

Mayor
Lisa Motoyama
Mayor Pro Tem
Tessa Rudnick



Councilmembers
Paul Fadelli
Gabriel Quinto
Carolyn Wysinger

TUESDAY, OCTOBER 3, 2023

SPECIAL CITY COUNCIL MEETING (5:00 PM)

Hillside Conference Room - 10890 San Pablo Ave, El Cerrito

Join Via Zoom:

<https://us06web.zoom.us/j/89253098256?pwd=bmZXS3dNY1ZBNbGF3bTBqMXhBeVJBdz09>

Meeting ID: 892 5309 8256 **Password:** 017431 **Dial in:** 1-408-638-0968

REGULAR CITY COUNCIL MEETING (6:00 PM)

Council Chambers - 10890 San Pablo Ave, El Cerrito

Join Via Zoom:

<https://us06web.zoom.us/j/83509889643?pwd=ajdWMep3czBXb0JhcUI3N2NOUTFTdz09>

Meeting ID: 835 0988 9643 **Password:** 149405 **Dial in:** 1-408-638-0968

View (Regular Meeting Only):

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

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. *By Email* to cityclerk@ci.el-cerrito.ca.us identified in the subject line as **Public Comments – Agenda Item #.**

Please note that remote public comments have been suspended.

Written comments received by **2:00 p.m. the day of the meeting** will be provided to the City Council and posted [online](#) in advance of the meeting. Comments received after the deadline will be provided to the City Council and will be posted **after the meeting**.

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

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**

Mayor
Lisa Motoyama
Mayor Pro Tem
Tessa Rudnick



Councilmembers
Paul Fadelli
Gabriel Quinto
Carolyn Wysinger

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. COMMISSION INTERVIEWS, STATUS AND APPOINTMENTS

Action Proposed: Staff requests that City Council conduct interviews and, at the conclusion of interviews, confer with staff regarding ongoing recruitment(s), any remaining vacancies, and the scheduling of further special meetings to conduct interviews (if applicable). Council may decide to make appointments at the conclusion of the meeting.

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

4. ADJOURN SPECIAL CITY COUNCIL MEETING

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

1. PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF A MOMENT OF SILENCE

2. TELECONFERENCE AND PUBLIC COMMENT INSTRUCTIONS

3. COUNCIL/STAFF COMMUNICATIONS

Reports of closed session, commission appointments and informational reports on matters of general interest which are announced by the City Council and staff.

4. ORAL COMMUNICATIONS FROM THE PUBLIC

Remarks are typically limited to 3 minutes per person. The Mayor may reduce the time limit per speaker depending upon the number of speakers and may limit the total time for public comment to facilitate the completion of business on the agenda. Comments regarding non-agenda, presentation and consent calendar items will be heard first. Comments related to items appearing on the Public Hearing or Policy Matter portions of the Agenda will be heard prior to the City Council taking action on each item.

5. PRESENTATIONS

6. ADOPTION OF THE CONSENT CALENDAR

All items on the consent calendar shall be acted upon in one motion, unless a member of the City Council or staff request separate consideration.

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Councilmembers
Paul Fadelli
Gabriel Quinto
Carolyn Wysinger

A. Filipino American History Month Proclamation

Action Proposed: Approve a proclamation recognizing October 2023 as Filipino American History Month in El Cerrito.

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

B. Cyber Security Awareness Month Proclamation

Action Proposed: At the request of Mayor Pro Tem Rudnick, approve a proclamation recognizing October as Cyber Security Awareness month.

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

C. National Arts and Humanities Month Proclamation

Action Proposed: Approve a proclamation in support and recognition of October 2023 as National Arts and Humanities Month in El Cerrito.

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

D. Indigenous Peoples Day Proclamation

Action Proposed: Approve a proclamation in recognition of Indigenous Peoples Day.

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

E. Economic Development Committee Appointment

Action Proposed: Approve an Economic Development Committee recommendation to appoint Kevin Schenthal.

Contact: Aissia Ashoori, Housing-Economic Development Manager

F. 2nd Reading and Adoption of an Ordinance to increase City Council compensation from \$441 to \$650 per month

1st Reading 9/19/2023

Action Proposed: Waive the second reading and adopt Ordinance 2023-04 amending section 2.04.070 of the El Cerrito Municipal Code to modify the City Council's Monthly Compensation.

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

7. PUBLIC HEARINGS

Mayor
Lisa Motoyama
Mayor Pro Tem
Tessa Rudnick



Councilmembers
Paul Fadelli
Gabriel Quinto
Carolyn Wysinger

8. POLICY MATTERS

A. Construction Contract Award and Budget Amendment for Arlington Park Improvements Project, City Project No. C3082

Action Proposed: Adopt a resolution approving plans and specifications for the Arlington Park Improvements Project, City Project No. C3082 (Project); rejecting the bids from NV Construction and JPB Designs as non-responsive and accepting the bid submitted by Streamline Builders for the Project; authorizing the City Manager to execute a contract in the amount of \$336,018 with Streamline Builders and to approve change orders in an amount not to exceed \$33,602 for the construction of the Project; and amending the Fiscal Year (FY) 2023-24 Adopted Budget and Capital Improvement Program to appropriate \$75,000 from the General Fund Balance for the Project.

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

B. Purchase Authorization and Budget Amendment for up to Two Residential Recycling Collection Trucks

Action Proposed: Adopt a resolution authorizing the City Manager to purchase through the Sourcewell bid process up to two residential recycling collection trucks at a total cost not to exceed \$1,100,000 and amending the Fiscal Year 2023-24 Adopted Budget to appropriate \$1,100,000 from the Integrated Waste Management Fund balance for the purchase of the trucks.

Contact: Susan Kattchee, Interim Operations & Environmental Services Manager, Public Works Department; Yvetteh Ortiz, Public Works Director/City Engineer

C. Amendment to City Manager Employment Agreement

Action Proposed: Adopt a resolution approving a Second Amendment to the Employment Agreement with the City Manager to extend the agreement to December 31, 2024.

Contact: City Council Ad Hoc Subcommittee
Sky Woodruff, City Attorney, City Management

9. CITY COUNCIL LOCAL & REGIONAL LIAISON ASSIGNMENTS

Mayor and City Council communications regarding local and regional liaison

Mayor
Lisa Motoyama
Mayor Pro Tem
Tessa Rudnick



Councilmembers
Paul Fadelli
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Carolyn Wysinger

assignments, committee reports, and any required reporting under AB 1234 for meetings (as defined by the Brown Act) attended at the public's expense.

10. ADJOURN REGULAR CITY COUNCIL MEETING

The next regularly scheduled City Council meeting is Tuesday, October 17, 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.



AGENDA BILL

Agenda Item No. 3.

Date: October 3, 2023
To: El Cerrito City Council
From: Holly M. Charl  ty, City Clerk, City Management
Subject: COMMISSION INTERVIEWS, STATUS AND APPOINTMENTS

ACTION PROPOSED

Staff requests that City Council conduct interviews and, at the conclusion of interviews, confer with staff regarding ongoing recruitment(s), any remaining vacancies, and the scheduling of further special meetings to conduct interviews (if applicable). Council may decide to make appointments at the conclusion of the meeting.

INTERVIEW SCHEDULE

Interviews scheduled for this meeting are as follows:

5:00 PM	Nate Schaffran	Financial Advisory Board
5:15 PM	Jennifer Witt	Human Relations Commission
5:30 PM	Adam Levenson	Arts and Culture Commission

On September 19, 2023 Renee Thomas Jacobs was interviewed for Financial Advisory Board and remains a qualified applicant. Neela Chatterjee has withdrawn her application for Art and Culture Commission. No other applicants are outstanding for Boards and Commissions.

BACKGROUND/ANALYSIS

City staff continues to publicize board, commission and committee vacancies as they occur. Vacancies are published on the City's website and in the East Bay Times, and posted at City Hall, the Community Center and Library. Staff is also utilizing social media outlets to increase awareness and opportunities for citizens to participate by attending meetings and/or serving on a board, commission or committee.

STRATEGIC PLAN CONSIDERATIONS

This action aligns with Strategic Plan Goal A: Deliver Exemplary Government Services by maintaining an emphasis on providing excellent customer service.

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

This section is not applicable to this agenda item.

LEGAL CONSIDERATIONS

This section is not applicable to this agenda item.

Reviewed by:

A handwritten signature in blue ink, appearing to read "HCharléty". The signature is stylized with a large, looped "H" and a cursive "Charléty".

Holly Charléty, City Clerk

Attachments:

Application(s) on file with the City Clerk

1. ACC Roster
2. FAB Roster
3. HRC Roster
4. Current Vacancy List
5. List of Active Applications

Arts and Culture Commission

Term Length: 48 Months

Max Terms: 2 Term(s)

Number of Members: 7

Meeting Schedule: 4th Monday of the Month

Meeting Time: 7:00 PM

Meeting Location: Council Chambers

Meeting Address: 10890 San Pablo Ave. El Cerrito

Type: Commission

Description:

The ACC is charged with oversight of the Arts in Public Places Program, City Hall Gallery Space, and responsible for acquisition, funding, and placement of public art in the City on public property. The ACC consists of members who demonstrate a commitment to various arts disciplines, including but not limited to: fine arts, visual arts, performing arts, literary arts, art history and arts education.

Council Liaison:

Mayor Lisa Motoyama

lmotoyama@ci.el-cerrito.ca.us

Staff Liaison:

Alexandra Orologas

510-215-4302

aorologas@ci.el-cerrito.ca.us

Position Number	Name	Appt Date	No. of Terms Served	Term Expiration Date
1	Audrey Faine	02/14/2023	1	03/01/2025
2	Andrew Ting	02/16/2023	1	03/01/2024
3	Patrick Taylor	02/16/2023	1	02/16/2024
4	Courtney Helion	02/09/2022	2	03/01/2025
6	George Gager	03/01/2021	2	03/01/2025

Financial Advisory Board

Term Length: 48 Months

Max Terms: 2 Term(s)

Number of Members: 5

Meeting Schedule: 4nd Tuesday of the Month

Meeting Time: 6:30 PM

Meeting Location: Council Chambers

Meeting Address: 10890 San Pablo Avenue, El Cerrito, CA

Type: Board

Description: The Financial Advisory Board (FAB) conducts a review of the proposed annual budget and long-term financial plan for the City to assist the City Council in making decisions on major expenditures and revenue sources.

Council Liaison:
Councilmember Carolyn Wysinger

Staff Liaison:
Crystal Reams

cwysinger@ci.el-cerrito.ca.us

creams@ci.el-cerrito.ca.us

Position Number	Name	Appt Date	No. of Terms Served	Term Expiration Date
3	Richard Patterson	03/01/2020	3	03/02/2024
4	Farhad Farahmand	03/01/2021	2	03/01/2025
5	Kimberly White	02/08/2022	1	03/01/2026

Human Relations Commission

Term Length: 48 Months

Max Terms: 2 Term(s)

Number of Members: 7

Meeting Schedule: 2nd Wednesday of the Month

Meeting Time: 7:00 PM

Meeting Location: Council Chambers

Meeting Address: 10890 San Pablo Avenue, El Cerrito, CA

Type: Commission

Description:

The purpose of the Human Relations Commission is to initiate educational and cultural programs, promote tolerance and mutual respect between all persons. When requested by the City Council, the Commission will evaluate and make recommendations regarding discrimination charges levied against the City. Commission members shall be generally representative of the demographics of the City including the racial, religious, age, gender, ethnic, and other groups.

Council Liaison:

Mayor Pro Tem Tessa Rudnick

trudnick@ci.el-cerrito.ca.us

Staff Liaison:

Shannon Bassi

510-215-4323

sbassi@ci.el-cerrito.ca.us

Position Number	Name	Appt Date	No. of Terms Served	Term Expiration Date
1	Rebecca Curry	03/01/2023	1	03/01/2027
3	Buddy Akacić	03/01/2021	2	03/01/2025
5	Mina Wilson	04/04/2023	1	03/01/2025



CURRENT VACANCIES ON BOARDS, COMMISSIONS & COMMITTEES

The El Cerrito City Council is seeking applicants interested in serving on its Boards, Commissions and Committees (Advisory Bodies). Members of Advisory Bodies provide an invaluable service to our community. Serving as a member can be a rewarding experience for community service minded residents. It is an excellent way to participate in local government and to make a personal contribution to the improvement of your community. Members are appointed by the City Council for terms of four years. Meetings are generally held once a month during evening hours.

~~Interested parties are required to attend two of the last three meetings of the advisory body applied prior to submitting an application.~~ *(this requirement has been temporarily suspended by City Council until further notice).* Applications are accepted on an ongoing basis and will remain valid for a period of one year.

Current vacancies are listed below. Click on the applicable link to find out more information about the advisory body.

Advisory Body	Vacancies
Arts & Culture Commission	2
Committee on Aging	5
Citizens Street Oversight Committee*	1
Civil Service Commission*	1
Crime Prevention Committee	10
Economic Development Committee	7
Environmental Quality Committee	4
Financial Advisory Board	2
Human Relations Commission	4
Park and Recreation Commission	3
Urban Forest Committee	9

*exempt from pre-meeting requirement

Select the Apply Now button below or visit <http://el-cerrito.org/ApplicationforCommissions> to access the online application. Accessibility needs may be addressed by contacting the City Clerk.



For more information, please contact CityClerk@ci.el-cerrito.ca.us or 510-215-4305
Last Updated: August 25, 2023

Name	Board Name	Application Status	Application Date
Abhijeet Singh	Contra Costa Library Commission	Active	01/31/2023
Adam Levenson	Arts and Culture Commission	Active	08/31/2023
Forrest Bice	Urban Forest Committee	Active	08/20/2023
Jennifer Witt	Human Relations Commission	Active	06/26/2023
Kevin Schenthal	Economic Development Committee	Active	07/19/2023
Linda Cain	Committee on Aging	Active	06/22/2023
Maggie Winslow	Environmental Quality Committee	Active	01/11/2023
Nate Schaffran	Financial Advisory Board	Active	09/16/2023
Renee Thomas Jacobs	Financial Advisory Board	Active	07/25/2023
Rosa Esquivel	Crime Prevention Committee	Active	02/08/2022
Shaulnie Mohan	Economic Development Committee	Active	02/06/2023
Shaulnie Mohan	Urban Forest Committee	Active	02/06/2023

EL CERRITO CITY COUNCIL PROCLAMATION
Recognizing October as Filipino American History Month in the City of El Cerrito

WHEREAS, on October 18, 1587, more than a century before the Mayflower crossed the Atlantic Ocean, the first "Luzones Indios," as Filipinos were known in those days, arrived in Morro Bay, California after sailing across the Pacific Ocean as sailors on Spanish galleons; and

WHEREAS, between 1906 and 1935, the first large wave of Filipino immigration to the United States began as Filipinos were recruited to work in the agricultural industries, canneries, and on sugarcane plantations; and

WHEREAS, during World War II, approximately 200,000 Filipino soldiers, including thousands from California, fought under United States command to preserve the liberty of our country and win back the liberty of the Philippines; and

WHEREAS, between 1941 and 1959, a second wave of Filipino immigration began, as nurses, students, fiancées of World War II military personnel, veterans, and many Filipinos who had served in the United States Navy settled in the Bay Area, including El Cerrito, where they are one of the largest Asian American minorities; and

WHEREAS, 2006 marked the centennial celebration of Filipino migration to the United States. In California, Filipino American History Month was first recognized statewide; and

WHEREAS, on September 9, 2009, the California State Assembly voted to designate the month of October 2009, and every October thereafter, as Filipino American History Month; and

WHEREAS, Chief Justice Tani Gorre Cantil-Sakauye is the first Filipina American to lead California's judiciary, and Attorney General Rob Bonta is the first Filipino American to head California's Department of Justice; and

WHEREAS, on December 19, 2017, El Cerrito's first Filipino American Mayor, Gabriel Quinto, was sworn in by Contra Costa Superior Court Judge Benjamin Reyes II, the first Filipino American judge to serve on the Contra Costa County bench.

NOW THEREFORE, the City Council of the City of El Cerrito does hereby declare October as Filipino American History Month in the City of El Cerrito and invites everyone to celebrate and reflect on the notable accomplishments and outstanding services by Filipino Americans to our Country, our State, and our City.

Dated: October 3, 2023

Lisa Motoyama, Mayor

EL CERRITO CITY COUNCIL PROCLAMATION Recognizing October as Cybersecurity Awareness Month

WHEREAS, cybersecurity education and awareness are crucial for everyone, including large corporations, small businesses, financial institutions, schools, government agencies, non-profit organizations, the home user, and anyone who connects to the internet, be it with a computer, mobile phone, or other internet-connected device; and

WHEREAS, critical infrastructure (i.e., financial services, educational institutions, energy, telecommunications, transportation, utilities, health care, and emergency response systems, etc.) is increasingly reliant on the support of information systems and technology; and

WHEREAS, monitoring your accounts, being conscientious of what you share online, keeping computer software up to date, creating unique passwords and changing them regularly, installing antivirus programs and firewalls, and using mobile devices and other internet-connected devices safely, are ways people and organizations can protect themselves from phishing, viruses, ransomware, other types of malware, financial loss, and loss of sensitive data; and

WHEREAS, the National Institute of Standards and Technology (NIST) Cybersecurity Workforce Framework is a free resource to help organizations (both large and small, public and private) improve their cybersecurity practices through a practical approach to addressing the ever-evolving cybersecurity threats and challenges; and

WHEREAS, maintaining the security of cyberspace is a shared responsibility in which each of us has a critical role to play, and awareness of essential cyber hygiene will improve the security of information, infrastructure and economy; and

WHEREAS, the Federal Government of the United States of America, the U.S. Department of Homeland Security's Cybersecurity and Infrastructure Security Agency (www.cisa.gov), the Multi-State Information Sharing and Analysis Center (<https://www.cisecurity.org/ms-isac>), the National Association of State Chief Information Officers (www.nascio.org), and the National Cyber Security Alliance (www.staysafeonline.org) recognize October as Cybersecurity Awareness Month.

NOW, THEREFORE, the City Council of the City of El Cerrito does hereby proclaim October as Cyber Security Awareness month and encourages use of resources and learning about cybersecurity so that knowledge can be put into practice in homes, schools, workplaces, and businesses.

Dated: October 3, 2023

Lisa Motoyama, Mayor

EL CERRITO CITY COUNCIL PROCLAMATION
Recognizing and Supporting October 2023 as
National Arts and Humanities Month in El Cerrito

WHEREAS, the month of October has been recognized as National Arts and Humanities Month across the country since 1993; and

WHEREAS, National Arts and Humanities Month was initiated to encourage all Americans to begin a lifelong habit of participation in the arts and humanities; and

WHEREAS, the arts and humanities embody much of the accumulated wisdom, intellect, and imagination of humankind; and

WHEREAS, the arts and humanities play a unique role in the lives of our families, our communities, and our country; and

WHEREAS, the arts and humanities enhance and enrich the lives of every American; and

WHEREAS, the arts and humanities contribute towards cross-cultural understanding, and enhance the quality of life; and

WHEREAS, studies show that innovation and creativity are key components to a prosperous future California economy; and

WHEREAS, the Arts and Culture Commission works to encourage and promote arts programs and events happening in El Cerrito during October.

NOW THEREFORE, the City Council of the City of El Cerrito does hereby declares October 2023 as Arts and Humanities Month in the City of El Cerrito and encourages all members of the community to celebrate and promote the arts and culture in our nation and to participate, patronize and support the arts and humanities in El Cerrito.

Dated: October 3, 2023

Lisa Motoyama, Mayor

**EL CERRITO CITY COUNCIL PROCLAMATION
Recognizing October 9, 2023 as Indigenous Peoples Day**

WHEREAS, Indigenous Peoples Day was first proposed in 1977 by a delegation of Native Nations to the United Nations-sponsored International Conference on Discrimination Against Indigenous Populations in the Americas; and

WHEREAS, This year marks the 45th anniversary of the “1977 U.N. Conference on Indians in the Americas” and 30th anniversary of the “Columbus Quincentenary”; and

WHEREAS, the United States endorsed the United Declarations on the Rights of Indigenous People on December 19, 2020; and

WHEREAS, xučyun (Huichin) is the home territory of the Chochenyo speaking Ohlone people, that extends from what we know today as the Berkeley hills to the Bay Shore, from West Oakland to El Cerrito; and

WHEREAS, the City of El Cerrito acknowledges the legacy of colonial violence, exploitation, dispossession and attempted destruction of tribal communities in our region, and is committed to combating systematic racism and supporting healing, equality, and accessibility; and

WHEREAS, we have a responsibility to oppose the systemic discrimination towards Indigenous Peoples in the United States, which perpetuates poverty and income inequality, and exacerbates disproportionate levels of health, education, and social stability; and

WHEREAS, the City of El Cerrito values the many contributions made to our community through Indigenous Peoples knowledge, labor, technology, science, philosophy, arts; and likewise values the deep cultural contributions that have substantially shaped the character of the City of El Cerrito and our region.

NOW, THEREFORE, the City Council of the City of El Cerrito does hereby proclaim October 9, 2023, as Indigenous Peoples Day, and calls upon public officials, educators, businesses, communities, volunteers, and all the people of El Cerrito, to observe this day to honor and celebrate the thriving cultures and positive values of the Indigenous Peoples of our region.

Dated: October 3, 2023

Lisa Motoyama, Mayor



AGENDA BILL

Agenda Item No. 6.E.

Date: October 3, 2023
To: El Cerrito City Council
From: Aissia Ashoori, Housing-Economic Development Manager
Subject: Economic Development Committee Appointment

ACTION PROPOSED

Approve an Economic Development Committee recommendation to appoint Kevin Schenthal.

BACKGROUND/ANALYSIS

Kevin Schenthal is a new El Cerrito resident of six months. Mr. Schenthal is a Software Engineer with a specialty in data science. As a new local resident, his experience in data analysis and event planning will add value to the Economic Development Committee (EDC). He has demonstrated through his participation in EDC meetings that he is committed to keeping with the mission of the Committee and bolstering economic growth in our community.

The Economic Development Committee voted unanimously to recommend this appointment at its regular meeting on September 18, 2023.

If the City Council approves this recommendation, the number of EDC members will be 9 out of a possible membership total of 15, as established by Resolution 2013-66.

STRATEGIC PLAN CONSIDERATIONS

Approval of this appointment will help fulfill the City of El Cerrito Strategic Plan Goal C "Deepen a sense of place and community identity" with the identified strategy "Celebrate the City's diversity by welcoming residents of all ages and cultures and encouraging their civic involvement".

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

This section is not applicable to this agenda item.

LEGAL CONSIDERATIONS

This section is not applicable to this agenda item.

Reviewed by:

A handwritten signature in blue ink, appearing to read "Karen Pinkos", is positioned above the printed name.

Karen Pinkos, City Manager

Attachments:

Application(s) on File with the City Clerk

ORDINANCE NO. 2023 - XX

AN ORDINANCE OF THE CITY OF EL CERRITO AMENDING EL CERRITO MUNICIPAL CODE SECTION 2.04.070 MODIFYING THE CITY COUNCIL'S MONTHLY COMPENSATION

WHEREAS, the compensation for City Councilmembers is \$441 per month and has not been increased since 1991; and

WHEREAS, under the current provisions of Government Code section 36516, the base salary for members of a city council for a city with a population the size of El Cerrito's is \$300, The base salary may be increases by five percent for each year since the operative date of the last change. Under Government Code section 36516.5, any change to the salary for members of a city council can only go into effect after at least one member of the city council begins a new term; and

WHEREAS, the State Legislature recent approved and the Governor signed Senate Bill 329 (Dodd, 2023), which will amend Government Code section 36516 effective January 1, 2024. Among other changes, the amendment sets the base salary for members of a city council with a population the size of El Cerrito's at \$950 monthly. The bill states that increases in city council compensation "may help city councils become more diverse because increased compensation can help individuals from across different income levels receive sufficient income from their service to help ensure that they can continue to serve the public and support their families;" and

WHEREAS, city council compensation is a municipal affair. The limits on city council salaries and procedural provisions of Government Code sections 36516 and 36516.5 apply only to general law cities, not to charter cities; and

WHEREAS, El Cerrito is a charter city. Pursuant to Section 100 of the Charter of the City of El Cerrito, the City Council may adopt ordinances with respect to municipal affairs, subject only to the limits of the Charter, the California Constitution and the United States Constitution. The City Council is not limited by Government Code section 36516.5 as to the operative date of a change in City Council salary; and

WHEREAS, the Financial Advisory Board reviewed the compensation of the City Council with comparable cities and determined that the salary should be increased to a sum of \$650 per month.

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

Section 1: Section 2.04.070 is hereby amended to read as follows (additions in underline, deletions in strikethrough):

2.04.170 - Salary—Designated.

Each member of the council shall receive, as salary, the sum of ~~four hundred and~~

~~forty-one~~ six hundred and fifty dollars per month, which shall be payable at the same time and in the same manner as the salaries are paid for other officers and employees of the city. Such salary is prescribed exclusive of any reimbursement for expenses incurred in the performance of official duties for the city, or for any amounts contributed by the city for retirement, health and welfare and federal social security benefits.

Section 2: 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 3: Effective Date. This Ordinance shall take effect and be enforced thirty days after the date of its adoption. The amendment to the Municipal Code set forth in Section 1 of this Ordinance shall be operative on January 1, 2024. 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 September 19, 2023 and passed by the following vote:

AYES: Mayor Motoyama; Mayor Pro Tem Rudnick; Councilmembers Quinto and Wysinger
NOES:
ABSENT:
ABSTAIN: Councilmember Fadelli

ADOPTED AND ORDERED published at a regular meeting of the City Council held on October 3, 2023 and passed by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

Lisa Motoyama, 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. 2023-XX 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 October 3, 2023; and that said Ordinance has been published and/or posted in the manner required by law.

WITNESS my hand and the Official Seal of the City of El Cerrito, California,
on_____.

Holly M. Charléty, City Clerk



AGENDA BILL

Agenda Item No. 8.A.

Date: October 3, 2023
To: El Cerrito City Council
From: Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department
Subject: Construction Contract Award and Budget Amendment for Arlington Park Improvements Project, City Project No. C3082

ACTION PROPOSED

Adopt a resolution approving plans and specifications for the Arlington Park Improvements Project, City Project No. C3082 (Project); rejecting the bids from NV Construction and JPB Designs as non-responsive and accepting the bid submitted by Streamline Builders for the Project; authorizing the City Manager to execute a contract in the amount of \$336,018 with Streamline Builders and to approve change orders in an amount not to exceed \$33,602 for the construction of the Project; and amending the Fiscal Year (FY) 2023-24 Adopted Budget and Capital Improvement Program to appropriate \$75,000 from the General Fund Balance for the Project.

BACKGROUND

Planning and Funding

Arlington Park is approximately 5.2 acres in size and located along Arlington Boulevard between Brewster Drive and Thors Bay Road. Originally built in 1966, Arlington Park is a popular community destination with rentable picnic and clubhouse space. Amenities include picnic areas, two playgrounds (school-age and tot-age), an artificial pond, and three tennis courts and a half basketball court. The park also maintains some native habitat in the form of natural springs and a small creek that runs through the site.

The El Cerrito Parks and Recreation Facilities Master Plan (Plan), adopted by the City Council in 2019, identifies Arlington Park as one of the most popular parks in El Cerrito and identifies many high priority recommendations to improve facilities in poor condition. These recommendations included renovating the clubhouse to allow for additional programming and rental opportunities, improving group picnic areas, addressing facility repairs per the 2018 Inventory and Deficiencies Assessment, and correcting identified site deficiencies per the 2009 ADA Transition Plan.

In December 2020, the City Council approved submittal of an application to the California Department of Parks and Recreation for \$192,876 of Proposition 68, the Parks, Environment, and Water Bond Act of 2018, Per Capita funds for the design and construction of Arlington Park improvements identified in the Plan. Another \$207,124 in Measure H funding was budgeted for the project in the Capital Improvement Program over FY 2022-23 and FY 2023-24. Finally, \$25,000 in SB1 Local Streets and Roads funding was budgeted for street accessibility improvements in the FY 2023-24 Capital Improvement Program.

Given the extensive amount of work envisioned in the Plan and relatively limited funding, improvements to the park were planned to be phased over several projects, with the scope of the current project consisting of a relatively straightforward renovation of the clubhouse to include interior painting, new flooring, windows, doors, fixtures, and countertops, and accessibility improvements and, secondarily, picnic site improvements to include landscape improvements, grading, accessibility improvements and other amenities. The goal of the Arlington Park Improvements Project is to enhance an existing park to maximize its use by the community while addressing deferred maintenance issues and to make park facilities easier, and more cost effective, to maintain.

Design Development

In October 2022, the City Council approved an agreement with Siegfried Engineering to provide design services for the Project. The design process started soon thereafter. A community meeting was held in December 2022 at the Arlington Clubhouse. Community members in attendance provided feedback on a proposed set of improvements, potential alternatives, and future phased improvements. Subsequently, the proposed improvements were presented for the consideration of the Park and Recreation Commission at their January 25, 2023 meeting. City staff and Siegfried presented two concepts: the original concept presented at the community meeting and a revised concept incorporating community feedback. The Commission provided support for the revised concept and provided additional recommendations, which were incorporated into the final design.

The final Project scope generally consists of clubhouse improvements including interior and exterior painting, accessibility upgrades, and new bathroom fixtures, cabinetry, lighting, flooring, windows, and two sets of double doors that lead to the patio. Additionally, it consists of improvements to four picnic areas, including accessibility upgrades and new picnic tables, seating, barbeques, trash receptacles and surfacing.

Bidding

The Notice Inviting Bids for the Project was advertised in the West County Times on August 15 and 21, 2023. Additionally, the notice along with a complete set of Contract Documents was sent to Builder and Construction Exchanges in the Bay Area and Northern California and made available for purchase through the BPXpress website, an online planroom used by the City. The notice was also posted on the City's website. A non-mandatory pre-bid conference was held on August 29, 2023. No addendum was issued.

ANALYSIS

Three bids were received by the advertised bid opening date and time of September 12, 2023, at 2 p.m. The bids were publicly opened and read by the City Clerk. All bids were checked for completeness.

According to the State of California Contractors Licensing Board, the license numbers provided on the bids by NV Construction and JPB Designs were only for Type B (General Building). The Project specifications expressly state the licensing requirements to be both Type A (General Engineering) and Type B (General Building). The City is able to deem bids non-responsive if the bids do not conform to the Project specification instructions on their face. Notwithstanding, the City does have the ability to waive “minor irregularities” that are inconsequential deviations from Project specifications. However, the City cannot waive an error or inconsistency with bid specifications if the inconsistency creates an unfair advantage such as making the bid materially different. In this situation, non-compliance with license requirements from the Project specification would be a deviation from bid instructions and would form the grounds for the City to determine the bids non-responsive. Because of the above-mentioned, City staff recommend the bids from NV Construction and JPB Designs be rejected by the City Council as non-responsive.

The remaining bid from Streamline Builders in the amount of \$336,018 is 14% over the Engineer’s Estimate of \$294,778. Despite being 14% over the Engineer’s Estimate, City staff consider the bid from Streamline Builders to be reasonable and accepting the bid a better alternative than rebidding the Project given that the Proposition 68 grant requires the Project to be fully closed-out by June 2024. As such, City staff recommend that the City Council award a construction contract to Streamline Builders Inc. as the lowest responsive and responsible bidder in the amount of \$336,018 and approve change orders in an amount not to exceed \$33,602 for construction of the Project. A budget amendment would also be required, as described in the Financial Considerations section below.

STRATEGIC PLAN CONSIDERATIONS

Award of the construction contract is consistent with the following El Cerrito Strategic Plan goals: Deepen a sense of place and community identity by developing recreational activities for all; and Develop and rehabilitate public facilities as community focal points by addressing ongoing and deferred maintenance of facilities and infrastructure.

ENVIRONMENTAL CONSIDERATIONS

Pursuant to the California Environmental Quality Act (CEQA), this project falls under the El Cerrito Parks and Recreation Facilities Master Plan’s Initial Study/Mitigated Negative Declaration (IS/MND). Based on the IS/MND, a Mitigation Monitoring & Reporting Program was adopted in compliance with Section 15097 of the CEQA.

FINANCIAL CONSIDERATIONS

The funding for the Arlington Park Improvements Project totals \$425,000 over FY 2022-23 and FY 2023-24 as follows:

- \$192,876 from the Capital Improvement Fund reflecting the State of California’s Proposition 68 Per Capita grant
- \$207,124 from the Measure H (Parks and Recreation Facilities) Fund

- \$25,000 from the SB 1 Local Streets and Roads Fund

Based on the bid amount, the current cost estimate for all phases of project delivery is \$500,000 as summarized below.

Project Cost Estimate

Project Management	In-house/operating
Design (Including Bidding)	\$65,700
Construction Contract	\$336,018
Construction Contingency	\$33,602
Construction Support (Including Construction Management, Design Support During Construction & Misc)	\$64,680
TOTAL PROJECT COST	\$500,000

The current cost estimate is higher than the available funding as a result of the current construction market, including a high inflationary environment, and the need for external construction management due to building expertise required for the Project. This creates a funding shortfall of \$75,000.

The FY 2023-24 Capital Improvement Program identified one-time expenditures in the amount of \$1.14 million for park and facility deferred maintenance and repair projects needing funding from the General Fund Unrestricted Fund Balance. However, instead of appropriating the funding within the FY 2023-24 Adopted Budget, City staff recommended that City Council appropriate funding for each project separately at the time that the cost estimate had been refined and the project design or construction required a contract. Even so, in the interest of maintaining a healthy fund balance, the \$1.14 million in expenses were modeled in the 10-year General Fund forecast.

City staff are currently refining the scope, cost and schedule for the park and facility deferred maintenance and repair projects. Given the number of active projects in this fiscal year, the initiation of both the design and construction phases of all these projects will not be possible. City staff plan to request funding appropriations for the design phase of all projects in early 2024 and for the construction phase of a subset of those projects based on project readiness. As such, City staff do not anticipate requesting the full \$1.14 million in FY 2023-24, leaving enough room for closing the funding shortfall for the Arlington Park Improvement Project.

Currently, including recent City Council actions, the General Fund Unrestricted Fund Balance is approximately \$6,624,174 (per year-end FY 2021-22). Based on the above considerations, City staff is requesting that the City Council amend the FY 2023-24 Adopted Budget and Capital Improvement Program to appropriate \$75,000 from the

General Fund Balance Unrestricted Fund Balance for construction of the Project.

LEGAL CONSIDERATIONS

The City Attorney has reviewed the proposed actions 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 APPROVING PLANS AND SPECIFICATIONS FOR THE ARLINGTON PARK IMPROVEMENTS PROJECT, CITY PROJECT NO. C3082 (PROJECT); REJECTING THE BIDS FROM NV CONSTRUCTION AND JPB DESIGNS AS NON-RESPONSIVE AND ACCEPTING THE BID SUBMITTED BY STREAMLINE BUILDERS FOR THE PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT IN THE AMOUNT OF \$336,018 WITH STREAMLINE BUILDERS AND TO APPROVE CHANGE ORDERS IN AN AMOUNT NOT TO EXCEED \$33,602 FOR THE CONSTRUCTION OF THE PROJECT; AND AMENDING THE FISCAL YEAR (FY) 2023-24 ADOPTED BUDGET AND CAPITAL IMPROVEMENT PROGRAM TO APPROPRIATE \$75,000 FROM THE GENERAL FUND BALANCE FOR THE PROJECT

WHEREAS, Arlington Park, approximately 5.2 acres in size and originally built in 1966, is a key community destination including a clubhouse, picnic areas, playgrounds, pond, tennis courts and a half-basketball court among other amenities; and

WHEREAS, the El Cerrito Parks and Recreation Facilities Master Plan (Plan), adopted by the City Council in 2019, identifies Arlington Park as one of the most heavily used parks in El Cerrito and notes many high priority recommendations from replacing assets that are in poor or failing condition to improving facilities for accessibility and additional programming; and

WHEREAS, in December 2020, the City Council adopted Resolution 2022-55 authorizing the City Manager to apply for the California Department of Parks and Recreation for \$192,876 of Proposition 68, the Parks, Environment, and Water Bond Act of 2018, Per Capita funds for the design and construction Arlington Park improvements identified in the Plan; and

WHEREAS, additional funding for the Project in the amount of \$207,124 from the Measure H Parks & Recreation Facilities Fund and \$25,000 from the SB 1 Local Streets and Roads Fund is included in the Capital Improvement Program over Fiscal Years 2022-23 and 2023-24; and

WHEREAS, the Project generally consists of interior and exterior painting, accessibility upgrades, and new bathroom fixtures, cabinetry, lighting, flooring, windows and double doors to the clubhouse, and accessibility upgrades and picnic tables, seating, barbeques, trash receptacles and surfacing for four picnic areas; and

WHEREAS, the Notice Inviting Bids for the Project was advertised in the West County Times on August 15 and 21, 2023, the notice and complete set of Contract Documents were sent to eight Builder and Construction Exchanges, and the Contract Documents were made available to contractors through an online planroom; and

WHEREAS, a non-mandatory pre-bid meeting was held on August 29, 2023; and

WHEREAS, three bids were publicly opened and read by the City Clerk on September 12, 2023 at 2:00 p.m., the advertised bid opening date and time; and

WHEREAS, the bids received from NV Construction, LLC, and JPB Designs, Inc. did not comply with the licensing provisions of the Contract Documents requiring both a Type A and Type B California Contractors License making them non-responsive; and

WHEREAS, Streamline Builders, Inc. submitted the lowest responsive and responsible bid in the amount of \$336,018, which is approximately 14% above the Engineer's Estimate; and

WHEREAS, the Proposition 68 grant requires the Project to be fully closed-out by June 30, 2024, so time is of the essence; and

WHEREAS, additional funds are needed to cover costs for the construction contract, contract contingency, and construction support; and

WHEREAS, a budget amendment is requested for this purpose; and

WHEREAS, the Project pursuant to the California Environmental Quality Act (CEQA), falls under the El Cerrito Parks and Recreation Facilities Master Plan's Initial Study/Mitigated Negative Declaration (IS/MND) and based on the IS/MND, a Mitigation Monitoring & Reporting Program was adopted in compliance with Section 15097 of the CEQA.

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

- 1) Approves plans and specifications for the Arlington Park Improvements Project, City Project No. C3082 (Project); and
- 2) Rejects bids submitted by NV Construction, LLC, and JPB Designs, Inc. as non-responsive; and
- 3) Accepts the bid submitted by Streamline Builders for the Project; and
- 4) Authorizes the City Manager to execute a contract in the amount of \$336,018 with Streamline Builders, Inc. and to approve change orders in an amount not to exceed \$33,602 for the construction of the Project; and
- 5) Amends the FY 2023-24 Adopted Budget and Capital Improvement Program to appropriate \$75,00 from the General Fund Balance Unreserved Fund Balance for construction of the Project.

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

I CERTIFY that at a regular meeting on October 3, 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.B.

Date: October 3, 2023
To: El Cerrito City Council
From: Susan Kattchee, Interim Operations & Environmental Services Manager,
Public Works Department; Yvetteh Ortiz, Public Works Director/City
Engineer
Subject: Purchase Authorization and Budget Amendment for up to Two
Residential Recycling Collection Trucks

ACTION PROPOSED

Adopt a resolution authorizing the City Manager to purchase through the Sourcewell bid process up to two residential recycling collection trucks at a total cost not to exceed \$1,100,000 and amending the Fiscal Year 2023-24 Adopted Budget to appropriate \$1,100,000 from the Integrated Waste Management Fund balance for the purchase of the trucks.

BACKGROUND

The City of El Cerrito currently owns, operates, and maintains several recycling collection trucks to provide recycling services to residential and commercial customers. The fleet includes trucks used primarily for regular daily collection routes as well as back-up vehicles that are necessary when the primary trucks require maintenance or repair. The primary recycling collection trucks operate five days a week and are a critical capital component of the City's curbside recycling services. These trucks have a typical life cycle ranging from seven to ten years and must be replaced periodically. The City's current inventory of recycling trucks is summarized in the table below.

As shown, although the City took delivery of two side-loading trucks four years ago in 2019 and two new rear-loading trucks in 2023, three of the City's seven recycling trucks are over 10-years old and past their normal useful life. One of these trucks will be surplus and two of the trucks are scheduled to be replaced. As is typical of trucks of this age, maintenance and repair needs are more frequent, leading to increased risk of breakdown, and reduced reliability, and can impact recycling collection service to residents and businesses.

Inventory of Recycling Trucks

Year	Age	Quantity	Type	Status
2008	15	1	Side-loader	Daily route - Scheduled for replacement
2008	15	1	Rear-loader	Backup - Scheduled for replacement

2010	13	1	Rear-loader	Spare – Scheduled for surplus
2019	4	2	Side-loaders	Daily routes
2023	New	2	Rear-loaders	Daily routes

The City currently operates three daily residential routes using side-loading collection trucks and two daily commercial/multi-family routes using rear-loading collection trucks. The purchase of the new rear-loading collection trucks in 2021 (delivered in 2023) anticipated the increase in multi-family buildings along the San Pablo corridor. The City has begun providing service to several new buildings occupied since 2021 and is prepared to provide service to others as they become occupied. City staff engaged R3 Consulting Group, a solid waste expert, to assist with the evaluation of truck replacement needs to ensure the City is able to continue providing efficient, reliable, and safe curbside recycling services to residents and businesses.

ANALYSIS

Truck Replacement Need

Based on City staff and R3's evaluation, the City needs two additional side-loading trucks to ensure there are three robust primary route trucks and a back-up truck for residential recycling collection. This allows for retirement and replacement of two of the oldest trucks in the fleet (one side-loading and one rear-loading truck). The two new side-loading trucks would become primary route trucks operating daily, with one of the two side-loaders received in 2019 serving as the third primary route truck and the other as the back-up, for a total of four side-loaders servicing residential customers.

Without two new side-loading trucks (which would be anticipated to be delivered by late 2024 or possibly early 2025), the City will experience increased operational downtime, reduced service reliability, and increased staff costs for over-time and, without a functional back-up available, potential significant service impacts.

Fueling Options

The City's current recycling truck fleet is diesel fueled, using a fueling station shared with the City's Fire Department and other diesel vehicles. Other fueling options, including compressed natural gas (CNG) and electric options, have routinely been evaluated with the assistance of R3. The most economical and reliable choice is for the City to use renewable diesel-fueled trucks in the near future for the reasons discussed below.

With the recently approved purchase of renewable diesel, the City will reduce its carbon emissions by 65-75% each year over the current use of petroleum-based diesel. Renewable diesel is a refined synthetic diesel fuel made from non-petroleum feedstocks like vegetable oil, animal fats, and waste products. These are renewable resources for its feedstock and made without crude petroleum, coal, or natural gas as a direct feedstock input in the refining process. The City is set to use renewable diesel in its

recycling truck fleet until such a time as electric recycling collection trucks are fully developed, and infrastructure is in place for charging the vehicles.

For CNG, the fueling infrastructure and the maintenance expertise available to service collection trucks would need to be outsourced and would create additional daily and weekly truck trips and wait times for truck drivers to fuel. The closest CNG fueling facility, located in Berkeley, is prone to long lines and periodic shutdowns, and is thus not reliable as an ongoing fueling source. Staff have determined that the maintenance and fueling time required for CNG vehicles would significantly impact operational logistics, contributing to an increase in staff overtime hours, and add to the overall annual vehicle miles travelled by each truck, and could impact collection service.

CNG vehicles are approximately 20% more costly than diesel vehicles. In addition to the operational issues described above, another reason for ruling out CNG vehicles is that it would be better for long-term fleet planning purposes to focus on changes from renewable diesel fuel to zero-emission vehicles (as required by the California Air Resources Board (CARB) via new regulations that go into effect in 2024) and thus making one fueling-system change, rather than two.

City staff with R3's assistance have continued to monitor the development of viable electric trucks and resources for their feasible procurement and operation. There have been advancements in the availability of electric zero-emission solid waste collection trucks in the last two years, as demonstrated by the willingness of vendors to provide quotes for selling such vehicles. Though these vehicles are becoming available, there has been no large-scale deployment of them in the United States, underscoring the fact that there remains limited experience operating such vehicles.

Currently, electric trucks are still not practical for the City because the cost of purchasing them is anticipated to be roughly double the cost of diesel-fueled trucks. Moreover, the City's ability to fuel (via charging stations) and maintain electric trucks has yet to be determined. The anticipated additional cost for charging stations for these trucks is between \$80,000 to \$120,000 per truck, not including infrastructure improvement needed to support the chargers. The unknown maintenance costs for these new-to-market trucks and the significant increase in costs of the trucks themselves makes this option not practicable at this time.

Because the City has a need to replace trucks that are past their useful life in the next year and a half to provide efficient, reliable, and safe curbside recycling services, and because the cost and near-term feasibility of CNG and electric vehicles are prohibitive, it would be in the City's best interest to immediately secure, if available, two side-loading trucks that can be fueled by renewable diesel. This would place the City on a normal replacement schedule of seven to ten years for the next collection truck purchase anticipated in Fiscal Year (FY) 2025-26 for delivery in FY 2027-28. At that time, the implementation of the electrical infrastructure to support the fueling and reliability of heavy-duty trucks should be known, allowing the City to consider placing an electric vehicle order.

Competitive Procurement via Sourcewell

City staff has determined that the best value to the City is to piggyback on awarded contracts for refuse collection trucks through Sourcewell (formerly the National Joint Powers Alliance), a municipal contracting agency serving local government agencies in the United States and Canada. This is the same approach as was recommended in the City's recent truck purchases. Sourcewell offers a wide range of competitively procured products, equipment, and service opportunities, enabling participating local government agencies to leverage the benefits of cooperative purchasing in order to reduce procurement costs. El Cerrito is a member and first joined in 2007 to purchase furnishings for City Hall when it was constructed. Because Sourcewell specifically caters to municipal agencies throughout the country, it has a greater selection of awarded contracts for refuse collection vehicles than other procurement pools available to El Cerrito.

Truck Selection Process Underway

City staff have begun work to solicit truck quotes from the City's preferred local Sourcewell vendor of recycling trucks. If the vendor is able to commit two side-loading recycling collection trucks, which would be fueled by renewable diesel as recommended by City staff, staff would like the ability to act swiftly to execute any purchase agreements.

According to potential vendors of recycling trucks and R3, the market for diesel-fueled trucks is limited. This is due to the limited supply of CARB-approved diesel engines, which are in fierce competition among solid waste collection operators in the state.

City staff is requesting that the City Council authorize the City Manager to approve the purchase of up to two trucks specifically so that staff has the ability to execute purchase agreements immediately upon notification by a vendor that such a truck or trucks are available. This will allow staff to act quickly and secure these important capital resources during this uncertain market. Not doing so may cause a several year delay in truck purchases leading to significant impacts on residential recycling collection services.

STRATEGIC PLAN CONSIDERATIONS

A well-maintained and modern recycling truck fleet is necessary for the City to provide efficient, reliable, and safe curbside recycling services. Replacing recycling trucks at the end of their useful life is consistent with the following City of El Cerrito Strategic Plan goals:

- Deliver exemplary government service by using reliable trucks for daily service.
- Achieve long-term financial sustainability by avoiding vehicle (and driver) downtime and high vehicle maintenance and repair costs.
- Foster environmental sustainability by continuing to invest in the City's recycling programs and efficiently serving El Cerrito citizens as they continue to divert waste from the landfill.

ENVIRONMENTAL CONSIDERATIONS

Any diesel trucks purchased will be compliant with state and federal environmental regulations, as required by State law, and use renewable diesel, which will reduce the City's carbon emissions. CARB regulations will require a portion of new City-wide fleet purchases to be zero-emission vehicles (as available) starting in 2024. Staff will continue to evaluate and monitor opportunities for fueling options as new technologies and incentives continue to be developed.

FINANCIAL CONSIDERATIONS

City staff is requesting \$1,100,000 (includes tax) from the Integrated Waste Management (IWM) Fund Balance to purchase up to two residential recycling collection trucks. The last two trucks purchased were rear-loading trucks costing approximately \$290,000 each. The side-loading collection trucks that are proposed for purchase are more expensive, estimated to be \$550,000 each. The difference in price from 2021 to 2023 can be attributed to a number of factors including that side-loading trucks are more expensive than rear-loading trucks, supply chain issues over the past three years, inflation particularly on steel, and demand in a limited market place. City staff and R3 have confirmed that other jurisdictions have received similar quotes for these types of trucks in the past year.

The IWM Fund is currently projected to have an unrestricted fund balance of approximately \$2 million at the end of FY 2023-24, which may be used for this purchase while maintaining an approximately 19% reserve. This would represent the first time since 2008 that the City was able to purchase recycling collection vehicles without leveraging financing options, which is the result of prudent fund management in recent years and an accumulation of fund reserves. Purchasing new trucks in cash without the need for financing avoids the need to pay interest at high interest rates (which are at a decade-high level) for this purchase. Because the IWM Fund currently has sufficient fund balance to purchase the trucks in cash, there would be no IWM Fee rate impact beyond the 4% increase effective January 2024 assumed in the FY 2023-24 Adopted Budget, if approved by City Council as part of the annual fee setting scheduled for December 2023.

LEGAL CONSIDERATIONS

Procurement of the recycling collection trucks through the Sourcwell bid process is consistent with the City's Procurement Policy, which allows for the purchase of equipment through competitively solicited contracts through other public agencies. Sourcwell is a municipal contracting agency operating under the enabling authority of Minnesota Statute 123A.21.

The City Attorney has reviewed the proposed action and found 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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO AUTHORIZING THE CITY MANAGER TO PURCHASE THROUGH THE SOURCEWELL BID PROCESS UP TO TWO RESIDENTIAL RECYCLING COLLECTION TRUCKS AT A TOTAL COST NOT TO EXCEED \$1,100,000 AND AMENDING THE FISCAL YEAR 2023-24 ADOPTED BUDGET TO APPROPRIATE \$1,100,000 FROM THE INTEGRATED WASTE MANAGEMENT FUND BALANCE FOR THE PURCHASE OF THE TRUCKS

WHEREAS, the City owns and operates several recycling collection trucks that are used to service its residential and commercial curbside recycling routes; and

WHEREAS, some of trucks are currently past the end of their useful life span, which is expected to be between 7 and 10 years; and

WHEREAS, downtime and annual repair costs for these older trucks is steadily rising due to vehicle aging and wear and tear on vehicle components, and

WHEREAS, operational equipment must be replaced based upon a reasonable schedule that allows the City to efficiently, reliably, and safely providing service to the residents and businesses of El Cerrito; and

WHEREAS, the City has routinely evaluated the potential for using alternative fuels for the new truck purchases and determined that compressed natural gas and electric options are not cost-effective or practicable for the City at this time; and

WHEREAS, the most economical and reliable option is for the City to use renewable diesel-fueled trucks in the near future; and

WHEREAS, the City is a member of Sourcewell (formerly the National Joint Powers Alliance), a joint powers authority serving as a joint procurement agency for municipal agencies throughout the United States and Canada, and which has contract bid procedures which satisfies the procurement requirements of the City of El Cerrito; and

WHEREAS, diesel trucks are known to be in limited supply and City staff is currently seeking quotes from refuse collection truck manufacturers contracted through Sourcewell; and

WHEREAS, it is in the best interest of the City to procure two new side-loading collection trucks, which would be fueled by renewable diesel, as soon as possible to continue to provide reliable recycling collection service; and

WHEREAS, a budget amendment for expenditures from the Integrated Waste Management (IWM) Fund is needed for this purpose.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby authorizes the City Manager to enter into purchase agreements through the Sourcewell bid process for up to two residential recycling trucks at a total cost not to exceed \$1,100,000 and amending the Fiscal Year 2023-24 Adopted Budget to appropriate \$1,100,000 from the Integrated Waste Management Fund balance for the purchase of the trucks.

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

I CERTIFY that at a regular meeting on October 3, 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.C.

Date: October 3, 2023
To: El Cerrito City Council
From: City Council Ad Hoc Subcommittee
Sky Woodruff, City Attorney, City Management
Subject: Amendment to City Manager Employment Agreement

ACTION PROPOSED

Adopt a resolution approving a Second Amendment to the Employment Agreement with the City Manager to extend the agreement to December 31, 2024.

BACKGROUND/ ANALYSIS

City Manager Karen Pinkos has an employment agreement with the City that is set to expire on December 31, 2023. The City Council Ad Hoc Subcommittee and Ms. Pinkos propose to amend her employment agreement to extend the term for an additional year, to December 31, 2024. This amendment is proposed in light of the pending Classification and Compensation study, which is still in process and is not expected to be completed until at least the end of the calendar year. With this extension, the City Council and Ms. Pinkos can conduct further negotiations to renew the agreement once the Classification and Compensation study is complete and more data is available.

The proposed amendment also re-authorizes a previously suspended car allowance, with the requirement that the automobile be eco-friendly. The proposed allowance would be \$450 monthly.

The City Council appointed an Ad Hoc Committee of Mayor Pro Tem Rudnick and Councilmember Quinto to meet with Ms. Pinkos to negotiate amendments to the employment agreement. As a result of these discussions, the Ad Hoc Committee recommended approval of a Second Amendment to the Employment Agreement (Attachment 2) to the City Council, with amendments that will extend the agreement by one year and includes an eco-friendly vehicle allowance of \$450 per month.

STRATEGIC PLAN CONSIDERATIONS

This item is consistent with Goal A: Deliver exemplary government services.

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

The cost of the monthly \$450 eco-friendly automobile allowance is \$5,400 annually. This cost is within the City Manager's operating budget, therefore no budget amendment is required at this time.

LEGAL CONSIDERATIONS

The City Attorney prepared the Second Amendment to the Employment Agreement and has reviewed this report and the resolution.

Reviewed by:

A handwritten signature in blue ink, appearing to read 'S Woodruff', is positioned above the name of the reviewer.

Sky Woodruff, City Attorney

Attachments:

1. Resolution
2. Exhibit A to Resolution

RESOLUTION 2023–XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO APPROVING AMENDMENTS TO THE EMPLOYMENT AGREEMENT WITH KAREN PINKOS TO SERVE AS CITY MANAGER

WHEREAS, on November 20, 2018, the City Council approved by resolution an Employment Agreement between the City and Karen Pinkos for services as the City Manager of El Cerrito. Karen Pinkos has served as City Manager since December 26, 2018; and

WHEREAS, on June 2, 2020, the City Council by resolution approved Addendum No. 1 to the Employment Agreement to reflect that Ms. Pinkos voluntarily agreed to reimburse the City an additional three percent (3.0%) of the Employer's retirement contribution required by the California Public Employees Retirement System (CalPERS); and

WHEREAS, on December 1, 2020 the City Council approved the First Amended Employment agreement that a) reduced her base salary by 3%, b) removed provisions for cost of living increases unless approved for unrepresented management employees, c) removed payment for automobile allowance, d) incorporated her previously volunteered additional contribution to CalPERS, and (e) extended the term of the Employment Agreement by two years; and

WHEREAS, the City Council appointed an Ad Hoc Committee of Mayor Pro Tem Rudnick and Councilmember Quinto to meet with Ms. Pinkos to negotiate amendments to the Employment Agreement; and

WHEREAS, the City's Classification and Compensation study is not yet completed, and the parties intend to pursue further negotiations using data from the study; and

WHEREAS, as a result of these negotiations, the Ad Hoc Committee recommended a Second Amendment to the Employment Agreement to the City Council that includes proposed amendments to extend the contract for one year and to include a \$450 per month eco-friendly automobile allowance,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it approves the Second Amendment to Employment Agreement between the City and Karen Pinkos, attached as Exhibit A.

BE IT FURTHER RESOLVED, that the City Council hereby authorizes the Mayor to execute the agreement.

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

I CERTIFY that at a regular meeting on October 3, 2023, the City Council of the City of El Cerrito passed this Resolution by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

**CITY OF EL CERRITO
SECOND AMENDMENT TO EMPLOYMENT AGREEMENT
KAREN PINKOS**

INTRODUCTION

The **CITY OF EL CERRITO**, a municipal corporation, (“**Employer**” or “**City**”) and **KAREN PINKOS**, an individual (“**Employee**” or “**City Manager**” or “**Pinkos**”) entered into an Employment Agreement effective December 26, 2018 (“**Agreement**”). The Agreement was amended by Addendum No. 1 on June 24, 2020, to reflect Pinkos voluntarily agreeing to reimburse City for an additional three percent (3.0%) of the Employer's retirement contribution required by the California Public Employees Retirement System (CalPERS) (“**Addendum No. 1**”). The Agreement was amended by a First Amended Employment Agreement (“**First Amended Agreement**” effective December 1, 2020. The Employment Agreement between the City and Pinkos includes the Agreement and all changes made by the First Amended Agreement and Addendum No. 1 (the “**Employment Agreement**”). City and Pinkos now desire to further amend the Employment Agreement as reflected in this Second Amendment to Employment Agreement (this “**Second Amendment**”). City and Pinkos may be referred to in this First Amended Agreement individually as a “**Party**” or collectively as the “**Parties.**” The Parties agree as follows:

1. Section 1(B) of the Employment Agreement is hereby amended to read as follows:
 - B. The term of the Employment Agreement shall be through December 31, 2024.
2. Section 6 of the Employment Agreement is hereby amended to read as follows:

City Manager shall be provided a monthly automobile allowance of \$450 for an eco-friendly vehicle in exchange for City Manager making a personal vehicle available for the City Manager's own use for City-related business and/or functions during, before, and after normal work hours. By the City Manager making the City Manager's personal automobile available for use, the City Manager is not precluded from using City vehicles for City business during, before, and after the normal workday on occasion, when appropriate.
3. All other terms of the Employment Agreement not modified by this Second Amendment shall remain in full force and effect.

IN WITNESS WHEREOF the City Council has authorized the execution of this Second Amendment by the City's Mayor and attestation by its City Clerk under authority of Resolution No 2023-XX adopted by the City Council on October 3, 2023, and Employee has caused this Second Amendment to be duly executed.

CITY OF EL CERRITO,
a municipal corporation

EMPLOYEE

By: Lisa Motoyama, Mayor

By: Karen Pinkos

ATTEST:

By: Holly Charl  ty, City Clerk

APPROVED AS TO FORM:

By: Sky Woodruff, City Attorney



**SUPPLEMENTAL AGENDA MATERIALS
REGULAR CITY COUNCIL MEETING
October 3, 2023
(Revised October 4, 2023)**

1. General Public Comments (Not on the Agenda, Consent Calendar items)
2. Agenda Item 8.A. - Construction Contract Award and Budget Amendment for Arlington Park Improvements Project, City Project No. C3082
 - a. Presentation
3. **Agenda Item 8.B. - Purchase Authorization and Budget Amendment for up to Two Residential Recycling Collection Trucks**
 - a. Public Comments**

From: [Cordell Hindler](#)
To: [City Clerk](#)
Subject: Public Comments
Date: Thursday, September 28, 2023 2:40:06 PM

Caution! This message was sent from outside your organization.

Hello Mayor Motoyama, Council Members and Staff,

I AM Submitting the Following Comments into the Record:

1. For the November 7th Agenda, The Council Should Invite Danny Wan to Provide a Presentation on the Port of Oakland
2. Also to Have Koff& Associates to Present on the Class & Comp Study

Sincerely
Cordell

From: [Gary Prost](#)
To: [City Clerk](#)
Subject: Public Comments, Oct 3, 2023 Not on the Agenda: Maintain HNA Work, Evacuation Drills, Red Flag Parking Restrictions, Hate Speech, Scenic Overlook
Date: Tuesday, October 3, 2023 9:34:37 AM

Caution! This message was sent from outside your organization.

Honorable Mayor Motoyama and City Council,

I am Gary Prost, a resident of El Cerrito, speaking for Make El Cerrito Fire Safe, a concerned neighborhood group advocating for fire safety.

You know that I do not hesitate to criticize City Council when I think it is deserved. Likewise, I will complement Council when they do good work. The city and Fire Department has done an excellent job with **Measure X grants to create a 100-foot firebreak around the Hillside Natural Area**. But this shaded fuel break **must be maintained**, or in 2 years it will again be overgrown by fast-growing shrubs. We urge you to set aside funds to hire sheep and goats to graze the hillside park once or twice each spring.

Our group has been urging the city to practice **emergency evacuation drills** since our inception 5 years ago. Just before the COVID lockdown, the Police and Fire departments agreed that this was a priority. Yet no drills have been done. We have seen what happens when departments are overwhelmed and underprepared. It is time to get it done.

Make El Cerrito Fire Safe has been working with the ECFD to implement a **1-year test of restricted parking on narrow streets during Red Flag Days**, those days when fire danger is highest. We have done our homework, picked test streets, and canvassed neighbors. Everyone agrees that the test is necessary. Let's get it done.

In the past few months several cities in California have been targeted with **hate speech call-ins to city council meetings**, including San Diego, Walnut Creek, Sacramento, San Francisco, and now El Cerrito. While I have criticized Council for allowing this speech, I grudgingly admit that it may be protected by the First Amendment. I would like to commend Council for taking action to curtail call-ins in order to force these cowards to make their vile public comments in person.

Finally, and totally unrelated to fire danger: there is a small, unsafe pullout on the **Moeser hillside just opposite Sea View Drive**, near the Shadi Holiday display. Every day I see people pull over to take photos of the Bay, mainly because it is one of the best scenic viewpoints in the entire East Bay. I would like to formally **suggest that El Cerrito make this an official "Scenic Viewpoint"** with interpretive display and a safe pullout and parking area for perhaps 5 or 6 vehicles. It would be an official tourist destination on Google Maps, with unparalleled views of the Golden Gate and entire Bay area. Just a thought.

--
Gary Prost

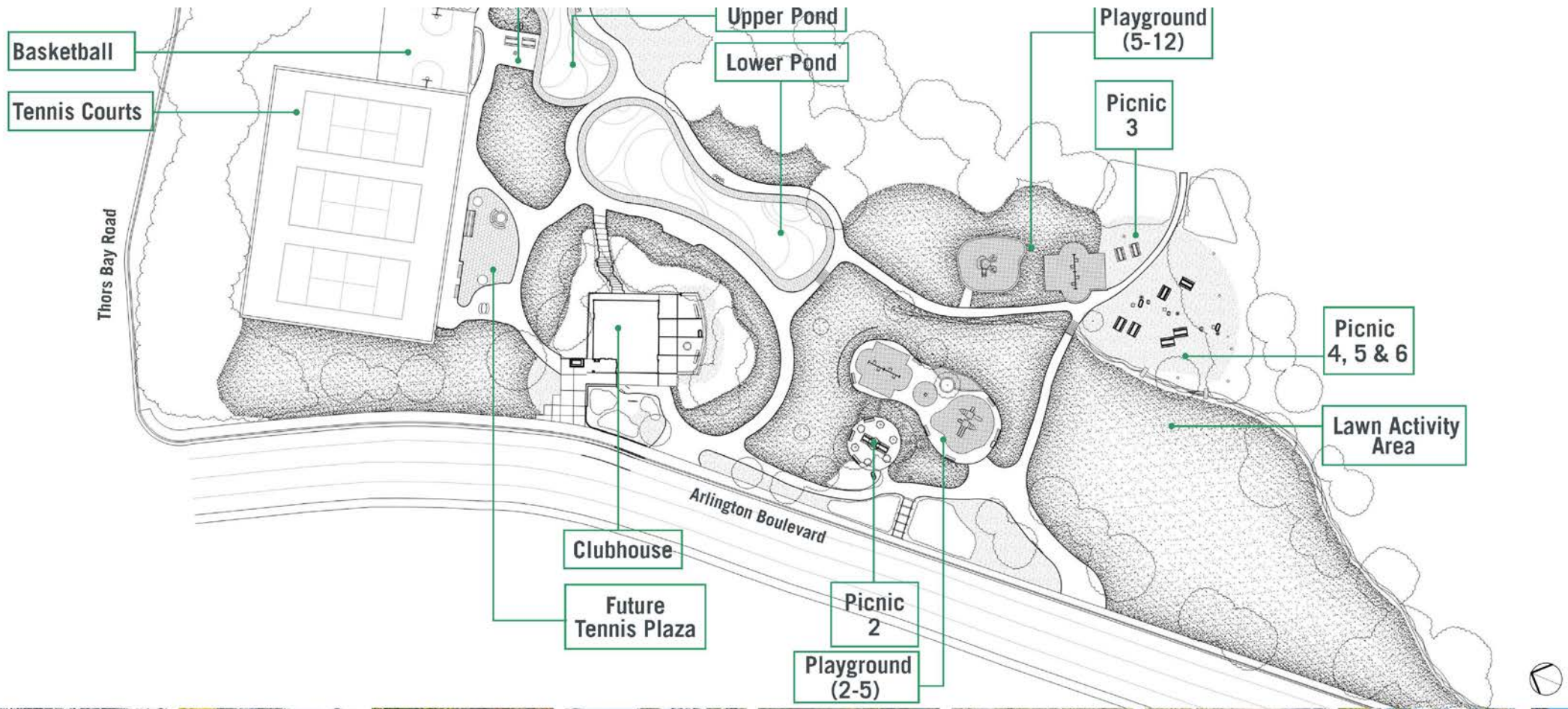


Construction Contract Award and Budget Amendment for Arlington Park Improvements Project, City Project No. C3082

City of El Cerrito City Council Meeting
October 3, 2023

Design Development

Existing Conditions & Improvements



EXISTING PARK SITE



Design Process

- Designers:
 - Siegfried Engineering, Landscape Architect and Civil Engineer
 - WMV Architects, Architect
- Community Meeting - December 2022
- Park & Recreation Commission Meeting - January 2023
- 90% and 100% Plans, Specifications & Estimates – Spring 2023



CLUBHOUSE IMPROVEMENTS

- Renovation of the clubhouse
- Improve function and aesthetics
- Address and correct ADA deficiencies

CLUBHOUSE & SITE ACCESSIBILITY IMPROVEMENTS

- Install compliant curbside stall and ramp
- Remove traffic barriers along path of travel from the street to the clubhouse

PARK AMENITIES & IMPROVEMENTS

- Create defined picnic reservation spaces
- Add new furnishings, shade tree
- Add new accessible furniture

FUTURE PHASES/ALTERNATIVES

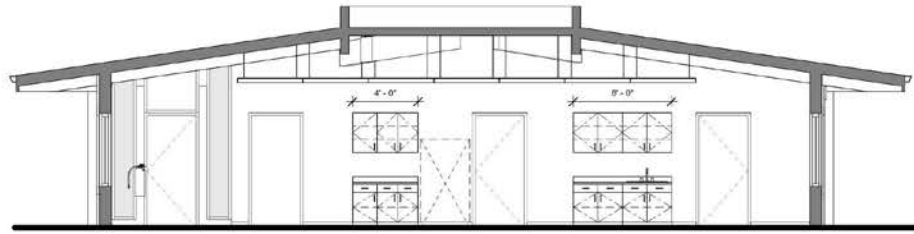
REPLACE/EXPAND

- Picnic tables and furnishings
- Playground equipment
- Reservation areas

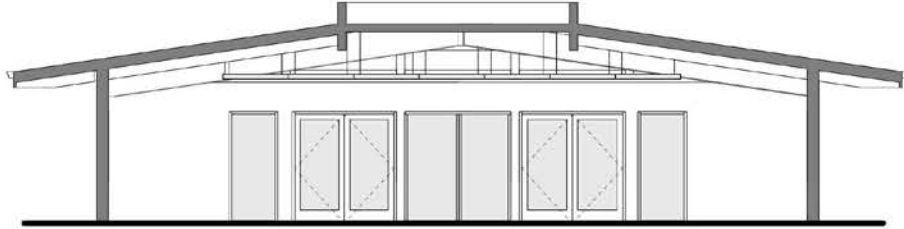
NEW FEATURES

- Shade structure
- Non-reservation tables
- Bocce
- Fitness

PROPOSED PARK IMPROVEMENTS



CABINETS ELEVATION AT MULTIPURPOSE ROOM NORTH



INTERIOR ELEVATION AT MULTIPURPOSE ROOM SOUTH



LINEAR PENDANT
LIGHT FIXTURE

COLOR PALETTE

	EXTERIOR OPTION
	EXTERIOR TRIMS
	INTERIOR WALLS
	CABINETS
	COUNTER TOPS
	MULTIPURPOSE BASEBOARD
	RESTROOM FLOORING
	RESTROOM WAINSCOT



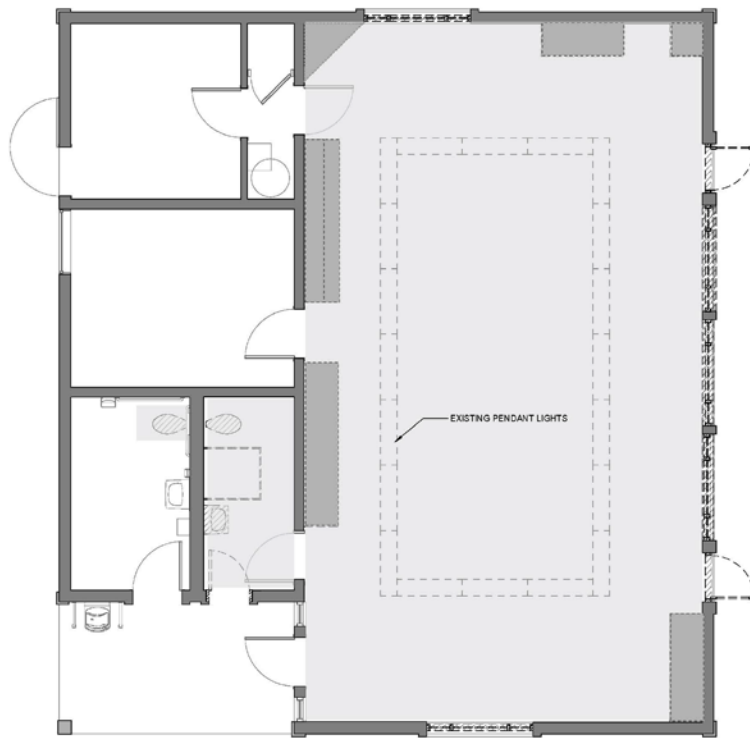
EXTERIOR- VIEW 1



EXTERIOR- EXISTING



PROPOSED CLUBHOUSE IMPROVEMENTS



EXISTING / DEMOLITION FLOOR PLAN
1/4" = 1'-0"

DEMOLITION SCOPE OF WORK

AT MULTIPURPOSE ROOM

- Remove all existing cabinets, flooring, baseboards, and pendant lights
- Remove windows and doors at south elevation
- Replace windows at east and west elevations

AT RESTROOM #103

- Replace exterior door for ADA compliance
- Keep interior door- Lock and paint to match wall color

- Remove all plumbing fixtures, and flooring

AT RESTROOM #104

- Replace watercloset fixture for ADA compliance

IMPROVEMENT SCOPE OF WORK

AT MULTIPURPOSE ROOM

- New cabinets, flooring, baseboards, and pendant lights
- New doors and windows at south elevation
- New windows at east and west elevations

AT RESTROOM #103

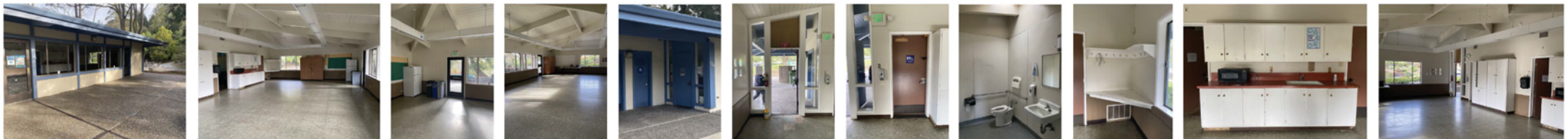
- New exterior door
- Paint interior door- Match wall color both sides
- New plumbing fixtures, flooring and wall panels

AT RESTROOM #104

- New watercloset fixture



PROPOSED IMPROVEMENT FLOOR PLAN
1/4" = 1'-0"



CLUBHOUSE DEMOLITION AND IMPROVEMENT PLAN



CLUBHOUSE & SITE ACCESSIBILITY

One of the project site priorities is to make ADA accessibility improvements and remove traffic barriers along the path of travel from the ADA curbside parallel location to the Clubhouse.

A portion of the sidewalk requires modifications as well as adjustments to the existing maintenance driveway curb cut at the street.

Portions of the existing exposed aggregate walkway and paving at the front door and in the outdoor patio area require joint repair and fill to remove tripping hazards and meet ADA compliance.

- Remove redwood expansion joint material and level the joints
- Remove elevated concrete ring in outdoor patio area
- New accessible ramp
- New accessible paint markings



PAINT MARKINGS



ASPHALT COLD PATCH

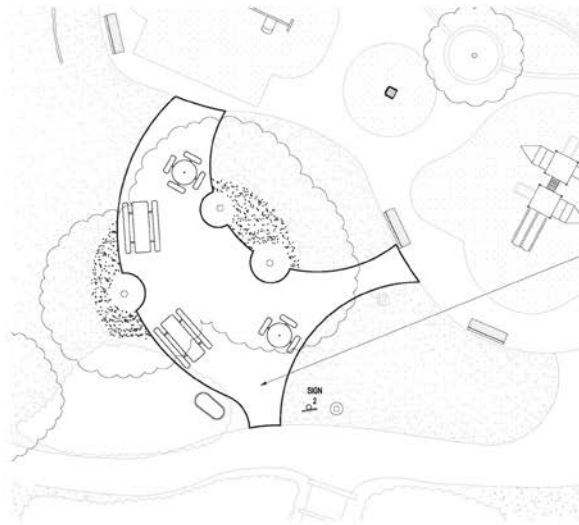


ELASTOMERIC W/ BACKER ROD FILLER

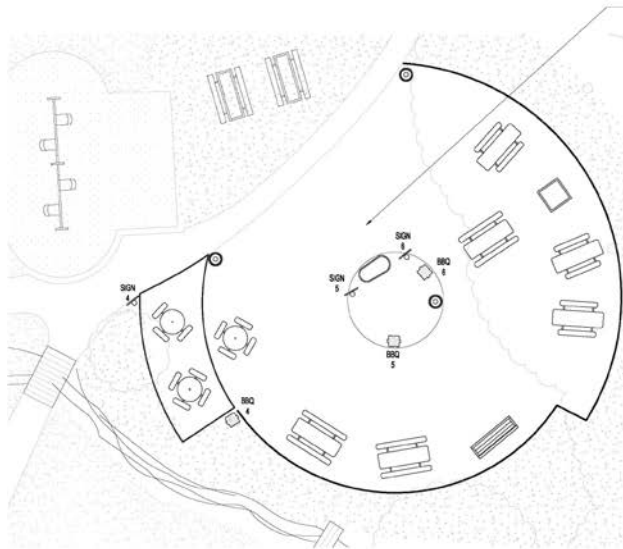


PROPOSED ACCESSIBILITY IMPROVEMENTS





2 PICNIC AREA 2



3 PICNIC AREA 4, 5 & 6

PICNIC AREA 2, 4, 5 & 6

Increase the functionality and activity use of the space.

Create definition to the individual reservation picnic area while keeping within the same tree shaded, usable space for larger events.

Make use of the existing tables and trash receptacles until future improvement phases can add/replace to park standard furnishings.

- New concrete pads for ADA accessible picnic tables
- Defined picnic areas
- New ADA accessible picnic tables
- New picnic tables
- New picnic site signs & BBQs



PICNIC TABLE



CONCRETE



RECYCLED
PLASTIC
HEADER BOARD



WALK-ON
BARK MULCH



PROPOSED PARK AMENITIES & IMPROVEMENTS PICNIC AREAS



Bidding & Budget

Bid Process

- Advertise Notice Inviting Bids - August 15 and 21, 2023 in West County Time
- Bid Opening – September 12, 2023, Three (3) Bids
 - Two non-responsive bids from NV Construction and JPB Designs
 - Responsive Bid from Streamline Builders in the amount of \$336,018, 14% over the Engineer's Estimate of \$294,778

Adopted Budget & Capital Improvement Program

\$425,000 over FY 2022-23 and FY 2023-24

- \$192,876 from the Capital Improvement Fund reflecting the California Proposition 68 (Parks, Environment, and Water Bond Act of 2018) Per Capita grant
- \$207,124 from the Measure H (Parks and Recreation Facilities) Fund
- \$25,000 from the SB 1 Local Streets and Roads Fund

Current Cost Estimate

Project Management		In-house/ Operating
Design (Including Bidding)		\$65,700
Construction Contract		\$336,018
Construction Contingency		\$33,602
Construction Support (Construction Management, Design Support & Misc)		\$64,680
TOTAL PROJECT COST		\$500,000

\$75,000 Funding Shortfall

FY 2023-24 Capital Improvement Program

Identifies one-time expenditures of \$1.14 million for park and facility deferred maintenance and repair projects

Expenditures have been modeled in the 10-year General Fund forecast but not currently in the FY 2023-24 Adopted Budget

Plan to appropriate funding from General Fund Unrestricted Fund Balance on a project-by-project basis when ready to begin design or construction contract

Only subset of projects anticipated to move into construction this year, leaving room to close funding shortfall for the Arlington Park Improvements Project

Including recent City Council actions, the current General Fund Unrestricted Fund Balance is approximately \$6,624,174 (per year-end FY 2021-22)

Proposed Action

Award Construction Contract:

- Approve plans and specifications for the Project
- Reject bids from NV Construction and JPB Designs as non-responsive
- Accept bid submitted by Streamline Builders
- Authorize the City Manager to execute a contract in the amount of \$336,018 with Streamline Builders and to approve change orders in an amount not to exceed \$33,602

Amend FY 2023-24 Adopted Budget and Capital Improvement Program to appropriate \$75,000 from the General Fund Unrestricted Fund Balance for the Project

Questions & Comments



October 3, 2023

City Council
City of El Cerrito
10890 San Pablo Avenue
El Cerrito, CA 94530

RE: Comments on agenda item 8B, proposed purchase authorization of recycling collection trucks

Dear Mayor Motoyama and Council Members,

Please rethink the proposed recycling collection vehicle purchase authorization (Item 8B) and do not accept the staff recommendation, as written. At a bare, minimum **please consider authorizing only one vehicle purchase, not two.**

As laid out in the staff report, there are currently 5 daily routes (3 side loading and 2 rear loading) and 7 trucks (four rear loading and three side loading). If the two oldest (one rear loading and one side loading) are replaced with two new side loading trucks, there will be a spare of each type, but the side loading spare will be only 4 years old. This is an unnecessarily wasteful way to use a recent investment in a new truck. It is especially unwise to buy an extra new truck, putting a 4 year old truck into reserve, at a time when new trucks are in short supply and much more expensive than they have been recently.

Please only authorize the purchase of one new side loading truck to allow three modern side loaders to be in daily use, and recommend maintenance on the 2008 side loader to hold it in reserve, as the backup truck, as this is a much more fiscally and environmentally responsible approach. This approach still results in one reliable backup in reserve for both side loading and rear loading operations.

I realize a 15 year old truck may seem old and “past its service life,” but the concept of service life is a choice that has not been substantiated in the report by direct comparison of the financial reality of an optimized care and maintenance approach versus frequent new vehicle replacements at increasingly inflated costs. Especially at a time when we need to be transitioning toward zero emission technology, the most financially and environmentally responsible investment is in the proper maintenance and repair of existing equipment while planning for a orderly transition to superior new technology. Please don’t double down on buying last century technology that will be used for 10+ more years. We need to make what we have last until more appropriate replacements are more readily available, which is likely to be much less than 10 years, especially if we aggressively choose to make that transition happen, as we should.

It is notable that the staff report mentions the CARB ZEV regulations starting in 2024. Buying more diesel trucks than we actually need right now reads as a deliberate attempt to circumvent the intention of a zero emission transition and new regulations, as long as possible, rather than

embracing the climate and air quality prerogative to make the transition happen as soon as possible, rather than stalling it.

I appreciate the recent purchasing decision to source renewable diesel for all city diesel vehicles. This is an appropriate transitional approach to reduce GHG emissions while the diesel fleet is transitioned to zero emission technology, however, it is far from perfect and it is not a license to use diesel as long as we please. Purchasing renewable diesel must go hand in hand with a deliberate plan to transition to zero emission vehicles, instead of just complaining about the cost of new technology. There are costs to GHGs emissions, air pollution and other externalities that are regularly ignored in the consideration of electric trucks in city staff reports on vehicle replacements. The difference in ongoing fuel costs between renewable diesel and electricity are also ignored in the evaluation of vehicle choices. Renewable diesel is only as good as its life cycle GHG emissions and land-use and other impacts. This should be a point of concern for the City that is followed up with requesting traceable reporting from the vendor regarding the quality of the fuels used under a full life-cycle analysis. It is well understood that renewable diesel will not scale without troubling detrimental impacts. There is only so much viable “waste stream” feedstock before renewable fuel production displaces food, habitat, communities, etc. Renewable diesel is likely to remain a niche fuel with high demand and hence high prices. We will be fiscally better off by aggressively pursuing an electric transition with much more manageable recurring fuel costs, even if some of the upfront costs of vehicles and charging stations remain high (but with extensive federal incentives coming).

It is also notable that there is such a large balance available in the IWM fund that a \$1.1M cash purchase (for more vehicles than are needed right now) can be made without eating into the fiscal reserve. That suggests that too much is being collected by ratepayers. Furthermore, if the city really wanted to invest in realizing the mission of the IWM fund, it would not use that windfall surplus to buy more last century technology than we actually need, but instead would invest in programs to reduce waste generation in the first place, rather doubling down on new diesel trucks to haul off excessive waste “away” with the, often false, comfort that it is being responsible recycled.

Please minimize the investment in the past (only one more diesel recycling truck, max) and instead increase investment in care and maintenance of what we have, while we thoughtfully transition away from it. Aggressively ramp up investment and attention to a decisive transition toward zero emission vehicles as required by CARB and ultimately emphasize and fund the most important step of our waste management system, reducing waste on the generation side, rather than just investing in hauling stuff “away.”

Thank you for your time and consideration,



Howdy Goudey
El Cerrito