

Mayor
Lisa Motoyama
Mayor Pro Tem
Tessa Rudnick



Councilmembers
Paul Fadelli
Gabriel Quinto
Carolyn Wysinger

EL CERRITO CITY COUNCIL MINUTES
TUESDAY, DECEMBER 5, 2023

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

Join Via Zoom:

<https://us06web.zoom.us/j/87822110302?pwd=YzJlVkJkFjVGNlZDhwTWdKNWVlVWVGkVZz09>

Meeting ID: 878 2211 0302 **Password:** 497589 **Dial in:** 1-408-638-0968

View:

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

Accommodations: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at 510- 215-4305. Notification 48 hours prior to the meeting will enable the City to make reasonable accommodations. Closed Captions available via zoom.

Conduct: This meeting shall be conducted pursuant to the El Cerrito [City Council Rules of Order and Procedure](#), including adjourning by 11:00 PM unless extended to a specific time determined by a majority of the Council.

Public Comments:

1. *In-person* by submitting a request to speak to the City Clerk.
2. *By Email* to cityclerk@ci.el-cerrito.ca.us identified in the subject line as **Public Comments – Agenda Item #.**

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

6:00 PM **ROLL CALL – CONVENE REGULAR CITY COUNCIL MEETING**
Mayor Motoyama called the meeting to order at 6:00 PM.
Present: Mayor Motoyama, Mayor Pro Tem Rudnick,
Councilmember Fadelli, Councilmember Quinto, 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 - announced City Hall holiday closure from 12/21/23-1/1/2024, the first Annual State of the City Address at 5:00 PM on 12/19/23 in Council Chambers; provided a current status on the pickleball agreement and the trail signage in the Hillside Natural Area.

Police Chief Keith - Provided an overview of the recent public fire evacuation drill event.

Councilmember Fadelli - announced Supervisor John Gioia's upcoming Christmas party on 12/7/2023, upcoming West Contra Costa Transportation Advisory Committee (WCCTAC) meeting presentations, and Urban Forest Committee meeting.

Mayor Motoyama - announced 12/6/23 holiday mixer at Mechanics Bank, Recreation program sign-ups open on 12/12/23, Recreation Nutcracker Program on 12/12/23, senior sign along on 12/13/23, Hana Gardens Maker Faire on 12/16/23, Sundar Shadi holiday display begins on 12/16/23, El Cerrito Historical Society Historic Photo Contest Reception on 12/6/23.

Mayor Pro Tem Rudnick - announced upcoming deadlines to apply for ECCRU Artist in Residence and Poet Laureate programs with the Arts and Culture Commission.

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.

Howdy Goudey - spoke regarding consistency with allowing remote public comments and the need for a policy to be consistent.

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 Fadelli/Councilmember Quinto

Action: Approve the consent calendar as indicated below. **Ayes:** Mayor Motoyama, Mayor Pro Tem Rudnick, Councilmember Fadelli, Councilmember Quinto, Councilmember Wysinger **Noes:** None

A. Approve the 2024 Regular Meeting Schedule for City Council

Action Proposed: Pass a motion to approve the regular meeting schedule for 2024, reducing to the third Tuesday of the month for January, July, August, September and November; and adding a meeting on 2/13/24, 2/15/24, and 9/24/24 for Advisory Body Interviews.

Contact: Holly Charléty, City Clerk, City Management

Action: Approved Schedule

B. Agreement with Carahsoft to Procure Spot AI Security Video Surveillance Management and Storage System for City Facilities

Action Proposed: Approve a resolution authorizing the City Manager to execute a five year pricing agreement with Carahsoft for Spot AI's security video surveillance management and storage system for City Facilities in an amount not to exceed \$133,691.65.

Contact: Eric Ng, Information Technology Manager, City Management

Action: Approved Resolution 2023-85 with revised agreement as presented

C. Storm Drain Easement Acceptance and Agreement for 729 Kearney Street Exempt from CEQA review pursuant to section 15061(b)(3)

Action Proposed: Adopt a Resolution accepting a Storm Drain Easement from Bingyi Yu and Xin Dong, property owners, for public storm drain facilities located at 729 Kearney Street and authorizing the City Manager to execute an Easement Agreement.

Contact: Roland Lambert, Associate Engineer; Yvetteh Ortiz, Public

Works Director/City Engineer, Public Works Department

Action: Adopt Resolution 2023-86 with the following modification: In the second WHEREAS clause, after the word Southwest, add the words "corner of".

8. PUBLIC HEARINGS

A. **Proposed East Bay Sanitary Garbage & Organic Waste Collection and Post-Collection Rates and Integrated Waste Management Fees -**

- Effective January 1, 2024

Notice published 11/25/23 and 12/1/2023

Action Proposed: 1) Conduct a public hearing and upon conclusion adopt a resolution establishing maximum allowable East Bay Sanitary (EBS) garbage and organic waste collection and post-collection rates, effective January 1, 2024; and 2) Conduct a public hearing and upon conclusion adopt a resolution fixing and setting Integrated Waste Management (IWM) Fees, effective January 1, 2024.

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

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding long range planning capital project needs, compliance activities for SB1383, need for consistency in fees for similar services across all services, state grant funding, status of additional services introduced in 2022, monthly amount of contamination in containers, revenue balancing account.

Public Hearing: Mayor Motoyama opened the East Bay Sanitary (EBS) 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/Councilmember Fadelli

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

Moved/Seconded: Mayor Pro Tem Rudnick/Councilmember Wysinger **Action:** Adopted Resolution 2023-87 (EBS Rates).

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

Public Hearing: Mayor Motoyama opened the Integrated Waste Management (IWM) 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.

Howdy Goudey - commented regarding support of the item and the use of savings from the reduction of recent number of new recycling trucks purchase and potential use of those funds.

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

Moved/Seconded: Mayor Pro Tem Rudnick/Councilmember Fadelli **Action:** Adopted Resolution 2023-88 (IWM Rates). **Ayes:** Mayor Motoyama, Mayor Pro Tem Rudnick, Councilmember Fadelli, Councilmember Quinto, Councilmember Wysinger **Noes:** None

9. POLICY MATTERS

A. Construction Contract Award for the El Cerrito Del Norte Transit- Oriented Development Complete Streets Project, City Project No. C4014, Federal Project No. CML 5239(029)

Action Proposed: Adopt a resolution approving plans and specifications for the El Cerrito Del Norte Transit-Oriented Development Complete Streets Project, City Project No. C4014, Federal Project No. CML 5239(029) (Project); accepting the two bids submitted for the Project; authorizing the City Manager to execute a contract in the amount of \$9,398,889 with Ghilotti Bros, Inc. and to approve change orders in an amount not to exceed \$940,000 for the construction of the Project; and amending the Fiscal Year (FY) 2023-24 Adopted Budget and Capital Improvement Program to appropriate \$879,077 in the Capital Improvement Fund for the Project.

Contact: Yvetteh Ortiz, Public Works Director/City Engineer

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding expansion of Ohlone Greenway, protected bike lanes versus standard bike lanes, managing priorities and planned regional transportation improvement projects, parking layout for the areas with new building in the Del Norte area, accommodation for realignment plans for AC Transit, and connectivity of bike lanes to the Ohlone Greenway.

Moved/Seconded: Councilmember Wysinger/Mayor Pro Tem Rudnick **Action:** Approved Resolution 2023-89. **Ayes:** Mayor Motoyama, Mayor Pro Tem Rudnick, Councilmember Fadelli,

Councilmember Quinto, Councilmember Wysinger **Noes:** None

B. Adoption of the City of El Cerrito Strategic Plan 2024-2029

Action Proposed: Approve a resolution to adopt the City of El Cerrito Strategic Plan 2024-2029.

Contact: Alexandra Orologas, Assistant City Manager; Karen Pinkos, City Manager, City Management

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding modifications to the proposed vision and strategies under Community safety, and inclusion of equity considerations in agenda bills.

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

Howdy Goudey - spoke in support of being clear in language for disaster versus emergency.

Moved/Seconded: Councilmember Wysinger/Councilmember Quinto

Action: Modify the vision to read: "The City of El Cerrito is a welcoming community committed to a high quality of life with thriving businesses, active public spaces, as well as diverse cultural, educational and recreational opportunities for everyone." **Ayes:** Mayor Motoyama, Councilmember Fadelli, Councilmember Quinto, Councilmember Wysinger **Noes:** Mayor Pro Tem Rudnick

Moved/Seconded: Councilmember Wysinger/Councilmember Quinto

Action: Modify Public Safety Goal to 1) update 3rd strategy to read "Strengthen El Cerrito's overall disaster preparedness capabilities, resources, and tools and implement changes as needed to ensure the City is properly positioned to respond to emergencies and disasters; and

2) update 5th strategy to read "Sustain and enhance climate-adapted resilience, forest conservation activities, and wildfire prevention in the Hillside Nature Area." **Ayes:** Mayor Motoyama, Mayor Pro Tem Rudnick, Councilmember Fadelli, Councilmember Quinto, Councilmember Wysinger **Noes:** None

Moved/Seconded: Councilmember Fadelli/Mayor Motoyama **Action:**

Failed motion to modify the 6th strategy under Livability and Belonging to add "including equity considerations on all City Council Agenda Bills" **Ayes:** Mayor Motoyama, Councilmember Fadelli **Noes:** Mayor Pro Tem Rudnick, Councilmember Quinto, Councilmember Wysinger

Moved/Seconded: Councilmember Wysinger/Councilmember Quinto
Action: Approve Resolution 2023-90 with the modifications moved above
Ayes: Mayor Motoyama, Mayor Pro Tem Rudnick, Councilmember Fadelli, Councilmember Quinto, Councilmember Wysinger
Noes: None

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

Action Proposed: Continue the study session from September 19, 2023 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 the high number of advisory bodies for a city of our size, legal considerations regarding youth members as a voting member, use and effectiveness of the Crime Prevention Committee (CPC), increasing interest in residents getting involved, and time commitment for staff liaison work.

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

Jim Dolgonas - spoke in opposition to the expansion of the CPC into a Community Safety Committee, the current ineffectiveness of the CPC, and what neighboring cities are doing.

Jon Basher - spoke in opposition to the expansion of the CPC, the ineffectiveness of the current committee, and work that the Fire Department is already doing in the proposed areas.

Howdy Goudey - spoke in opposition to a two-year workplan cycle and separation of accomplishments, elimination of presentations to council, and ways to recruit and incentivize individuals to run, and support the expansion of the CPC.

Robin Mitchell - spoke in favor of a one-year workplan and accomplishments, continuation of annual presentations to council, need for some type of response to recommendations submitted, support of continuation of monthly meeting, and a voting youth member.

Moved/Seconded: Mayor Pro Tem Rudnick/Councilmember Wysinger
Action: Passed a motion directing staff to return with legislation to implement the ad-hoc recommendations as presented, except the

recommendation regarding the Crime Prevention Committee, which include regulations regarding workplan and accomplishments, recommendations; restriction to serving on more than two bodies at one time, reduce minimum meeting frequency, modify pre-meeting requirement to recommenced, and youth participation. **Ayes:** Mayor Motoyama, Mayor Pro Tem Rudnick, Councilmember Fadelli, Councilmember Wysinger **Noes:** Councilmember Quinto

Moved/Seconded: Mayor Pro Tem Rudnick/Councilmember Wysinger
Action: Passed a motion directing staff to return with legislation to disband the Crime Prevention Committee **Ayes:** Mayor Motoyama, Pro Tem Rudnick, Councilmember Wysinger **Noes:** Councilmember Fadelli, Councilmember Quinto

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 on attendance at the Cal Cities Leaders Summit.

Councilmember Wysinger - announced appointment to the LGBT caucus as a board member with the National League of Cities.

Mayor Pro Tem Rudnick - reported on attendance at the City's Pancake Breakfast event, and Makers Holiday Faire.

Councilmember Fadelli – announced Richmond, Oakland and Berkeley joined the MOU for Wildfire Prevention.

Mayor Motoyama - reported on attendance at the Advisory Body Ad-Hoc meeting, and Pancake Breakfast event.

11. **ADJOURN REGULAR CITY COUNCIL MEETING**

The regular meeting adjourned at 9:13 PM

DocuSigned by:

Lisa Motoyama

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Lisa Motoyama, Mayor

This is to certify that the foregoing is a true and correct copy of the minutes of the City Council meeting of December 5, 2023 as approved by the El Cerrito City Council.

DocuSigned by:

H. Charl  ty

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Holly M. Charl  ty, MMC, City Clerk