent discovery of cultural resources and appropriate mitigation measures for the avoidance of potentially significant (per CRHR criteria) occurrences. A copy of the final report will be submitted to the NWIC per the LSA Team's CHRIS user agreement.

Fuels and Fire Hazard Assessment. Using the information on weather, topography, and fuel characteristics, wildfire behavior will be modeled on a spatial basis to assess the locations of long flame lengths, where tree crown scorch is likely, and where the resulting embers would land. This information is a foundational consideration for the recommendations on vegetation treatments (both initial treatments and on-going maintenance), need for access, or other improvements to the park. However, the fire modeling is not the only basis for recommendations. The expert opinion of the team and the experience of local fire department personnel will be called upon to form the resulting conclusions regarding wildfire threat and risk, strategies, and opportunities. We will prepare vegetation management prescriptions consistent with the overall goal of reducing wildfire risk and incorporating best management practices and procedures.

Trails Report. This report will describe the current conditions of the existing trails, surface and access restrictions, maintenance needs and potential expansion of trails to connect with nearby community assets, schools, recreational features, and other trails. The trails report will not contain detailed design features of trail construction or recreational improvements (e.g.,



informational kiosks, playgrounds, benches, bathrooms), but it will suggest suitable locations for these amenities.

Task 1.3 - Community Engagement

Internal Engagement with City Stakeholders

Our LSA Team has extensive experience presenting to City Councils and facilitating Commission and Committee meetings as part of the planning process. Working with City staff, we envision **engaging Council, Commissions, and working groups through key meetings at strategic points in the planning process**; those points and timelines will be solidified in collaboration with the City during the kickoff meeting, but typically include early engagement to generate ideas and gather information and later engagement to refine strategies and build buy-in.

City Staff Engagement

If not already established, we recommend creating an **internal working group of key City staff** to provide feedback on current operational procedures influencing the City's current infrastructure and vulnerability, potential areas for improvement, and new opportunities to shape, support, and implement policies with their roles. The group could include representatives from key City departments, the City Administrator's Office, and others, as appropriate. We have budgeted up to four hours to support preparation or coordination of internal City staff engagement activities, if necessary.

External Engagement with El Cerrito Community

Our existing El Cerrito outreach plan, developed for the Climate Action and Adaptation Plan (CAAP) process, will outline methods for engaging external stakeholders and the public. Our approach focuses on **meeting people where they are and working with, not for, communities**, by providing a range of accessible, meaningful, and transparent options to participate. While the final combination of engagement activities will be refined in the scoping and kickoff process, we suggest the following:

- **Broad public meetings** with members of the community to educate the public on the planning process and gather feedback on priorities, concerns, action ideas, and implementation considerations at key steps in the planning process. Our proposed budget includes planning and facilitation of up to two public meetings at key points in the planning process (draft Plan and CEQA review process/see Task 3.1) including the development of any needed collateral and meeting materials such as event flyers and PowerPoint presentations. Our proposed budget assumes that at least one public meeting is held virtually.
- **A project page on the City's website** that outlines the adaptation planning process and provides key updates and opportunities for public involvement. Our budget includes up to ten hours to draft and maintain web content.
- An **online sharing platform** such as Konveio, Consider.it, or Social Pinpoint for facilitating public input on the draft plan.

If desired and if additional budget is available, we also recommend considering the following community engagement approaches, which have been effective in past environmental planning processes:

- **A community-wide survey** to gather broad input from as many El Cerrito residents as possible, including those interested in the planning process who are unable to attend in-person events. The survey would be short and direct, focused on encouraging general community input on goals, strategies, actions, and other priorities.
- **Focus groups or interviews** with specific stakeholders, such as underrepresented and vulnerable communities or key implementation partners. Direct engagement through focus groups or one-



on-one interviews allows for more in-depth, personal, conversations with key stakeholders—beyond what is possible through large meetings or broad surveys. We would work with the City to determine which groups they want to reach, and how many focus groups would be needed to gather the feedback we are looking for.

We could work with the City to identify ways to advertise engagement events, such as posts on its social media accounts and sharing with local media outlets. We will report on metrics across all outreach activities and will synthesize the comments received into clear summaries and recommendations for incorporation into the Fire Resilience and Forest Conservation Management Plan, including a brief final engagement summary report.

Task 1.4 – Develop Draft Plan

Plan development is an ongoing process once the initial data review and collection have been completed. The Plan will:

- Identify and protect critical resource areas (such as sensitive habitats, wetlands, trails, existing and potential recreational infrastructure) and will entail forest management prescriptions to protect neighboring communities from tree hazards and wildfire;
- Guide the City's fire fuel reduction, native forest restoration, and maintenance activities by identifying Best Management Practices, areas for staging, mechanical treatment, chipping and mulching, native plant establishment, and potential area closures; and
- Recommend access improvements, including trail connections and enhancements to the trail network, to link natural features, schools, and community assets.

LSA will develop a Plan that is science-based in its approach and community-driven in its outlook. LSA will design the Plan to clearly identify key analysis results, strategic considerations, and community benefits, which are all easy to disseminate to a large audience. The final Plan will be provided in a downloadable format to ensure the document is easy to access and understand. LSA will also provide a web-based interactive map that visually represents the Plan Area and the various constraints and actions. We anticipate the following main elements of the Plan:

Visions, Goals, and Objectives

Based on our data synthesis and our collaborative community engagement activities, we will develop a strategic, practicable Plan for the City to implement its vision for the Hillside Natural Area. The Plan will incorporate the values of the community and stakeholders, and the existing administrative framework of the City's Fire Department and other maintenance organizations. This Plan will identify principles and key goals that are specific, measurable, attainable, realistic, and time sensitive.

Conditions and Values. The Plan will describe the results of the hazard assessment that critically evaluates the overall structure, composition, risk, and health of the Hillside Natural Area. The Plan will describe the existing conditions of the park, spanning the physical conditions (vegetation, topography, and weather, and assets at risk) as well as regulatory and policy context, and social environment (considering both the neighboring properties and visitors of the Plan Area). The Plan will describe the vulnerabilities of the Hillside Natural Area and the threats posed to and by the Hillside Natural Area. This includes an assessment of the forest and the surrounding environment. For example, the benefits and disadvantages of thinning the forest or removing understory vegetation or restoring the site to native vegetation of lesser hazard. We will evaluate different management strategies and the techniques to implement those strategies. Finally, the Plan will also address the current values of the existing trail network on the site to the local community.

Action Plan. The goal of the Action Plan is to make sure that the strategic plan is successfully completed to achieve the City's long-term vision for the Hillside Natural Area. Throughout this phase, LSA will



coordinate with the City and its stakeholders in the development of a framework for implementation that will prioritize converting the City's objectives into performance milestones. The Action Plan will include the following elements:

- **Management Activities.** Management activities, including a description and map of Plan activities (e.g., tree removals, planting) that are key in protecting and enhancing the Hillside Natural Area. The Plan will contain substantial recommendations regarding the long-term maintenance trees within the Hillside Natural Area, including benchmarks and metrics for long-term success related to sustainability, minimization of hazards and fire risk, and ecosystem delivery to the City's residents. The Plan will identify actions to minimize threats and vulnerabilities, wildfire risk reduction opportunities, and strategies, while at the same time acknowledging the recreational and natural values that the park offers. Actions will use best practices to protect and improve aesthetics (whether it is focusing on viewsheds or privacy), minimize soil erosion, and envision recreational possibilities. While the Plan will consider the surrounding area as it relates to threat and vulnerability, LSA's recommendations and the action plan will pertain only to the area inside the Hillside Natural Area. The Plan will contain maps of the vegetation, fuel type, ladder fuel density in the park, topography, based on the data acquired from the California Forest Observatory and as modified by on-site observations. The Plan development will also consider immediate and long-term costs.
- **Guidance and Recommendations.** The Plan will provide guidance and recommendations about urban forestry best practices for removing hazardous trees, planting of new trees (including supplemental tools/policies/practices toward increasing tree-planting programs), soil amendments/mulching, fire protection, insect and disease considerations, and other related issues (e.g., soil stabilization, and trail and access impacts). The Plan will develop strategies to (1) reduce current fires risk, (2) proactively address declining trees and conversion to a more site-adapted native woodland, and (3) enhance and increase tree and shrub diversity in areas where increasing biodiversity is appropriate.
- **Key Performance Indicators.** LSA will recommend measurable key performance indicators for tracking progress on Plan goals, such as acres treated, tree planting numbers, native tree canopy coverage, increased native biodiversity, water conservation, and tree shade etc. This section of the Plan also provides the targets and goals for trail network and infrastructure enhancements. LSA will suggest the frequency of periodic review and updates of the Plan to ensure that it is adaptive and flexible.
- **Public Relations, Partnerships and Education.** Public engagement and community participation are crucial determinants of success of the Hillside Natural Area restoration. The Plan will contain a section that details the community engagement and feedback process that allows the community and stakeholders to support the City's management. The inventory data, maps, and summary reports will be suitable to be published on a website to educate the public about the Hillside Natural Area management and its services to the community.

Task Deliverables: Draft Plan

Estimated Completion Date: September 19, 2023



Task 2 – CEQA Document Preparation

LSA will evaluate the Draft Hillside Natural Area Fire Resilience and Forest Conservation Management Plan (the Plan) in order to meet the requirements of the California Environmental Quality Act (CEQA). Given the goals of the Plan to manage vegetation to reduce fire fuels, to preserve native species, and to engage the community, the CEQA requirements would be considered throughout the planning process so that, to the extent possible, the project would be mostly self-mitigating. The following work program describes an approach that assumes that a Mitigated Negative Declaration (MND) supported by an Initial Study (IS) will be prepared. If, over the course of the planning process, the City, as lead agency, determines that an Environmental Impact Report (EIR) is necessary, additional revisions to the scope of work will be required. This scope is based on the assumption that the project will not result in significant unavoidable environmental impacts and that additional environmental analysis and documentation (beyond an IS/MND) will not be required.

Task 2.1 – Draft Initial Study

Prior to the start of the environmental review process, LSA staff will meet with City staff to discuss project characteristics, design requirements, environmental implications, and potential mitigation measures. The IS/MND format, deliverables, and schedule will be identified. As part of this task, LSA will assemble and review all pertinent data provided by the City for preparing the IS/MND, as well as other relevant technical studies/documents. Such documents include, but are not limited to, the Draft Fire Resilience and Forest Conservation Management Plan, the El Cerrito General Plan and EIR, and any other background documents prepared as part of the planning process.

LSA will work closely with City staff to prepare a detailed Project Description that provides a level of detail appropriate for analysis in the IS/MND. The Project Description will provide a clear description of all proposed actions, including the purpose, phasing, and physical elements of the Draft Fire Resilience and Forest Conservation Management Plan. The Project Description will include a map showing the location of proposed improvements and a general description of policies and recommendations that might affect the environment. The Project Description will include a statement describing the intended uses of the IS/MND, with a list of agencies expected to utilize the IS/MND, a list of permits and other approvals required to implement the project and a list of related environmental review and consultation steps required by federal, State, or local laws, regulations, and policies. The draft Project Description will need to be agreed upon with City staff prior to initiating work on the IS/MND. LSA will provide the draft Project Description to City staff for review and comment and will prepare a final Project Description for distribution to the technical specialists prior to beginning their analyses.

Evaluation of Environmental Effects: An IS/MND will be prepared in accordance with CEQA and the *State CEQA Guidelines* and will utilize the most recent Environmental Checklist Form (revised and updated Appendix G of the *State CEQA Guidelines*). LSA will respond to and evaluate each topic identified in the Environmental Checklist. Environmental analysis will be based on available information, and information developed as part of the planning process. The MND will be prepared and attached to the Initial Study.

The following environmental topics will be evaluated in the Initial Study, consistent with the requirements of CEQA. Each issue topic is shown in alphabetical order, as it appears in the CEQA Environmental Checklist.

- **Aesthetics.** LSA will evaluate the potential effects on visual resources associated with proposed vegetation management recommendations. Visual sensitivity is a function of the type and number of viewers, the importance of the Plan Area, surrounding land uses, and the presence or absence of significant scenic highways, geological, historical, or botanical features. The Plan Area is highly sensitive for visual resources because these lands are used for recreation and City residents value the scenic quality of these lands in their current condition. Activities likely to



have visual impacts include tree removal, prescribed burning, and grazing. Mitigation measures will be identified as necessary.

- **Agricultural/Forestry Resources.** As the project site is located within a developed area and is not designated as Important Farmland, it is not anticipated that the proposed project would have any effect on agricultural or forestry resources. LSA will provide brief responses to the Environmental Checklist questions.
- **Air Quality.** LSA will prepare an air quality analysis for the proposed project in response to the Environmental Checklist questions. The air quality analysis for the project will describe the potential impacts to air quality that could result from implementation of vegetation management and fuel reduction activities and will include the following components: (1) a discussion of baseline air quality in the area based on data from the Bay Area Air Quality Management District (BAAQMD) and the California Air Resources Board (CARB); (2) an assessment of air quality impacts associated with vegetation management options, which can include release of air pollutants associated with prescribed burning, dust from vegetation removal and grading, emissions from construction equipment used in vegetation management and fuel reduction activities; (3) a qualitative assessment of project construction health risk impacts (based on the size and location of the project, a full air dispersion assessment of project construction impacts would not be required); and 4) recommendation of measures to reduce air quality impacts, if applicable, consistent with the BAAQMD's Basic Construction Mitigation Measures.
- **Biological Resources.** LSA will summarize the results of the biological resources assessment, prepared as part of the initial site analysis, in the IS/MND.
- **Cultural Resources.** LSA will summarize the results of the cultural resources assessment, prepared as part of the initial site analysis, in the IS/MND.
- **Energy.** LSA will evaluate the project's impacts related to energy use in response to the Environmental Checklist questions. This discussion will qualitatively address the project's compliance with applicable energy efficiency standards and will cross reference the discussion provided in the greenhouse gas emissions discussion, as necessary.
- **Geology and Soils.** This section will summarize the site's potential for geologic impacts using the information available in the City's General Plan and other available data. This section of the Initial Study will include a discussion of potential seismic impacts including fault rupture, seismic shaking, ground failure, and landslides; the maximum expected earthquake on nearby active faults that would likely cause very strong seismic ground shaking at the project site; potential geotechnical impacts including unstable soils; and potential impacts associated with slope instability. These impacts would likely be related to changes in erosion potential of the shallow soils from vegetation removal, compaction of soils from equipment and people involved in vegetation management activities, and potential activation or reactivation of landsliding or creep. These impacts could potentially occur from various management activities, including vegetation removal, controlled fires, and grazing. Mitigation measures will be identified to reduce potential impacts, as needed.

LSA will complete a fossil locality search through the online collections database of the University of California Museum of Paleontology (UCMP) at the University of California, Berkeley, to establish the status and extent of previously recorded paleontological resources within the project area, as well as within the same or similar deposits as those found in the project area. This locality search will help determine the types of paleontological resources that may be encountered during project development. LSA will examine current geologic maps of the



project area and review relevant geological and paleontological literature, as well as pertinent information for this project. This literature review will determine which geologic units are present within the project area and provide additional information regarding the types of paleontological resources that may occur in those deposits, their scientific significance, and potential methods to mitigate impacts to those resources, as applicable.

- **Greenhouse Gas Emissions.** LSA will prepare the greenhouse gas analysis based on the latest BAAQMD thresholds. LSA will compare the project to the required design elements outlined in the BAAQMD's CEQA Thresholds for Evaluating the Significance of Climate Impacts as applicable. This includes an evaluation of energy usage and transportation impacts. LSA will also provide a qualitative assessment of the project's consistency with relevant plans and regulations.
- **Hazards and Hazardous Materials.** LSA will evaluate potential impacts related to hazards and hazardous materials that may result from development of the proposed project. Based on review of available information, it is anticipated that impacts associated with hazards and hazardous materials may include exposure of applicators, the public, and wildlife to herbicides and surfactants. In addition, releases of gasoline, diesel, and/or lubricants could occur during mechanical vegetation removal activities. Other tasks will include a description of any potential project-related interference with emergency response or emergency evacuation plans and a description of local fire hazards. This section will describe applicable regulatory requirements related to hazards and hazardous materials, and mitigation measures will be recommended, if necessary, to reduce any significant impacts to less-than-significant levels.
- **Hydrology and Storm Drainage.** LSA will qualitatively evaluate potential impacts to hydrology and water quality and will respond to Environmental Checklist questions related to water quality, groundwater resources, groundwater recharge, flooding, and erosion. Potential hydrologic and water quality impacts could potentially occur from a variety of vegetation management options. For example, vegetation removal, grazing, and controlled fires could denude surfaces and increase erosion and thus turbidity in surface waters. In addition, application of herbicides could result in runoff being contaminated and discharging to surface waters or affect the quality of seeps and springs. The existing conditions of the study area would be described in terms of location of surface waters and their water quality (where data are available); the evaluation would also describe the status of individual resources vis-a-vis their status as "impaired water". The impact analysis would describe the management activities that could affect water quality and modification of surface water flows. Mitigation measures that may be considered include implementation of specific best management practices (BMPs) for both active vegetation control activities and land stewardship, and special application methods for herbicides.
- **Land Use and Planning.** LSA will evaluate the project's compatibility with surrounding land uses and discuss the project's consistency with applicable land use policies and regulations included in the City's General Plan and Zoning Ordinance that could lead to significant physical impacts. The analysis will focus on the Draft Plan's relationship to local land use patterns and adjacent uses. The section will include a brief discussion of existing and planned land uses in the project vicinity. In this section, LSA will anticipate the potential effects of proposed management recommendations and identify the potential adverse impacts that could result. If necessary, mitigation measures will be recommended to reduce project incompatibilities with nearby uses to less-than-significant levels.
- **Mineral Resources.** It is not anticipated that any known mineral resources are present within the project site. Therefore, LSA will provide brief responses to the Environmental Checklist questions for this topic.



- **Noise.** LSA will prepare brief responses to the Environmental Checklist questions. LSA will identify the potential noise impacts associated with implementation of management recommendations. This proposal assumes that no noise monitoring or traffic noise modeling would be conducted for this analysis. However, to the extent that proposed operational information is available, potential noise impacts at sensitive receptor locations from the operation of equipment including implementation of vegetation management and fuel reduction activities will be evaluated. Mitigation measures will be identified, if needed, to reduce potential impacts to less-than-significant levels.
- **Population and Housing.** The proposed project would not induce population growth in the City or other communities and would not displace existing housing or residents. Therefore, LSA will provide brief responses to the Environmental Checklist questions for this topic.
- **Public Services and Recreation.** LSA will determine whether the proposed project would result in an increased demand for public services to the extent that it could result in new facilities, the construction of which could cause significant environmental impacts. LSA will prepare a public services section that focuses on public safety and recreation issues. This section will describe the potential impacts associated with any increased demand for fire and police services. LSA will assess the needs of the project for expansion of existing services and any physical impacts that may result from such expansions. The need for coordination among facility and service providers for on- or off-site improvements will be addressed to ensure that any potentially significant impacts are mitigated to less-than-significant levels.
- **Transportation.** LSA will prepare a traffic analysis for the proposed project in response to the Environmental Checklist questions. LSA will assess the proposed project's impacts related to traffic and transportation. LSA will evaluate the proposed project against local and regional thresholds for significance and report the findings as part of the IS/MND. LSA will research all applicable City and County programs, plans, ordinances, and policies addressing the circulation systems (including transit, roadway, bicycle, and pedestrian facilities). LSA will address the proposed project's vehicle miles traveled (VMT) per *State CEQA Guidelines* Section 15064.3, subdivision (b). LSA will address the proposed project's geometric design features (if any) and adequacy of site access.

Given the potential activities of the proposed project (i.e., various vegetation removal, maintenance, management, and conservation activities), the proposed project is screened out from a VMT analysis and is presumed to have a less-than-significant transportation impact. In addition, as a fire resilience plan, the proposed project is likely to generate a nominal increase in daily and peak-hour trips on a temporary basis only. As such, LSA does not believe that a full and complete Traffic Impact Analysis is required. The traffic analysis will be summarized in the IS/MND with supporting documentation provided as an appendix. If the City requires data collection, revisions to the traffic analysis, a level of service analysis, a VMT analysis, and/or a Traffic Impact Analysis, a subsequent proposal will be submitted.

- **Tribal Cultural Resources.** To comply with Assembly Bill 52 requirements and inclusion of tribal cultural resources into the CEQA Environmental Checklist, LSA will prepare a draft notification letter template for the project, which will include a Project Description and maps of the project site. The City will be responsible for distributing the letters to those Native American tribal groups that have requested to be notified of projects pursuant to Assembly Bill 52. If the City does not maintain a list, LSA will request the Native American contact list from the NAHC. Assembly Bill 52 provides a period of 30 calendar days in which to request consultation. The scope assumes that LSA technical staff will attend up to two hours of meetings with interested tribes. The results of the consultation process will be summarized in the Environmental Checklist for this topic.



- **Utilities and Service Systems.** LSA will evaluate the proposed project's effects on utility and service systems that could result from implementation of the proposed project. LSA will describe the existing utility systems serving the project area and work with City staff to determine whether the proposed project would require an expansion of existing infrastructure or facilities. The Initial Study will recommend mitigation measures, if necessary.
- **Wildfire.** The purpose of the proposed project is to minimize the risk of wildfire. Therefore, impacts associated with wildfire hazards and implementation of emergency response/evacuation plans are not anticipated. LSA will provide brief responses to the Environmental Checklist questions for this topic.
- **Mandatory Findings of Significance.** The Environmental Checklist will conclude by responding to this series of questions as set forth in Appendix G of the *State CEQA Guidelines*. Regarding the potential for cumulative impacts, LSA will coordinate with City staff to identify other past, current, and probable future projects that could, in connection with the project, create cumulatively considerable impacts.

Task 2.2 – Staff Review

The Administrative Draft Initial Study will be provided to the City for review and comment. It is assumed that the City will review and consolidate all internal comments before they are submitted to LSA. LSA will provide an electronic version in MS Word and PDF formats for review by the project team and City staff.

Screencheck Draft IS/MND. Based on a single set of consolidated and non-contradictory comments from City staff, LSA will amend the Administrative Draft Initial Study and will prepare a Screencheck Draft Initial Study for review. LSA will provide an electronic version in MS Word and PDF formats for review by the project team and City staff to verify that all requested changes have been made and all appendix materials, references, and final graphics are acceptable. LSA will also provide the City with an electronic compared version of the Screencheck Draft. This version will show text changes made to the Administrative Draft Initial Study in underline and strikeout for the City to more easily confirm that all comments and edits are fully incorporated into the Screencheck Draft.

Public Review Draft IS/MND. LSA will make any minor necessary revisions to the Screencheck Draft and prepare the public review IS/MND. LSA will provide an electronic version in MS Word and PDF formats of the Public Review Draft IS/MND for public distribution and submittal to the State Clearinghouse. Five hard copies will be provided for the City's use. LSA will also prepare a Notice of Intent to Adopt the Mitigated Negative Declaration and a Notice of Completion in accordance with the *State CEQA Guidelines*. LSA will coordinate with the City to notice and distribute the Draft IS/MND pursuant to CEQA and City review procedures, including submittal of the document to the State Clearinghouse.

Meetings. LSA will be available throughout the IS/MND process to discuss the project and strategize about the environmental documentation. We anticipate that the CEQA effort will require attendance at three (3) virtual project team meetings, at 1 hour per meeting for a total of 3 hours, and one (1) public hearing for a total of 5 hours, which includes 3 hours for the meeting and 2 hours for meeting preparation and follow up, in addition to the project initiation meeting (Task 1.1 above). Additional meetings would be billed on a time-and-materials basis.

Task Deliverables: Draft CEQA Documents

Estimated Completion Date: January 18, 2024



Task 3 – Stakeholder Outreach and Review

Task 3.1 - Community Engagement

Once the CEQA documents are ready for public review, LSA assumes that the public review process will be administered through the City's CEQA process and that the City's website will be used to release the draft Plan and CEQA documentation for review. The LSA Team will **conduct a second internal workshop and second public workshop using similar methods to those outlined in Task 1.3** to gather feedback on the draft documents. If the City desires and budget is available to do a second round of surveys or additional focus groups, we will coordinate and conduct those engagement activities as needed.

LSA understands that the technical aspects of adaptation and resilience planning are complex and that there may be gaps in knowledge that need to be addressed in order to get the kind of specific and useful feedback we need. We pride ourselves on distilling complex concepts into easy-to-understand narratives and graphics that answer key questions and tell a clear story—and will work closely with technical experts to ensure that stakeholders and the public are well-equipped to provide feedback during meetings. The LSA Team's internal editorial and design teams will also ensure that all project presentations are not only clear and concise, but engaging and inspiring as well.

Additionally, the LSA Team will develop a Plan **PowerPoint slide deck** that summarizes the Draft Fire Resilience and Forest Conservation Management Plan, CEQA documentation, and best near-term actions which representatives of our team will present to the Planning Commission, Environmental Quality Committee, and the Urban Forest Committee to solicit feedback. If the City prefers that presentations to these groups take place in separate meetings, our budget can accommodate one in-person meeting, with virtual attendance at the other meetings. We will summarize the results of our engagement activities, including stakeholder and public feedback and which groups responded, in a brief final engagement summary.

Task 3.2 – Finalize Plan and CEQA Documents

LSA will formulate responses to the comments on the Draft IS/MND after receiving a complete set of comments from the public review period. Once draft responses to comments have been completed, they will be submitted to the City for review and approval. Responses to public comments will be provided in a memorandum format. As required, the Draft IS/MND will be revised to incorporate relevant comments/data received during the public review period. Revisions to the Draft IS/MND will be identified in tracked changes to facilitate subsequent review. This scope includes one round of review from City staff. This scope and budget assume up to approximately 12 hours to prepare responses to comments. Should an unexpectedly large volume of comments be submitted, LSA will request an adjustment in the budget to cover work beyond the assumed level.

If mitigation measures are identified, LSA will also prepare a Mitigation Monitoring and Reporting Program (MMRP) in accordance with *State CEQA Guidelines* Section 15097 for use in ensuring implementation of the mitigation measures for the project. The mitigation measures will be included in a matrix checklist format for ease in tracking and will be included as an appendix to the Final IS/MND.

Task Deliverables: Final Plan and CEQA Documents

Estimated Completion Date: May 21, 2024



Task 4 – Adoption by City Council

LSA will submit the final Plan and CEQA document for approval/adoption by the City council in digital format, no later than August 1, 2024. Electronic copies of the final MMRP will be submitted to the City of El Cerrito with the Response to Comments memorandum.

Task Deliverables: Final Approved Plan and CEQA Documents

Estimated Completion Date: August 20, 2024



Tentative Work Plan and Timeline for the Development of the El Cerrito Hillside Natural Area Fire Resilience and Forest Conservation Management Plan

Task	Task Description	Timeline	Milestones/Deliverables	Meetings
Task 1: Project Site Assessment and Draft Plan Preparation	Communication	Throughout the project duration, weekly	Deliverable: Summary of meeting minutes, via email	3 in-person/remote meetings with City Staff/Council
	1.1: Project Initiation	14 days after Notice to Proceed (NTP)	Deliverable: Draft work plan memorandum (1 week after meeting via email) Review and evaluation of provided project documents	Kickoff meeting (in person/remote)
	1.2: Analysis		Site Assessments	
	1.3: Community Engagement	Within 6 weeks of NTP and duration will be approximately 6 months	The LSA Team will coordinate with City staff on outreach methodology and schedule. Deliverable: Summary email to City staff, advertisement flyer, workshop agenda and materials, presentation, and gather feedback	1 of 2 in-person/virtual gatherings with the public
	1.4: Develop Draft Plan	9/19/2023	Deliverable: Draft Fire Resilience and Forest Conservation Management Plan	Not Applicable
Task 2: CEQA Document Preparation	2.1: Draft Initial Study		Determine whether MND or EIR will be needed Deliverable: Draft CEQA Documents	
	2.2: Staff Review	1/18/2024	Incorporate Comments from City Staff Deliverable: Final Draft CEQA Documents	
Task 3: Stakeholder Outreach and Review	3.1: Community Engagement		The LSA Team will lead the second public workshop to solicit comments on draft. Deliverable: Summary email to City staff, advertisement flyer, workshop agenda and materials, presentation, and gather feedback	2 of 2 in-person/virtual gatherings with the public
	3.2: Finalize Plan and CEQA Documents	6/21/2024	Deliverable: Final Plan and CEQA Documents	Not Applicable
Task 4: Adoption by City Council	Presentation for City Council	8/20/2024	Prepare presentation for City Council consideration to adopt the Plan and adopt CEQA Documents. Deliverable: Final Approved Plan and adopted CEQA Documents	City Council Meeting



6. References

LSA Reference Contact: Trevor Wilson Senior Administrative Analyst Phone: (209) 937-8595 Email: Trevor.Wilson@stocktonca.gov City of Stockton 345 N El Dorado Street Stockton, CA 95202	Wildland Res Mgt Reference Contact: Devin Woolridge Facilities Manager Phone: (510) 812-0540 Email: Woolridge@berkeley.edu University of California, Berkeley 2000 Carleton Street Berkeley, CA 94720
LSA Reference Contact: Gavin Poore Assistant Water Resources Engineer Phone: (707) 898-0303 Email: Gpoore@scwa2.com Solano Water Agency 810 Vaca Valley Parkway, #203 Vacaville, CA 95688	Solano Archaeological Services Reference Contact: Sarah Oldson Project Manager Phone: (530) 251-3278 Email: saraho@crcforestry.com Cascade Resource Consultants P.O. Box 546 McArthur, CA 96056
LSA Reference Contact: Stephen Pree Environmental Programs Manager Phone: (510) 559-7685 Email: spree@ci.el-cerrito.ca.us City of El Cerrito 10890 San Pablo Avenue El Cerrito, CA 94530	Cascadia Consulting Reference Contact: Megan Campbell Associate Planner Phone: (925) 931-5610 Email: mcampbell@cityofpleasantonca.gov City of Pleasanton 200 Old Bernal Avenue Pleasanton, CA 94566



7. Consulting Services Agreement

LSA has read the provided Consulting Services Agreement and will meet the prerequisite insurance requirements, and if selected, agrees to enter into such agreement.



Appendix: Resumes



EXPERTISE

- Wetland Permitting and Mitigation Plans
- Biological Impact Assessment
- Water Quality Management
- Endangered Species Assessments

EDUCATION

Ph.D., Environmental Science and Policy, Dissertation: Scientific Analysis and Policy Evaluation of Wetland Replication in Massachusetts, Tufts University, Medford, Massachusetts, 1989

M.S., Biology, Tufts University, Medford, Massachusetts, 1986

B.A., Biology, Honors Thesis, University of California, Santa Cruz, 1982

PROFESSIONAL EXPERIENCE

Principal/Wetland Scientist, LSA, Point Richmond, California, 1992–Present

Senior Scientist, Lelito Environmental Consultants, Peabody, Massachusetts, 1989–1992

Wetland Specialist, Environmental Consultants, Inc., Southampton, Pennsylvania, 1988–1989

PROFESSIONAL RESPONSIBILITIES

Dr. Dobberten manages wetland and endangered species permitting projects. He has over 27 years of permitting experience in the Bay area, and has developed excellent working relationships with key regulatory staff from the Corps, USFWS, RWQCB, CDFW, and BCDC. He has extensive experience in all aspects of wetland regulation including: delineating jurisdictional wetlands and other waters; permit preparation at the local, state, and federal levels; and design and implementation of mitigation plans involving creation, restoration, and enhancement of wetland areas. His project experience also includes Section 7 ESA consultations, assessment and permitting for wetland-associated endangered species, as well as development and implementation of construction monitoring programs for protected species.

Dr. Dobberten's graduate research focused on the science and policy of wetland creation in Massachusetts. He completed a project exploring the ability of created wetlands to remove heavy metals from landfill leachate. Dr. Dobberten has also assisted with international wetland restoration projects in the Bahamas, China, Vietnam, and Thailand. He has considerable expertise in rights-of-way management, as well as with impacts of power line construction in wetland areas.

PROJECT EXPERIENCE

San Francisco International Airport, West-of-Bayshore SFGS Recovery Action Plan (RAP) **San Francisco, California**

Dr. Dobberten is the project manager for providing biological support and as-needed technical services to the San Francisco International Airport (SFO) for implementation of the San Francisco garter snake (SFGS) RAP on the West-of-Bayshore property. LSA started work on this effort in 2007 and formulated a preliminary recovery concept, project design details, and cost analyses for review and approval by SFO and USFWS. Following a two-year review and negotiation process with the agencies, LSA then prepared applications for the necessary federal and State permits. LSA is currently working with SFO on implementation of Phase 3 of the RAP. Overall, implementation of the RAP program has enabled SFO to complete a number of critical flood control maintenance projects without the need for time-consuming, project-by-project agency review.

Tesoro. Avon Wharf Upgrades Project **Martinez, California**

Dr. Dobberten recently provided as-needed consulting support to Tesoro for their proposed Avon MOTEMS Compliance Project, which involved construction of a new berth, demolition of an existing berth, and seismic improvements. LSA conducted field surveys for California clapper (Ridgway's) rails, as well as prepared a wetland delineation for submittal to the Corps and a Biological Assessment for submittal to the USFWS and National Marine Fisheries Service. Dr. Dobberten provided as-needed support for the

various permit applications, as well as attended meetings and provided strategic wetland mitigation advice.

**San Francisco International Airport, SFO Runway Safety Area (RSA) Regulatory Permitting Project
San Francisco, California**

From 2009 to 2014, Dr. Dobberteen was LSA's project manager to assist SFO with obtaining the necessary federal and State regulatory permits to fill approximately 3.5 acres of wetlands for the FAA-mandated RSA Project. LSA prepared all of the permit applications and supporting documentation for the project including a Biological Assessment which was reviewed and approved by USFWS and National Marine Fisheries Service as part of the Section 7 Consultation process. In addition to leading the regulatory permitting tasks for the project, LSA provided technical biological support for the preparation of the project's CEQA and NEPA documentation. LSA obtained all regulatory approvals on time and in advance of the scheduled start of construction, thereby enabling SFO to avoid costly schedule delays on this time-critical project. In addition, the project included identifying and selecting off-site mitigation projects to address impacts at SFO.

**Chevron Real Estate Management Company, Vaca Valley Business Park Biological Services and
Wetlands Permitting
Vacaville, California**

Since the early 1990s, LSA has served as principal biological consultant to Chevron Real Estate Management Company and subsequent developers to prepare Section 404 permit applications and associated wetland mitigation plan for a 350-acre business park. This on-going commercial development project involves the parcelization and build-out of twelve undeveloped parcels. As each parcel is developed, Dr. Dobberteen has directed the biological surveys and permitting, as well as overseen the mitigation compliance for infrastructure improvements.

**San Francisco International Airport, Outer Bair Island Wetland Creation and Enhancement Project
Redwood City, California**

Dr. Dobberteen was the project manager for this project on behalf of SFO. The mitigation project involved the successful creation of 42 acres of new wetland habitat and enhancement of approximately 140 acres of existing diked salt marsh wetlands on an island, which generated several permitting and construction-related challenges.

SELECTED REPORTS

Lindberg, D.R. and R.A. Dobberteen. 1981. Umbilical brood protection and sexual dimorphism in the Boreal Pacific trochid gastropod, *Margarites vorticiferus* (Dall). International Journal of Invertebrate Reproduction, 3: 347-355.

Dobberteen, R.A. (contributor). 1984. Intertidal plants and animals of the Landeis-Hill Big Creek Reserve. Edited by A. Ferguson, Environmental Field Program, Center for Marine Studies, University of California, Santa Cruz: Publication No. 14, 106 pp.

Nickerson, N.H. and R.A. Dobberteen. 1986. Analysis of Wetland Permit Decision Making by the Department of Environmental Quality Engineering under the Massachusetts Wetlands Protection Act. 41 pp. and 9 technical appendices.

Dobberteen, R.A., N.M. Jarman, J. Nickerson, N.H. Nickerson, and J. Harris. 1987. The Zhalong Nature Reserve: A Permanent or Temporary Wildlife Area? A report on the current conditions with recommendations for strengthening Zhalong's reserve status. Report for the Heilongjiang Forestry Bureau, Harbin, China. 7 pp.

Dobberteen, R.A. and J.A. Pechenik. 1987. Comparison of larval bioenergetics of two marine gastropods with widely differing lengths of planktonic life (*Thais haemastoma canaliculata* (Gray) and *Crepidula fornicata* (L.)). Journal of Experimental Marine Biology and Ecology, 109: 173-191.



EXPERTISE

- Wildlife Biology
- Environmental Compliance and Permitting
- Mitigation and Restoration Planning
- Land Conservation
- Quantitative Ecology and Modeling

EDUCATION

Ph.D., Wildlife and Fisheries Sciences, Texas A&M University, College Station, 1995

M.S., Forest Sciences, Munich University (Germany), 1988

PROFESSIONAL EXPERIENCE

Associate/Senior Wildlife Biologist, LSA, Point Richmond, California, May 2017–Present

Stewardship Director, Solano Land Trust, Fairfield, California, June 2014–2017

CERTIFICATIONS

Certified Wildlife Biologist (The Wildlife Society)

Certified Senior Ecologist (Ecological Society of America)

Certified HEP User (USFWS)

Certified Resource Professional for Forest Stewardship Plans (USFS/NM Forestry Division)

PROFESSIONAL RESPONSIBILITIES

Dr. Kohlmann is a broadly trained biologist with over 20 years of experience. He has a varied and extensive background in environmental compliance, conservation planning, permitting, project management, ecological research and applied population and habitat management. He is an experienced ecological consultant and project manager with a focus on environmental assessments, state and federal regulatory compliance, conservation planning and innovative conservation/mitigation strategies. Dr. Kohlmann has assisted numerous clients in the permitting process, often in connection with an EIS/EIR, Environmental Assessment, or HCP/NCCP. He also supplied biological expertise on a diverse selection of covered species, including amphibians, reptiles, birds, bats and terrestrial mammals for multiple landscape-level conservation plans covering exurban development, linear infrastructure projects, and renewable energy development. As an expert in wildlife population ecology and conservation biology, he has provided crucial support for habitat restoration/mitigation strategies on private lands. Dr. Kohlmann has provided population viability modeling and assessments for several comprehensive species recovery projects and impact analyses, and he has broad experience in the development of conservation strategies, reserves, and conservation easements. His main interest is landscape ecology and the conservation of habitats in the context of adaptive management, climate change, and sustainable land use practices.

PROJECT EXPERIENCE

City of Stockton, Ecosystem Services Assessment and Reuse Plan for an Urban Forest and Municipal Golf Course, Stockton, California

Dr. Kohlmann served as the project manager and technical lead for a comprehensive ecosystem service assessment for an urban forest at the former Van Buskirk Municipal Golf Course in Stockton. The 197-acre site is in a high-risk flood zone, is surrounded by disadvantaged communities, and presents a currently extreme fire risk. The planning process included a complete inventory of the urban forest and an enumeration of ecosystem values of current conditions and two alternative future scenarios, using the iTree analysis package. The plan included scenarios for reconnecting the former golf course to the floodplain of the San Joaquin River by setting back a federal levee and re-establishing a native Great Valley riparian forest to reduce fire risk and increase flood protection for adjacent low-income neighborhoods.

Solano County Water Agency, Solano HCP Solano County, California

Dr. Kohlmann is currently working with State and federal agencies to develop the burrowing owl conservation strategy for the Solano HCP.

The Habitat Institute, Ecosystem Functions for Several Urban Watersheds in California Corvallis, Oregon

Dr. Kohlmann worked with the Habitat Institute as an ecological expert for several large-scale ecosystem restoration projects. The Aliso Creek Ecosystem Restoration study encompassed 691 acres near Laguna Beach in Southern

California. The overall goal of the Aliso Creek Analysis was to evaluate existing ecosystem conditions at a fine level of resolution within an ecosystem restoration context. After the baseline conditions were evaluated, additional analysis was performed to determine future conditions with a restoration project and without restoration at both 25 years and 50 years in the future. The Whittier Narrows Dam and Reservoir is a flood control and water conservation project constructed in 1957 operated by the United States Army Corps of Engineers (Corps) in Montebello, California. Whittier Narrows Dam is a central element in the Los Angeles County Drainage Area flood control system and was reclassified by the Corps to present a very high risk of failure. As part of the extensive replanning of the dam and its floodplain, Dr. Kohlmann assisted with the evaluation of ecosystem function at and below the dam site to determine mitigation needs. The Penitencia Creek project aims to increase flood protection for residents, businesses, and infrastructure along the Lower Penitencia Creek Channel in Milpitas, California. The Corps is constructing the Upper Berryessa Creek Flood Risk Management Project, which is also upstream of the project and the Lower Berryessa Creek Project. Both projects entail new flood protection infrastructure necessary to convey increased flows (the future 1-percent flood event or 100-year event). Dr. Kohlmann participated in an urban forest ecosystem and habitat inventory to determine the ecosystem functions that would need to be mitigated, created or restored upon floodplain modification.

**3 Degrees Group, Carbon Sequestration
San Francisco, California**

Dr. Kohlmann was the Project Manager of a collaborative effort between LSA and the 3-Degrees group, exploring opportunities for creating value-added conservation and carbon-sequestration projects on private range- and woodlands in California. The focus of this project was to create synergistic co-benefits of ecosystem health from species mitigation, habitat restoration and conservation grazing.

**Rush Ranch, Tidal Restoration
Suisun City, Solano County, California**

Dr. Kohlmann managed a 75-acre tidal restoration project to reestablish hydrological and ecological connectivity between uplands and tidal flats by removing barriers to nutrient and sediment transport and increasing channel sinuosity. The project also included benefits to endangered species, local conservation grazing, and rangeland carbon sequestration.

**Multiple Agency Collaboration Carbon Sequestration in Degraded Rangelands
Suisun Bay, California**

Dr. Kohlmann served as the Project Manager for a large carbon sequestration study in rangelands, in collaboration with the Natural Resource Conservation Service, Carbon Cycle Institute, San Francisco State University, San Francisco Bay National Estuarine Research Reserve System, and University of California, Davis. The project included studying the response of soil carbon stocks and vegetation to compost addition to rangelands in the Bay Area of California.

**Solano County, Rangeland and Grazing Management
Solano County, California**

Dr. Kohlmann planned and managed conservation grazing on 12,000 acres of conservation preserves, including sensitive vernal pools, wetlands, tidal marsh, and oak woodland communities. He led rangeland health inventories and drone-based vegetation assessments, including remote sensing of invasive weeds and Residual Dry Matter estimation.

**Private Landowners, Private Non-Industrial Forest Planning
Multiple sites, New Mexico**

As a consultant to private landowners, Dr. Kohlmann prepared non-industrial forest and habitat management plans, inventoried timber stocks, assessed habitat and fire risks, and developed detailed prescriptions to enhance sustainability, resiliency and adaptive management of forest lands in the Southern Rockies.

EXPERTISE

- Biological Resources Habitat and Species Assessments
- Wetland Permitting and Revegetation and Mitigation Plans
- Biological Resources and Special-Status Species Surveys

EDUCATION

M.S., Graduate Program in Public Policy and Management (Natural Resources Concentration), University of Oregon, Eugene, 1999

B.A., Environmental Studies/Economics, University of California, Santa Cruz, 1993

PROFESSIONAL EXPERIENCE

Associate/Senior Biologist, LSA, Point Richmond, California, November 2000–Present

Field Biologist, Manu Wildlife Center/Selva Sur, Manu National Park, Peru, July–August 1999

Natural Resources Field Assistant, Midpeninsula Regional Open Space District, Santa Clara and San Mateo Counties, California, June–September 1998

PERMITS AND AUTHORIZATIONS

Approved for handling and identifying all life stages of California red-legged frog and California tiger salamander under LSA's federal 10(a)(1)A recovery permit (TE-797234)

Approved for handling and identifying all life stages of California tiger salamander under LSA's CDFW Memorandum of Understanding

CDFW Scientific Collecting Permit No. 5405

PROFESSIONAL RESPONSIBILITIES

Mr. Sidle is highly experienced at preparing revegetation and mitigation plans, managing and monitoring restoration/mitigation projects, preparing biological resources sections of environmental documents (i.e., EIRs, IS/MNDs), preparing regulatory permit applications, conducting biological habitat assessments, conducting nesting bird surveys, and conducting special-status wildlife surveys (including monarch butterfly roosts), and construction monitoring. Mr. Sidle has prepared restoration/mitigation plans and biological resource habitat assessments for several projects in East Bay and greater San Francisco Bay Area.

PROJECT EXPERIENCE

City of El Cerrito, Madera Property Fuel Reduction Project El Cerrito, California

Mr. Sidle prepared the biological resources constraints report. He conducted a biological resources reconnaissance-level survey and a preconstruction nesting bird survey.

City of El Cerrito, Routine Maintenance Agreement Projects El Cerrito, California

Mr. Sidle prepared the permit application for the City of El Cerrito's Routine Maintenance Agreement (RMA). He regularly conducts environmental awareness training sessions and preconstruction nesting bird, roosting bat, San Francisco dusky-footed woodrat, and western pond turtle surveys for various vegetation removal RMA projects for the City.

City of Albany, General Plan Update Albany, Alameda County, California

Mr. Sidle prepared the biological resources section of the City of Albany General Plan Update EIR. He conducted a biological resources reconnaissance survey of Albany Hill Park, Albany Bulb, Albany Neck, Albany Beach, University Village, Codornices Creek, Village Creek, Cerritos Creek, and other biological resources areas within Albany.

City of Oakland, Lake Merritt Bird Island Project Oakland, Alameda County, California

Mr. Sidle assisted in the preparation of a conceptual design report for a habitat restoration project for the bird islands at Lake Merritt. He conducted preconstruction nesting bird surveys and prepared the CDFW Streambed Alteration Agreement application.

City of Albany, University Village at San Pablo Avenue Albany, California

Mr. Sidle conducted a biological resources survey for the biological resources section of the EIR. He also prepared the USACE and CDFW permit applications for the culvert replacement and storm drain outfall into Village and Codornices Creeks. He consulted with the RWQCB, USACE, CDFW, and National Marine Fisheries Service regarding potential impacts to Codornices and Village Creeks. He also conducted a preconstruction surveys.

**City of Albany, Pierce Street Pavement Rehabilitation and Bicycle/Pedestrian Path
Albany, California**

Mr. Sidle prepared the biological resources section of the project's IS/MND. He conducted preconstruction surveys for nesting birds, and he consulted and participated in site visits with the USACE regarding potential wetland issues at the site.

**City of Albany, Buchanan Street Bicycle/Pedestrian Path Project
Albany, California**

Mr. Sidle conducted preconstruction nesting bird surveys and prepared a survey letter report.

**Starwood Capital Group, Deepwater Slough Mitigation Site, Pacific Shores Center
Redwood City, California**

Mr. Sidle conducted field studies at a tidal marsh restoration site on southern Bair Island. Fieldwork included bird surveys (comparing use of restoration vs. reference marshes), vegetation and biomass sampling, and tidal channel development analysis.

**City of Santa Cruz, Phase 3 (Coast Segment) of the North Coast System Rehabilitation Project
Santa Cruz, Santa Cruz County, California**

Mr. Sidle prepared the biological resources assessment, permit applications, and mitigation and monitoring plan. Biological resources issues included potential habitat overwintering roosts for monarch butterflies. He consulted with agency staff regarding biological resources and permitting issues.

**Central Larkspur Area Specific Plan – Subarea 3
Larkspur, California**

Mr. Sidle prepared a native plant restoration plan for Larkspur Creek. He prepared regulatory permit applications (USACE Nationwide Permit, CDFW Streambed Alteration Agreement, RWQCB Water Quality Certification). He conducted the annual mitigation monitoring and prepared annual mitigation monitoring reports.

**Town of Moraga, Laguna Creek Restoration
Moraga, California**

Mr. Sidle prepared a biological resources technical study for a creek restoration project. Other tasks will include preparation of the IS/MND, tree survey report, cultural resources technical study, and USACE, CDFW, and RWQCB permit applications.

**East Bay Regional Park District, San Francisco Bay Trail: George Miller Regional Trail
Contra Costa County, California**

For this East Bay Regional Park District project, Mr. Sidle prepared the USACE Nationwide Permit application, CDFW Streambed Alteration Agreement application, and RWQCB Water Quality Certification application for culvert replacements/repairs and stabilization work for a trail along an abandoned section of Carquinez Scenic Drive. He conducted preconstruction nesting bird, California red-legged frog, and Alameda striped racer surveys. He also managed and conducted the biological resources construction monitoring and conducted contractor training sessions. Mr. Sidle monitored the mitigation plants and wetland and prepared the annual mitigation monitoring reports for the project.

ANNA VAN ZUUK

BIOLOGIST / BOTANIST
CERTIFIED ARBORIST WE-12612A

LSA



EXPERTISE

- Botany
- Arboriculture
- Wetland Delineation
- GIS Graphics Design
- Restoration
- Regulatory Permitting

EDUCATION

B.S., Environmental
Horticulture and Urban
Forestry - with Distinction,
University of California, Davis,
2011

PROFESSIONAL EXPERIENCE

Biologist/Botanist, LSA,
Roseville, California, March
2017–Present

Forestry Aide, Sierra District,
California Department of
Parks and Recreation, Grass
Valley, April 2012–March
2017

PROFESSIONAL CERTIFICATIONS/ REGISTRATIONS

Certified Arborist No. WE-
12612A, International Society
of Arboriculture

Tree Risk Assessment
Qualified

PROFESSIONAL RESPONSIBILITIES

Ms. Van Zuuk is a Biologist, Botanist, and Certified Arborist with over 9 years of experience in plant taxonomy and identification. Ms. Van Zuuk conducts biological studies including plant and wildlife surveys, habitat assessments, jurisdictional delineations, and tree inventories. Ms. Van Zuuk also prepares technical reports; prepares 401, 404, and 1602 permits; and provides GIS graphics support.

PROJECT EXPERIENCE

El Dorado Hills Community Services District, Bass Lake Regional Park Project

El Dorado Hills, El Dorado County, California

Ms. Van Zuuk conducted focused botanical surveys for 18 special-status plant species, a jurisdictional delineation, and a tree inventory; prepared the Arborist Report; assisted in the preparation of the Preliminary Jurisdictional Delineation; and prepared the Biological Resource Evaluation for this project. Ms. Van Zuuk identified 2 special-status plant species and 30 heritage oak trees during field surveys. The project is proposing the development of a regional park to expand the recreational opportunities in the area, and would include lighted ball fields, a dog park, restrooms, parking, an educational facility, multiuse trails, a fishing dock and boat ramp, and other amenities.

5Gs Corporation, Yosemite Lakes Estates Merced County, California

Ms. Van Zuuk is part of a team of LSA botanists and biologists responsible for monitoring the success of a vernal pool/endangered species habitat mitigation plan encompassing approximately 400 acres. The team conducts floristic inventories of a sampling of natural and created vernal pools to determine if created vernal pools are functioning as habitat for endangered species, including California tiger salamander and vernal pool fairy shrimp. Ms. Van Zuuk identified and documented a new population of succulent owl's clover (*Castilleja campestris* ssp. *succulenta*) in 2019. This mitigation bank in Merced County was created to offset impacts resulting from a residential development and provide wetland mitigation for the University of California Merced campus expansion. 2023 marks Monitoring Year 6 for this ongoing large-scale project.

Muzzy Ranch Conservation Company, Noonan Interim Management Solano County, California

Ms. Van Zuuk is part of a team of LSA botanists and biologists responsible for monitoring existing populations of Contra Costa goldfields (*Lasthenia conjugens*) to ensure that grazing on the preserve is being managed appropriately. This mitigation bank in Solano County provides wetland and endangered species credits to development projects in the surrounding region.

Solano County Water Agency, Lower Putah Creek Salmon Spawning Habitat Yolo County, California

Ms. Van Zuuk conducted a tree inventory to document trees along a 0.5-mile section of Lower Putah Creek through the Putah Creek Riparian Preserve. The project proposes to create a narrower, meandering channel

ANNA VAN ZUUK

BIOLOGIST / BOTANIST
CERTIFIED ARBORIST WE-12612A



across a gravel-rich floodplain to create continuous salmon spawning habitat, and the tree inventory will be used to optimize tree preservation in the riparian corridor. LSA is also contracted to prepare an IS/MND, a Biological Assessment, and to obtain regulatory permits for this project.

CSW/Stuber-Stroeh Engineering Group, University Avenue Streetscape Improvements Palo Alto, Santa Clara County, California

Ms. Van Zuuk conducted a tree inventory and prepared an arborist report to inform future streetscape design as part of the University Avenue Conceptual Plan.

City of Napa, Coombs Tree Inventory Napa, Napa County, California

Ms. Van Zuuk conducted a tree inventory and prepared an arborist report to document trees within the city of Napa urban forest and determine if the species comply with the City of Napa Street Tree Plan and Master Street Tree criteria. Ms. Van Zuuk identified several dozen trees that failed the City's criteria and were causing damage to infrastructure and provided recommendations for remediation.

Rodeo Sanitation District, Wastewater Treatment Plant Arborist Report Rodeo, Contra Costa County, California

Ms. Van Zuuk conducted a tree inventory and prepared an Arborist Report for the existing wastewater treatment facilities. The report identified maintenance actions to allow for uninterrupted function of the facility.

Department of General Services, Greenwood California Conservation Corps Residential Facility Redevelopment El Dorado County, California

Ms. Van Zuuk conducted a general biological survey and tree inventory for the expansion of a 12-acre California Conservation Corps campus outside of Greenwood. Ms. Van Zuuk also prepared the biological section of an IS/MND and associated graphics. The project would demolish the majority of the existing center and construct a larger, more up-to-date center consistent with the California Conservation Corps Master Plan concept.

Department of General Services, Fortuna California Conservation Corps Multipurpose Building Fortuna, Humboldt County, California

Ms. Van Zuuk conducted a general biological survey and prepared the biological section of an IS/MND and associated graphics for the addition of a multipurpose building to the existing California Conservation Corps facilities.

Department of General Services, California Conservation Corps Ukiah Residential Center Willits, Mendocino County, California

Ms. Van Zuuk conducted a jurisdictional delineation and prepared a Preliminary Jurisdictional Delineation and associated graphics for a new California Conservation Corps campus in Willits.

Vulcan Materials Company, Sacramento Aggregates Carli Expansion Sacramento County, California

For this project, LSA is providing environmental services to Vulcan Materials, Inc., associated with the expansion of the Sacramento Aggregates mining operation. Ms. Van Zuuk conducted focused botanical surveys, a jurisdictional delineation, a general habitat assessment, and ongoing preconstruction surveys. Additionally, Ms. Van Zuuk prepared an Approved Jurisdictional Delineation and associated graphics. LSA continues to provide on-call services to support the continuing preservation of the Triangle Rock Vernal Pool Preserve, including performing impact assessments following fires such as the Florin Fire (2018) and identifying remedial actions as necessary.

EXPERTISE

- Residual Dry Matter (RDM) surveys
- Rare Plant Surveys
- Vegetation Surveys and Monitoring
- Mapping Extent of Plant Species and Sensitive Communities Using GPS
- Tree Ring Dating
- Controlled Burning

EDUCATION

B.S., Evolution, Ecology, and Biodiversity, University of California, Davis, 2021

PROFESSIONAL EXPERIENCE

Botanist, LSA, Point Richmond, California, May 2022–Present

Field Technician, Emery Lab, University of Colorado, Boulder doing field work in Dixon, California, April 2022–May 2022

Tribal Consultant/Burn Lead and Attendee, North Fork Mono Tribe, Mariposa, California, February 2020 – Present

Field Crew Lead, Latimer Lab, University of California, Davis, June–September 2021

Research Assistant, University of California, Davis, September 2018–June 2021

SPECIALIZED TRAINING

Low Impact and Non-Invasive Geophysical Archaeological Methods for Ancestral Land Training, North Fork Mono Tribe and University of California, Berkeley Archaeological Research Facility, April 2021

PROFESSIONAL RESPONSIBILITIES

Mx. de la Calle is an ecologist with 4 years of experience working on a variety of ecological projects (e.g., tree and vegetation surveys, rare plant surveys, and seed collection). In addition, they have spent over 2 years working with the North Fork Mono Tribe as a tribal consultant on cultural burns. This work includes leading burns, identifying cultural resources and gathering sites, and communicating with a diverse group of tribal members, agency employees, academics, and community members.

PROJECT EXPERIENCE

Solano County Water Agency, Petersen Ranch Mitigation Bank Biological Monitoring Dixon, California

Mx. de la Calle assisted in compiling a plant list and mapping wetlands for the creation of a mitigation bank at the Petersen Ranch property in Solano County. In addition, they identified and mapped pappose tarplant (*Centromadia parryi* ssp. *parryi*), which is a listed rare plant. This project is part of the greater implementation of the Solano County Habitat Conservation Plan, a plan which Mx. de la Calle has assisted with updating the special status species sections.

MNS Engineers, Hospital Road Bridge Revegetation Monitoring Hollister, California

Mx. de la Calle monitored riparian revegetation efforts after the construction of the Hospital Road bridge. They assessed the plantings and compiled an As-built Report that included further monitoring and performance criteria.

San Francisco International Airport, West of Bayshore San Francisco Garter Snake Recovery Action Plan San Francisco, California

Mx. de la Calle conducted biological monitoring during removal of aquatic vegetation in order to create habitat for San Francisco garter snake and California red-legged frog. They assisted in relocating gopher snakes, conducting environmental awareness trainings for construction personnel on site, and preparing daily monitoring reports.

Tesoro Refining and Marketing Company, Amorc Pipeline Support Repair Martinez, California

Mx. de la Calle conducted weed control efforts and revegetation monitoring to comply with the RWQCB and Biological Opinion measures related to the protection of salt marsh harvest mouse. This work included transect surveys and identifying coastal salt marsh species.

Equity Lifestyle Properties, Marina Dunes RV Park Expansion Marina, California

Mx. de la Calle conducted annual revegetation monitoring related to the protection of native coastal dune habitat. They identified and assessed Monterey spineflower (*Chorizanthe pungens* ssp. *pungens*).

**University of California, Merced Vernal Pool and Grasslands Reserve
Merced, California**

Mx. de la Calle assisted in conducting residual dry matter (RDM) surveys on the 6,500-acre Merced Vernal Pool and Grasslands Reserve to inform the grazing management plan.

**Dermody Properties, LogistiCenter at Fairfield Regulatory Permitting and CEQA Compliance Services
Fairfield, California**

Mx. de la Calle assisted in the wetland creation effort for LogistiCenter at Fairfield project by mapping the extent of pappose tarplant (*Centromadia parryi* ssp. *parryi*), monitoring construction, collecting and sowing seeds, and assessing success of replanting efforts. In addition, they wrote an As-built report with the data they collected.

**Dermody Properties, 3636 Enterprise Biological Services
Hayward, California**

Mx. de la Calle conducted a survey and mapped for creeping rye grass turfs, which is a sensitive natural community. They put together a revegetation plan and a monitoring plan for the on-site created wetlands.

**Republic Urban Properties, 5005 Peabody Due Diligence Assessment
Fairfield, California**

Mx. de la Calle conducted a protocol-level botanical survey, including mapping the extent of pappose tarplant (*Centromadia parryi* ssp. *parryi*) on site. They also assisted a certified arborist in a protocol-level tree inventory of the entire site.

**Tunitas Beach Rare Plant Surveys
Half Moon Bay, California**

Mx. de la Calle assisted in compiling a plant list and surveying for rare plants on a designated section of Tunitas Beach prior to construction of a beach access trail. They recorded every plant species present and looked for target special-status plants.

**Mahonia Glen Plant Surveys
Santa Rosa, California**

Mx. de la Calle assisted in compiling a plant list and surveying for rare plants on a Santa Rosa property with a drainage channel that is proposed for realignment.

**Erickson Residence Plant Surveys
St. Helena, California**

Mx. de la Calle assisted in compiling a plant list and surveying for rare plants along an undeveloped hillside parcel where the owner proposed to construct a single-family residence.

OTHER EXPERIENCE

**North Fork Mono Tribe, Tribal Consultant on Cultural Burns
California**

As a tribal consultant and burn lead for the North Fork Mono Tribe, Mx. de la Calle led cultural burns, collaborated with Indigenous fire practitioners, and taught diverse guests about cultural burning. In addition, they located culturally important plants and opened up gathering spaces for these cultural resources. Mx. de la Calle attended over a dozen burns over 3 years in Solano, Merced, and Tulare counties.

**University of Colorado, Boulder, *Lasthenia* Plant Surveys
California**

As a remote field technician for the Emery Lab at the University of Colorado, Boulder, Mx. de la Calle monitored life history traits, collected seeds, and identified species of *Lasthenia* in a vernal pool community.



EXPERTISE

- Parks, Recreation, and Open Space Planning
- Site Assessment and Use Feasibility
- Environmental Planning and Analysis
- Community Assessment/Public Involvement
- Multi-Modal Transportation Planning

EDUCATION

M.U.E.P., Urban and Environmental Planning,
University of Virginia,
Charlottesville, 2002

B.A., Physics, University of
California, Los Angeles, 1993

PROFESSIONAL EXPERIENCE

Associate/Senior Planner, LSA,
Point Richmond, California,
2003–Present

Assistant Project Manager,
LSA, Point Richmond,
California, May 2002–2003

Planning Intern, Town of
Scottsville, Scottsville,
Virginia, 2001

PROFESSIONAL CERTIFICATIONS/ REGISTRATIONS

American Institute of Certified
Planners (AICP)

PROFESSIONAL RESPONSIBILITIES

Ms. Guiler is an urban and environmental planner with over 20 years of experience in parks and open space planning, resource management, environmental analysis in environmental analysis, parks and open space planning, and resource management. She is experienced in managing multi-disciplinary teams for a range of projects, including roads, bridges, trails, and infrastructure projects. Ms. Guiler is skilled at evaluating complex projects and preparing user-friendly planning documents that incorporate reliable technical data and sound environmental analysis. Her experience includes impact analysis, environmental documentation for project compliance under both the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA), and permit processing for federal, state, and local public agencies as well as private developers.

AWARDS/HONORS: 2009 California Park & Recreation Society Achievement Award (Maintenance Management and Operations category) for the Aliso and Wood Canyons Wilderness Park Resource Management Plan.

PROJECT EXPERIENCE

City of Richmond, Urban Greening Master Plan Richmond, California

Ms. Guiler served as Project Manager/Environmental Planner for this project and prepared an IS/MND that analyzed the potential environmental impacts associated with the construction of several recommended projects identified in the Urban Greening Master Plan (Plan), which was intended to serve as a guide for the development and enhancement of the City's urban forest. The Plan proposes code changes, details planting guidelines and identifies greening opportunities to help the City achieve its green vision. The IS/MND evaluated potential environmental impacts of Plan implementation, including tree planting within City right-of-way and other landscaping improvements.

Sonoma County Regional Parks, Hood Mountain Regional Park and Open Space Lawson Expansion Master Plan/Resource Management Plan Sonoma County, California

Ms. Guiler served as Project Manager/Environmental Planner for this project, assisting with preparation of an MP/RMP for 247 acres of land that had been added to the existing Hood Mountain Regional Park. She coordinated with in-house technical staff to prepare the MP/RMP and was the primary author of the IS/MND in compliance with CEQA. Ms. Guiler developed goals, objectives and standards for the natural and cultural resources found on the sites, including protection of known archaeological and historical cultural resources, preservation and restoration of native habitat, and protection of special-status species. She also prepared goals and objectives related to public access, interpretation/education, and operation and maintenance consistent with the protection and preservation of site resources and the results of the public outreach efforts. In October 2017, much of Hood Mountain including the Lawson Expansion area was burned in the North Bay Area wildfires that affected areas including unincorporated Sonoma County. Ms. Guiler revised the MP/RMP to address the fire damage, including goals and policies for habitat restoration, and future fuels management.

Orange County Parks, Aliso and Wood Canyons Wilderness Park Resource Management Plan
Orange County, California

Ms. Guiler served as Environmental Planner for this project, to prepare a resource management plan (RMP) to help the County of Orange preserve and manage over 2,000 acres of open space land within the Nature Reserve of Orange County. She assessed the conditions of the 30-mile trail system, coordinated Existing Conditions documentation and prepared the RMP. She also prepared workshop materials for presentations to the public and the Coastal Greenbelt Authority. She was the primary author of the CEQA environmental documentation for the RMP, and the IS/MND and the RMP were approved by the Board of Supervisors in August 2009. Orange County Parks and LSA won the 2009 California Park & Recreation Society Achievement Award in the Maintenance Management and Operations category for the Aliso and Wood Canyons Wilderness Park RMP.

Puente Hills Landfill Native Habitat Preservation Authority, Resource Management Plan
Unincorporated Los Angeles County, California

Ms. Guiler served as Environmental Planner for this project, a resource management plan (RMP) that provides goals and guidelines to assist the Habitat Authority in managing its open space lands in the Puente/Whittier Hills. Ms. Guiler prepared the IS/MND and assisted with preparation of the RMP, particularly, the Public Access and Trails component. She summarized trail conditions; recommended new trails and access points; and drafted design guidelines to properly build, maintain, and restore trails. The IS/MND and RMP were adopted by the Habitat Authority Board of Directors in July 2007.

Marin County Parks, Stafford Lake Park Master Plan
Marin County, California

Ms. Guiler served as Project Manager/Environmental Planner for this project and prepared an IS/MND for the Master Plan, a comprehensive, long-term planning document designed to guide the future development of park facilities, improvements, and programs, including recommendations for general infrastructure and circulation improvements as well as singular design elements. The IS/MND evaluated the potential environmental effects of implementing the Master Plan and provided overall guidance for development of individual facilities/improvements when funding becomes available.

Marin County Parks, Homestead Valley Land Management Plan
Marin County, California

Ms. Guiler served as Project Manager/Environmental Planner for this project and prepared an IS/MND that analyzed the potential environmental impacts associated with land management activities within Community Service Area 14 known as Homestead Valley. She assessed the possible impacts of fire fuel reduction measures, native species preservation, trail and road maintenance, and community engagement.

Hayward Area Recreation and Parks District, Mateo Street Park Project
Alameda County, California

Ms. Guiler served as Project Manager/Environmental Planner for this project and prepared an IS/MND that analyzed the potential environmental impacts associated with the development of a neighborhood park on a 1.4-acre site located at 16037 and 16081 Mateo Street in the unincorporated community of Ashland in Alameda County. The project components include demolition and removal of the existing structures, site soil mitigation, grading and drainage improvements, and construction of proposed park improvements. The proposed park would include a pathway, pedestrian-scale lighting, play and fitness areas, picnic areas, shade structures, site furnishings, fencing and gates, signage, and associated plantings/landscaping. The IS/MND specifically assessed potential impacts of construction activities to cultural and biological resources, air quality, noise, traffic, hydrology and storm drainage, and hazards and hazardous materials.



EXPERTISE

- CEQA Document Preparation
- Environmental Analysis
- Air Quality Analysis
- Greenhouse Gas Emission Analysis
- Noise Analysis
- Land Use Planning

EDUCATION

B.S., City & Regional Planning,
minor in Real Property
Development, California
Polytechnic State University,
San Luis Obispo, June 2015

PROFESSIONAL EXPERIENCE

Associate/Senior
Environmental Planner, LSA,
Fresno, California, June 2014–
Present

Assistant Planner, San Luis
Ranch, Coastal Community
Builders Pismo Beach,
California, February 2015–
June 2015

Housing Intern, County of San
Luis Obispo, spring 2014

Planning Intern, City of Clovis,
summer 2013

SPECIALIZED TRAINING

CEQA Case Law Update, 2016

Advanced CEQA Workshop,
2016

NEPA Essentials Workshop,
2016

PROFESSIONAL RESPONSIBILITIES

Ms. Cunningham is an Associate/Senior Environmental Planner with a growing roster of experience. At LSA, she provides project management and technical assistance on a variety of planning and environmental documents including environmental assessments, initial studies, and environmental impact reports. At LSA, Ms. Cunningham has been involved in residential and commercial development projects, road improvement projects, and program-level plans. Ms. Cunningham has a strong foundation in land use planning and is well versed in addressing impacts to air quality, greenhouse gas emissions, and noise.

Ms. Cunningham is proficient with the use of the Federal Highway Administration Traffic Noise Prediction Model (FHWA RD-77-108) and is proficient in air quality models, including the California Emissions Estimator Model (CalEEMod) and the Roadway Emissions Estimator Model (RoadMod). Ms. Cunningham is also responsible for conducting field noise measurements with the Larson Davis SoundTrack LxT sound level meter in compliance with applicable standards.

PROJECT EXPERIENCE

California Maritime Academy Master Plan EIR for California State University, California Maritime Academy Vallejo, California

The Master Plan will cover all aspects of campus development over the next 15 years, including student enrollment growth, overall campus land use and design, building capacity and placement, circulation and infrastructure, and sustainability. Ms. Cunningham assisted with the preparation of the Air Quality, Greenhouse Gas, and Noise sections of the EIR.

City of Hanford, Hanford Place Project IS/MND Hanford, Kings County, California

Ms. Cunningham, serving as the Project Manager, prepared both technical and non-technical sections of the Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed project, which would develop a medical and mixed-use development and would construct 15 buildings consisting of medical outpatient clinic services, hotel and conference center, specialized education, retail, medical office, skilled nursing and assisted living, and multifamily residential uses, as well as a bio infiltration basin, associated open space, circulation and parking, and infrastructure improvements.

City of Clovis, Fire Station 6 Project Air Quality and Greenhouse Gas Emissions Analysis and Noise Analysis Clovis, Fresno County, California

Ms. Cunningham prepared the air quality, greenhouse gas, and noise analyses for the proposed project, which would construct a 7,943-square-foot fire station, a 1,392-square-foot dispatch center, a communications tower, and associated parking and landscaping in the City of Clovis.

**City of San Bruno Recreation and Aquatic Center Project EIR
San Bruno, California**

On the basis of a preliminary Initial Study prepared by LSA, it was determined that a Focused EIR would be required to further evaluate the potentially significant impacts of the project. Ms. Cunningham assisted with the preparation of the Air Quality, Greenhouse Gas, and Noise sections of the EIR.

**City of Burlingame/Group 4 Architecture Research + Planning, Inc., Burlingame Community Center
Project IS/MND
Burlingame, California**

The City Council approved the replacement of the existing structure with a new facility of approximately 35,700 square feet. The proposed project would include three components: (1) redevelopment of the Burlingame Community Center; (2) improvements to the playground, outdoor basketball court, picnic area, and site; and (3) improvements to allow for more parking area. Group 4 Architects prepared a master plan for the new community center, and LSA prepared the IS/MND on the master plan. Ms. Cunningham prepared the air quality and greenhouse gas analyses for the project.

**City of San Carlos Public Works Department, Burton and Highlands Parks Project
San Carlos, California**

Ms. Cunningham prepared the air quality and greenhouse gas analyses for this project that analyzed improvements to existing sports fields, which included the installation of additional and upgraded night lighting at fields at both parks to allow for extended hours of play.

**Callander Associates/City of Fairfield, Allan Witt Park Renovation IS/MND Project
Fairfield, California**

Ms. Cunningham prepared the air quality and greenhouse gas analyses for these projects. As a subconsultant to Callander Associates, LSA prepared the CEQA documentation for two park improvement projects in the City of Fairfield. Allan Witt Community Park was identified as one of three City parks to be part of the Community Spaces Initiative, a coordinated multi-departmental effort to activate existing park spaces and reduce rates of blight and crime. Following a year-long planning and public outreach process, the City Council adopted the Allan Witt Community Park Renovation Plan, prepared by Callander Associates, in March 2018. Renovation of the 48-acre park is proposed to include a multitude of spaces and activities that would serve visitors of all abilities and interests, with playgrounds, sports fields and courts, a dog park, and community gathering areas. The proposed project would be served by improved and expanded parking and circulation, lighting, restrooms, and landscaping. LSA completed the CEQA checklist and prepared an IS/MND, enabling the City to make a determination that significant effects could be reduced to less than significant with mitigation measures.

**City of Menlo Park, 111 Independence Drive, Environmental Impact Report
Menlo Park, San Mateo County, California**

Ms. Cunningham prepared the Air Quality, Greenhouse Gas, and Noise sections of the EIR for the proposed project, which would result in the demolition of existing office space and redevelopment of the project site with an approximately 145,350-gross-square foot, eight-story multifamily apartment building with approximately 105 dwelling units and an approximately 712-square foot potential commercial space, as well as associated open space, circulation and parking, and infrastructure improvements.

**City of Milpitas, 1724 Sunnyhills Court Project IS/MND
Milpitas, California**

Ms. Cunningham prepared the Air Quality, Energy, Greenhouse Gas, and Noise sections of the IS/MND for the proposed project, which includes the demolition of an existing leasing/community building and the construction of 44 two- to three-story multifamily residential units, a new leasing building, and site improvements.

CAROL RICE

SENIOR WILDLAND FIRE MANAGER

EXPERTISE

- Local Fire Expert
- Fire Ecology

EDUCATION

M.S., Wildland Resource Sciences Program, University of California, Berkeley

B.S., Forestry, University of California, Berkeley

PROFESSIONAL EXPERIENCE

General Manager, Wildland Res Mgt, Reno, Nevada, and Alamo, California

President, Wildland Resource Management, Inc., Walnut Creek and Alamo, California

Associate Director, Fire Research Institute, Roslyn, Washington, and Walnut Creek, California

PROFESSIONAL RESPONSIBILITIES

Ms. Rice has over 35 years of experience providing wildland fire management services to Northern California communities. Ms. Rice and Wildland Res Mgt have developed a notable "track record" and are respected for the quality of work produced.

PROJECT EXPERIENCE

Napa County Community Wildfire Protection Plan, Napa Communities Firewise Foundation

Wildland Res Mgt developed the county-wide community wildfire protection plan for Napa County and developed its online Hub. A community base map that is comprised of an interactive map of the important characteristics of the county was compiled. A quantitative risk assessment framework based on the GIS layers was developed (prior to the 2020 wildfires). Stakeholder meetings are ongoing, and projects are being collected.

East Bay Regional Park District, Wildfire Hazard Reduction and Resource Management Plan and Programmatic EIR/EIS

Ms. Rice was responsible for identifying and describing the areas of potential action based on potential flame lengths and crown fire potential within a 13-square-mile study area that spans the hills from El Cerrito to San Leandro. Inputs to the fire behavior models were developed from translating values

associated with vegetation types into fuel models, tree heights, crown density, and height to live crown. Other inputs such as weather are being collected from local observation stations. Mitigation measures that reduce fire hazard with minimal environmental impact are to be identified. Participation in public meetings (where fire modeling outputs are explained) and various outreach activities (where peers solicited for feedback) are ongoing.

Santa Clara County Community Wildfire Protection Plan

Carol Rice assisted in the development of projects and strategies to engage stakeholders and the public throughout the planning process. Eight public workshops were held throughout the county, and one special stakeholder meeting engaged large landowners such open space districts. Stakeholders were involved in the development of the document, map resources, and planning for future updates.

Orlando Lawrence Berkeley National Laboratory, Fire Hazard Reduction Study

The project consisted of developing prescriptions for treatment on the 130-acre national laboratory situated in the hills above the UC Berkeley campus. Treatments considered concerns encompassing visual, wildlife habitat, soil erosion, biodiversity, noise, and cost issues. Costs estimates were developed and used as a basis for budget requests. Pre- and post-treatment fire behavior was predicted for each area of treatment in order to assess the efficiency of treatment. The fire behavior predictions resulted in an increase of 50 percent in the area encompassed by the Lab in order to provide enough fire reduction buffer. The effect of treatments on fire behavior was tested using FARSITE, a fire growth prediction model. The results of the fire growth model, along with specifics regarding treatments, were shared with local fire chiefs, neighborhood groups, lab employees, and environmental associations. This project is in its fourth year of implementation, with ongoing oversight and environmental monitoring. Ms. Rice, in collaboration with LBL, also developed with four co-authors a handbook for removing hazardous weeds without harming native plants (The Vegetation Almanac).

JASON COLEMAN, M.A., R.P.A.

MANAGING PRINCIPAL



EXPERTISE

- Founder of Solano Archaeological Services LLC
- Surveyed more than 100,000 acres throughout California
- Field directed numerous large-scale testing and data recovery projects
- Active archaeologist for over 27 years
- Conducted professional projects in 5 different states
- Proficient in CEQA, NEPA, and Section 106 compliance
- Six years college teaching experience (anthropology)

EDUCATION

- M.A., Anthropology, California State University, Hayward.
- B.A., Anthropology, University of California, Berkeley, with Honors

PROFESSIONAL CERTIFICATIONS

- Registered Professional Archaeologist (ID 15338)
- Meets the Secretary of the Interior's Standard for Archaeology

PROFESSIONAL RESPONSIBILITIES

Mr. Coleman will serve as head administrator and co-principal investigator for the Hillside Natural Area Fire Resilience and Forest Conservation Management Plan.

SELECT PROJECT EXPERIENCE - REGIONAL

6301 Chadbourne Road Subdivision Project, City of Brentwood, California

Constraints analysis of an 81.17-acre property located in downtown Brentwood. The parcel was found to contain six historic-era resources, including a refuse scatter, farm complex, PG&E transmission line, windmill, agricultural equipment, and fenceline segment. According to DeNova Homes and an analysis of aerial photography, both the farm complex and windmill have been destroyed/removed.

Old Stagecoach Road Subdivision Project, City of Brentwood, California

CEQA inventory for a 10.81-acre parcel in Brentwood proposed for subdivision. Redefined Horizons, LLC proposed a multi-lot residential subdivision in a mixed agricultural and residential area. No cultural resources were discovered.

197 Midhill Road Project, City of Martinez, California

Full CEQA study of the same 9.88-acre property the previous constraints analysis was conducted on in the City of Martinez. Outreach revealed no Native American concerns about developing the parcel. The possible historic-era house discovered during the constraints analysis was found to be built in 1977; however, four historic-era cultural resources were identified during survey, including a shed, barn, stock pond, and Midhill Road segment, all recommended as ineligible for the CRHR. The structures likely were associated with the early residence that once resided at the parcel.

Oakley Logistics Center Project, City of Oakley, California

NorthPoint Development proposed to construct a shipping logistics center that will allow for the transport, logistics, and distribution of goods to be carried out by various operators on a commercial basis. The proposed project would include the construction of Class A light industrial, warehousing, distribution, e-commerce fulfillment, and light manufacturing and warehouse space. The project would also entail roadway improvements and the installation of utility and storm drainage systems. The proposed

site location was once occupied by DuPont and at times is referred to as the "Chemours" or "DuPont" site. The former DuPont facility produced certain chemicals related to freon and gasoline anti-knock agents. All manufacturing activities ceased in 1999 and the manufacturing facilities at the site were demolished, less a single administration building and various remnants of utility infrastructure. As waters of the United States were identified within the 150-acre APE, a Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers was needed. SAS was contracted to conduct a NEPA-level inventory to support those needs. During the course of the inventory a previously documented a 20th century rail alignment (Atchison, Topeka, and Santa Fe Railroad Grade) and historic remnants (31 features consisting mainly of decaying building foundations) of the old Dupont factory were identified, neither of which were recommended eligible for the NRHP listing.

Gilbert Property – Cypress Road East Project, City of Oakley, California

DeNova Homes, Inc., proposed improvements on Cypress Road extending about 1,000 feet east from the intersection of Knightsen Avenue in the City of Oakley. The improvements primarily consisted of road widening, as well as the addition of lanes and intersection improvements. As waters of the United States were identified within the 1.5-acre APE, a Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers was needed. SAS was contracted to conduct a NEPA-level inventory to support these needs, and a segment of East Cypress Road was subsequently recorded as a historic-era resource. The road segment was recommended ineligible for NRHP listing.

Big Eddy Wildland-Urban Interface Fuels Reduction Project (2023) Community of Fall River Mills, Shasta County, California

The Fall River Resource Conservation District (FRRCD) proposed the Big Eddy WUI Fuels Reduction Project on private lands in Shasta County. The project area lies just south of the community of Fall River Mills, adjacent to the Pit River, and

JASON COLEMAN, M.A., R.P.A.

MANAGING PRINCIPAL



straddles both sides of Cassel Fall River Road. The project area was situated on 50 privately owned parcels of varying acreage. The proposed project planned to implement fuel reduction activities to improve the protection of homes, communities, critical infrastructure, and public and private lands from wildfire while protecting environmental, and cultural resources. The project will reduce fuel loads in a oak woodland areas consisting of white oak, Western juniper and various pines located adjacent to and near Cassel-Fall River Road, south of the town of Fall River Mills. Operating under a Cal Fire grant, SAS was tasked with completing a CEQA-level cultural resources inventory, including a full records search at the Northeast Information Center, Native American outreach, a pedestrian survey, and documentation. During survey SAS field crew discovered six newly identified sites (lithic scatters, prehistoric habitation sites, and historic debris scatters) as well as eight isolated finds (mostly flakes and cans). SAS also relocated previously recorded site P-47-003646, a large prehistoric habitation site with midden and milling stations. SAS made CRHR eligibility recommendations and site-specific mitigation measures for all of the identified resources, and provided the FRRCD with a report documenting the finds.

Upper Butte Creek Forest Health Initiative Project (2022), Butte, Plumas, and Tehama Counties, California

The Butte County Resources Conservation District proposed the Upper Butte Creek Forest Health Initiative Project to return overstocked and unhealthy forest conditions to pre-Euro-American settlement tree densities and species mixtures on Lassen National Forest (LNF), Almanor Ranger District lands around Jonesville, in Butte, Plumas, and Tehama Counties, California. Project treatment methods included manual and mechanical thinning, prescribed fire, road and stream crossing improvements, and hazard tree removal. Significant portions of the 4,695.93-acre APE burned in the 2021 Dixie Fire, so both pre-fire (forest health treatments) and post-fire treatments were part of the proposed project. SAS was tasked with surveying the APE, updating information on previously documented sites and features, and evaluating potentially affected resources per NRHP and CRHR criteria. The results of a record search provided by the LNF indicated that 54 previously documented cultural resources were located in the APE. The SAS survey revisited these sites and site locations and updated existing information on these resources, as well as recording five new prehistoric and historic-era sites. SAS created site-specific mitigation measures for each site, and made preliminary NRHP and CRHR site evaluations.

County Road 91 Fuel Break Project (2022), Modoc County, Modoc National Forest, Big Valley, Doublehead, and Devil's Garden Ranger Districts, California

The County Road 91 Fuel Break Project was developed by the Pit Resource Conservation District (RCD) in collaboration with the Modoc National Forest (MDF). The goal of the project was to improve fire suppression potentials and public safety, protect resource values from wildfire, promote forest health and diversity, reduce insect and disease risk, improve wildlife habitat, and restore ecological processes on a approximately 1,415.66-acre APE in MDF lands adjacent to CR-91 west of the community of Canby. The RCD contracted with SAS to identify cultural resources within the APE that could be subject to project-related effects, and so that project planning could include avoidance or mitigation measures. SAS was tasked with inventorying the APE, updating information on previously documented sites and features, and evaluating the significance of potentially affected resources. A record search conducted by the MDF indicated that 19 previously documented cultural resources were located in the APE. These consisted of two segments of a mid-19th century emigrant route, and 17 prehistoric sites all of which were re-recorded or monitored by SAS. Four previously undocumented resources consisting of a 20th century trash deposit, two lithic artifact scatters, and a prehistoric isolate were also recorded in the APE. SAS produced a report that provided preliminary site evaluations and site-specific mitigations to the MDF and RCD.

Lava Restoration (2022), Siskiyou County, Shasta-Trinity National Forest, Shasta McCloud Management Unit, California

The Shasta-Trinity National Forest (STNF), Shasta McCloud Management Unit, in collaboration with the Northern California Resource Center (NCRC) planned to expedite the long-term recovery and restoration of approximately 3,546.27 acres of severely burned forest (the APE) in the Lava Restoration area within the 2021 Lava Fire footprint. This recovery and restoration effort would be accomplished through preparation and reforestation using manual and mechanical methods. The APE was located approximately 6 miles east of the City of Weed and about 10 miles northeast of the City of Mt. Shasta. To facilitate the Section 106 compliance process, the NCRC contracted with SAS to identify cultural resources within the APE that could be subject to project-related effects so project planning could include avoidance or mitigation measures as necessary. SAS was tasked with surveying the APE, updating information on previously documented sites and features, and evaluating potentially affected resources per NRHP criteria. Record searches conducted by the STNF and the Northeast Information Center indicated that 14 previously documented cultural resources were known to be present within or immediately adjacent to the APE. An intensive field survey identified five newly documented historic-era sites and one isolated historic-period artifact within the survey area. None of the documented sites constitute historic resources per NRHP criteria and would not be affected by the proposed project. SAS recommended the proposed project would have no effect on historic resources per Section 106.

BRIAN LUDWIG, PH.D., R.P.A.

PRINCIPAL INVESTIGATOR



EXPERTISE

-- Principal Investigator -
Solano Archaeological Services

--Over 35 years in cultural
resources management

--Managed hundreds of
projects – US east and west
coast

--Proficient in CEQA, NEPA, and
Section 106 compliance

--Prehistoric and historic-era
material culture analysis

--Experienced agency,
stakeholder, Native American
consultation

EDUCATION

Ph.D., Anthropology, Rutgers
University.

M.A., Anthropology, Rutgers
University.

B.A., Anthropology, Montclair
State University.

PROFESSIONAL CERTIFICATIONS

--Registered Professional
Archaeologist

--Meets the Secretary of the
Interior's Standard for
Archaeology

PROFESSIONAL RESPONSIBILITIES

Dr. Ludwig will serve as the main principal investigator for the Hillside Natural Area Fire Resilience and Forest Conservation Management Plan

SELECT PROJECT EXPERIENCE - REGIONAL

San Francisco Public Utilities Commission, Calaveras Dam Replacement Project EIR/EA, Alameda County, California

Dr. Ludwig directed all cultural resources studies for a joint venture partnership which prepared environmental documentation for the replacement of the Calaveras Dam. The project was one of the key components of the Water System Improvement Program to provide seismic upgrades for water supply facilities that serve 2.4 million people in the Bay Area. The project, when completed, will restore storage to 96,800 acre-feet and provided releases of up to 6,300 acre-feet per year for fisheries enhancement. The EIR was prepared under direction of the City Planning Department Major Environmental Analysis, and the EA was developed for USACE. The environmental documents and permits addressed impacts on wetlands and riparian habitats, threatened and endangered species, anadromous steelhead, historic and archaeological resources, water quality, recreation, geology, construction traffic, air quality, and other issues.

Calaveras Dam Replacement EIR/EA and Permitting Assistance, Alameda County, California

Dr. Ludwig managed all aspects of the cultural resources investigation for CEQA and NEPA documentation for the proposed replacement of the Calaveras Dam proposed by the San Francisco PUC. The project is one of the key components of the Water System Improvement Program to provide seismic upgrades for water supply facilities that serve 2.4 million people in the Bay Area. The project is replacement of the seismically unsound earth fill dam at a location downstream of the current dam. The project when completed will restore storage to 96,800 acre-feet and provided releases of up to 6,300 acre-feet per year for fisheries enhancement. The EIR was prepared under direction of the City Planning Department Major Environmental Analysis and the EA was prepared for the US Army Corps of Engineers. The environmental documents and permits address a wide range of environmental issues including impacts on wetlands and riparian habitats, threatened and endangered species, anadromous steelhead, historic and archaeological resources, water quality, recreation, geology, construction traffic, air quality and other issues.

East Bay Municipal Utilities District Chabot Dam Upgrade Project, Contra Costa County, California

Dr. Ludwig managed all cultural resources studies for this project which proposes seismic upgrade work on the dry side of Chabot Dam and on the dam's outlet tower. Chabot Dam was built in 1874 and retrofitted in 1980. Additional work is required at this time because a small portion of surface fill added to the bottom of the dam in the 1880s could cause the dam to settle approximately three feet in a major earthquake. Settlement would not cause the dam to fail, because there is at least 23 feet of space between the top of the dam and the top of the water. The cultural resources project included consultation with the Native American community, archival research, a field assessment, and development of impacts and mitigation measures.

Alternative Intake EIR/EIS and Levee NRHP Evaluation Project, Contra Costa County, California

The Contra Costa Water District (CCWD) proposed the Alternative Intake Project to improve its source water quality. The project entails a new diversion in the Delta to access better water quality and conveyance of that diverted water into the CCWD system. The US Bureau of Reclamation was an active participant in the project and oversaw preparation of the EIS and water rights application to add a new point of diversion.

Big Eddy Wildland-Urban Interface Fuels Reduction Project, Community of Fall River Mills, Shasta County, California

The Fall River Resource Conservation District (FRRCD) proposed the Big Eddy WUI Fuels Reduction Project on private lands in Shasta County. The project area lies just south of the community of Fall River Mills, adjacent to the Pit River, and straddles both sides of Cassel Fall River Road. The project area was situated on 50 privately owned parcels of varying



acreage. The proposed project planned to implement fuel reduction activities to improve the protection of homes, communities, critical infrastructure, and public and private lands from wildfire while protecting environmental, and cultural resources. The project will reduce fuel loads in a oak woodland areas consisting of white oak, Western juniper and various pines located adjacent to and near Cassel-Fall River Road, south of the town of Fall River Mills. Operating under a Cal Fire grant, SAS was tasked with completing a CEQA-level cultural resources inventory, including a full records search at the Northeast Information Center, Native American outreach, a pedestrian survey, and documentation. During survey SAS field crew discovered six newly identified sites (lithic scatters, prehistoric habitation sites, and historic debris scatters) as well as eight isolated finds (mostly flakes and cans). SAS also relocated previously recorded site P-47-003646, a large prehistoric habitation site with midden and milling stations. SAS made CRHR eligibility recommendations and site-specific mitigation measures for all of the identified resources, and provided the FRRCD with a report documenting the finds. Served as report writer and co-Principal Investigator for the project.

Upper Butte Creek Forest Health Initiative Project, Butte, Plumas, and Tehama counties, California

The Butte County Resources Conservation District proposed the Upper Butte Creek Forest Health Initiative Project to return overstocked and unhealthy forest conditions to pre-Euro-American settlement tree densities and species mixtures on Lassen National Forest (LNF), Almanor Ranger District lands around Jonesville, in Butte, Plumas, and Tehama Counties, California. Project treatment methods included manual and mechanical thinning, prescribed fire, road and stream crossing improvements, and hazard tree removal. Significant portions of the 4,695.93-acre APE burned in the 2021 Dixie Fire, so both pre-fire (forest health treatments) and post-fire treatments were part of the proposed project. SAS was tasked with surveying the APE, updating information on previously documented sites and features, and evaluating potentially affected resources per NRHP and CRHR criteria. The results of a record search provided by the LNF indicated that 54 previously documented cultural resources were located in the APE. The SAS survey revisited these sites and site locations and updated existing information on these resources, as well as recording five new prehistoric and historic-era sites. SAS created site-specific mitigation measures for each site, and made preliminary NRHP and CRHR site evaluations. Served as report writer and co-Principal Investigator for the project.

County Road 91 Fuel Break Project, Modoc County, Modoc National Forest, Big Valley, Doublehead, and Devil's Garden Ranger Districts, California

The County Road 91 Fuel Break Project was developed by the Pit Resource Conservation District (RCD) in collaboration with the Modoc National Forest (MDF). The goal of the project was to improve fire suppression potentials and public safety, protect resource values from wildfire, promote forest health and diversity, reduce insect and disease risk, improve wildlife habitat, and restore ecological processes on a approximately 1,415.66-acre APE in MDF lands adjacent to CR-91 west of the community of Canby. The RCD contracted with SAS to identify cultural resources within the APE that could be subject to project-related effects, and so that project planning could include avoidance or mitigation measures as necessary. SAS was tasked with inventorying the APE, updating information on previously documented sites and features, and evaluating the significance of potentially affected resources. A record search conducted by the MDF indicated that 19 previously documented cultural resources were located in the APE. These consisted of two segments of a mid-19th century emigrant route, and 17 prehistoric sites all of which were re-recorded or monitored by SAS. Four previously undocumented resources consisting of a 20th century trash deposit, two lithic artifact scatters, and a prehistoric isolate were also recorded in the APE. SAS produced a report that provided preliminary site evaluations and site-specific mitigations to the MDF and RCD. Served as report writer and co-Principal Investigator for the project.



EXPERTISE

- Project Management
- Communication Skills
- Ability to work well with elected officials, scientists, policy makers, and the public

EDUCATION

M.S. Social Science, University of Washington

B.S. Environmental Science,
B.A. Anthropology, Dickenson College

CERTIFICATIONS

Sustainable Building Advisor
Certificate, Sustainable
Building Advisor Institute

LID Certificate, University of
Washington

PROFESSIONAL RESPONSIBILITIES

Ms. Muller brings expertise in multi-stakeholder facilitation, strategic planning, communications planning, inclusive outreach and engagement, and social marketing. She is a conservation planner with over 18 years of experience providing leadership for complex and high-profile planning and projects that span the science/policy interface. Clients rely on Ms. Muller to quickly discern the big picture, ask questions, and develop strategies to build awareness and support for their projects across diverse audiences. Her strengths include efficient project management, excellent communication skills, and the ability to work well with elected officials, scientists, policy makers, and the public.

PROJECT EXPERIENCE

Seattle Public Schools, Clean Energy Facilitation

Lead Facilitator and Project Manager. Engaging a group of 25 key stakeholders to develop a clean energy transition plan for Seattle Public Schools, that also supports student health alongside more sustainable and equitable communities.

City of Renton, Clean Economy Strategy Update

Project Manager and Engagement Lead. Engages multiple stakeholder and community groups to support strategy and action development for GHG emissions reductions and climate resilience goals.

Department of Ecology (WA), Walla Walla Basin 30-year Integrated Water Resource Management Strategic Plan

Project Manager & Facilitator. Worked with technical team to build an accessible and technically robust summary of current and desired future conditions as well as strategies to achieve desired outcomes. Facilitated a series of stakeholder meetings.

Puget Sound Clean Air Agency, Strategic Plan Update

Project Manager. Led all aspects of external and internal engagement throughout the Strategic Plan Update process, including designing the process, facilitating workshops, responding to staff feedback, and summarizing results.

Washington State Department of Natural Resources, Wildfire Protection Strategic Plan

Facilitator. Served as a facilitator for a wide range of stakeholder focus group sessions including internal DNR staff, elected officials, public-sector agencies at all levels of government, Tribes, and a range of community and special-interest groups—to identify a shared vision for improved wildland fire management and recommend strategies for mitigating wildland fire risk.

Puget Sound Partnership, 2018 Action Agenda Facilitation

Project Manager and Facilitator. Facilitated workshops to review and prioritize Near Term Actions and solicit input on ongoing programs. Managed updates to the 2018 Action Agenda. Interviewed elected officials and policy managers.



EXPERTISE

- Staff Engagement
- Climate and Sustainability Action Planning Projects

EDUCATION

M.M.S. Global Affairs & Public Policy, Tsinghua University

B.S. Environmental Science, Northeastern University

B.A. International Affairs, Northeastern University

CERTIFICATIONS

Sustainable Building Advisor Certificate, Sustainable Building Advisor Institute

LID Certificate, University of Washington

PROFESSIONAL RESPONSIBILITIES

Ms. Seibert manages planning and facilitation projects across Cascadia's portfolio. Her recent work includes leading staff engagement for the Puget Sound Clean Air Agency throughout their Strategic Plan update, managing an effort to update San Juan County's (WA) Recreation, Open Space, and Stewardship Plan, and guiding development of the City of Renton's (WA) Electric Vehicle Charging Plan. She has held a central role on many climate and sustainability action planning projects—including for Livermore (CA), San Francisco (CA) and San Mateo County (CA) – and guided outreach and behavior change projects around waste reduction and recycling for cities in the Bay Area. Prior to joining Cascadia, Ms. Seibert conducted research on Chinese coal emissions for the Natural Resources Defense Council, managed a large farmers market in the Boston area, and led student and faculty engagement around sustainability initiatives at universities for GreenerU. She holds a B.A. in International Affairs and a B.S. in Environmental Sciences from Northeastern University and a Master of Management Science in Global Affairs and Public Policy from Schwarzman College at Tsinghua University.

PROJECT EXPERIENCE

City of El Cerrito, Climate Action Plan Update El Cerrito, California

Community Engagement Support. Supporting the community engagement process to gather feedback from the public and key stakeholders on strategies and actions related to climate mitigation.

City of Renton, Electric Vehicle Charging Plan Renton, California

Project Manager. Guiding development of a roadmap for the City's electric vehicle charging infrastructure expansion and City fleet transition.

San Juan County, Recreation, Open Space, and Stewardship Plan Update

Project Manager. Led data collection, community engagement, action planning, and writing to update a plan to protect and manage San Juan County's natural spaces.

Puget Sound Clean Air Agency. Strategic Plan Update

Staff Engagement Lead. Led internal engagement throughout the Strategic Plan Update process, including designing the process, facilitating workshops, responding to staff feedback, and summarizing results.

City of Foster City, Climate Action Plan and Engagement Foster City, California

Engagement & Writing Support. Creates materials and tools for public and stakeholder engagement around the ongoing community CAP process.

City of San Francisco, Climate Action Plan Engagement San Francisco, California

Communications Planner. Serves a central role in the City's comprehensive engagement campaign, including developing communication materials, recruiting community partners, and conducting outreach through multiple channels.



EXPERTISE

- Community Engagement and Facilitation
- Quantitative Analysis
- Leading and Facilitating Environmental Education Programs

EDUCATION

M.E.S.M., Bren School of Environmental Science & Management, UC Santa Barbara

B.A., Environmental Studies, UC Santa Cruz

PROFESSIONAL RESPONSIBILITIES

Ms. Fennell leads and supports Cascadia's climate and sustainability projects through community engagement and facilitation, quantitative analysis, and report writing. She works with jurisdictions to support various aspects of the climate action planning process, from facilitating community and stakeholder workshops to conducting greenhouse gas inventory analyses. Prior to joining Cascadia, Ms. Fennell earned a Master of Environmental Science and Management degree from UC Santa Barbara, where she focused on climate change and strategic communications. She has a background in leading and facilitating environmental education programs for people of all ages.

PROJECT EXPERIENCE

City of El Cerrito, Climate Action and Adaptation Plan El Cerrito, California

Project Manager. Leading and coordinating the Climate Action and Adaptation Plan development process including a GHG inventory, goal and target setting, strategy development, a vulnerability assessment, and a robust, equity-centered community engagement process. Managing overall project timeline and associated tasks and deliverables.

City of Foster City, Climate Action Plan Engagement Foster City, California

Project Manager (Previous) & Engagement Support. Leading engagement for the City of Foster City's Climate Action Plan, including planning and facilitating community meetings, focus groups, and an online survey.

County of Sonoma, Greenhouse Gas Inventory

Sonoma County, California

Project Manager. Leading and coordinating the County of Sonoma's greenhouse gas inventory process including data collection and processing, report writing and editing, and coordination of outreach materials. Managing overall project timeline and associated tasks and deliverables.

San Francisco Department of the Environment, Greenhouse Gas Inventory Support San Francisco, California

Project Manager. Led all aspects of external and internal engagement throughout the Strategic Plan Update process, including designing the process, facilitating workshops, responding to staff feedback, and summarizing results.

City of Shoreline, Climate Action Plan Update

Project Manager. Developed community outreach and engagement materials and facilitated public workshop series. Led and coordinated Climate Action Plan update, including technical analyses and refinement of key performance indicators. Managing overall project timeline and associated tasks and deliverables.

City of Cupertino, Community Engagement Support Cupertino, California

Engagement Lead. Supported the City with outreach and engagement related to future use of a golf course through in-person outreach at a community event, survey analysis and reporting, and presentations to City committees.



LSA
www.lsa.net



AGENDA BILL

Agenda Item No. 7.F.

Date: June 6, 2023
To: El Cerrito City Council
From: Pete Salazar, Interim Finance Director/City Treasurer; Karen Pinkos, City Manager, City Management
Subject: Amendment to Professional Services Agreement with Maze and Associates

ACTION PROPOSED

Adopt a resolution to authorize the City Manager to amend the professional services agreement with Maze and Associates for temporary Finance staffing support by \$89,882 for a total amount not to exceed amount of \$250,000.

BACKGROUND/ANALYSIS

During the past 14 months, the Finance Department has experienced significant staff attrition and long-term leaves and absences, including the Finance/Budget Supervisor, Senior Accountant, two Finance Technician II/Accountant I positions, and most recently the Finance Director. The Finance Department has employed retired annuitants (consistent with CalPERS rules) and temporary accounting staff from Maze & Associates to assure continuity of operations for accounting and financial management duties including accounts payable, accounts receivable, banking and cash management, financial compliance audits, and regulatory financial and tax reporting.

On July 5, 2022, the City entered into a professional services agreement with Maze & Associates for the amount of \$35,000 to provide temporary accounting staff as needed for the period ending June 30, 2023. On December 6, 2022, City Council approved the City's request to increase the contract with Maze & Associates by \$65,000, and on March 7, 2023 the City Council further approved a budget amendment of \$60,118 for professional services for a total of \$160,118. City staff indicated an ongoing need for temporary accounting staff throughout recruitment efforts and would return to the City Council should an additional increase to the agreement be necessary. Since the departure of the Finance Director, the Finance team has had to increase its reliance on consultants and the temporary accounting staff from Maze & Associates.

Accordingly, staff is requesting to increase the professional services agreement with Maze & Associates by \$89,882 for services provided through June 2023, for a total agreement amount not to exceed \$250,000.

Recent successful recruitments include the two Finance Technician II/ Accountant I positions, and recruitment efforts are ongoing for the Senior Accountant and Finance/Budget Supervisor positions. The City's new Finance Director is slated to begin employment in July. The City is also looking forward to outcomes from the Classification and Compensation Study to quantify compensation ranges for comparable accounting-

related positions at other local public sector organizations, which should help improve our recruitment efforts in the future and reduce reliance on temporary staff.

STRATEGIC PLAN CONSIDERATIONS

Assuring financial staffing are available is required to effectively manage the City's financial assets, ensure adherence to financial policies and procedures as specified in the City's Comprehensive Financial Policy and the City's Strategic Plan Goal B: Achieve long-term financial sustainability.

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

Staff is requesting approval to increase the professional services agreement for temporary accounting staff with Maze & Associates for a total amount not-to-exceed \$250,000 to ensure essential staffing is available to complete critical revenue and expenditure accounting, budget reconciliation, compliance audits, and regulatory financial and tax reporting.

There are no additional funds being requested by the Finance Department as a part of this action. All Finance expenses and their associated salary savings are within the FY 2022-23 operating budget and reflected in the City's midyear budget adjustment.

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 AMEND THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF EL CERRITO AND MAZE AND ASSOCIATES ACCOUNTANCY CORPORATION FOR A TOTAL AMOUNT NOT TO EXCEED \$250,000

WHEREAS, in July 2022 the City of El Cerrito entered into a professional services agreement with Maze and Associates Accountancy Corporation (Maze) for \$35,000 to provide temporary accounting staff to perform accounting and financial management duties during the recruitment process to fill one (1) vacant position; and

WHEREAS, on December 6, 2022 the City Council approved the increase of \$65,000 to the professional services agreement with Maze, and on March 7, 2023 approved a budget amendment for a total of \$160,118 to provide temporary accounting staff to backfill for three (3) vacant positions in the Finance Department; and

WHEREAS, additional services are required through the end of FY 2022-23 to complete critical revenue and expenditure accounting, budget reconciliation, compliance audits, and regulatory financial and tax reporting; and

WHEREAS, funding for the additional \$89,992 is available in the FY 2022-23 Approved Budget for the Finance Department's salaries and benefits for budgeted positions currently vacant; and

WHEREAS the City's Procurement Policy requires City Council approval for purchases made from a single vendor collectively within one fiscal year totaling over \$45,000.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby authorizes the City Manager to execute an amendment to the professional services agreement with Maze and Associates for a total amount not to exceed \$250,000 for Fiscal Year 2022-23.

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

I CERTIFY that at a regular meeting on June 6, 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



AGENDA BILL

Agenda Item No. 8.A.

Date: June 6, 2023
To: El Cerrito City Council
From: Paul Keith, Chief of Police, Police Department
Subject: Annual Review and Renewal of the Military Equipment Ordinance

ACTION PROPOSED

Conduct a public hearing, and upon conclusion, adopt a resolution approving the El Cerrito Police Department Military Equipment Report for 2022 and the Military Equipment Policy, including an updated Equipment Inventory, and renewing Ordinance 2022-01.

BACKGROUND

Effective on January 1, 2022, the California State Legislature enacted a series of laws relating to the funding, acquisition, and use of military equipment by law enforcement agencies. The new laws, recorded in Government Codes 7070 through 7075, require that each Law Enforcement Agency begin the process of seeking approval of a Military Equipment Policy approved by their local governing body.

The law requires that agencies receive approval of the policy before seeking funds for military equipment, acquiring military equipment, collaborating with another agency in the deployment or use of equipment, and using any new or existing military equipment. On June 7, 2022, the City Council of El Cerrito passed Ordinance 2022-1, approving the use of specified military equipment in El Cerrito.

ANALYSIS

The El Cerrito Police Department possesses equipment that may be considered military equipment, under the new state law. These items include:

- Small, commercially available flying drones equipped with cameras
- A Ford Transit commercial van, outfitted with a desk, chairs and cabinets used to manage incidents
- Two (2) specialty rifles
- Tear gas canisters
- Ten (10) projectile launch platforms and associated munitions.

These items are intended to provide Police Officers with advantages and alternatives to resolve criminal incidents. In the case of the flying drones, the equipment provides officers with the ability to take overhead photos of crime scenes and search areas for missing people or fleeing suspects.

The command van provides officers with a dry and covered area to plan responses to in-progress incidents and major investigations. The specialty rifles offer capabilities not available to the general public, while the tear gas canisters allow for crowd control options in the case of dangerous or violent crowds.

The projectile launch platforms, commonly known as bean bag or sponge round launchers, provide for less lethal means to resolve critical incidents. Together, these items add depth and flexibility to police responses that provide for the safety of officers and community members.

The Police Department makes purchases of large equipment items, like the Ford Transit Van, using state bid lists. In the case of items like the flying drone, staff members search available retailers for the most competitive price. Items such as projectile launch platforms and munitions are specialty items and staff evaluate prices from multiple vendors before making purchases, when possible.

State law and the proposed policy require staff to prepare an annual report on military equipment used by law enforcement agencies. This report includes equipment inventories, items purchased, their uses, and their costs.

The law and the proposed policy also require the El Cerrito Police Department to hold an annual meeting to garner feedback on the use and purchase of military equipment. On April 17, 2023, the Police Department published the latest draft of this policy, including an updated inventory, and the El Cerrito Police Department Military Equipment Report for 2022, on the Police Department website as well as the June 6, 2023 City Council meeting event page. On May 3, 2023, the Police Department hosted a meeting for members of the public, in compliance with state law.

By adopting the attached resolution, the City Council will satisfy the legal requirements of State law for the Department's continued use of the military equipment listed in the policy, consistent with the Department's policy, including:

- Finding that the Report meets the requirements of California Government Code Section 7072(a).
- Determining that each type of military equipment identified in the Report has complied with the standards for approval set forth in Government Code Section 7071(d).
- Confirming that the City Council has reviewed Ordinance 2022-01, as required by Government Code Section 7071(e), and is renewing Ordinance 2022-01 for another year.

STRATEGIC PLAN CONSIDERATIONS

This action serves to accomplish Goals A: Delivering Exemplary Government Services and E: Ensuring the Public's Health and Safety. A modern Police Department must possess the tools to deescalate violent situations, protect community members, and

solve crime. At the same time, police departments must be transparent and engage with their communities on issues of great public interest.

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

This action is not seeking any new budget approvals. Future annual reports will include expected costs associated with new purchases of defined military equipment.

LEGAL CONSIDERATIONS

The City Attorney has reviewed the resolution and policy 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
2. Military Equipment Policy
3. ECPD Military Equipment Report for 2022
4. Ordinance 2022-01

RESOLUTION 2023-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO APPROVING
THE MILITARY EQUIPMENT POLICY AND RENEWING ORDINANCE 2022-01

WHEREAS, the City Council of the City of El Cerrito passed Ordinance 2022-01 on June 7, 2022; and

WHEREAS, the El Cerrito Police Department (“Department”) submitted and posted an updated El Cerrito Police Department Military Equipment Funding, Acquisition and Use Policy (“Policy”), including an updated Equipment Inventory (“Inventory”) for 2023 on their website pursuant to Government Code Section 7072 on April 13, 2023. On the same date, the Department also posted the El Cerrito Police Department Military Equipment Report for 2022 (“2022 Report”), as required by Government Code Section 7072(a); and

WHEREAS, the El Cerrito Police Department held a community engagement meeting on May 3, 2023 regarding the Department Policy, the Inventory for 2023, and the 2022 Report; and

WHEREAS, on June 6, 2023 the Department presented the updated Policy and Inventory for 2023, the 2022 Report, and information from the community engagement meeting to the City Council at a regularly scheduled meeting, as required by Government Code section 7072(a); and

WHEREAS, the City Council of the City of El Cerrito has reviewed the 2022 Report and the updated Policy for 2023.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that the 2022 Report meets the requirements of California Government Code Section 7072(a).

BE IT FURTHER RESOLVED that, based on the 2022 Report, pursuant to Government Code Section 7071(e)(2) the City Council determines that each type of military equipment identified in the Report has complied with the standards for approval set forth in Government Code Section 7071(d).

BE IT FURTHER RESOLVED that the City Council has reviewed Ordinance 2022-01, as required by Government Code Section 7071(e), and Ordinance 2022-01 is hereby renewed.

I CERTIFY that at a regular meeting on June 6, 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_____.

APPROVED:

Holly M. Charléty, City Clerk

Lisa Motoyama, Mayor

Military Equipment

707.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

707.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

Governing body – The elected or appointed body that oversees the Department.

Military equipment – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

El Cerrito Police Department

El Cerrito PD Policy Manual

Military Equipment

707.2 POLICY

It is the policy of the El Cerrito Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

707.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police should designate a member of this department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of El Cerrito Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 - 1. Publicizing the details of the meeting.
 - 2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

707.4 MILITARY EQUIPMENT INVENTORY

The following constitutes a list of qualifying equipment for the Department:

[See attachment: ECPD Military Equipment Inventory April 2023.pdf](#)

707.5 APPROVAL

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

El Cerrito Police Department

El Cerrito PD Policy Manual

Military Equipment

- (a) Requesting military equipment made available pursuant to 10 USC § 2576a.
- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- (g) Acquiring military equipment through any means not provided above.

707.6 COORDINATION WITH OTHER JURISDICTIONS

Military equipment should not be used by any other law enforcement agency or member in this jurisdiction unless the military equipment is approved for use in accordance with this policy.

707.7 ANNUAL REPORT

Upon approval of a military equipment policy, the Chief of Police or the authorized designee should submit a military equipment report to the governing body for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

707.8 COMMUNITY ENGAGEMENT

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

707.9 COMPLAINT PROCESS

Members of the public may register complaints, feedback, or concerns or submit questions about the use of each specific type of military equipment in this policy by any of the following means:

Email: Investigations@ci.el-cerrito.ca.us

El Cerrito Police Department

El Cerrito PD Policy Manual

Military Equipment

Phone: (510) 215-4400

Mail: El Cerrito Police Department, Attn: Military Equipment Use Coordinator, 10900 San Pablo Ave., El Cerrito, CA 94530

The Department is committed to responding to complaints, feedback, concerns and/or questions received through any of the above methods in a timely manner.

Attachments

ECPD Military Equipment Inventory April 2023.pdf

**El Cerrito Police Department
Military Equipment Inventory
Policy 707
April 17, 2023**

Equipment Owned, Sought and/or Maintained by El Cerrito Police Department

Unmanned Aerial Vehicles – Govt. Code 7070(c)(1)

DJI Mavic Pro – Aerial Drone

Quantity: 1

Cost: \$1,300

Annual Maintenance: \$20

Description: Small, commercially available drone, equipped with a camera.

Description from the manufacturer's website: "The DJI Mavic Pro is DJI's smallest flying camera, featuring a fully stabilized camera, Intelligent Flight Modes, and Obstacle Avoidance inside a revolutionary folding design. It captures 4K videos and 12-megapixel videos."

Use: Overhead Photography and Searches

Lifespan: 3 years

Training/Certification Required: Federal Aviation Administration Certification, POST Unmanned Aircraft Systems Basic Pilots Course – 32 hours

Policy #607 – Unmanned Aerial Systems (UAS) Operations

DJI Mavic 2 Enterprise Advanced – Aerial Drone

Quantity: 1

Cost: \$6,969

Annual Maintenance: \$100

Description: Small, commercially available drone, equipped with dual thermal and visual cameras.

Description from the manufacturer's website: "Capture accurate details in any mission with the Mavic 2 Enterprise Advanced – a highly versatile yet compact tool that packs a whole lot of performance upgrades. With high-resolution thermal and visual cameras, the M2EA supports up to 32X digital zoom and is capable of centimeter-level positioning accuracy with the RTK module. Provide incident commanders with accurate, real-time insights as missions unfold, empowering decisions to be made with confidence. Rapidly and remotely map, document, and preserve crime scenes, vehicle collisions, and more, while simultaneously keeping operators from harm's way."

Use: Overhead Photography and Searches

Lifespan: 5 years

Training/Certification Required: Federal Aviation Administration Certification, POST Unmanned Aircraft Systems Basic Pilots Course – 32 hours

Policy #607 – Unmanned Aerial Systems (UAS) Operations

Indoor Tactical Drone (Manufacturer and model not yet identified)

Quantity Sought: 1

Cost: \$3,000 to \$6,000

Annual Maintenance: \$100

Description: Small, commercially available drone, equipped with visual and advanced cameras and designed for indoor use.

Use: Indoor photography and searches

Lifespan: 5 years

Training/Certification Required: Federal Aviation Administration Certification, POST Unmanned Aircraft Systems Basic Pilots Course – 32 hours

Policy #607 – Unmanned Aerial Systems (UAS) Operations

Command and Control Vehicles – Govt. Code 7070(c)(5)

Ford Transit Panel Van – Incident Command Vehicle

Quantity: 1

Cost: \$52,000

Annual Maintenance: \$1,000

Description: Large, commercially available cargo van, outfitted with desk, chairs and cabinets.

Description from the manufacturer's website: "Ford Transit Cargo Van offers plenty of cargo space for installing racks and bins as well as convenient storage of tools, supplies, equipment and more."

Use: Planning and coordination space for major events, critical incidents, and major criminal investigations.

Lifespan: 10 years

Training/Certification Required: California Driver's License

Policy #704 – Vehicle Use

Specialized Firearms – Govt. Code 7070(c)(10)

Heckler and Koch MP5 Submachine Gun

Quantity: 2

Cost: \$2,000 each

Annual Maintenance: \$10

Description: Automatic sub-machinegun, 9mm caliber, stock configuration

Description from the manufacturer's website: "The 9 mm MP5 submachine gun uses the same delayed blowback operating system found on the famous HK G3 automatic rifle. Reliability, accuracy, ease of handling, simple maintenance, and safety — all the elements of HK excellence are highlighted on the MP5. Firing from the closed-bolt position in all modes of fire make MP5 submachine guns extremely accurate and controllable."

Use: Compact alternate weapon for SWAT Team members.

Lifespan: 25 years

Training/Certification Required: SWAT School – 80 hours, Tactical/Patrol Rifle Course – 24 hours

Policy #300 – Use of Force, Policy #306 – Firearms, Policy #417 Patrol Rifle

Gas Based Projectiles – Govt. Code 7070(c)(12)

Defense Technology Han-Ball CS (Tear Gas Canister)

Quantity: 8

Cost: \$20 each

Annual Maintenance: \$0

Description: Hand thrown Tear Gas Canister. Tear gas is a crowd control agent that causes irritation to the eyes, mouth, and skin.

Description from the manufacturer's website: "The Han-Ball™ CS Grenade is an outdoor use grenade expelling its payload in approximately 15-20 seconds. The rubber ball round has an overall size of 4.8 in. tall, including the fuse head, and 3.1 in. diameter. This launchable grenade holds approximately 1.6 oz. of active agent which is expelled through three ports around the equator of the ball."

Use: Crowd Control and Training for Academy Recruits

Lifespan: 5 years

Training/Certification Required: Chemical Munitions

Policy #300 – Use of Force, Policy #303 – Control Devices and Techniques, Policy #433 – First Amendment Assemblies

Projectile Launch Platforms and Munitions – Govt. Code 7070(c)(14)

Remington Model 870 Shotgun

Quantity: 6

Cost: \$1,075 each

Annual Maintenance: \$10

Description: Standard shotgun outfitted with orange stock, orange fore end, and sling.

Ammunition is Drag Stabilized Beanbag rounds.

Description from the manufacturer's website: "Pump-action shotgun design - the ultimate in strength, durability, silky-smooth bind-free action, and sleek classical lines"

Use: Less lethal impact weapon. Provides user the ability to deploy a kinetic weapon at a distance. Allows the user to remain behind cover or in a safe position while engaging actively violent and dangerous subjects.

Lifespan: 25 years

Training/Certification Required: Department Use of Force Training

Policy #300 – Use of Force, Policy #303 – Control Devices and Techniques, Policy #306 – Firearms, Policy #433 – First Amendment Assemblies

Defense Technology 1325 40mm Launcher

Quantity: 3

Cost: \$2,250

Annual Maintenance: \$10

Description: A single shot launcher for use with specialty munitions. Ammunition can be sponge, marking sponge, or pepper powder sponge rounds.

Description from the manufacturer's website: "Manufactured exclusively for Defense Technology®, the 40LMTS is a tactical single shot launcher that features an expandable ROGERS

Super Stoc and an adjustable Integrated Front Grip (IFG) with light rail. The 40LMTS will fire standard 40mm less lethal ammunition, up to 4.8" in cartridge length."

Use: Less lethal impact weapon. Provides user the ability to deploy a kinetic weapon at a distance. Allows the user to remain behind cover or in a safe position while engaging actively violent and dangerous subjects.

Lifespan: 25 years

Training/Certification Required: Department Use of Force Training

Policy #300 – Use of Force, Policy #303 – Control Devices and Techniques, Policy #306 – Firearms, Policy #433 – First Amendment Assemblies

Defense Technology 1440 40mm 4-shot Launcher

Quantity: 1

Cost: \$4,000

Annual Maintenance: \$10

Description: A four shot launcher, for use with specialty munitions. Ammunition can be sponge, marking sponge, or pepper powder sponge rounds.

Description from the manufacturer's website: "Designed for riot and tactical situations, the Defense Technology® 1440 40mm Tactical 4-Shot Launcher is low-profile and lightweight, providing multi-shot capability in an easy to carry launcher. It features the Rogers Super Stoc™ expandable gun stock, an adjustable Picatinny mounted front grip, and a unique direct-drive system to advance the magazine cylinder."

Use: Less lethal impact weapon. Provides user the ability to deploy a kinetic weapon at a distance. Allows the user to remain behind cover or in a safe position while engaging actively violent and dangerous subjects.

Lifespan: 25 years

Training/Certification Required: Department Use of Force Training

Policy #300 – Use of Force, Policy #303 – Control Devices and Techniques, Policy #306 – Firearms, Policy #433 – First Amendment Assemblies

FN America 303 Mk2 Less-Lethal Launcher

Quantity Sought: 12

Cost: \$1,750 each

Annual Maintenance: \$50

Description: A 15 round, CO2 powered, launcher system. Primary ammunition is paint or OC based weighted projectiles. Equipped with a Patrol Optic. Not a firearm.

Description from the manufacturer's website: "Built from lightweight, rugged polymer and driven by a compressed CO₂ air tank, the FN 303® Mk2 upgrades FN's less lethal technology for today's officers, delivering increased accuracy with new, adjustable flip up metal sights and a MIL-STD 1913 top rail for optical or red dot sights. The fin-stabilized projectiles deliver optimum accuracy with maximum effectiveness and safety. Officers can quickly change from inert, marking, impact or irritant projectiles, with a clear view of the projectile type and remaining count in the magazine."

Use: Less lethal impact weapon. Provides user the ability to deploy a kinetic weapon at a distance. Allows user to remain behind cover or in a safe position while engaging actively violent and dangerous subjects.

Lifespan: 15 years

Training/Certification Required: Department Use of Force Training

Policy #300 – Use of Force, Policy #303 – Control Devices and Techniques, Policy #433 – First Amendment Assemblies

FN 303 Washable Paint Less-Lethal Projectiles

Quantity Sought: 450

Cost: \$4 each

Annual Maintenance: \$0

Description: A plastic weighted projectile containing washable paint.

Description from the manufacturer: "This projectile is intended for training and for marking suspects and objects with a washable colorant."

Use: Less lethal impact weapon. Provides user the ability to deploy a kinetic weapon at a distance. Allows the user to remain behind cover or in a safe position while engaging actively violent and dangerous subjects. The round also disburses washable paint at the point of impact, assisting officers with identifying violent subjects.

Lifespan: 5 years

Training/Certification Required: Department Use of Force Training

Policy #300 – Use of Force, Policy #303 – Control Devices and Techniques, Policy #433 – First Amendment Assemblies

FN 303 PAVA/OC Powder Less-Lethal Projectiles

Quantity Sought: 150

Cost: \$5 each

Annual Maintenance: \$0

Description: A plastic weighted projectile containing an irritant in the form of PAVA/OC powder. PAVA is an acronym for Pelargonic Acid Vanillylamide, a synthetic capsaicinoid, created from peppers.

OC is an acronym for Oleoresin Capsicum, a powder made from peppers.

Description from the manufacturer: "This projectile is intended as an irritant for individual suspects, point-specific targets, or small-area denial. The active ingredient is 0.5% PAVA/OC in a powder form for ease of storage, deployment, and clean-up."

Use: Less lethal impact weapon. Provides user the ability to deploy a kinetic weapon at a distance. Allows the user to remain behind cover or in a safe position while engaging actively violent and dangerous subjects. The round also disburses PAVA/OC powder at the point of impact, causing discomfort.

Lifespan: 5 years

Training/Certification Required: Department Use of Force Training

Policy #300 – Use of Force, Policy #303 – Control Devices and Techniques, Policy #433 – First Amendment Assemblies

Defense Technology 3027 Drag Stabilized Beanbag Round

Quantity: 349

Cost: \$6 each

Description: A 12-gauge round, holding a ballistic fiber bag containing lead shot as a projectile.

Description from the manufacturer's website: "The Drag Stabilized™ 12-Gauge Round is a translucent 12-Gauge shell loaded with a 40-Gram tear shaped bag made from a cotton and ballistic material blend and filled with #9 shot."

Use: Less lethal impact weapon. Provides user the ability to deploy a kinetic weapon at a distance. Allows the user to remain behind cover or in a safe position while engaging actively violent and dangerous subjects.

Lifespan: 5 years

Training/Certification Required: Department Use of Force Training

Policy #300 – Use of Force, Policy #303 – Control Devices and Techniques, Policy #306 – Firearms, Policy #433 – First Amendment Assemblies

Defense Technology 6325 Exact Impact Sponge

Quantity: 40

Cost: \$29 each

Description: A 40mm round, with a blue foam projectile.

Description from the manufacturer's website: "This lightweight, high-speed projectile consisting of a plastic body and sponge nose that is spin stabilized via the incorporated rifling collar and the 40 mm launcher's rifled barrel. The round utilizes smokeless powder as the propellant, and, therefore, have velocities that are extremely consistent. Used for Crowd Control, Patrol, and Tactical Applications."

Use: Less lethal impact weapon. Provides user the ability to deploy a kinetic weapon at a distance. Allows the user to remain behind cover or in a safe position while engaging actively violent and dangerous subjects.

Lifespan: 5 years

Training/Certification Required: Department Use of Force Training

Policy #300 – Use of Force, Policy #303 – Control Devices and Techniques, Policy #306 – Firearms, Policy #433 – First Amendment Assemblies

Defense Technology 6320 Direct Impact OC

Quantity: 6

Cost: \$29 each

Description: A 40mm round, with an orange foam projectile. Projectile contains orange marking and pepper powder.

Description from the manufacturer's website: "40 mm Direct Impact® Round. Lightweight, high-speed projectile consists of a plastic body and a crushable foam nose. The orange foam nose indicates that the round contains an OC powder."

Use: Less lethal impact weapon. Provides user the ability to deploy a kinetic weapon at a distance. Allows the user to remain behind cover or in a safe position while engaging actively violent and dangerous subjects. The round also discharges pepper powder at the point of impact, causing discomfort.

Lifespan: 5 years

Training/Certification Required: Department Use of Force Training

Policy #300 – Use of Force, Policy #303 – Control Devices and Techniques, Policy #306 – Firearms, Policy #433 – First Amendment Assemblies

Defense Technology 6326 Direct Impact Marking

Quantity: 11

Cost: \$29 each

Description: A 40mm round, with a green foam projectile. Projectile contains green marking powder.

Description from the manufacturer's website: "40 mm Direct Impact® Round. This lightweight, high-speed projectile consists of a plastic body and a crushable foam nose. The green foam nose indicates that the round contains a marking agent."

Use: Less lethal impact weapon. Provides user the ability to deploy a kinetic weapon at a distance. Allows the user to remain behind cover or in a safe position while engaging actively violent and dangerous subjects. The round also discharges green powder at the point of impact, assisting officers with identifying violent subjects.

Lifespan: 5 years

Training/Certification Required: Department Use of Force Training

Policy #300 – Use of Force, Policy #303 – Control Devices and Techniques, Policy #306 – Firearms, Policy #433 – First Amendment Assemblies

Military Equipment Not Owned, Sought or Maintained by the El Cerrito Police Department
Equipment Owned and/or Utilized by Law Enforcement Agencies with which the El Cerrito Police
Department Collaborates and/or Participates for Law Enforcement Purposes

Unmanned, Remotely Piloted, Powered Aerial or Ground vehicles – Govt. Code 7070(c)(1)

Various ground robots and aerial drones are deployed by agencies in the San Francisco Bay Area

Quantity: Outside Owned. Not owned or sought by the ECPD, unless otherwise noted in preceding section.

Cost: Unknown

Annual Maintenance: Unknown

Description: Remotely operated robotic vehicles of various types.

Use: Multiple. Aerial drones can be used for overhead photography and searches, including with infrared camera systems. Ground based drones can be used to search, remotely deliver, communicate, or retrieve items, and aid in bomb detection and disarming. Drones are typically used in situations which are too dangerous for humans, as in bomb disarming, or more cost effective than other methods, as in the use of an aerial drone instead of a helicopter.

Lifespan: Varies

Training/Certification Required: Dependent upon agency and drone type.

Policy 409 – Response to Bomb Calls, Policy #607 – Unmanned Aerial Systems (UAS) Operations

Mine-Resistant Ambush-Protected (MRAP) Vehicles or Armored Personnel Carriers - Govt. Code 7070(c)(2)

Various armored vehicles are deployed by agencies in the San Francisco Bay Area

Quantity: Outside Owned. Not owned or sought by the ECPD.

Cost: Unknown

Annual Maintenance: Unknown

Description: Large truck or Armored Personnel Carrier covered in bullet resistant material.

Use: Transportation of people and equipment in a gunfire protected vehicle. Protected approach during active shooter incident. Protected evacuation of civilians during active shooter incident. Sometimes used in conjunction with a SWAT team call out event.

Lifespan: Varies

Training/Certification Required: Dependent upon agency and vehicle type.

Policy #704 – Vehicle Use

Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units - Govt. Code 7070(c)(5)

Various command vehicles are deployed by agencies in the San Francisco Bay Area

Quantity: Outside Owned. Not owned or sought by the ECPD unless otherwise noted in preceding section.

Cost: Unknown

Annual Maintenance: Unknown

Description: Van or Recreational Vehicle equipped with support equipment, often including chairs, desks, communications equipment, and computers. May contain a bathroom.

Use: Planning and coordination center during major incidents and disasters.

Lifespan: Varies

Training/Certification Required: Dependent upon agency and vehicle type.

Policy #704 – Vehicle Use, Policy #433 – First Amendment Assemblies,

Battering rams, slugs, and breaching apparatuses that are explosive in nature - Govt. Code 7070(c)(7)

Breaching Slugs are equipment used by SWAT teams.

Quantity: Outside Owned. Not owned or sought by the ECPD.

Cost: Unknown

Annual Maintenance: Unknown

Description: Projectile designed to defeat a lock.

Use: Open barricaded doors, gates, windows, or other points of entry, by a SWAT team. Entry using a breaching apparatus will typically be supported by a search warrant, but may be used in the event of an active shooter incident.

Lifespan: Varies

Training/Certification Required: POST Certified Training amongst outside agencies.

Policy #300 – Use of Force, Policy #306 – Firearms

Specialized firearms and ammunition of less than .50 caliber - Govt. Code 7070(c)(10)

Various rifles and accompanying ammunition are used by agencies in the San Francisco Bay Area.

Quantity: Outside Owned. Not owned or sought by the ECPD unless otherwise noted in preceding section.

Cost: Unknown

Annual Maintenance: Unknown

Description: Firearms that may be bolt-action, semi-automatic or automatic. May be equipped with a telescopic sight for high accuracy. An example could be a submachine gun or sniper rifle used by a SWAT team.

Use: Engage a target with lethal force when necessary and high precision is needed.

Lifespan: Varies

Training/Certification Required: POST Certified Training.

Policy #300 – Use of Force, Policy #306 – Firearms, Policy #417 Patrol Rifle

“Flashbang” grenades and explosive breaching tools, “tear gas,” and “pepper balls” - Govt. Code 7070(c)(12)

Various devices are used by SWAT teams in the San Francisco Bay Area.

Quantity: Outside Owned. Not owned or sought by the ECPD, unless otherwise noted in preceding section.

Cost: Unknown

Annual Maintenance: Unknown

Description: Varies. Distraction devices, irritant dispersal, breaching devices. May be deployed through a compressed air powered launcher or a handheld projectile.

Use: Distraction, irritation, or opening barricaded doors.

Lifespan: Varies

Training/Certification Required: Dependent upon agency and type.

Policy: Policy #300 – Use of Force, Policy #303 – Control Devices and Techniques, Policy #306 – Firearms, Policy #433 – First Amendment Assemblies

Long Range Acoustic Device (LRAD) - Govt. Code 7070(c)(13)

Long Range Acoustic Device (LRAD)

Quantity: Outside Owned. Not owned or sought by the ECPD.

Cost: Unknown

Annual Maintenance: Unknown

Description: Sound amplification device

Use: Communication during crowd control, civil emergencies, natural disasters, police incidents and evacuations. May also be used to sound a warning tone.

Lifespan: Varies

Training/Certification Required: Dependent upon agency and type.

Policy #433 – First Amendment Assemblies

**El Cerrito Police Department
Military Equipment Report - 2022
Policy 707
April 13, 2023**

This report serves as the annual military equipment report required by Government Code 7072. The reporting period for this report is January 1, 2022, through December 31, 2022.

Equipment Owned and/or Maintained by the El Cerrito Police Department

Unmanned Aerial Vehicles (UAV) – Govt. Code 7070(c)(1)

The El Cerrito Police Department (ECPD) used unmanned aerial vehicles for training, searching for evidence, and photographing crime scenes.

Staff did not receive any complaints or concerns relating to UAV usage.

Staff did not identify any violations of policy relating to UAVs.

Staff purchased a DJI Mavic 2 Enterprise UAV at a cost of \$6,969. UAVs did not have ongoing costs associated with their use.

The City currently owns two (2) UAVs.

Staff intends to acquire an indoor drone for use in searching indoor spaces in the next fiscal year (23/24). Staff have not yet identified the manufacturer or model of the UAV.

Command and Control Vehicles – Govt. Code 7070(c)(5)

The ECPD used the incident command vehicle during public events and significant investigations.

Staff did not receive any complaints or concerns relating to the incident command vehicle.

Staff did not identify any violations of policy relating to the incident command vehicle.

Staff did not incur extraordinary expenses relating to the incident command vehicle, outside of normal manufacturer related vehicle maintenance.

The City currently owns one (1) incident command vehicle.

Staff do not plan to acquire more incident command vehicles.

Specialized Firearms – Govt. Code 7070(c)(10)

The ECPD did not use specialized firearms in the last year. Specialized firearms were kept in storage.

Staff did not receive any complaints or concerns relating to specialized firearm usage.

Staff did not identify any violations of policy relating to specialized firearms.

Staff did not incur expenses relating to specialized firearms.

The City currently owns two (2) specialized firearms.

Staff do not plan to acquire more specialized firearms.

Gas Based Projectiles – Govt. Code 79070(c)(12)

The ECPD did not use gas based projectiles in the last year. Gas based projectiles were kept in storage.

Staff did not receive any complaints or concerns relating to gas based projectiles usage.

Staff did not identify any violations of policy relating to gas based projectiles.

Staff did not incur expenses relating to gas based projectiles.

The City currently owns eight (8) gas based projectiles.

Staff do not plan to acquire more gas based projectiles.

Projectile Launch Platforms and Munitions – Govt. Code 7070(c)(14)

The ECPD staff carried projectile launch platforms and munitions during responses to some incidents but did not use them.

Staff did not receive any complaints or concerns relating to projectile launch platforms and munitions usage.

Staff did not identify any violations of policy relating to projectile launch platforms and munitions.

Staff re-stocked drag stabilized beanbag rounds adding 349 munitions at a cost of approximately \$3,588.

The City currently owns ten (10) projectile launch platforms.

Staff intends to replace munitions in the current fiscal year to account for uses in deployments and training. Staff continues to evaluate the purchase of additional Projectile Launch Platforms to transition to CO2 powered weighted projectiles, as described in the annual inventory.

Military Equipment Not Owned by the El Cerrito Police Department

Unmanned, Remotely Piloted, Powered Aerial or Ground vehicles – Govt. Code 7070(c)(1)

The ECPD did not utilize outside agency vehicles in this category.

Mine-Resistant Ambush-Protected (MRAP) Vehicles or Armored Personnel Carriers - Govt. Code 7070(c)(2)

The ECPD did not utilize vehicles in this category.

Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units - Govt. Code 7070(c)(5)

The ECPD did not utilize outside agency vehicles in this category.

Battering rams, slugs, and breaching apparatuses that are explosive in nature - Govt. Code 7070(c)(7)

The ECPD did not utilize equipment in this category.

Specialized firearms and ammunition of less than .50 caliber - Govt. Code 7070(c)(10)

The ECPD did not utilize equipment in this category.

“Flashbang” grenades and explosive breaching tools, “tear gas,” and “pepper balls” - Govt. Code 7070(c)(12)

The ECPD did not utilize equipment in this category.

Long Range Acoustic Device (LRAD) - Govt. Code 7070(c)(13)

The ECPD did not utilize equipment in this category.

ORDINANCE NO. 2022-01

AN ORDINANCE OF THE CITY OF EL CERRITO ADOPTING A MILITARY EQUIPMENT USE POLICY

WHEREAS, on September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481 relating to the use of military equipment by California law enforcement agencies; and

WHEREAS, Assembly Bill 481 seeks to provide transparency, oversight, and an opportunity for meaningful public input on decisions regarding whether and how military equipment is funded, acquired, or used by law enforcement agencies; and

WHEREAS, Assembly Bill 481, codified at California Government Code section 7070, et. seq., requires law enforcement agencies to obtain approval of the applicable governing body, by an ordinance adopting a "military equipment" use policy, at a regular meeting held pursuant to open meeting laws, prior to taking certain actions relating to the funding, acquisition, or use of military equipment. The term "military equipment" is defined in California Government Code section 7070 subdivision (c); and

WHEREAS, the El Cerrito Police Department is in possession of certain items of equipment that may qualify as "military equipment" under Assembly Bill 481; and

WHEREAS, Assembly Bill 481 requires that a law enforcement agency possessing and using such qualifying equipment prepare a publicly released, written, military equipment use policy; and

WHEREAS, Assembly Bill 481 allows the governing body of a city to approve the military equipment use policy for continued or future funding, acquisition, or use of military equipment within its jurisdiction only if it makes the specified determinations; and

WHEREAS, the military equipment use policy and supporting information must, upon adoption by ordinance, thereafter be reviewed and renewed by the governing body at least annually. The process for review and renewal is set forth in Section 4 of this ordinance.; and

WHEREAS, the proposed military equipment use policy has been prepared by the El Cerrito Police Department as "Military Equipment Funding, Acquisition and Use Policy" (sometimes hereafter referred to as "the Policy"); and

WHEREAS, the El Cerrito Police Department's Military Equipment Funding, Acquisition and Use Policy was published on the El Cerrito Police Department's internet website on April 11, 2022 in compliance with Government Code Section 7071 subdivision (b); and

WHEREAS, the El Cerrito Police Department's Military and Equipment Funding, Acquisition and Use Policy was presented to City Council on May 17, 2022; and

WHEREAS, the El Cerrito Police Department's Military Equipment Funding, Acquisition and Use Policy meets the requirements of California Government Code Section 7070 subdivision (d); and

WHEREAS, the City Council of the City of El Cerrito, having received the information required under Assembly Bill 481 regarding the El Cerrito Police Department's use of military equipment as defined in said law, and makes the specified determinations required under Government Code section 7071 subdivision (d), deems it to be in the interest of the City to approve the El Cerrito Police Department's Military Equipment Funding, Acquisition and Use Policy, which is attached to this ordinance.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF EL CERRITO DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: Incorporation of Recitals. The City Council finds that the above Recitals are true and correct and are incorporated herein by reference.

Section 2: Determinations. Based on the findings above, in addition to information provided to the City Council at the public meeting, the City Council determines as follows:

1. The El Cerrito Police Department's Military Equipment Funding, Acquisition and Use Policy, including the military equipment listed in an attachment to the Policy, is necessary because there are no reasonable alternatives that can achieve the same objectives of officer and civilian safety.
2. The El Cerrito Police Department's Military Equipment, Funding, Acquisition and Use Policy will safeguard the public's welfare, safety, civil rights, and civil liberties.
3. The military equipment identified in the El Cerrito Police Department's Military Equipment, Funding, Acquisition and Use Policy is reasonably cost effective compared to available alternatives that can achieve the same objectives of officer and civilian safety.
4. Prior military equipment uses by the El Cerrito Police Department complied with the military equipment use policy although it was not yet in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy non-conforming uses and ensure future compliance.

Section 3: Approval of Military Equipment Use Policy. The El Cerrito Police Department's Military Equipment Funding, Acquisition, and Use Policy setting forth the City's military equipment use policy is approved and adopted.

Section 4: Annual Review and Renewal of Military Equipment Use Policy.

- A. In compliance with Government Code section 7071(e), the City Council shall review this ordinance at least annually and vote on whether to renew this ordinance at a regular meeting. The City Council shall vote by resolution on whether to renew this ordinance and whether to approve amendments to the Military Equipment Funding, Acquisition, and Use Policy, including the list of military equipment attached to the Policy.
- B. The City Council shall determine, based on the annual military equipment report submitted pursuant to Government Code section 7072, whether each type of military equipment identified in that report has complied with the standards for approval set forth in Section 2 of this ordinance and Government Code section 7071(d). The City Council's determination shall be set forth in the resolution referred to in subsection (A) above.
- C. If the City Council determines that a type of military equipment identified in that annual military equipment report has not complied with the standards for approval set forth in Section 2 of this ordinance and Government Code section 7071(d), the City Council shall either disapprove a renewal of the authorization for that type of military equipment or require modifications to the military equipment use policy in a manner that will resolve the lack of compliance. Disapproval of renewal of the authorization for a noncompliant type of military equipment and modifications to the Policy to resolve an identified lack of compliance shall be by the resolution referred to in subsection (A) above.
- D. If the City Council determines not to renew this ordinance, it shall do so by the adoption of an ordinance.

Section 5: Severability. If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. The city council hereby declares that it would have passed the ordinance codified in this chapter, and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to whether any portion of this chapter would be subsequently declared invalid or unconstitutional.

Section 6: Effective Date. This Ordinance shall take effect and be enforced thirty days after the date of its adoption. Prior to the expiration of fifteen days from the passage thereof, the ordinance or a summary thereof shall be posted or published as may be required by law, and thereafter the same shall be in full force and effect.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the City Council on May 17, 2022 and passed by the following vote:

AYES:	Mayor Quinto; Mayor Pro Tem Motoyama; Councilmembers Abelson, Fadelli, and Rudnick
NOES:	None
ABSENT:	None
ABSTAIN:	None

ADOPTED AND ORDERED published at a regular meeting of the City Council held on June 7, 2022 and passed by the following vote:

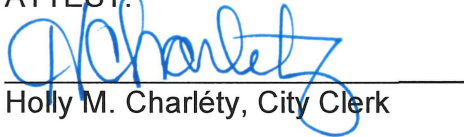
AYES:	Mayor Quinto; Mayor Pro Tem Motoyama; Councilmembers Abelson, Fadelli, and Rudnick
NOES:	None
ABSENT:	None
ABSTAIN:	None

APPROVED:



Gabe Quinto, Mayor

ATTEST:



Holly M. Charléty, City Clerk

ORDINANCE CERTIFICATION

I, Holly M. Charléty, City Clerk of the City of El Cerrito, do hereby certify that this Ordinance is the true and correct original Ordinance No. 2022-01 of the City of El Cerrito; that said Ordinance was duly enacted and adopted by the City Council of the City of El Cerrito at a meeting of the City Council held on the 7th day of June, 2022; and that said Ordinance has been published and/or posted in the manner required by law.

13 WITNESS my hand and the Official Seal of the City of El Cerrito, California, this __ day of June, 2022.



Holly M. Charléty, City Clerk

Military Equipment

707.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

707.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

Governing body – The elected or appointed body that oversees the Department.

Military equipment – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

El Cerrito Police Department

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Military Equipment

707.2 POLICY

It is the policy of the El Cerrito Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

707.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police should designate a member of this department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of El Cerrito Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 - 1. Publicizing the details of the meeting.
 - 2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

707.4 MILITARY EQUIPMENT INVENTORY

The following constitutes a list of qualifying equipment for the Department

ECPD Military Equipment Report March 2022

707.5 APPROVAL

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

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Military Equipment

- (a) Requesting military equipment made available pursuant to 10 USC § 2576a.
- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- (g) Acquiring military equipment through any means not provided above.

707.6 COORDINATION WITH OTHER JURISDICTIONS

Military equipment should not be used by any other law enforcement agency or member in this jurisdiction unless the military equipment is approved for use in accordance with this policy.

707.7 ANNUAL REPORT

Upon approval of a military equipment policy, the Chief of Police or the authorized designee should submit a military equipment report to the governing body for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

707.8 COMMUNITY ENGAGEMENT

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

707.9 COMPLAINT PROCESS

Members of the public may register complaints, feedback, or concerns or submit questions about the use of each specific type of military equipment in this policy by any of the following means:

Email: Investigations@ci.el-cerrito.ca.us

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Phone: (510) 215-4400

Mail: El Cerrito Police Department, Attn: Military Equipment Use Coordinator, 10900 San Pablo Ave., El Cerrito, CA 94530

The Department is committed to responding to complaints, feedback, concerns and/or questions received through any of the above methods in a timely manner.

Attachments

Equipment Report V3.pdf

**El Cerrito Police Department
Military Equipment Inventory
Policy 707
March 31, 2022**

Equipment Owned, Sought and/or Maintained by El Cerrito Police Department

Unmanned Aerial Vehicles – Govt. Code 7070(c)(1)

DJI Mavic Pro – Aerial Drone

Quantity: 1

Cost: \$1,300

Annual Maintenance: \$20

Description: Small, commercially available drone, equipped with a camera.

Description from the manufacturer's website: "The DJI Mavic Pro is DJI's smallest flying camera, featuring a fully stabilized camera, Intelligent Flight Modes, and Obstacle Avoidance inside a revolutionary folding design. It captures 4K videos and 12-megapixel videos."

Use: Overhead Photography and Searches

Lifespan: 3 years

Training/Certification Required: Federal Aviation Administration Certification, POST Unmanned Aircraft Systems Basic Pilots Course – 32 hours

Policy #607 – Unmanned Aerial Systems (UAS) Operations

DJI Mavic 2 Enterprise Advanced – Aerial Drone

Quantity Sought: 1

Cost: \$6,100

Annual Maintenance: \$100

Description: Small, commercially available drone, equipped with dual thermal and visual cameras.

Description from the manufacturer's website: "Capture accurate details in any mission with the Mavic 2 Enterprise Advanced – a highly versatile yet compact tool that packs a whole lot of performance upgrades. With high-resolution thermal and visual cameras, the M2EA supports up to 32X digital zoom and is capable of centimeter-level positioning accuracy with the RTK module. Provide incident commanders with accurate, real-time insights as missions unfold, empowering decisions to be made with confidence. Rapidly and remotely map, document, and preserve crime scenes, vehicle collisions, and more, while simultaneously keeping operators from harm's way."

Use: Overhead Photography and Searches

Lifespan: 5 years

Training/Certification Required: Federal Aviation Administration Certification, POST Unmanned Aircraft Systems Basic Pilots Course – 32 hours

Policy #607 – Unmanned Aerial Systems (UAS) Operations

Command and Control Vehicles – Govt. Code 7070(c)(5)

Ford Transit Panel Van – Incident Command Vehicle

Quantity: 1

Cost: \$52,000

Annual Maintenance: \$1,000

Description: Large, commercially available cargo van, outfitted with desk, chairs and cabinets.
Description from the manufacturer's website: "Ford Transit Cargo Van offers plenty of cargo space for installing racks and bins as well as convenient storage of tools, supplies, equipment and more."

Use: Planning and coordination space for major events, critical incidents, and major criminal investigations.

Lifespan: 10 years

Training/Certification Required: California Driver's License

Policy #704 – Vehicle Use

Specialized Firearms – Govt. Code 7070(c)(10)

Heckler and Koch MP5 Submachine Gun

Quantity: 2

Cost: \$2,000 each

Annual Maintenance: \$10

Description: Automatic sub-machinegun, 9mm caliber, stock configuration

Description from the manufacturer's website: "The 9 mm MP5 submachine gun uses the same delayed blowback operating system found on the famous HK G3 automatic rifle. Reliability, accuracy, ease of handling, simple maintenance, and safety — all the elements of HK excellence are highlighted on the MP5. Firing from the closed-bolt position in all modes of fire make MP5 submachine guns extremely accurate and controllable."

Use: Compact alternate weapon for SWAT Team members.

Lifespan: 25 years

Training/Certification Required: SWAT School – 80 hours, Tactical/Patrol Rifle Course – 24 hours

Policy #300 – Use of Force, Policy #306 – Firearms, Policy #417 Patrol Rifle

Gas Based Projectiles – Govt. Code 7070(c)(12)

Defense Technology Han-Ball CS (Tear Gas Canister)

Quantity: 8

Cost: \$20 each

Annual Maintenance: \$0

Description: Hand thrown Tear Gas Canister. Tear gas is a crowd control agent that causes irritation to the eyes, mouth, and skin.

Description from the manufacturer's website: "The Han-Ball™ CS Grenade is an outdoor use grenade expelling its payload in approximately 15-20 seconds. The rubber ball round has an overall size of 4.8 in. tall, including the fuse head, and 3.1 in. diameter. This launchable grenade holds approximately 1.6 oz. of active agent which is expelled through three ports around the equator of the ball."

Use: Crowd Control and Training for Academy Recruits

Lifespan: 5 years

Training/Certification Required: Chemical Munitions

Policy #300 – Use of Force, Policy #303 – Control Devices and Techniques, Policy #433 – First Amendment Assemblies

Projectile Launch Platforms and Munitions – Govt. Code 7070(c)(14)

Remington Model 870 Shotgun

Quantity: 6

Cost: \$1,075 each

Annual Maintenance: \$10

Description: Standard shotgun outfitted with orange stock, orange fore end, and sling.

Ammunition is Drag Stabilized Beanbag rounds.

Description from the manufacturer's website: "Pump-action shotgun design - the ultimate in strength, durability, silky-smooth bind-free action, and sleek classical lines"

Use: Less lethal impact weapon. Provides user the ability to deploy a kinetic weapon at a distance. Allows the user to remain behind cover or in a safe position while engaging actively violent and dangerous subjects.

Lifespan: 25 years

Training/Certification Required: Department Use of Force Training

Policy #300 – Use of Force, Policy #303 – Control Devices and Techniques, Policy #306 – Firearms, Policy #433 – First Amendment Assemblies

Defense Technology 1325 40mm Launcher

Quantity: 3

Cost: \$2,250

Annual Maintenance: \$10

Description: A single shot launcher for use with specialty munitions. Ammunition can be sponge, marking sponge, or pepper powder sponge rounds.

Description from the manufacturer's website: "Manufactured exclusively for Defense Technology®, the 40LMTS is a tactical single shot launcher that features an expandable ROGERS Super Stoc and an adjustable Integrated Front Grip (IFG) with light rail. The 40LMTS will fire standard 40mm less lethal ammunition, up to 4.8" in cartridge length."

Use: Less lethal impact weapon. Provides user the ability to deploy a kinetic weapon at a distance. Allows the user to remain behind cover or in a safe position while engaging actively violent and dangerous subjects.

Lifespan: 25 years

Training/Certification Required: Department Use of Force Training

Policy #300 – Use of Force, Policy #303 – Control Devices and Techniques, Policy #306 – Firearms, Policy #433 – First Amendment Assemblies

Defense Technology 1440 40mm 4-shot Launcher

Quantity: 1

Cost: \$4,000

Annual Maintenance: \$10

Description: A four shot launcher, for use with specialty munitions. Ammunition can be sponge, marking sponge, or pepper powder sponge rounds.

Description from the manufacturer's website: "Designed for riot and tactical situations, the Defense Technology® 1440 40mm Tactical 4-Shot Launcher is low-profile and lightweight, providing multi-shot capability in an easy to carry launcher. It features the Rogers Super Stoc™ expandable gun stock, an adjustable Picatinny mounted front grip, and a unique direct-drive system to advance the magazine cylinder."

Use: Less lethal impact weapon. Provides user the ability to deploy a kinetic weapon at a distance. Allows the user to remain behind cover or in a safe position while engaging actively violent and dangerous subjects.

Lifespan: 25 years

Training/Certification Required: Department Use of Force Training

Policy #300 – Use of Force, Policy #303 – Control Devices and Techniques, Policy #306 – Firearms, Policy #433 – First Amendment Assemblies

FN America 303 Mk2 Less-Lethal Launcher

Quantity Sought: 12

Cost: \$1,750 each

Annual Maintenance: \$50

Description: A 15 round, CO2 powered, launcher system. Primary ammunition is paint or OC based weighted projectiles. Equipped with a Patrol Optic. Not a firearm.

Description from the manufacturer's website: "Built from lightweight, rugged polymer and driven by a compressed CO₂ air tank, the FN 303® Mk2 upgrades FN's less lethal technology for today's officers, delivering increased accuracy with new, adjustable flip up metal sights and a MIL-STD 1913 top rail for optical or red dot sights. The fin-stabilized projectiles deliver optimum accuracy with maximum effectiveness and safety. Officers can quickly change from inert, marking, impact or irritant projectiles, with a clear view of the projectile type and remaining count in the magazine."

Use: Less lethal impact weapon. Provides user the ability to deploy a kinetic weapon at a distance. Allows user to remain behind cover or in a safe position while engaging actively violent and dangerous subjects.

Lifespan: 15 years

Training/Certification Required: Department Use of Force Training

Policy #300 – Use of Force, Policy #303 – Control Devices and Techniques, Policy #433 – First Amendment Assemblies

FN 303 Washable Paint Less-Lethal Projectiles

Quantity Sought: 450

Cost: \$4 each

Annual Maintenance: \$0

Description: A plastic weighted projectile containing washable paint.

Description from the manufacturer: "This projectile is intended for training and for marking suspects and objects with a washable colorant."

Use: Less lethal impact weapon. Provides user the ability to deploy a kinetic weapon at a distance. Allows the user to remain behind cover or in a safe position while engaging actively violent and dangerous subjects. The round also disburses washable paint at the point of impact, assisting officers with identifying violent subjects.

Lifespan: 5 years

Training/Certification Required: Department Use of Force Training

Policy #300 – Use of Force, Policy #303 – Control Devices and Techniques, Policy #433 – First Amendment Assemblies

FN 303 PAVA/OC Powder Less-Lethal Projectiles

Quantity Sought: 150

Cost: \$5 each

Annual Maintenance: \$0

Description: A plastic weighted projectile containing an irritant in the form of PAVA/OC powder. PAVA is an acronym for Pelargonic Acid Vanillylamide, a synthetic capsaicinoid, created from peppers.

OC is an acronym for Oleoresin Capsicum, a powder made from peppers.

Description from the manufacturer: "This projectile is intended as an irritant for individual suspects, point-specific targets, or small-area denial. The active ingredient is 0.5% PAVA/OC in a powder form for ease of storage, deployment, and clean-up."

Use: Less lethal impact weapon. Provides user the ability to deploy a kinetic weapon at a distance. Allows the user to remain behind cover or in a safe position while engaging actively violent and dangerous subjects. The round also disburses PAVA/OC powder at the point of impact, causing discomfort.

Lifespan: 5 years

Training/Certification Required: Department Use of Force Training

Policy #300 – Use of Force, Policy #303 – Control Devices and Techniques, Policy #433 – First Amendment Assemblies

Defense Technology 3027 Drag Stabilized Beanbag Round

Quantity: 200

Cost: \$5 each

Description: A 12-gauge round, holding a ballistic fiber bag containing lead shot as a projectile.

Description from the manufacturer's website: "The Drag Stabilized™ 12-Gauge Round is a translucent 12-Gauge shell loaded with a 40-Gram tear shaped bag made from a cotton and ballistic material blend and filled with #9 shot."

Use: Less lethal impact weapon. Provides user the ability to deploy a kinetic weapon at a distance. Allows the user to remain behind cover or in a safe position while engaging actively violent and dangerous subjects.

Lifespan: 5 years

Training/Certification Required: Department Use of Force Training

Policy #300 – Use of Force, Policy #303 – Control Devices and Techniques, Policy #306 – Firearms, Policy #433 – First Amendment Assemblies

Defense Technology 6325 Exact Impact Sponge

Quantity: 55

Cost: \$5 each

Description: A 40mm round, with a blue foam projectile.

Description from the manufacturer's website: "This lightweight, high-speed projectile consisting of a plastic body and sponge nose that is spin stabilized via the incorporated rifling collar and the 40 mm launcher's rifled barrel. The round utilizes smokeless powder as the propellant, and, therefore, have velocities that are extremely consistent. Used for Crowd Control, Patrol, and Tactical Applications."

Use: Less lethal impact weapon. Provides user the ability to deploy a kinetic weapon at a distance. Allows the user to remain behind cover or in a safe position while engaging actively violent and dangerous subjects.

Lifespan: 5 years

Training/Certification Required: Department Use of Force Training

Policy #300 – Use of Force, Policy #303 – Control Devices and Techniques, Policy #306 – Firearms, Policy #433 – First Amendment Assemblies

Defense Technology 6320 Direct Impact OC

Quantity: 6

Cost: \$5 each

Description: A 40mm round, with an orange foam projectile. Projectile contains orange marking and pepper powder.

Description from the manufacturer's website: "40 mm Direct Impact® Round. Lightweight, high-speed projectile consists of a plastic body and a crushable foam nose. The orange foam nose indicates that the round contains an OC powder."

Use: Less lethal impact weapon. Provides user the ability to deploy a kinetic weapon at a distance. Allows the user to remain behind cover or in a safe position while engaging actively violent and dangerous subjects. The round also disburses pepper powder at the point of impact, causing discomfort.

Lifespan: 5 years

Training/Certification Required: Department Use of Force Training

Policy #300 – Use of Force, Policy #303 – Control Devices and Techniques, Policy #306 – Firearms, Policy #433 – First Amendment Assemblies

Defense Technology 6326 Direct Impact Marking

Quantity: 11

Cost: \$5 each

Description: A 40mm round, with a green foam projectile. Projectile contains green marking powder.

Description from the manufacturer's website: "40 mm Direct Impact® Round. This lightweight, high-speed projectile consists of a plastic body and a crushable foam nose. The green foam nose indicates that the round contains a marking agent."

Use: Less lethal impact weapon. Provides user the ability to deploy a kinetic weapon at a distance. Allows the user to remain behind cover or in a safe position while engaging actively violent and dangerous subjects. The round also disburses green powder at the point of impact, assisting officers with identifying violent subjects.

Lifespan: 5 years

Training/Certification Required: Department Use of Force Training

Policy #300 – Use of Force, Policy #303 – Control Devices and Techniques, Policy #306 – Firearms, Policy #433 – First Amendment Assemblies

**Military Equipment Not Owned, Sought or Maintained by the El Cerrito Police Department
Equipment Owned and/or Utilized by Law Enforcement Agencies with which the El Cerrito Police
Department Collaborates and/or Participates for Law Enforcement Purposes**

Unmanned, Remotely Piloted, Powered Aerial or Ground vehicles – Govt. Code 7070(c)(1)

Various ground robots and aerial drones are deployed by agencies in the San Francisco Bay Area
Quantity: Outside Owned. Not owned or sought by the ECPD, unless otherwise noted in preceding section.

Cost: Unknown

Annual Maintenance: Unknown

Description: Remotely operated robotic vehicles of various types.

Use: Multiple. Aerial drones can be used for overhead photography and searches, including with infrared camera systems. Ground based drones can be used to search, remotely deliver, communicate, or retrieve items, and aid in bomb detection and disarming. Drones are typically used in situations which are too dangerous for humans, as in bomb disarming, or more cost effective than other methods, as in the use of an aerial drone instead of a helicopter.

Lifespan: Varies

Training/Certification Required: Dependent upon agency and drone type.

Policy 409 – Response to Bomb Calls, Policy #607 – Unmanned Aerial Systems (UAS) Operations

Mine-Resistant Ambush-Protected (MRAP) Vehicles or Armored Personnel Carriers - Govt. Code 7070(c)(2)

Various armored vehicles are deployed by agencies in the San Francisco Bay Area

Quantity: Outside Owned. Not owned or sought by the ECPD.

Cost: Unknown

Annual Maintenance: Unknown

Description: Large truck or Armored Personnel Carrier covered in bullet resistant material.

Use: Transportation of people and equipment in a gunfire protected vehicle. Protected approach during active shooter incident. Protected evacuation of civilians during active shooter incident. Sometimes used in conjunction with a SWAT team call out event.

Lifespan: Varies

Training/Certification Required: Dependent upon agency and vehicle type.

Policy #704 – Vehicle Use

Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units - Govt. Code 7070(c)(5)

Various command vehicles are deployed by agencies in the San Francisco Bay Area

Quantity: Outside Owned. Not owned or sought by the ECPD unless otherwise noted in preceding section.

Cost: Unknown

Annual Maintenance: Unknown

Description: Van or Recreational Vehicle equipped with support equipment, often including chairs, desks, communications equipment, and computers. May contain a bathroom.

Use: Planning and coordination center during major incidents and disasters.

Lifespan: Varies

Training/Certification Required: Dependent upon agency and vehicle type.

Policy #704 – Vehicle Use, Policy #433 – First Amendment Assemblies,

Battering rams, slugs, and breaching apparatuses that are explosive in nature - Govt. Code 7070(c)(7)

Breaching Slugs are equipment used by SWAT teams.

Quantity: Outside Owned. Not owned or sought by the ECPD.

Cost: Unknown

Annual Maintenance: Unknown

Description: Projectile designed to defeat a lock.

Use: Open barricaded doors, gates, windows, or other points of entry, by a SWAT team. Entry using a breaching apparatus will typically be supported by a search warrant, but may be used in the event of an active shooter incident.

Lifespan: Varies

Training/Certification Required: POST Certified Training amongst outside agencies.

Policy #300 – Use of Force, Policy #306 – Firearms

Specialized firearms and ammunition of less than .50 caliber - Govt. Code 7070(c)(10)

Various rifles and accompanying ammunition are used by agencies in the San Francisco Bay Area.

Quantity: Outside Owned. Not owned or sought by the ECPD unless otherwise noted in preceding section.

Cost: Unknown

Annual Maintenance: Unknown

Description: Firearms that may be bolt-action, semi-automatic or automatic. May be equipped with a telescopic sight for high accuracy. An example could be a submachine gun or sniper rifle used by a SWAT team.

Use: Engage a target with lethal force when necessary and high precision is needed.

Lifespan: Varies

Training/Certification Required: POST Certified Training.

Policy #300 – Use of Force, Policy #306 – Firearms, Policy #417 Patrol Rifle

“Flashbang” grenades and explosive breaching tools, “tear gas,” and “pepper balls” - Govt. Code 7070(c)(12)

Various devices are used by SWAT teams in the San Francisco Bay Area.

Quantity: Outside Owned. Not owned or sought by the ECPD, unless otherwise noted in preceding section.

Cost: Unknown

Annual Maintenance: Unknown

Description: Varies. Distraction devices, irritant dispersal, breaching devices. May be deployed through a compressed air powered launcher or a handheld projectile.

Use: Distraction, irritation, or opening barricaded doors.

Lifespan: Varies

Training/Certification Required: Dependent upon agency and type.

Policy: Policy #300 – Use of Force, Policy #303 – Control Devices and Techniques, Policy #306 – Firearms, Policy #433 – First Amendment Assemblies

Long Range Acoustic Device (LRAD) - Govt. Code 7070(c)(13)

Long Range Acoustic Device (LRAD)

Quantity: Outside Owned. Not owned or sought by the ECPD.

Cost: Unknown

Annual Maintenance: Unknown

Description: Sound amplification device

Use: Communication during crowd control, civil emergencies, natural disasters, police incidents and evacuations. May also be used to sound a warning tone.

Lifespan: Varies

Training/Certification Required: Dependent upon agency and type.

Policy #433 – First Amendment Assemblies



AGENDA BILL

Agenda Item No. 9.A.

Date: June 6, 2023
To: El Cerrito City Council
From: Karen Pinkos, City Manager; Will Provost, Assistant to the City Manager, City Management
Subject: CITY COUNCIL/PUBLIC FINANCING AUTHORITY/EMPLOYEE PENSION TRUST BOARD ITEM
Proposed Fiscal Year 2023-24 Budget

ACTION PROPOSED

Receive and file a presentation on the Draft Proposed Fiscal Year 2023-24 City Budget and provide direction to staff as necessary.

BACKGROUND

The City of El Cerrito's Fiscal Year (FY) 2023-24 Proposed Annual Budget presents the City's projection of revenues and expenditures for the next fiscal year. It describes in detail the various components of the City, each of its departments and divisions, and the City's separate legal entities: the Employee Pension Trust Board and the El Cerrito Public Financing Authority. The Budget also describes the City's mission, vision, and values, outlines overall goals and strategies developed through the Strategic Plan, and indicates how resources are allocated to fulfill these objectives.

The City Council has closely monitored the budget and the City's financial position in light of the impacts from the COVID-19 pandemic, current economic conditions, and in accordance with the adopted Fiscal Recovery and Sustainability Plan in response to the March 2021 State Auditor's report. The City Council has provided direction to staff that has resulted in adjustments in revenue and reductions in expenses over the past three fiscal years, with an eye toward short-term budget strategies as well as long-term budget solutions that have restored the City to fiscal health and built the General Fund reserves to above-recommended levels. As a result of these significant strategies, coupled with a robust real estate market and funding from the Federal Government, the City continues to maintain a positive General Fund balance that well exceeds the Government Finance Officers Association (GFOA) recommended standard of 17% of General Fund expenditures.

The City Council and City staff have been committed to maintaining the City's fiscal stability, and ensuring the City's long-term financial sustainability. The FY 2023-24 Proposed Budget was prepared with these same goals in mind, and staff continues to be intentionally conservative with respect to revenue projections and expenditure levels due to the continuing uncertainty of impacts from the pandemic and its effect on the economy, as well as inflation, and higher interest rates. Further, the FY 2023-24 Proposed Budget was informed by feedback from the community collected through surveys and community meetings, resulting in several priorities identified by the City

Council for the fiscal year. The Budget document recognizes these priorities and how they fit into the workplans of all Departments, and funding for programs and services are therefore presented with these priorities in mind.

The draft Proposed Budget document has been provided to the City Council and the Financial Advisory Board and can be found on the City's website at <https://city-el-cerrito-ca-budget-book.cleargov.com/10315>. The presentation will introduce the FY 2023-24 Proposed Budget and provide an overview of all funds and departments for the City Council's review and discussion. The City Council will consider approval of the FY 2023-24 Proposed Budget at a subsequent City Council meeting.

ANALYSIS

City staff has again prepared a budget document that will span one fiscal year, July 1, 2023 to June 30, 2024. As with the last three years, due to the ongoing pandemic and volatile economy, staff felt it was prudent to once again present a one-year budget so that the City Council can be more flexible with respect to any necessary budget amendments or adjustments. Staff hopes to return to a biennial budget process next fiscal year.

With all funds combined, the FY 2023-24 Proposed Budget recommends total expenditures of \$77.3 million that provides funding for all City services, including Police, Fire, Recreation, Community Development, Public Works, and City Management. These funds include approximately \$11 million in the City's Capital Improvement Fund (CIP) from state and federal grant funding for the El Cerrito Del Norte Complete Streets project, which was intended to begin construction during FY 2022-23, but is now slated to begin this fiscal year. Revenue and expenses were analyzed against prior year trends and expectations for this fiscal year. The Proposed Budget includes all personnel expenses as a result of approved Memorandums of Understanding (MOUs) with various bargaining units and assumes a 3% Cost of Living Adjustment (COLA) for all Management and Confidential staff.

The Proposed FY 2023-24 General Fund budget is balanced and does not include budget reductions this fiscal year as was required in previous years. For FY 2023-24, staff is proposing a General Fund budget with conservatively projected revenues of \$48.5 million and expenditures amounting to \$48.4 million. The City Council has directed staff to prepare a budget that will seek to maintain General Fund reserves, which staff has benchmarked at the GFOA recommended level of 17% at a minimum. The Proposed FY 2023-24 budget assumes a surplus of \$105,570; while this is short of the City Council's \$1 million annual surplus goal, this allows for a balanced operating budget and will continue to enhance the projected positive fund balance in alignment with the Fiscal Recovery and Sustainability Plan and actions taken the past three fiscal years. Staff will closely monitor revenue and expenditure trends and will continue to update the City Council throughout the fiscal year and in the quarterly reports in order to make adjustments if necessary based on economic conditions.

The Proposed FY 2023-24 Budget does not include any additional positions and seeks to maintain the current programs and services provided to the community. Various technology upgrades and support are included in order to enhance and protect the City's systems from cyber-attacks and hacking. Training will also be enhanced among departments, in particular Diversity, Equity, and Inclusion training and Emergency Operations training for all staff. Expenditures also include activities related to the BART Transit Oriented Development (TOD) and potential Library project, including a possible ballot measure election for the Library facility in March 2024. Professional services continue to support departments with vacant positions, as well as development-related services that will be recovered by development-related revenues.

One-time Projects/Expenditures

As with the FY 2022-23 budget, staff has once again identified one-time projects and expenditures for FY 2023-24 including several capital and maintenance projects that are proposed for the City Council to appropriate funding from General Fund Reserve. This allows the City Council to consider funding these projects separately, and utilize some of the one-time funding that had been realized through the previous fiscal year's surplus as well as from American Rescue Plan Act (ARPA) funding. Additionally, this allows the City Council to use the expected FY 2023-24 revenues for mainly ongoing expenses, most of which are related to personnel. However, in the interest of ensuring that the General Fund Reserve remains at healthy levels, this proposed one-time funding is included in the General Fund projections for the City Council's review.

Staff is recommending several projects for this fiscal year that are proposed to utilize fund balance, including:

Description	Amount
Public Safety Building Flooring and Painting Project	\$50,000
General Fund Contribution to Flock Project (\$50k) and Analytics Software (\$80k)	\$130,000
New EKG Monitors (7) and Lucas devices (3)	\$70,000
New Generator for Station 52 (Arlington)	\$80,000
Safety Element Consultant Expenses	\$145,000
Capital Projects	
City Hall Boiler Replacement	\$200,000
Community Center Roof Replacement & Other High Priority Roofs	\$200,000
City Hall Leak Repair	\$100,000
Swim Center ADA & EV Charger Parking Lot Modifications	\$200,000
Public Safety Building & Corp Yard Pavement Rehab	\$250,000
Castro Park Sewer Line Replacement	\$40,000
Arlington Park Playground Surfacing Replacement	\$150,000
Total	\$1,615,000

For each of these projects, instead of including the expenses within the Proposed FY 2023-24 Budget, staff will separately bring the contracts for these items to the City Council and request a separate appropriation from General Fund balance to fund the projects. The estimated cost of the projects in total would have an impact of \$1.6 million to the General Fund balance. For reference, the General Fund balance as of FY 2021-22 Year End is \$16,623,300; if all projects were appropriated and the current budget surplus is realized, the General Fund balance at the end of the fiscal year would total \$14,491,567, resulting in a General Fund Reserve of 30% of expenditures.

STRATEGIC PLAN CONSIDERATIONS

The FY 2023-24 Proposed Budget represents a plan to ensure that Citywide Revenue meets the cost of providing Citywide services, including the continued replenishment of adequate reserves for unanticipated revenue shortfalls. It will further ensure procedures that represent best practices in financial management. This item seeks to fulfill Goal B, Achieve Long-Term Financial Sustainability.

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

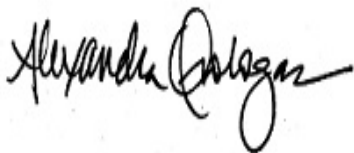
FINANCIAL CONSIDERATIONS

At this time the City Council is reviewing the FY 2023-24 Proposed Budget and no action is being requested, therefore no financial impact is accounted for at this time. At subsequent City Council meetings, the City Council will consider the appropriations authority for all funds for the City and its legal entities.

LEGAL CONSIDERATIONS

This section is not applicable to this agenda item.

Reviewed by:

A handwritten signature in black ink, appearing to read 'Alexandra Orologas', written over a light blue horizontal line.

Alexandra Orologas, Assistant City Manager

Attachment(s)

1. [Draft FY 2023-24 Proposed Budget](#)