

Mayor
Lisa Motoyama
Mayor Pro Tem
Tessa Rudnick



Councilmembers
Paul Fadelli
Gabriel Quinto
Carolyn Wysinger

EL CERRITO CITY COUNCIL MINUTES

TUESDAY, SEPTEMBER 19, 2023

SPECIAL CITY COUNCIL MEETING (5:15 PM)

Hillside Conference Room - 10890 San Pablo Ave, El Cerrito

Join Via Zoom:

<https://us06web.zoom.us/j/81993367330?pwd=a2dWOXdXR0FJeDIEb2RBb0VFK2tuUT09>

Meeting ID: 819 9336 7330 **Password:** 726359 **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/84731432246?pwd=NWQ3cWpKV0JMWHZJU0o4MmNuNDVTUT09>

Meeting ID: 847 3143 2246 **Password:** 542729 **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. *Via Zoom* using the "[Raise Hand](#)" icon to request to speak.
3. *By Phone* at 1-408-638-0968, dial *9 to "raise your hand".
4. *By Email* to cityclerk@ci.el-cerrito.ca.us identified in the subject line as **Public Comments – Agenda Item #.**

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

5:15 PM ROLL CALL - CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Motoyama called the meeting to order at 5:23 PM.

Present: Mayor Motoyama, Mayor Pro Tem Rudnick, Councilmember Fadelli, Councilmember Quinto **Present (Remotely):** Councilmember Wysinger **Absent:** None

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. **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

City Council conducted one interview and made no appointments.

4. **ADJOURN SPECIAL CITY COUNCIL MEETING**

The special meeting adjourned at 5:56 PM

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

Mayor Motoyama called the meeting to order at 6:12 PM.

Present: Mayor Motoyama, Mayor Pro Tem Rudnick, Councilmember Fadelli, Councilmember Quinto **Present (Remotely):** Councilmember Wysinger **Absent:** None

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.

City Manager Pinkos - provided an update on air quality, upcoming library forum on September 27th at 6:00 PM.

Councilmember Fadelli - reminded viewers that Council meetings are also broadcast on cable; reported attendance at local homeless community event with Mayor Motoyama and Supervisor John Gioia; announced September 23rd events in Richmond for Rosie the Riveter Gala and Auction, and Cerrito Vista Park's Play Like a Girl; announced the need for investors for Down Home Music store to continue operating; reported attendance at Jewish community relations

council meeting; and spoke against hate speech and racism.

Mayor Pro Tem Rudnick - announced her appointment as Vice Chair of the Cal Cities Public Safety Policy Committee.

Councilmember Wysinger - spoke against hate speech and racism.

Mayor Motoyama - reported attendance at El Cerrito Royale's Centenarian Day and issuance of Mayoral Certificate of Recognition to centenarians Aiko "Jean" Nakazono, Florence Bryndza, Dorothy Chambers, Phyllis Cobb, Aida Brenneis, Betty Moore, Rose Texara, Yetta "Geri" Wagner, and Roger Ferragallo; hosted a solutions summit for the unhoused; and announced El Cerrito Art Association annual art show at the community center on October 6-8th.

5. **ORAL COMMUNICATIONS FROM THE PUBLIC**

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

Public Comments: Written comments submitted prior to and during the meeting are posted online as supplemental materials and incorporated into the official meeting record.

Kristen Connelly, Contra Costa Registrar of Voters - announced National Voter Registration Day and encouraged voter registration and California High School Voter Education and pre-registration week.

Buddy Akacic - spoke regarding removal of senior center signs on Hana Gardens and need to communicate future plans for a senior center.

Bill Barish - commented on building electrification and climate action plans and presented signatures requesting staff to draft an ordinance requiring new construction electrification.

Linda Cain - commented regarding signage for senior center signage at Hana Gardens and need for a senior center.

Ira Sharenow - spoke on the need for council action regarding road maintenance.

Robin Mitchell - spoke in support of restoration of an Urban Forest Program fund.

Leanard Frank, H. Yagoto, Nate H., - provided antisemitic and racial comments.

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.

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

A. Approval of Minutes

Action Proposed: Pass a motion to approve the minutes from the meetings of July 18 and August 15, 2023.

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

Action: Approved minutes with the following correction for 8/15/2023: Correct reference to the agency name for CCTA as the Contra Costa Transportation Authority under Council Liaison Assignments.

B. 55th Anniversary of Eden Housing Proclamation

Action Proposed: Pass a motion to approve a proclamation recognizing Eden Housing's 55th anniversary.

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

Action: Approved proclamation

C. Hispanic Heritage Proclamation

Action Proposed: Pass a motion to approve a proclamation declaring September 15, 2023- October 15, 2023, as Hispanic Heritage Month, by recognizing and celebrating the histories, cultures, and contributions of American citizens whose ancestors came from Spain, Mexico, the Caribbean, and Central and South America.

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

Action: Approved proclamation

D. Suicide Prevention Awareness Proclamation

Action Proposed: Pass a motion to approve a proclamation declaring September as Suicide Prevention Awareness Month in the City of El Cerrito.

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

Action: Approved proclamation

E. Proclamation Recognizing Asher Kessler

Action Proposed: Pass a motion to approve a proclamation recognizing

Asher Kessler of East Bay Rough Riders and Coach Lawrence Pang for their outstanding accomplishment in the 16th World Dragon Boat Racing Championships.

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

Action: Approved proclamation

F. Monthly Disbursement and Check Register Report for August 2023

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

Contact: Crystal Reams, Finance Director/City Treasurer, Finance Department

Action: Received and Filed

G. 2nd Reading and Adoption of an Ordinance for a Contract Amendment between the City of El Cerrito and the Board of Administration of The California Public Employees' Retirement System (CalPERS) Related to Employee Members of United Professional Firefighters Association (Local 1230)

1st Reading 8/25/2023

Action Proposed: Waive the second reading and adopt Ordinance 2023-03 amending the City's existing California Public Employees' Retirement System (CalPERS) contract.

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

Action: Adopted Ordinance 2023-03

H. Safe Streets for All (SS4A) Cooperative Agreement with Contra Costa Transportation Authority for Richmond Street Complete Streets Improvement Project

Action Proposed: Adopt a resolution approving the Cooperative Agreement between the Contra Costa Transportation Authority (CCTA) and the City of El Cerrito for all phases of project delivery for the Richmond Street Complete Streets Improvement Project consisting of planning, preliminary design and environmental clearance, design including preparation of plans, specifications and estimates (PS&E), right-of-way (ROW) work including utility relocations, and construction, and authorizing the City Manager to execute the agreement in a form approved by the City Attorney.

Contact: Marielle Cuison, Associate Engineer, Public Works Department; Yvetteh Ortiz, Public Works Director/City Engineer

Action: Approved Resolution 2023-66

I. Authorization of Consulting Services Agreements with Multiple

Firms for On-call Building, Planning, Fire and Engineering Consulting Services

Action Proposed: Adopt a resolution authorizing the City Manager to execute professional services agreements with nine (9) consulting firms to provide on-call professional services for three years, with the option to extend for an additional two years, in a total amount not to exceed \$2,000,000.

Contact: Jennifer Bright, Management Assistant; Melanie Mintz, Community Development Director, Community Development Department; Yvetteh Ortiz, Public Works Director, Public Works Department; Chase Beckman, Fire Marshal/Battalion Chief, Fire Department

Action: Approved Resolution 2023-67

J. Amendment to Consulting Services Agreement with Baker Tilly to Provide Additional Consulting Services in Fiscal Year 2023-24

Action Proposed: Adopt a resolution authorizing the City Manager to execute a second amendment to the consulting services agreement with Baker Tilly US, LLP (formerly Management Partners) to provide consulting services to the City in an amount not to exceed \$25,610 in Fiscal Year 2023-24, with the total contract amount not to exceed \$100,000, and extending the term of the agreement to June 30, 2024.

Contact: Will Provost, Assistant to the City Manager, City Management

Action: Approved Resolution 2023-68

K. Safe Routes to Bay Area Rapid Transit District (BART) Funding Agreement for El Cerrito del Norte Transit-Oriented Development Complete Streets Improvement Project

Action Proposed: Adopt a resolution approving the Safe Routes to BART Funding Agreement (Agreement) between BART and the City of El Cerrito (City) for the El Cerrito del Norte Transit-Oriented Development (TOD) Complete Streets Improvement Project and authorizing the City Manager to execute the Agreement in a form approved by the City Attorney.

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

Action: Approved Resolution 2023-69

L. Purchase Authorization for Renewable Diesel and Unleaded Gasoline

Action Proposed: Adopt a resolution authorizing the City Manager to enter into fuel purchase agreements through Santa Clara County's contract bid process for renewable diesel and through the State of California's contract bid process for unleaded gasoline.

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

Action: Approved Resolution 2023-70

8. PUBLIC HEARINGS

A. Fire Hazard Abatement

Exempt from CEQA review pursuant to Sections 15304 and 15308, Notice published 9/9/2023

Action Proposed: 1) Adopt a resolution declaring weeds, rubbish, litter, or other flammable material on certain real property identified in the resolution constitutes a public nuisance; and 2) Conduct a public hearing and upon conclusion, adopt a resolution overriding objections by property owners and ordering the City Manager or their designee to abate certain public nuisances pursuant to El Cerrito Municipal Code Chapter 16.26.

Contact: Traviss Crumpacker, Fire Prevention Officer; Chase Beckman, Fire Marshal, Fire Department

Public Hearing: Mayor Motoyama opened the public hearing.

Public Comments: Written comments submitted prior to and during the meeting are posted online as supplemental materials and incorporated into the official meeting record.

Shar Etebar - spoke regarding Troop 104 who has worked with individual property owners in the past to assist in mitigating properties and offers their services in the future to those who need assistance.

Moved/Seconded: Mayor Pro Tem Rudnick/Councilmember Quinto

Action: Closed the Public Hearing. **Ayes:** Councilmember Quinto, Councilmember Fadelli, Mayor Pro Tem Rudnick, Mayor Motoyama, Councilmember Wysinger **Noes:** None

Moved/Seconded: Mayor Pro Tem Rudnick/Councilmember Quinto

Action: Approved Resolution 2023-71 (Declaring Properties).

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

Moved/Seconded: Mayor Pro Tem Rudnick/Councilmember Quinto

Action: Approved Resolution 2023-72 (Overriding Objections).

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

B. Cost Hearing Regarding Fire Hazard Abatement of a Public Nuisance

for Properties Identified and pursuant to El Cerrito Municipal Code Chapter 16.26

Notice published 9/9/2023

Action Proposed: Conduct a public hearing and upon conclusion adopt a resolution confirming the cost of abatement of public nuisance conditions resulting from the presence of weeds, rubbish, litter or other flammable material on private properties designated in Exhibit A to the resolution as authorized by El Cerrito Municipal Code Chapter 16.26.

Contact: Chase Beckman, Fire Marshal, Fire Department; Traviss Crumpacker, Fire Prevention Officer, Fire Department

Public Hearing: Mayor Motoyama opened the public hearing.

Public Comments: Written comments submitted prior to and during the meeting are posted online as supplemental materials and incorporated into the official meeting record.

Moved/Seconded: Councilmember Quinto/Mayor Pro Tem Rudnick

Action: Closed the public hearing. **Ayes:** Councilmember Quinto, Councilmember Fadelli, Mayor Pro Tem Rudnick, Mayor Motoyama, Councilmember Wysinger **Noes:** None

Moved/Seconded: Mayor Pro Tem Rudnick/Councilmember

Quinto **Action:** Approved Resolution 2023-73. **Ayes:** Councilmember Quinto, Councilmember Fadelli, Mayor Pro Tem Rudnick, Mayor Motoyama, Councilmember Wysinger **Noes:** None

9. POLICY MATTERS

A. Establishment of the PARS Post-Employment Benefits Trust Program

Action Proposed: Adopt a Resolution authorizing participation in the PARS Post-Employment Benefits Trust Program to be administered by Public Agency Retirement Services (PARS) and U.S. Bank, appointing the City Manager as the City's Plan Administrator, authorizing the City Manager to execute the documents to implement the Program, and appropriating from fund balance and authorizing the deposit of \$1,000,000 as the initial contribution to the City's trust.

Contact: Crystal Reams, Finance Director/City Treasurer, Finance Department; Karen Pinkos, City Manager, City Management

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding possible Financial Advisory Board direction related to an investment policy, and non-investment of fossil fuels.

Public Comments:

Ira Sharenow - commented on the need for Council to receive more information, questioned the use of consultants, and the need for additional data.

Richard C. - provided antisemitic and racial comments.

Linda Cain - spoke against offensive and hateful comments of the prior speaker and commented on the need for additional information to understand council action.

Moved/Seconded: Mayor Pro Tem Rudnick/Councilmember Quinto
Action: Approved Resolution 2023-74. **Ayes:** Councilmember Quinto, Councilmember Fadelli, Mayor Pro Tem Rudnick, Mayor Motoyama, Councilmember Wysinger **Noes:** None

B. Consideration of a Financial Advisory Board Recommendation to Increase City Council Compensation

Notice published 9/9/2023

Action Proposed: Introduce by title and waive any further reading of an Ordinance to increase the City Council's compensation from \$441 per month to \$650 per month.

Contact: Crystal Reams, Finance Director/City Treasurer; Sky Woodruff, City Attorney

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding the need for increasing diversity of candidates for Council, looking into ahead further next year, and equity needs.

Public Comments: None

Moved/Seconded: Mayor Pro Tem Rudnick/Councilmember Wysinger
Action: Introduced and held the first reading of the ordinance. **Ayes:** Mayor Motoyama, Mayor Pro Tem Rudnick, Councilmember Quinto, Councilmember Wysinger **Abstain:** Councilmember Fadelli **Noes:** None

C. Study Session on City Board, Commission, and Committees

Action Proposed: Conduct a study session on City Boards, Commissions, and Committees (Advisory Bodies), consider recommendations made by the City Council ad-hoc committee and if applicable, provide staff direction.

Contact: Holly M. Charléty, City Clerk, City Management on behalf of City Council Ad-hoc Subcommittee of Mayor Lisa Motoyama and Councilmember Paul Fadelli

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding

leaving Crime Prevention Committee separate from fire issues, staff support needs, youth participation and type of voting, framing of the purview based on the name of the Crime Prevention Committee, exploring public safety areas including grants, evacuation planning, and oversight.

Public Comments: Written comments submitted prior to and during the meeting are posted online as supplemental materials and incorporated into the official meeting record.

John Stashik - spoke regarding concern about reducing the meeting frequency.

Linda Cain - concerned about restrictions to serving on more than two committees simultaneously.

Howdy Goudey - commented on clarity on communicating with staff and other advisory bodies, support of voting rights for youth members, and broadening or creating new committee to address emergency disaster preparedness.

Robin Mitchell - commented on concern about not having a chance to give feedback as a member of an advisory body, requested feedback on recommendations, and shared concern about reducing the frequency of meetings.

Ed K, Nate H., Ms. S., Dr. G. and Dennis R. - provided antisemitic and racist comments.

Council recessed from 8:35 PM to 8:52 PM

Mayor Motoyama continued the item to a future meeting. No action was taken.

- 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.*

Councilmember Quinto - reported attendance at Marin Clean Energy (MCE) meeting, attendance at upcoming Cal Cities annual conference.

Councilmember Wysinger - reported on attendance at a meeting of the West County Community Schools Collaboration Committee.

Mayor Motoyama - reported on attendance at the ribbon cutting for Freddie's Shop, meeting with PG&E representative following up on the recent City Council presentation, Roosevelt Awards dinner with El Cerrito Democratic club, Jewish Community Relations Council (JCRC) event on allyship in the face of antisemitism, tour of El Cerrito Planned Parenthood, El Cerrito Royale Centenarian event, Contra Costa County Mayors Conference, Asian Pacific and

Pacific Islander (AAPI) Leadership summit, moderated Solutions Summit for the unhoused, and Advisory Body Ad-Hoc subcommittee meeting.

11. CLOSED SESSION

City Council Convened to Closed Session at 8:57 PM.

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957

Action Proposed: Title: City Manager

Contact: Sky Woodruff, City Attorney, City Management

Action: No reportable action

B. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957

Action Proposed: Agency Designated Representatives: Mayor Pro Tem Tessa Rudnick and City Councilmember Gabe Quinto

Unrepresented Employee: City Manager

Contact: Sky Woodruff, City Attorney, City Management

Action: No reportable action

12. ADJOURN REGULAR CITY COUNCIL MEETING

The regular meeting adjourned at 9:40 PM.

DocuSigned by:



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Lisa Motoyama, Mayor

This is to certify that the foregoing is a true and correct copy of the minutes of the City Council meeting of September 19, 2023 as approved by the El Cerrito City Council.

DocuSigned by:



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Holly M. Charlety, MMC, City Clerk