

Mayor
Tessa Rudnick
Mayor Pro Tem
Carolyn Wysinger



Councilmembers
Paul Fadelli
Lisa Motoyama
Gabriel Quinto

TUESDAY, FEBRUARY 6, 2024

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

Join Via Zoom:

<https://us06web.zoom.us/j/81296494582?pwd=OAhaWuEP3WevXhLq8zR8l944RBxloF.1>

Meeting ID: 812 9649 4582 **Password:** 049935 **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

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**

Mayor
Tessa Rudnick
Mayor Pro Tem
Carolyn Wysinger



Councilmembers
Paul Fadelli
Lisa Motoyama
Gabriel Quinto

4. COUNCIL/STAFF COMMUNICATIONS

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

5. ORAL COMMUNICATIONS FROM THE PUBLIC

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

6. PRESENTATIONS

A. Proclamation Honoring Captain Thomas Wade Firefighter of the Year

Action Proposed: Approve a proclamation honoring Captain Thomas Wade as Firefighter of the Year in the City of El Cerrito.

Contact: Eric Saylors, Fire Chief, Fire Department

7. ADOPTION OF THE CONSENT CALENDAR

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

A. Approval of Minutes

Action Proposed: Pass a motion to approve the City Council Meeting minutes from October 28, 2023, November 7, 2023, January 13, 2024 and January 16, 2024.

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

B. Black History Month Proclamation

Action Proposed: Pass a motion to approve a proclamation declaring February as Black History Month in the City of El Cerrito.

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

Mayor
Tessa Rudnick
Mayor Pro Tem
Carolyn Wysinger



Councilmembers
Paul Fadelli
Lisa Motoyama
Gabriel Quinto

C. Lunar New Year Proclamation

Action Proposed: Pass a motion to approve a proclamation recognizing the cultural and historical significance of Lunar New Year in the City of El Cerrito.

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

D. FY 2023-24 Second Quarter Cash and Investment Report

Action Proposed: Receive and file the City's first quarter cash and investment report for the period October 1, 2023 through December 31, 2023.

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

E. Monthly Disbursement and Check Register Report for December 2023

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

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

F. Analysis of Potential Outsourcing of the City's Municipal Curbside Recycling Operations Report

Action Proposed: Receive and file report from R3 Consulting Group, Inc. "Analysis of Potential Outsourcing of the City's Municipal Curbside Recycling Operations".

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

8. PUBLIC HEARINGS

9. POLICY MATTERS

A. Adoption of a Resolution Approving a Side Letter of Agreement Between the City of El Cerrito and the Service Employees International Union (SEIU) Local 1021

Mayor
Tessa Rudnick
Mayor Pro Tem
Carolyn Wysinger



Councilmembers
Paul Fadelli
Lisa Motoyama
Gabriel Quinto

Action Proposed: Adopt a resolution approving a side letter to the Memorandum of Understanding between the City of El Cerrito and the Service Employees International Union (SEIU) Local 1021 to modify language on salaries and provide a four (4) month extension to April 30, 2024.

Contact: Shannon Bassi, Senior Human Resource Analyst, City Management

B. Agreement with Rubicon Landscape Corporation for Landscape Maintenance Services

Action Proposed: Adopt a resolution authorizing the City Manager to execute an agreement with Rubicon Landscape Corporation in an amount not to exceed \$128,554 and \$316,660 in Fiscal Years (FY) 2023-24 and 2024-25 respectively, to provide Landscape Maintenance Services effective March 1, 2024, for a period of three years with an option to annually extend three years thereafter; and amending the FY 2023-24 Adopted Budget to appropriate \$86,078 from the General Fund Unrestricted Balance for services in FY 2023-24.

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

C. Budget Amendment for Park and Facility Deferred Maintenance and Repair Projects

Action Proposed: Adopt a resolution amending the Fiscal Year (FY) 2023-24 Adopted Budget and Capital Improvement Program to appropriate \$1,084,800 from the General Fund Unrestricted Fund Balance for various park and facility deferred maintenance and repair projects.

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

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.

Mayor
Tessa Rudnick
Mayor Pro Tem
Carolyn Wysinger



Councilmembers
Paul Fadelli
Lisa Motoyama
Gabriel Quinto

11. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Government Code Section 54956.9

One potential case: Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2).

One potential case: Initiation of litigation pursuant to Government Code Section 54956.9(d)(4).

Contact: Sky Woodruff, City Attorney, City Management

B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Government Code Section 54956.9(d)(1)

Name of case: East Bay Regional Park District v. City of El Cerrito et al., Contra Costa Superior Court Case No. MSC19-00434

Contact: Sky Woodruff, City Attorney, City Management

12. ADJOURN REGULAR CITY COUNCIL MEETING

The next regularly scheduled City Council meeting is Tuesday, February 20, 2024 at 6:00 p.m.

The City of El Cerrito serves our diverse community by providing exceptional services that create a safe and resilient future for all.

EL CERRITO CITY COUNCIL PROCLAMATION
Commending and Congratulating Captain/Paramedic Thomas Wade for his
Selection as El Cerrito Fire Department Firefighter of the Year 2023

WHEREAS, Captain Thomas Wade began his career in El Cerrito as a Firefighter/Paramedic on March 29, 2006, and has adapted to the many diverse roles in the success of the El Cerrito-Kensington Fire Department; and

WHEREAS, Captain Thomas Wade has continued to advance his career by fulfilling positions that demanded great responsibility demonstrated by his promotion to Engineer on January 5, 2014, followed by his promotion to Captain on December 4, 2022; and

WHEREAS, Captain Thomas Wade has spent countless hours mentoring the department's new hires and assisting his peers; and

WHEREAS, Captain Thomas Wade has taken on the task of advocating for and managing the department's Helicopter Rescue Technician (HRT) program, ensuring on-going training with the California Highway Patrol and supporting his fellow department HRT participant; and

WHEREAS, Captain Thomas Wade has been leading the effort to modernize engine company standards and ensuring all firefighting personnel are trained on the operation and deployment of new equipment; and

WHEREAS, Captain Thomas Wade is collaborating with neighboring fire agencies to develop new training to improve operational readiness for all personnel; and

WHEREAS, Captain Thomas Wade is continually improving firefighter safety through training and is a valued asset to the department's organization; and

WHEREAS, Captain Thomas Wade displays a positive attitude, humility and likability with his co-workers and was chosen by his colleagues to receive the Firefighter of the Year 2023 for his exemplary leadership and dedication to the department.

NOW THEREFORE, the City Council of the City of El Cerrito does hereby commend and congratulate Captain/Paramedic Thomas Wade on the occasion of his recognition as Firefighter of the Year. The City Council extends sincere appreciation to Captain/Paramedic Thomas Wade for his devotion to the community and residents of El Cerrito.

Dated: February 6, 2024

Tessa Rudnick, Mayor

Mayor
Lisa Motoyama
Mayor Pro Tem
Tessa Rudnick



Councilmembers
Paul Fadelli
Gabriel Quinto
Carolyn Wysinger

EL CERRITO CITY COUNCIL DRAFT MINUTES

SATURDAY, OCTOBER 28, 2023

SPECIAL CITY COUNCIL MEETING (9:00 AM)

City Council Chambers - 10890 San Pablo Ave, El Cerrito

Join Via Zoom:

<https://us06web.zoom.us/j/89583711110?pwd=V0JDNkluRjRNaVBteUVxbWJWWmMydz09>

Meeting ID: 895 8371 1110 **Password:** 504616 **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. Thursday, October 26, 2023** 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.**

9:00 AM ROLL CALL - CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Motoyama called the meeting to order at 9:03 AM.

Present: Mayor Motoyama, Mayor Pro Tem Rudnick, Councilmember Fadelli, Councilmember Quinto, Councilmember Wysinger (arrived at 9:12 AM) **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. **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.

Sue Duncan - spoke regarding the need for fire prevention funding.

5. **STRATEGIC PLAN WORKSHOP**

Action Proposed: The City Council will receive and review information obtained through stakeholder engagement efforts and an environment scan and then discuss elements of the City's strategic plan for 2023 - 2028. The workshop will provide time for Councilmembers, guided by Baker Tilly, to review the City's vision, mission, values, goals and strategies. A draft strategic plan document will be prepared based on Council input and agendaized for future consideration and adoption.

Contact: Karen Pinkos, City Manager, City Management

Presentation and Discussion: Baker Tilly facilitated a workshop with City Council to review strategic plan input; build consensus for mission vision, values and goals; and develop goals and strategies for the next 5 years.

Council Recessed from 9:55 AM to 10:12 AM

Public Comments:

John Stashik - spoke in support of the discussion regarding the proposed mission statement.

Jack - commented on how the mission, vision and values will be used.

Kathy Cesa - spoke regarding incorporating underrepresented residents.

Mark Watson - requested overview of how the focus of workgroups.

Buddy Akacic - spoke regarding the importance of terminology, importance of a senior center and community involvement.

Ann Ogonowski - commented on the importance of addressing climate change in the plan.

Max - requested information regarding diversity of the city organization and residents.

Council recessed from 11:10 AM to 11:20 AM

Max, Al Miller, John Stashik, and Kathy Cesa - shared perspective and feedback on proposed goals and strategies language.

Action: General feedback and direction provided, no formal action taken.

6. ADJOURN SPECIAL CITY COUNCIL MEETING

The special meeting adjourned at 12:38 PM.

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 October 28, 2023 as approved by the El Cerrito City Council.

Holly M. Charléty, MMC, City Clerk

Mayor
Lisa Motoyama
Mayor Pro Tem
Tessa Rudnick



Councilmembers
Paul Fadelli
Gabriel Quinto
Carolyn Wysinger

EL CERRITO CITY COUNCIL DRAFT MINUTES

TUESDAY, NOVEMBER 7, 2023

SPECIAL CITY COUNCIL MEETING (5:00 PM)

Hillside Conference Room - 10890 San Pablo Ave, El Cerrito

SPECIAL CITY COUNCIL MEETING (7:00 PM)

Council Chambers - 10890 San Pablo Ave, El Cerrito

Join Via Zoom (Closed Captions Available):

<https://us06web.zoom.us/j/89372450893?pwd=aDE1RU05YVdMdVVKcUJNYmc3WFZvZz09>

Meeting ID: 893 7245 0893 **Password:** 407543 **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.

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**.

5:00 PM

ROLL CALL - CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Motoyama called the meeting to order at 5:00 PM. **Present:** Mayor Pro Tem Rudnick, Councilmember Fadelli, Councilmember Quinto, Councilmember Wysinger (Arrived at 5:27 PM) **Absent:** Mayor Motoyama (due to potential conflict of interest)

1. **CONSIDER AND TAKE ACTION ON ANY REQUEST FROM A COUNCILMEMBER TO PARTICIPATE IN THE MEETING REMOTELY DUE TO EMERGENCY CIRCUMSTANCES PURSUANT TO AB 2449**

2. **ORAL COMMUNICATIONS FROM THE PUBLIC**

All persons wishing to speak should sign up with the City Clerk. Remarks are typically limited to 3 minutes per person and to items on the special meeting agenda only.

3. **CLOSED SESSION CONFERENCE WITH NEGOTIATORS**

Government Code Section 54856.8

Property: A portion of City property adjacent to the east side of the El Cerrito Plaza BART Station between Central Avenue and Fairmount Avenue **Agency**

negotiators: Melanie Mintz, Community Development Director, Community Development Department; Sky Woodruff, City Attorney, City Management

Negotiating parties: BART and The Related Companies of California, LLC

Under negotiation: Price and terms

Contact: Sky Woodruff, City Attorney, City Management

City Council convened to closed session at 5:01 PM. No reportable action.

4. **ADJOURN SPECIAL CITY COUNCIL MEETING**

The special meeting adjourned at 6:03 PM

7:00 PM ROLL CALL – CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Motoyama called the meeting to order at 7:24 PM.

Present: Mayor Motoyama, Mayor Pro Tem Rudnick (left at 8:07 PM), 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 - updated the public on rescheduling of the library presentation at the next city council meeting.

Fire Chief Saylor and Police Chief Keith - provided a brief report on the grass fire that occurred last week, damage, response, and announced upcoming city evacuation drill.

Councilmember Fadelli - reported on attendance at the Senior Resource Fair, and upcoming holiday lighting event.

Mayor Motoyama - announced Lion Club's Veterans Day event at Sunset View Cemetery and St Peter's 70th anniversary celebration on 11/19/23.

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.

Betsy Bashor - spoke regarding concerns with a library funding process, including timing of discussion and voting on a proposed measure, survey and financial information, and parking concerns.

Sherry Drobner - commented on potential tax measure for a library, and concern regarding unanswered questions.

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/Mayor Pro Tem Rudnick

Action: Approved item A and D on the consent calendar as indicated below.

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

A. Approval of Minutes

Action Proposed: Pass a motion to approve the minutes from the meetings of June 20, September 19, October 3 and 17, 2023.

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

Action: Approved minutes with the following modifications: 1) 9/19/23 minutes item #10 modified to read "event on allyship in the face of antisemitism" following JCRC on Mayor Motoyama's Comments; and 2) 10/17/23 minutes item #10 modified to read "and attended the Albany Film Fest Gala" at the end of Mayor Motoyama's Comments.

B. United Against Hate Week

Action Proposed: Pass a motion to approve a proclamation declaring November 12 - 18, 2023 as United Against Hate Week in the City of El Cerrito.

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

Pulled from consent by Mayor Pro Tem Rudnick.

Moved/Seconded: Councilmember Fadelli/Councilmember Quinto **Action:** Approved Proclamation with an additional clause to read "WHEREAS, the City has experienced racist comments through its public comment process and remains deeply committed to inclusivity."

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

C. Transgender Day of Remembrance Proclamation

Action Proposed: Approve a proclamation recognizing November 20, 2023 as a Transgender Day of Remembrance in El Cerrito.

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

Pulled from Consent by Councilmember Wysinger

Moved/Seconded: Councilmember Wysinger/Mayor Pro Tem Rudnick

Action: Approved Proclamation. **Ayes:** Mayor Motoyama, Mayor Pro Tem Rudnick, Councilmember Fadelli, Councilmember Quinto, Councilmember Wysinger **Noes:** None

D. Cooperative Funding Agreement between the City of El Cerrito and West Contra Costa Transportation Advisory Committee (WCCTAC) for the Ohlone Greenway Uptown District Improvements Project

Action Proposed: Adopt a resolution approving and authorizing the City Manager to execute a Subregional Transportation Mitigation Program (STMP) Cooperative Funding Agreement (Agreement) between the West Contra Costa Transportation Advisory Committee (WCCTAC) and City of El Cerrito (City) for the Ohlone Greenway Uptown District Improvements Project.

Contact: Jarrett Mullen, Sustainable Transportation Program Manager, Community Development Department; Marielle Cuisson, Associate Engineer, Public Works Department; Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department

Action: Approved Resolution 2023-82

8. PUBLIC HEARINGS

9. POLICY MATTERS

Mayor Pro Tem Rudnick left the meeting at 8:07 PM.

A. Consulting Services Agreement with PlaceWorks to update the City of El Cerrito Safety Element

Action Proposed: Adopt a resolution authorizing the City Manager to execute a consulting services agreement with PlaceWorks to develop an update of the El Cerrito Safety Element for \$167,517 plus a 10% contingency in an amount not to exceed \$184,269 and amending the Fiscal Year 2023-24 budget to appropriate \$184,269 from the General Fund Unrestricted Fund Balance to cover the costs for this work.

Contact: Sean Moss, Planning Manager, Community Development Department; Melanie Mintz, Director, Community Development Department

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding inclusion of local hazard mitigation plan, overlap with Climate Action and Adaptation Plan, inclusion of a dynamic traffic analysis, updated hazard maps, and staff time needed with contracted services.

Moved/Seconded: Councilmember Quinto/Councilmember Wysinger

Action: Approved Resolution 2023-83. **Ayes:** Mayor Motoyama, Councilmember Fadelli, Councilmember Quinto, Councilmember Wysinger **Absent:** Mayor Pro Tem Rudnick **Noes:** None

- 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 Wysinger - reported on attendance at West Contra Costa Community School System Change Collaborative.

Councilmember Quinto - reported on attendance at Marine Clean Energy (MCE) meeting, Executive Committee for the Board of Cal Cities, and upcoming trip to Atlanta for the National League of Cities.

Mayor Motoyama - reported on attendance at City Diversity, Equity and Inclusion training, City tour for Assembly Member Buffy Wicks, a ribbon cutting for Plank + Power, the National Association for Advancement of Colored People (NAACP) Freedom Luncheon, Tom Bates Field JPA meeting, West Contra Costa Mayors and Supervisors meeting, El Cerrito Chamber event for Best of El Cerrito, Mayfair and Tiny Footprints Childcare Halloween events, ribbon cutting for Dolly's Tavern, and Junction Avenue street party.

- 11. ADJOURN REGULAR CITY COUNCIL MEETING**

The next regularly scheduled City Council meeting is Tuesday, November 21, 2023 at 6:00 p.m.

The regular meeting adjourned at 8:44 PM.

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 November 7, 2023 as approved by the El Cerrito City Council.

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

Mayor
Tessa Rudnick
Mayor Pro Tem
Carolyn Wysinger



Councilmembers
Paul Fadelli
Lisa Motoyama
Gabriel Quinto

EL CERRITO CITY COUNCIL DRAFT MINUTES

SATURDAY, JANUARY 13, 2024

SPECIAL CITY COUNCIL MEETING (9:00 AM)

El Cerrito Community Center, Garden Room 7007 Moeser Lane El Cerrito, CA 94530

This meeting will be held in-person only with no livestream or broadcast.

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.

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. Friday, January 12, 2024** 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**.

9:00 AM ROLL CALL - CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Rudnick called the meeting to order at 9:05 AM.

Present: Mayor Rudnick, Mayor Pro Tem Wysinger (arrived at 9:10 AM), Councilmember Fadelli, Councilmember Motoyama, Councilmember Quinto **Absent:** None

1. 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.

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

Charles Taylor - Plaza Station Library group request regarding development of new library (including adequate funding for the design work for an accurate cost estimate and public outreach) before placing the library on the ballot

measure.) Funding for the library now and into the future, budget funding to continue supporting extra hours and staff to pay for hours non-dependent on the general fund.

2. CONSIDER AND TAKE ACTION ON ANY REQUEST FROM A COUNCILMEMBER TO PARTICIPATE IN THE MEETING REMOTELY DUE TO EMERGENCY CIRCUMSTANCES PURSUANT TO AB 2449

3. CITY COUNCIL WORKSHOP RETREAT

Action Proposed: Conduct a facilitated City Council retreat focused on the Fiscal Year (FY) 2024-25 and FY 2025-26 Budget Kickoff and 2024 Priority Setting.

Contact: Karen Pinkos, City Manager, City Management; Nancy Hetrick, Facilitator, Raftelis

Presentation and Discussion: A general budget overview was provided; presenters and staff responded to comments and questions raised by members of the council regarding annual upfront UAL payment savings, status of class and comp study, property tax projections, and approach for Measure R renewal.

The Council recessed from 9:46 AM to 9:59 AM.

2024-2029 Strategic Plan Goals, strategies and current initiatives were reviewed; discussion included awards regarding the financial content of the budget, reserve plan for the Capital Improvement Program, dedicated staffing for the Emergency Operations Plan, public safety dispatch, response to illegal dumping, use and adjustment to the San Pablo Ave Specific Plan, status of entitled projects, and City's emissions reductions.

The Council recessed from 11:05 AM to 11:12 AM.

Council discussed what excites them, what success looks like this time next year, and what changes are needed; including staying agile yet focused in the face of change, broader public events and community gatherings, sister city programs, and additional bike racks. What Council needs from staff to maintain focus including continuity in response to public requests, continuous and increased communication, decision-making by collaboration with the city manager, Council communicating public concerns to city staff and community hearing a response, and continuous public updates of status and progress of strategic plan goals.

Action: General directions were provided to staff, no formal action was taken.

4. ADJOURN SPECIAL CITY COUNCIL MEETING
The special meeting adjourned at 11:49 AM

Tessa Rudnick, Mayor

This is to certify that the foregoing is a true and correct copy of the minutes of the City Council meeting of January 13, 2024 as approved by the El Cerrito City Council.

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

Mayor
Tessa Rudnick
Mayor Pro Tem
Carolyn Wysinger



Councilmembers
Paul Fadelli
Lisa Motoyama
Gabriel Quinto

EL CERRITO CITY COUNCIL DRAFT MINUTES

TUESDAY, JANUARY 16, 2024

SPECIAL CITY COUNCIL MEETING (5:30 PM)

Hillside Conference Room - 10890 San Pablo Ave, El Cerrito

CONCURRENT REDEVELOPMENT AGENCY SUCCESSOR AGENCY SPECIAL MEETING AND REGULAR CITY COUNCIL MEETING (6:00 PM)

Council Chambers - 10890 San Pablo Ave, El Cerrito

Closed Caption Services (Via Zoom):

<https://us06web.zoom.us/j/81148488235?pwd=tmPaOaY0ZLtqo7ZcbrVeTh0rbylxBV.1>

Meeting ID: 811 4848 8235 **Password:** 736877 **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 #.**

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**.

5:30 PM ROLL CALL - CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Rudnick called the meeting to order at 5:34 PM.

Present: Mayor Rudnick, Mayor Pro Tem Wysinger (arrived at 5:55 PM), Councilmember Fadelli, Councilmember Motoyama, Councilmember Quinto **Absent:** None

1. **CONSIDER AND TAKE ACTION ON ANY REQUEST FROM A COUNCILMEMBER TO PARTICIPATE IN THE MEETING REMOTELY DUE TO**

- 2. EMERGENCY CIRCUMSTANCES PURSUANT TO AB 2449**
ORAL COMMUNICATIONS FROM THE PUBLIC
All persons wishing to speak should sign up with the City Clerk. Remarks are typically limited to 3 minutes per person and to items on the special meeting agenda only.

- 3. CLOSED SESSION CONFERENCE WITH NEGOTIATORS**
Pursuant to Government Code Section 54957.6

Agency Designated Representatives: Karen Pinkos, City Manager; Alexandra Orologas, Assistant City Manager; Shannon Bassi, Senior Human Resources Analyst; Glenn Berkheimer, Labor Negotiator; and Sky Woodruff, City Attorney.

Employee Organizations: Service Employees International Union (SEIU) Local 1021.

Contact: Sky Woodruff, City Attorney, City Management

City Council convened to closed session at 5:34 PM. No reportable action.

- 4. ADJOURN SPECIAL CITY COUNCIL MEETING**
The special meeting adjourned at 5:58 PM.

- 6:00 PM ROLL CALL – CONVENE CONNCURRENT REDEVELOPMENT AGENCY SUCCESSOR AGENCY SPECIAL MEETING AND REGULAR CITY COUNCIL MEETING**
Mayor Rudnick called the meeting to order at 6:07 PM.
Present: Mayor Rudnick, Mayor Pro Tem Wysinger, Councilmember Fadelli, Councilmember Motoyama, Councilmember Quinto **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 the recent Martin Luther King Jr. (MLK) Day parade and event, and Budget kickoff and priority setting Council workshop; and announced budget survey available on the city's website.

Mayor Pro Tem Wysinger - reported on work for school system virtual workgroup, and MLK Day event.

Councilmember Motoyama - reported on attendance at MLK Day event and recent Council Budget workshop.

Councilmember Fadelli - reported on attendance at MLK Day event.

Mayor Rudnick - shared remarks about the recent protest and denounced actions of hate.

6. PRESENTATIONS

A. Wildcat El Cerrito Pipeline Project Presentation

Action Proposed: Receive and file a presentation from East Bay Municipal Utilities District (EBMUD) on the Wildcat Pipeline Project – El Cerrito

Contact: Gus Cicala, Senior Civil Engineer, EMBUD

(Item Heard Out of Order) **Presentation and Discussion:** Presenters and staff responded to comments and questions raised by members of the council regarding existing pipeline redundancies, leak repairs, timing of high school portion of repairs, outreach to parents and faculty at schools, timing with Del Norte Complete streets project coordination, and resident notification process and timing.

Action: Received and filed

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.

Sue Duncan - encouraged the city to join the regional Vegetation Management MOU and requested status of the restricted parking on red flag warning days.

John Gioia - spoke regarding the Middle East conflict and bringing the community together to have both communities.

Eric Simpson - spoke regarding antisemitism and attacks in the bay area.

Michael Nye - commented on the middle east conflict and against war and need to bring communities together.

Buddy Akacic - commented regarding the MLK events, and in support of Supervisor Gioia's comments.

Dalia Frydman, Dorteia Dorenz, Dean Kertesz, Kathleen Hunt, Margaret Trowe, Andrea Morell, Sam Salkin, Emily Somberg, Licinda Casson, Eyal Shahar - spoke against a Council resolution related to the Israel/Hamas War.

Somaia Nassef, Walla Oriqat, Zeid Arnaout, Seth Morrison, Leslie Adams, Toby Blome, Sherry Drobner, Michelle Nyazi, Elizabeth Magana, Hammid, Sepideh, Padla Sensi-Isolani, Anne Ogonowski, Miguel Gravelle - spoke in support of a Council ceasefire resolution.

The City Council recessed from 7:46 PM to 8:01 PM

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 Motoyama

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

A. Approval of Minutes

Action Proposed: Pass a motion to approve the City Council Meeting minutes from November 21, December 5, and December 19, 2023.

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

Action: Approved minutes

B. REDEVELOPMENT AGENCY SUCCESSOR AGENCY ITEM: Approve Draft Annual Recognized Obligations Payment Schedule 24-25 (July 1, 2024 - June 30, 2025)

Action Proposed: Adopt a Successor Agency resolution reviewing and authorizing submittal of the draft Recognized Obligations Payment Schedule 24-25.

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

Action: Approved SA Resolution 2024-01

C. Adopt a Revised Resolution for the Affordable Housing Sustainable Communities Program for Mayfair Affordable

Action Proposed: Adopt a revised resolution authorizing staff to apply and receive the Affordable Housing Sustainable Communities Program funding as a joint applicant with Mayfair Affordable LLC (Developer), an affiliate of BRIDGE Housing Corporation, for 69 affordable housing units located at 11690 San Pablo Avenue (Project).

Contact: Aissia Ashoori, Housing-Economic Development Manager; Melanie Mintz, Community Development Director, Community Development Department

Action: Approved Resolution 2024-01

8. PUBLIC HEARINGS

9. POLICY ITEMS

A. Purchase Authorization and Budget Appropriation for Property Located at 10936 San Pablo Avenue

Action Proposed: Adopt a resolution authorizing the City Manager to execute all required documents and agreements associated with the purchase of 10936 San Pablo Avenue - APN 502-411-006 ("Property") with Life In Christian Ministry of the Assemblies of God ("Seller") and to appropriate \$1,604,631 from the General Fund Unreserved Balance to complete the acquisition.

Contact: Melanie Mintz, Community Development Director, Community Development Department; Karen Pinkos, City Manager

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

Public Comments:

John Stashik - spoke in support of the purchase.

Moved/Seconded: Councilmember Motoyama/Councilmember Fadelli

Action: Approved Resolution 2024-02. **Ayes:** Mayor Rudnick, Mayor Pro Tem Wysinger, Councilmember Fadelli, Councilmember Motoyama, Councilmember Quinto **Noes:** None

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 meeting with members of the Assembly and State Senate.

Councilmember Motoyama - reported on attendance at East Bay Economic Development Alliance (EBEDA) Executive Committee meeting.

Councilmember Fadelli - announced upcoming February 1, 2024 Mayors Conference hosted by El Cerrito.

Mayor Rudnick - reported attendance at Contra Costa Mayors' Conference and appointment as Chair of City Selections Committee.

A. 2024 Local Liaison Assignments

The Mayor will announce the 2024 City Council Liaison Assignments to City Boards, Commissions, and Committees and to Regional Bodies.

Mayor Rudnick announced 2024 Council Liaison assignments.

11. ADJOURN REGULAR CITY COUNCIL MEETING

The next regularly scheduled City Council meeting is Tuesday, February 6, 2024 at 6:00 p.m.

The meeting adjourned at 8:10 PM.

Tessa Rudnick, Mayor

This is to certify that the foregoing is a true and correct copy of the minutes of the City Council meeting of January 16, 2024 as approved by the El Cerrito City Council.

Holly M. Charléty, MMC, City Clerk

EL CERRITO CITY COUNCIL PROCLAMATION
Recognizing February as Black History Month in the City of El Cerrito

WHEREAS, much of the City of El Cerrito's honor, strength and distinction can be attributed to the diversity of cultures and traditions that are celebrated by our residents; and

WHEREAS, African Americans have played a significant role in the history of our nation and California's economic, cultural, spiritual, and political development while working tirelessly to promote their culture and history; and

WHEREAS, as a result of their determination, hard work, and perseverance, African Americans have made valuable and lasting contributions to our community and our state, achieving exceptional success in all aspects of society including business, education, politics, science, and the arts; and

WHEREAS, in 1976, Black History Month was formally adopted to honor and affirm the importance of Black History throughout our American experience, and is full of individuals who took a stance against prejudice, advanced the cause of civil rights, strengthened families, communities, and our nation; and

WHEREAS, all Americans are encouraged to reflect on past successes and challenges of African Americans and look to the future to improve society so that we live up to the ideals of freedom, equality, and justice; and

WHEREAS, the Pan-African flag, also known as the UNIA (Universal Negro Improvement Association) flag, was created in 1920 to represent people of the African diaspora and to symbolize black liberation in the United States. The flag is an emblem of Black pride and symbolizes the union of governance, people, and territory.

NOW THEREFORE, the City Council of the City of El Cerrito does hereby declare February as Black History Month in the City of El Cerrito and invites everyone to recognize and celebrate the diversity and character of our community and highlight the importance of sharing our culture, customs, and traditions with those around us. And furthermore, recognizes Black History Month by flying the Pan-African Flag at City Hall during the month of February.

Dated: February 6, 2024

Tessa Rudnick, Mayor

CITY COUNCIL OF THE CITY OF EL CERRITO PROCLAMATION
Recognizing the Cultural and Historical Significance of Lunar New Year
in the City of El Cerrito

WHEREAS, Lunar New Year begins on the second new moon following the winter solstice, or the first day of the new year according to the lunisolar calendar, and extends until the full moon 15 days later; and

WHEREAS, February 10, 2024, marks the first day of Lunar New Year and the Year of Dragon for calendar year 2024; and

WHEREAS, Lunar New Year began in China more than 4,000 years ago and is widely celebrated in East and Southeast Asia; and

WHEREAS, Lunar New Year is often referred to as Spring Festival in various Asian countries; and

WHEREAS, the Asian diaspora has expanded the Lunar New Year celebration into an annual worldwide event; and

WHEREAS, Lunar New Year is celebrated by Asian Americans and many non-Asian Americans in El Cerrito and throughout California and the entire United States; and

WHEREAS, participants celebrating Lunar New Year travel to spend the holiday reuniting with family and friends, enjoying community activities and cultural performances; and

WHEREAS Lunar New Year is traditionally a time to wish others good fortune, health, peace, prosperity, and happiness.

NOW, THEREFORE, the City of El Cerrito recognizes the cultural and historical significance of Lunar New Year; in observance of Lunar New Year, expresses its deepest respect for Asian Americans and all individuals in El Cerrito and throughout the world who celebrate this significant occasion; and wishes Asian Americans and all individuals who observe this holiday a happy and prosperous new year.

Dated: February 6, 2024

Tessa Rudnick, Mayor



AGENDA BILL

Agenda Item No. 7.D.

Date: February 6, 2024
To: El Cerrito City Council
From: Crystal Reams, Finance Director/City Treasurer, Finance Department
Subject: FY 2023-24 Second Quarter Cash and Investment Report

ACTION PROPOSED

Receive and file the City's first quarter cash and investment report for the period October 1, 2023 through December 31, 2023.

BACKGROUND

It is the policy of the City of El Cerrito ("City") to invest public funds in a manner which provides for the safety of the principal while providing enough liquidity to cover the City's short and long-term needs while generating the appropriate yield. All investment activity will conform to the California Government Code, Sections 53601 through 53659.

ANALYSIS

The FY 2023-24 Second Quarter Cash and Investment Report for October 1, 2023 through December 31, 2023 shows that the City's total cash and investments as of December 31, 2023, had a par value of \$33,120,034.44 in the following accounts.

- \$23,649,804.48 (LAIF)
- \$3,436,582.66 (Mechanics Bank) (includes interest earnings)
 - \$31.20 Interest Earned October 2023
 - \$33.08 Interest Earned November 2023
 - \$28.18 Interest Earned December 2023
- \$6,031,297.30 (Mechanics Bank Money Market) (includes interest earnings)
 - \$3,425.22 Interest Earned October 2023
 - \$3,280.57 Interest Earned November 2023
 - \$9,813.44 Interest Earned December 2023
- \$2,350.00 (Petty Cash Funds)

These funds are available to meet operating expenses for the next six months.

STRATEGIC PLAN CONSIDERATIONS

The City's Investment Policy, Comprehensive Financial Policy, and Strategic Plan sets form guidelines for the investment of City funds and aligns with California Government code, Section 53646 and Section 53600-53609. The purpose of the City's Investment Policy is to provide guidelines for prudent investment of the City's idle funds and ensure policies, procedures, systems, and best practices in fiscal management.

This action supports the [City's Strategic Plan Goal\(s\)](#) of:

- *High Performing Organization* by Ensure the City maintains a strong financial position and a high-performing organization where employees feel a sense of inclusion and belonging.

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

High-Performing Organization: The Quarterly Cash and Investment Report complies with the City of El Cerrito Investment Policy and California Government Code Section 53646. The City ensures the city maintains a strong financial position and a high-performing organization where employees feel a sense of inclusion and belonging.

LEGAL CONSIDERATIONS

The City's investments comply with standards reflected in the City of El Cerrito Investment Policy.

Reviewed by:

A handwritten signature in blue ink, appearing to read 'Karen Pinkos', is written over a faint, light blue circular stamp.

Karen Pinkos, City Manager

Attachments:

1. FY 24 Q2 Quarterly Cash & Investment Report

City of El Cerrito
Quarterly Cash and Investment Report
for the Quarter Ending December 31, 2023

Attachment A

Category	Trustee/Broker	Month Ending	PAR Value (Actual Value)	Quarter End Interest Rate	Market value
Pooled Investments	California State Treasurer	September 30, 2023	\$ 23,649,804.48	3.81%	\$ 23,649,804.48
Cash with Bank	Mechanics Bank	September 30, 2023	\$ 3,436,582.66	0.01%	\$ 3,436,582.66
Money Market Account	Mechanics Bank	September 30, 2023	\$ 6,031,297.30	4.27%	\$ 6,031,297.30
Petty Cash Funds	City Management	September 30, 2023	\$ 2,350.00	N/A	\$ 2,350.00
Total Cash and Investments			\$ 33,120,034.44		\$ 33,120,034.44

I certify that this report is in compliance with the City of El Cerrito Investment Policy and the California government Code Section 53646.
The City has sufficient cash to meet the next six months of estimated expenditures as required by the Code.



Crystal Reams, Finance Director/City Treasurer



AGENDA BILL

Agenda Item No. 7.E.

Date: February 6, 2024
To: El Cerrito City Council
From: Crystal Reams, Finance Director/City Treasurer, Finance Department
Subject: Monthly Disbursement and Check Register Report for December 2023

ACTION PROPOSED

Receive and file the Monthly Disbursement and Check Register Report for the month of December 2023.

BACKGROUND/ANALYSIS

California Government Code, Title 4. Government of Cities, Division 3, Part 3, Chapter 3, Section 41004 states, "Regularly, at least once each month, the city treasurer shall submit to the city clerk a written report and accounting of all receipts, disbursements, and fund balances. The city treasurer shall file a copy with the legislative body." In addition, the City's Comprehensive Financial Policy, Item 5.1 Accounting Standards indicates the City's accounting and financial reporting systems shall be maintained in conformance with all state and federal laws.

- Month ending December 31, 2023, reflecting 225 Accounts Payable General Warrant Nos. 88241 through 88465, 22 ACH/EFT transactions, and 864 payroll-related checks and EFTs for a grand total of \$5,460,700.09.

STRATEGIC PLAN CONSIDERATIONS

The City's Comprehensive Financial Policy, which includes ensuring policies, procedures, and systems represent best practices in financial management, is aligned with requirements referenced in California Government Code, Title 4, Chapter 3, Section 41004.

This action supports the [City's Strategic Plan Goal\(s\)](#) of:

- *High Performing Organization* by Ensure the City maintains a strong financial position and a high-performing organization where employees feel a sense of inclusion and belonging.

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

There is no fiscal impact associated with acceptance of the Monthly Disbursement and Check Register Report.

LEGAL CONSIDERATIONS

The City Attorney has reviewed this agenda item 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. Monthly Payment Register December 2023

Payment Register

From Payment Date: 12/1/2023 - To Payment Date: 12/31/2023

Number	Date	Status	Void Reason	Source	Payee Name	Description	Transaction Amount
Accounts Payable - Checks							
<u>Check</u>							
88241	12/05/2023	Open		Accounts Payable	EMILY , GRAHAM	PERDIEM - EXECUTIVE ASSISTANT COURSE	\$150.00
88242	12/06/2023	Open		Accounts Payable	4LEAF, INC.	PROFESSIONAL SERVICES	\$372,392.35
88243	12/01/2023	Open		Accounts Payable	CALPERS LONG TERM CARE PROGRAM	PER3 - CALPERS Longterm Care Ins	\$39.66
88244	12/01/2023	Open		Accounts Payable	HEALTH CARE DENTAL TRUST	DEN1 - Dental 1*	\$17,997.63
88245	12/01/2023	Open		Accounts Payable	IAFF LOCAL 1230	DUE4 - UNION LOCAL 1230	\$5,076.71
88246	12/01/2023	Open		Accounts Payable	KAISER FOUNDATION HEALTH PLAN	K1 - Kaiser 1*	\$231,455.35
88247	12/01/2023	Open		Accounts Payable	LEGALSHIELD	LEGL - PRE-PAID LEGAL SRVC	\$182.40
88248	12/01/2023	Open		Accounts Payable	MUNICIPAL POOLING AUTHORITY	LIFE - Supp Life Insu Inv: 920-34845 - Dec 2023	\$12,170.51
88249	12/01/2023	Open		Accounts Payable	NATIONWIDE TRUST COMPANY, FSB	FHEA - Fire Health Savings Acct	\$14,500.00
88250	12/01/2023	Open		Accounts Payable	SEIU LOCAL 1021	COPE - VOLUNTARY COPE DEDUCTION*	\$1,681.37
88251	12/01/2023	Open		Accounts Payable	SUTTER HEALTH PLUS	SHR - Sutter Health Plus EE Cost*	\$35,579.20
88252	12/01/2023	Open		Accounts Payable	U.S. BANK - INSTITUTIONAL TRUST - W REGION	PAR - PARS - ARS 457*	\$2,269.34
88253	12/07/2023	Open		Accounts Payable	4LEAF, INC.	SWIMMING POOL REPLASTERING	\$16,645.00
88254	12/07/2023	Open		Accounts Payable	Amazon Capital Services, Inc.	OFFICE SUPPLIES	\$360.46
88255	12/07/2023	Open		Accounts Payable	ANCHOR ENGINEERING,, INC.	DEL NORTE TOD COMPLETE STREETS - OCT 23	\$6,197.50
88256	12/07/2023	Open		Accounts Payable	BADGE FRAME, INC.	MEMORIAL BOX	\$1,432.07
88257	12/07/2023	Open		Accounts Payable	BKF ENGINEERS	2023 STORM DRAIN PROJECT	\$9,880.00
88258	12/07/2023	Open		Accounts Payable	CITY OF RICHMOND	CAD FEES	\$69,224.17
88259	12/07/2023	Open		Accounts Payable	COLEMAN, CLAIRE	MMANC & CSMFO MEMBERSHIP DUES	\$230.00
88260	12/07/2023	Open		Accounts Payable	DATA TICKET, INC.	BUILDING AND SAFETY	\$400.00
88261	12/07/2023	Open		Accounts Payable	DU, JILL	GFOA MEMBERSHIP FEE & ACCT FOR CAP ASSETS TRNG CS	\$300.00
88262	12/07/2023	Open		Accounts Payable	EAST BAY STRUCTURAL & TERMITE CO. INC.	PLAN REVIEW	\$3,195.00
88263	12/07/2023	Open		Accounts Payable	FEHR & PEERS	RICHMOND ST COMPLETE STREETS PROJECT	\$1,665.00
88264	12/07/2023	Open		Accounts Payable	FORENSIC SERVICES DIVISION	FORENSIC TESTING	\$2,175.00
88265	12/07/2023	Open		Accounts Payable	INTERWEST CONSULTING GROUP INC	ON-CALL PLANNING	\$6,343.75
88266	12/07/2023	Open		Accounts Payable	IRON MOUNTAIN	DOCUMENT STORAGE	\$1,030.56
88267	12/07/2023	Open		Accounts Payable	KAISER PERMANENTE	NEW HIRE PHYSICALS	\$170.00
88268	12/07/2023	Open		Accounts Payable	KITTELSON & ASSOCIATES INC	2023 LRSP PROG PYMT 3	\$10,448.56
88269	12/07/2023	Open		Accounts Payable	LEAF	SOPHOS LICENSING LEASE PYMT	\$1,300.43
88270	12/07/2023	Open		Accounts Payable	PennDel's Bakehouse	CAKE FOR REORGANIZATION COUNCIL MTG	\$300.00
88271	12/07/2023	Open		Accounts Payable	SIEGFRIED ENGINEERING, INC.	ARLINGTON PARK DESIGN SERVICES	\$2,611.49
88272	12/07/2023	Open		Accounts Payable	STANTEC CONSULTING	PLANNING STAFFING SUPPORT	\$10,615.19
88273	12/07/2023	Open		Accounts Payable	SWRCB	SWRCB ANNUAL PERMIT FEE	\$10,602.00
88274	12/07/2023	Open		Accounts Payable	LOCKED IN FIRE AND ENGINEERING, INC.	230 EC PLAZA	\$1,500.00
88275	12/07/2023	Open		Accounts Payable	MEYERS NAVE	MATTER: EC PLAZA BART DEVELOPMENT PROJ - CR	\$29,656.20
88276	12/07/2023	Open		Accounts Payable	MORTON'S URBAN PEST MANAGEMENT	FAIRMONT CLUBHOUSE PEST CONTROL SVC OCT2023	\$380.00
88277	12/07/2023	Open		Accounts Payable	PLANETMAGPIE	ON PREMISE EMAIL USER RECOVERY & AD CONNECT REPAIR	\$7,606.25
88278	12/07/2023	Open		Accounts Payable	PLAZA AUTO SERVICE INC	M23 ANNUAL MAITENANCE SERVICE	\$834.60

Payment Register

From Payment Date: 12/1/2023 - To Payment Date: 12/31/2023

Number	Date	Status	Void Reason	Source	Payee Name	Description	Transaction Amount
Accounts Payable - Checks							
88279	12/07/2023	Open		Accounts Payable	SAME DAY SIGNS	SPECIAL ORDER SIGNS FOR HNA & SIGN FOR RERC	\$2,619.68
88280	12/07/2023	Open		Accounts Payable	THE RULES GUYS LLC	2024 MAINTENANCE MY FIRE RULES	\$1,543.75
88281	12/07/2023	Open		Accounts Payable	BATTLES, BROOKE	CUSTOMER 14105 REFUND OF BUSINESS TAX & PENALTY FEES FY 2022-23	\$322.40
88282	12/07/2023	Open		Accounts Payable	A PLUS TREE, INC.	CITY TREE REMOVAL AND PRUNING	\$45,946.00
88283	12/07/2023	Open		Accounts Payable	ALLIANT INSURANCE SERVICES, INC	AMVP 4TH QTR ENDORSEMENT	\$1,787.00
88284	12/07/2023	Open		Accounts Payable	AMERICAN MECHANICAL SERVICES, INC.	CITY HALL HVAC MAINTENANCE NOV23 - JAN24	\$2,525.00
88285	12/07/2023	Open		Accounts Payable	AVILA PROJECT MANAGEMENT	2022 ACCESS MODS, SIDEWALK & ADA IMPROVEMENTS PROJ	\$57,440.00
88286	12/07/2023	Open		Accounts Payable	CINTAS CORPORATION #054 UNIFORMS	CORP YARD UNIFORMS WEEKLY RENTAL	\$424.32
88287	12/07/2023	Open		Accounts Payable	Collier Industries Incorporated dba name Tag, Inc.	LOCKER NAMEPLATE	\$18.42
88288	12/07/2023	Open		Accounts Payable	CPS HR Consulting	RECRUITING	\$953.86
88289	12/07/2023	Open		Accounts Payable	CSFA	MANAGEMENT MEMBERSHIP	\$425.00
88290	12/07/2023	Open		Accounts Payable	EXCEL BALER LLC	BALER: NEW STYLE PHOTO EYE PART	\$365.07
88291	12/07/2023	Open		Accounts Payable	GALLAGHER BENEFIT SERVICES, INC.	CLASS & COMP - DRAFT FLASS SPECS	\$8,500.00
88292	12/07/2023	Open		Accounts Payable	GILMAN STREET PRESS	BUSINESS CARDS	\$83.06
88293	12/07/2023	Open		Accounts Payable	Golden Bear Transfer Station	SWEEP SPOILS 11/8/23: 5 TONS	\$650.75
88294	12/07/2023	Open		Accounts Payable	HONEY BUCKET	CENTRAL PARK SVC 11/14/23-12/11/23	\$221.05
88295	12/07/2023	Open		Accounts Payable	INTREPID ELECTRONIC SYSTEMS	CITY HALL ANNUAL FIRE ALARM/SPRINKLER TEST & INSPECTION	\$1,945.00
88296	12/07/2023	Open		Accounts Payable	JADSON SOUZA DE JESUS	CAPOEIRA AUG-SEP 2023	\$1,770.00
88297	12/07/2023	Open		Accounts Payable	MCAVOY, IAN	THANKSGIVING LEGO CAMP 2023	\$2,760.00
88298	12/07/2023	Open		Accounts Payable	OFFICE DEPOT	OFFICE SUPPLIES	\$186.60
88299	12/07/2023	Open		Accounts Payable	ROADSAFE TRAFFIC SYSTEMS, INC.	RAIN JACKETS CORP YARD(2) & RAIN JACKETS RERC (5)	\$2,199.66
88300	12/07/2023	Open		Accounts Payable	Serological Research Institute	LAB FEES	\$1,465.00
88301	12/07/2023	Open		Accounts Payable	SSD ALARM	CASTRO & HARDING CLUBHOUSES ALARM SVC DEC2023	\$732.63
88302	12/07/2023	Open		Accounts Payable	TWO BROTHERS POOL & SPA, INC	NOV SERVICE & REAGENTS	\$3,634.05
88303	12/07/2023	Open		Accounts Payable	WEST COAST VENDING SERVICES, INC.	FOOD	\$4,078.04
88304	12/14/2023	Open		Accounts Payable	AVILA PROJECT MANAGEMENT	EBMUD/CLAYTON-CENTRAL PERMIT	\$7,862.50
88305	12/14/2023	Open		Accounts Payable	BALTZ, LEONARD	KARATE YOUTH & ADULT JULY-OCTT 2023	\$1,612.80
88306	12/14/2023	Open		Accounts Payable	BAY AREA NEWS GROUP EAST BAY	WEST COUNTY TIMES; LEGALS CLS	\$201.76
88307	12/14/2023	Open		Accounts Payable	BENSON, PETER	REIMBURSE PARAMEDIC LICENSE RENEWAL	\$250.00
88308	12/14/2023	Open		Accounts Payable	Birdsell, Adam	REIMBURSE TRAINING	\$350.00
88309	12/14/2023	Open		Accounts Payable	BKF ENGINEERS	MISC STORM DAIL 2023	\$6,458.00
88310	12/14/2023	Open		Accounts Payable	Blue Electric	COMMUNITY CTR ELECTRICAL WORK	\$2,355.00
88311	12/14/2023	Open		Accounts Payable	DICKINSON FLEET SVCS / COX AUTOMOTIVE	C3: SERPENTINE BELT & TENSIONER R & R	\$20,322.52
88312	12/14/2023	Open		Accounts Payable	EAST BAY BLUE PRINT & SUPPLY	HP SERVICE NOV 2023	\$82.69
88313	12/14/2023	Open		Accounts Payable	FJ&I ENGINEERING, INC.	EV CHARGING STATION PROJECT	\$27,759.00
88314	12/14/2023	Open		Accounts Payable	GLASS ON THE MOVE	VEHICLE MAINTENANCE	\$364.44
88315	12/14/2023	Open		Accounts Payable	GRIFFIN PERFORMANCE JUDO LLC	JUDO/JUJITSU YOUTH & ADULT FALL 2023	\$2,762.90
88316	12/14/2023	Open		Accounts Payable	JAFFE, SCOT	OPEN CERAMICS NOV 2023	\$282.00
88317	12/14/2023	Open		Accounts Payable	KEL-AIRE	COMMUNITY CTR HVAC CHECK, REPLACE THERMOSTAT AND BELT	\$1,874.24

Payment Register

From Payment Date: 12/1/2023 - To Payment Date: 12/31/2023

Number	Date	Status	Void Reason	Source	Payee Name	Description	Transaction Amount
Accounts Payable - Checks							
88318	12/14/2023	Open		Accounts Payable	KISTER, SAVIO & REI INC	10936 SAN PABLO SURVEY	\$5,574.00
88319	12/14/2023	Open		Accounts Payable	KNORR SYSTEMS, INC.	POOL COVERS	\$28,012.21
88320	12/14/2023	Open		Accounts Payable	LAVERA WILSON	MASEP BOOKS THAT SI2023 INVOICE 2	\$1,290.00
88321	12/14/2023	Open		Accounts Payable	LEWKOWITZ, MARK	HASEP KARATE SI 2023	\$1,684.80
88322	12/14/2023	Open		Accounts Payable	MCAVOY, IAN	HASEP SI 2023 OFF THE BLOCK STEM	\$2,682.00
88323	12/14/2023	Open		Accounts Payable	MITCHELL, BONNIE	AQUA ZUMBA NOV2023	\$227.70
88324	12/14/2023	Open		Accounts Payable	OLIVERO PLUMBING	FIX WOMEN'S LOCKER ROOM SINKS	\$1,089.20
88325	12/14/2023	Open		Accounts Payable	ROSTAD*KIKI	WINTER CLAY W/KIKI 2023	\$528.00
88326	12/14/2023	Open		Accounts Payable	RUIZ, JOE	XFIT OCT-NOV 23 ADULT & YOUTH	\$1,765.20
88327	12/14/2023	Open		Accounts Payable	SSD ALARM	COMMUNITY CTR ALARM JAN 2024	\$190.39
88328	12/14/2023	Open		Accounts Payable	SSP DATA PRODUCTS	FIREWALL RECONFIGURATION	\$100.00
88329	12/14/2023	Open		Accounts Payable	STERICYCLE, INC.	HAZARDOUS WASTE	\$173.65
88330	12/14/2023	Open		Accounts Payable	SUPER SOCCER STARS	SUPER SOCCER STARS SEP-OCT 2023	\$8,044.80
88331	12/14/2023	Open		Accounts Payable	THE BERKELEY CHESS SCHOOL	MASEP CHESS SI 2023	\$2,430.00
88332	12/14/2023	Open		Accounts Payable	WILLIAMS, GARY	REIMBURSE TRAINING	\$350.00
88333	12/14/2023	Open		Accounts Payable	ZOON ENGINEERING, INC.	ARLINGTON PARK IMPROVEMENT PROJECT	\$2,827.94
88334	12/14/2023	Open		Accounts Payable	MARKS, GARY	REAL PROPERTY TAX REBATE FOR 1309 NOBLE CT	\$2,650.00
88335	12/14/2023	Open		Accounts Payable	METZGER, ERIC	REAL PROPERTY TAX REBATE FOR 5403 SILVA AVE	\$2,400.00
88336	12/14/2023	Open		Accounts Payable	Amazon Capital Services, Inc.	GENERAL OFFICE SUPPLIES	\$45.00
88337	12/14/2023	Open		Accounts Payable	BERTRAND, FOX, ELLIOT, OSMAN & WENZEL	CITY OF EC GENERAL	\$7,702.50
88338	12/14/2023	Open		Accounts Payable	BLACK, MEI-YU	WATERCOLOR & ACRYLIC NOV 2023	\$126.00
88339	12/14/2023	Open		Accounts Payable	CONSTABLE, MARIANNE	FELDENKRAIS NOV 2023	\$168.00
88340	12/14/2023	Open		Accounts Payable	DON'S TIRE SERVICE, INC.	R & R Tire	\$432.39
88341	12/14/2023	Open		Accounts Payable	DU, JILL	ANNUAL GOVT GAAP UPDATE ENCORE	\$180.00
88342	12/14/2023	Open		Accounts Payable	ELENA CHANGALA	YOGA FUNDAMENTALS KIDS NOV 2023	\$432.00
88343	12/14/2023	Open		Accounts Payable	FUJIWARA, PATTY	MONDAY EVENING CERAMICS NOV 2023	\$1,218.00
88344	12/14/2023	Open		Accounts Payable	GABRIEL, BARBARA, A.	ADULT BALLET NOV 2023	\$638.40
88345	12/14/2023	Open		Accounts Payable	GARDA CL WEST, INC. - CO 120	ARMORED TRANSPORT SVC	\$276.37
88346	12/14/2023	Open		Accounts Payable	HUNT & SONS, INC.	CITY FUEL	\$17,235.80
88347	12/14/2023	Open		Accounts Payable	JADSON SOUZA DE JESUS	CAPOEIRA OCT-NOV 2023	\$1,981.80
88348	12/14/2023	Open		Accounts Payable	KINSEY, KATHRYNE ANN	BRIDGE NOV 2023	\$433.80
88349	12/14/2023	Open		Accounts Payable	LACK, CHRIS	INTRO TO CERAMICS NOV 2023	\$686.00
88350	12/14/2023	Open		Accounts Payable	MITCHELL, EVELYN, J	PYMT 2 OF 2 POET LAUREATE	\$1,000.00
88351	12/14/2023	Open		Accounts Payable	MUNICIPAL MAINTENANCE	CAR PARTS	\$45.83
88352	12/14/2023	Open		Accounts Payable	NHA ADVISORS	COMMUNICATIONS MEETINGS DOC REVIEW	\$2,925.00
88353	12/14/2023	Open		Accounts Payable	NICOLE CEA RIVERA	WOMEN'S WORKOUT NOV 2023	\$172.80
88354	12/14/2023	Open		Accounts Payable	Norge Cleaners and Alterations	DRY CLEANING	\$326.05
88355	12/14/2023	Open		Accounts Payable	OFFICE DEPOT	SUPPLIES	\$75.51
88356	12/14/2023	Open		Accounts Payable	PLANETMAGPIE	REPAIR EMAIL INBOX AND AZURE CONNECTION	\$2,787.50

Payment Register

From Payment Date: 12/1/2023 - To Payment Date: 12/31/2023

Number	Date	Status	Void Reason	Source	Payee Name	Description	Transaction Amount
Accounts Payable - Checks							
88357	12/14/2023	Open		Accounts Payable	PLAZA AUTO SERVICE INC	DODGE CARAVAN, BRAKES, AIRFILTER WINDSHIELD WIPERS	\$2,122.61
88358	12/14/2023	Open		Accounts Payable	RAMOS, STEPHANIE, R	ZUMBA NOV 2023	\$3,445.80
88359	12/14/2023	Open		Accounts Payable	RICOH USA, INC	OVERAGE CHARGE	\$2,169.30
88360	12/14/2023	Open		Accounts Payable	ROADPOST USA, INC.	FD SATELLITE PHONES	\$133.90
88361	12/14/2023	Open		Accounts Payable	ROSE, CORY	WORK BOOTS - ANNUAL PURCHASE	\$207.17
88362	12/14/2023	Open		Accounts Payable	Shababo, Tracey , Elise	SEWING & TEXTILE ART 10/11 - 12/1/23	\$2,625.00
88363	12/14/2023	Open		Accounts Payable	SHAHKAR, MEHRAN	STRENGTH & BALANCE NOV 2023	\$990.00
88364	12/14/2023	Open		Accounts Payable	STANTEC CONSULTING	PLANNING SUPPORT STAFF	\$424.31
88365	12/14/2023	Open		Accounts Payable	STAPLES ADVANTAGE	OFFICE SUPPLIES	\$264.90
88366	12/14/2023	Open		Accounts Payable	STERICYCLE, INC.	MEDICAL WASTE	\$759.41
88367	12/14/2023	Open		Accounts Payable	TIM JUNG INVESTIGATIONS	BACKGROUND INVESTIGATION	\$1,861.57
88368	12/14/2023	Open		Accounts Payable	TRB AND ASSOCIATES, INC.	PLAN REVIEW	\$6,673.20
88369	12/14/2023	Open		Accounts Payable	UNIVERSAL BUILDING SERVICE	RECYCLING CTR JANITORIAL SVCS NOV2023	\$5,743.00
88370	12/14/2023	Open		Accounts Payable	VEGA, FRANCISCO	PLAYGROUND FIBAR FOR PARKS 5 CU YARDS	\$263.40
88371	12/14/2023	Open		Accounts Payable	VERIZON WIRELESS	WIRELESS PHONES - SEPT2023	\$10,404.84
88372	12/14/2023	Open		Accounts Payable	VERMONT SYSTEMS, INC.	HOSTING SVCS NOV 2023	\$2,507.50
88373	12/14/2023	Open		Accounts Payable	ZWETSCH, STEPHEN	PYMT 3 ZWETSCH AS ECCRU ARTIST IN RESIDENCE	\$300.00
88374	12/14/2023	Open		Accounts Payable	A PLUS TREE, INC.	CITY TREE PRUNING & REMOVAL	\$44,088.49
88375	12/14/2023	Open		Accounts Payable	AMERIGAS PROPANE INC	PROPANE FOR FORKLIFTS	\$403.85
88376	12/14/2023	Open		Accounts Payable	ASBURY ENVIRONMENTAL SERVICES	USED MOTOR OIL RECYCLING 11/17/23	\$100.00
88377	12/14/2023	Open		Accounts Payable	ATCO Pest Control	COMMUNITY CTR PEST CONTROL SVC DEC23	\$375.00
88378	12/14/2023	Open		Accounts Payable	BEST GAS & CAR WASH	JAN-NOV 2023 CAR WASHES	\$1,485.00
88379	12/14/2023	Open		Accounts Payable	CHARLETY, HOLLY	PARKING CAL CITIES ANNUAL CONFERENCE	\$63.00
88380	12/14/2023	Open		Accounts Payable	CHILDCARE CAREERS, LLC	FAIRMONT CHILDCARE AIDE	\$2,732.40
88381	12/14/2023	Open		Accounts Payable	CINTAS CORPORATION #054 UNIFORMS	UNIFORM PANTS PURCHASE - LAMBERTO	\$744.87
88382	12/14/2023	Open		Accounts Payable	CORE COMPUTING SOLUTIONS	JAN2024 CORE MAINTENANCE + SUPPORT	\$175.15
88383	12/14/2023	Open		Accounts Payable	DON'S TIRE SERVICE, INC.	R&R TIRE	\$181.58
88384	12/14/2023	Open		Accounts Payable	EL CERRITO TIRES, INC.	CH1 HONDA CIVIC COLLISION REPAIR (PARTS, PAINT, LABOR)	\$3,921.27
88385	12/14/2023	Open		Accounts Payable	FOLGERGRAPHICS, INC.	UV OUTDOOR GARBAGE CART LABELS	\$749.11
88386	12/14/2023	Open		Accounts Payable	Golden Bear Transfer Station	NOV 2023 SWEEP SPOILS, 11/22/23-3.2 TONS, 11/27/23-2.6 TONS	\$754.87
88387	12/14/2023	Open		Accounts Payable	J & O' s COMMERCIAL TIRE CENTER	REPLACE TIRES/CUSTOMERS RECAPS: C4	\$355.19
88388	12/14/2023	Open		Accounts Payable	JONES, HIROMI	HATHA YOGA NOV2023	\$588.00
88389	12/14/2023	Open		Accounts Payable	KATO PLUMBING	RELEASE OF BONDS DEC 2023	\$2,344.00
88390	12/14/2023	Open		Accounts Payable	KI RESEARCH INSTITUTE	AKIDO NOV 2023	\$264.00
88391	12/14/2023	Open		Accounts Payable	MCGEOY, MICHELE	PICKLEBALL AUG-NOV 2023	\$4,750.80
88392	12/14/2023	Open		Accounts Payable	NERD CROSSING	ECONOMIC DEVELOPMENT WEB PAGE	\$400.00
88393	12/14/2023	Open		Accounts Payable	OFFICE DEPOT	MISC SUPPLIES	\$283.52
88394	12/14/2023	Open		Accounts Payable	OIL CHANGERS	OIL CHANGE	\$74.20
88395	12/14/2023	Open		Accounts Payable	PASTIME HARDWARE	BULBS	\$926.94

Payment Register

From Payment Date: 12/1/2023 - To Payment Date: 12/31/2023

Number	Date	Status	Void Reason	Source	Payee Name	Description	Transaction Amount
Accounts Payable - Checks							
88396	12/14/2023	Open		Accounts Payable	PAYMENTUS CORPORATION	CREDIT CARD FEES	\$4,038.46
88397	12/14/2023	Open		Accounts Payable	PG&E	RELEASE OF BONDS DEC 2023	\$2,560.77
88398	12/14/2023	Open		Accounts Payable	PREMIER GRAPHICS	BUSINESS CARDS INSPECTORS	\$71.66
88399	12/14/2023	Open		Accounts Payable	REACH MEDIA NETWORK	LOBBY MONITOR SOFTWARE	\$360.00
88400	12/14/2023	Open		Accounts Payable	SONIC TELECOM	RELEASE OF BONDS DEC 2023	\$761.65
88401	12/14/2023	Open		Accounts Payable	UNIVERSAL BUILDING SERVICE	LIBRARY CUSTODIAL SVCS NOV 2023	\$972.00
88402	12/14/2023	Open		Accounts Payable	West Contra Costa Transit Authority (WCCTAC)	FY22-23 Q4 PYMT OF STMP FEES COLLECTED TO WCCTAC	\$94,241.70
88403	12/14/2023	Open		Accounts Payable	LOPEZ, EDITH	Restroom key refund	\$24.00
88404	12/15/2023	Open		Accounts Payable	CALPERS LONG TERM CARE PROGRAM	PER3 - CALPERS Longterm Care Ins	\$39.66
88405	12/15/2023	Open		Accounts Payable	EL CERRITO FIRE DEPT MGMT GRP	MGT1 - FIRE DEPT MGMT GROUP	\$50.00
88406	12/15/2023	Open		Accounts Payable	EL CERRITO PUBLIC SFTY EE MGMT	MGT2 - SAFETY EMPLOYEE MGMT GROUP	\$768.00
88407	12/15/2023	Open		Accounts Payable	FIRE ASSOCIATION	DUE2 - FIRE ASSN DUES	\$480.00
88408	12/15/2023	Open		Accounts Payable	LIFE INSURANCE OF NORTH AMERICA	ACCD - Accidental Death & Dismembermt	\$69.50
88409	12/15/2023	Open		Accounts Payable	POLICE ASSN.	DUE1 - POLICE ASSN DUES	\$6,262.09
88410	12/15/2023	Open		Accounts Payable	PRO FIREFIGHTERS ASSN DUES	DUE3 - EC PRO FIREFIGHTERS DUES	\$270.00
88411	12/15/2023	Open		Accounts Payable	SEIU LOCAL 1021	COPE - VOLUNTARY COPE DEDUCTION*	\$1,738.56
88412	12/15/2023	Open		Accounts Payable	U.S. BANK - INSTITUTIONAL TRUST - W REGION	PAR - PARS - ARS 457*	\$4,318.61
88413	12/20/2023	Open		Accounts Payable	EBMUD	EBMUD 9/7/23-11/6/23	\$16,960.59
88414	12/20/2023	Open		Accounts Payable	LSA ASSOCIATES, INC.	PHASES 1-3	\$23,887.18
88415	12/20/2023	Open		Accounts Payable	A PLUS TREE, INC.	CITY TREE MAINTENANCE	\$53,036.69
88416	12/20/2023	Open		Accounts Payable	Amazon Capital Services, Inc.	CREDIT FOR NON-DELIVERED ITEM	\$11.55
88417	12/20/2023	Open		Accounts Payable	ARMOUR PETROLEUM SVC & EQUIPT	UST VISUAL INSPECTN & DESIGNATED OPERATOR EMPLOYEE TRAINING	\$428.00
88418	12/20/2023	Open		Accounts Payable	ASBURY ENVIRONMENTAL SERVICES	MOTOR OIL RECYCLING 12.8.23	\$100.00
88419	12/20/2023	Open		Accounts Payable	AT&T	AT&T LAND TELEPHONE LINES	\$11,519.13
88420	12/20/2023	Open		Accounts Payable	AXON ENTERPRISE, INC.	BWC RENEWAL	\$44,378.28
88421	12/20/2023	Open		Accounts Payable	BAY ALARM COMPANY	CORP YARD ALARM SVC CALL - TRACE & RECONNECT 2ND PHONE LINE	\$395.00
88422	12/20/2023	Open		Accounts Payable	BAY AREA AIR QUALITY MGMT DIST	CITY HALL DIESEL GENERATOR - ANNUAL PERMIT RENEWAL	\$563.00
88423	12/20/2023	Open		Accounts Payable	CINTAS CORPORATION #054 UNIFORMS	CORP YARD WEEKLY UNIFORM RENTALS	\$212.16
88424	12/20/2023	Open		Accounts Payable	COIT	FLOOR CLEANING CASTRO CLUBHOUSE	\$2,170.00
88425	12/20/2023	Open		Accounts Payable	CONRY, KOREY	CHAINSAW SAFETY CLASS FOR PW 11.28.23	\$1,857.40
88426	12/20/2023	Open		Accounts Payable	DICKINSON FLEET SVCS / COX AUTOMOTIVE	R3: DUMP STORAGE COMPARTMENT FLOOR REPAIR	\$15,334.82
88427	12/20/2023	Open		Accounts Payable	ENGBERG, GERI	ASEP IMPROV SI 2023	\$4,138.00
88428	12/20/2023	Open		Accounts Payable	GATE VIEW PAINTING CO, INC.	INTERIOR PAINT	\$6,800.00
88429	12/20/2023	Open		Accounts Payable	KEL-AIRE	CANYON TRAIL CLUBHOUSE HVAC PM SVC OCT 2023	\$749.19
88430	12/20/2023	Open		Accounts Payable	KENNEDY AND ASSOCIATES	MRP C.10 COMPLIANCE	\$397.65
88431	12/20/2023	Open		Accounts Payable	LEXISNEXIS	DORS RENEWAL	\$7,387.28
88432	12/20/2023	Open		Accounts Payable	LSA ASSOCIATES, INC.	1711 EASTSHORE	\$621.25
88433	12/20/2023	Open		Accounts Payable	MEDINA-ROSS, VERONICA	FASEP/HASEP SCIENCE SI 2023	\$6,460.80
88434	12/20/2023	Open		Accounts Payable	MORTON'S URBAN PEST MANAGEMENT	CASTRO CLUBHOUSE PEST CONTROL SVC OCT 2023	\$905.00

Payment Register

From Payment Date: 12/1/2023 - To Payment Date: 12/31/2023

Number	Date	Status	Void Reason	Source	Payee Name	Description	Transaction Amount
Accounts Payable - Checks							
88435	12/20/2023	Open		Accounts Payable	REYNOLDS STRATEGIES	PUBLIC INFORMATION OUTREACH	\$5,000.00
88436	12/20/2023	Open		Accounts Payable	Slim CHANCE CIRCUS	HASEP + FASEP CIRCUS SI 2023	\$3,867.65
88437	12/20/2023	Open		Accounts Payable	UNIVERSAL BUILDING SERVICE	LIBRAY SUPPLIES - PAPER PRODUCTS & TRASH LINERS	\$382.72
88438	12/20/2023	Open		Accounts Payable	WILLIAMS, LEW	MASEP DRAMA SI 2023	\$2,649.60
88439	12/20/2023	Open		Accounts Payable	ANCHOR ENGINEERING,, INC.	DEL NORTE TOD COMPLETE STREETS	\$2,405.00
88440	12/20/2023	Open		Accounts Payable	BAY AREA NEWS GROUP EAST BAY	CLASSIFIED ADVERTISING FOR C4014	\$857.48
88441	12/20/2023	Open		Accounts Payable	BERTRAND, FOX, ELLIOT, OSMAN & WENZEL	CITY OF EC GENERAL	\$23,741.25
88442	12/20/2023	Open		Accounts Payable	BKF ENGINEERS	ON-CALL PM & ENG SVCS OHLONE GREENWAY	\$25,000.00
88443	12/20/2023	Open		Accounts Payable	FEHR & PEERS	RICHMOND ST COMPLETE STREETS PROJECT	\$18,256.95
88444	12/20/2023	Open		Accounts Payable	FJ&I ENGINEERING, INC.	FD CONEX	\$2,400.00
88445	12/20/2023	Open		Accounts Payable	GARDA CL WEST, INC. - CO 120	ARMORED TRANSPORT SVC	\$38.25
88446	12/20/2023	Open		Accounts Payable	HONEYWELL INTERNATIONAL, INC.	CITY SATELLITE PHONES	\$225.00
88447	12/20/2023	Open		Accounts Payable	HUNT & SONS, INC.	CITY FUEL	\$1,780.15
88448	12/20/2023	Open		Accounts Payable	KASSIRER ENTERTAINMENT COMPANY	KASSIRER SPORTS HASEP/MASEP/FASEP SI 2023	\$11,029.20
88449	12/20/2023	Open		Accounts Payable	KENNEDY, GREG, C	NOV 2023 MEDICAL REVIEW	\$2,000.00
88450	12/20/2023	Open		Accounts Payable	KREISBERG LAW FIRM	LEGAL SVCS 07.2023	\$837.50
88451	12/20/2023	Open		Accounts Payable	MOORE, IACOFANO, GOLTSMAN, INC	SPECIFIC PLAN UPDATE	\$12,640.00
88452	12/20/2023	Open		Accounts Payable	MUNICIPAL POOLING AUTHORITY	UNMET LIABILITY DEDUCTIBLE	\$4,250.88
88453	12/20/2023	Open		Accounts Payable	OFFICE DEPOT	GENERAL OFFICE SUPPLIES	\$125.08
88454	12/20/2023	Open		Accounts Payable	PASTIME HARDWARE	BULBS/FLOURESCENT LIGHTS	\$201.59
88455	12/20/2023	Open		Accounts Payable	PLAZA AUTO SERVICE INC	M35 SEMI ANNUAL SVC	\$4,284.38
88456	12/20/2023	Open		Accounts Payable	PROFORCE	FCW EQUIPMENT	\$6,628.88
88457	12/20/2023	Open		Accounts Payable	R3 CONSULTING GROUP	2023 RATE SETTING AND ON CALL SUPPORT	\$3,665.00
88458	12/20/2023	Open		Accounts Payable	RUBICON ENTERPRISES INC	EXTRA WORK OPP #2031 SEASONAL ADJ., IRRIGATION INSPECTION	\$16,228.30
88459	12/20/2023	Open		Accounts Payable	S.P. AUTOMOTIVE	DIESEL EXHAUST FLUID/AW46 MVI HYD FLUID	\$980.95
88460	12/20/2023	Open		Accounts Payable	SSD ALARM	JAN 2024 RECYCLING CTR ALARM	\$140.04
88461	12/20/2023	Open		Accounts Payable	ST. FRANCIS ELECTRIC	TS & SL MAINTENANCE NOV ROUTINE 2023	\$9,439.60
88462	12/20/2023	Open		Accounts Payable	TARGET SOLUTIONS LEARNING, LLC	VECTOR SCHEDULING PRO	\$1,260.35
88463	12/29/2023	Open		Accounts Payable	CALPERS LONG TERM CARE PROGRAM	PER3 - CALPERS Longterm Care Ins	\$39.66
88464	12/29/2023	Open		Accounts Payable	SEIU LOCAL 1021	COPE - VOLUNTARY COPE DEDUCTION*	\$1,658.55
88465	12/29/2023	Open		Accounts Payable	U.S. BANK - INSTITUTIONAL TRUST - W REGION	PAR - PARS - ARS 457*	\$2,571.91
TOTAL CHECKS				225 Transactions			\$1,791,223.28

Accounts Payable EFTs

2635	12/01/2023	Open		Accounts Payable	EDD - PAYROLL TAX DEPOSIT	CA - CA Tax	\$43,945.61
2636	12/01/2023	Open		Accounts Payable	IRS	FED - Fed Tax*	\$155,996.52
2637	12/01/2023	Open		Accounts Payable	MissionSquare (name chg 03-2021 formerly ICMA)	ICM1 - ICMA-457 #300530 FLAT DOLLAR*	\$51,292.03
2638	12/01/2023	Open		Accounts Payable	P E R S	PE1% - PERS SEIU*	\$205,008.66
2639	12/11/2023	Open		Accounts Payable	PG&E	UTILITIES_PG&E 11/2-12/1/2023	\$18,835.43

Payment Register

From Payment Date: 12/1/2023 - To Payment Date: 12/31/2023

Number	Date	Status	Void Reason	Source	Payee Name	Description	Transaction Amount
Accounts Payable - Checks							
2640	12/12/2023	Open		Accounts Payable	KATZ, JUDY	SENIOR FITNESS NOV 2023	\$223.20
2641	12/15/2023	Open		Accounts Payable	EDD - PAYROLL TAX DEPOSIT	CA - CA Tax	\$41,405.23
2642	12/15/2023	Open		Accounts Payable	IRS	FED - Fed Tax*	\$149,431.35
2643	12/15/2023	Open		Accounts Payable	MissionSquare (name chg 03-2021 formerly ICMA)	ICM1 - ICMA-457 #300530 FLAT DOLLAR*	\$47,894.83
2644	12/15/2023	Open		Accounts Payable	P E R S	PE1% - PERS SEIU*	\$189,859.44
2645	12/19/2023	Open		Accounts Payable	PITNEY BOWES PURCHASE POWER	PURCHASE POWER POSTAGE MONTHLY PYMT	\$2,000.00
2646	12/20/2023	Open		Accounts Payable	CalPERS (CA Public Employees' Retirement System)	CALPERS UAL REMITTANCE DECEMBER 2023	\$351,890.50
2647	12/20/2023	Open		Accounts Payable	CalPERS (CA Public Employees' Retirement System)	CALPERS UAL REMITTANCE DECEMBER 2023	\$158,073.33
2648	12/20/2023	Open		Accounts Payable	CalPERS (CA Public Employees' Retirement System)	CALPERS UAL REMITTANCE DECEMBER 2023	\$1,414.83
2649	12/20/2023	Open		Accounts Payable	CalPERS (CA Public Employees' Retirement System)	CALPERS UAL REMITTANCE DECEMBER 2023	\$570.42
2650	12/29/2023	Open		Accounts Payable	EDD - PAYROLL TAX DEPOSIT	CA - CA Tax	\$41,939.13
2651	12/29/2023	Open		Accounts Payable	MissionSquare (name chg 03-2021 formerly ICMA)	ICM1 - ICMA-457 #300530 FLAT DOLLAR*	\$43,888.14
2652	12/29/2023	Open		Accounts Payable	P E R S	PE CM PEPRA - PERS CM PEPRA*	\$105.84
2653	12/29/2023	Open		Accounts Payable	P E R S	PE CM PEPRA - PERS COUNCIL-PEPRA	\$98.31
2654	12/29/2023	Open		Accounts Payable	IRS	FED - Fed Tax*	\$150,697.89
2656	12/26/2023	Open		Accounts Payable	U.S. BANK - CORPORATE PAYMENT SYS	DECEMBER 2023 CALCARD PAYMENT	\$60,960.23
2660	12/29/2023	Open		Accounts Payable	P E R S	PE1% - PERS SEIU*	\$182,774.20
TOTAL - EFTs				22 Transactions			\$1,898,305.12

ACCOUNTS PAYABLE

Status	Count	Transaction Amou
Open	247	\$3,689,528.40
Voided	0	\$0.00
Total	247	\$3,689,528.40

PAYROLL

Status	Count	Transaction Amou
Total Checks	157	\$143,244.06
Total EFT's	707	\$1,627,927.63
Voided	0	\$0.00
Total	864	\$1,771,171.69

GRAND TOTAL	1111	\$5,460,700.09
--------------------	------	----------------



AGENDA BILL

Agenda Item No. 7.F.

Date: February 6, 2024
To: El Cerrito City Council
From: Susan Kattchee, Interim Operations and Environmental Services Division Manager; Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department
Subject: Analysis of Potential Outsourcing of the City's Municipal Curbside Recycling Operations Report

ACTION PROPOSED

Receive and file report from R3 Consulting Group, Inc. "Analysis of Potential Outsourcing of the City's Municipal Curbside Recycling Operations".

BACKGROUND/ANALYSIS

Consistent with the City's Fiscal Response Plan and Fiscal Recovery and Sustainability Plan prepared between 2020 and 2022, the City engaged R3 Consulting Group, Inc. (R3) to conduct an evaluation of the potential for outsourcing the City's curbside recycling collection (and not the operations of the City's recycling drop-off center) to a private operator (Resolution 2021-01). R3 is a consulting firm that has extensive experience in the field of solid waste management and sustainability, has assisted numerous jurisdictions in evaluating privatizing, and has in-depth knowledge of City operations and sensitivity to community issues. R3 conducted its original analysis in 2021. However, due to the impact of the COVID-19 pandemic and limited staff resources, the effort was put on hold. In mid-2023, City staff re-engaged R3 to update the financial portions of the analysis to reflect current expenses and revenues. R3's final report is being provided to the City Council for its information and consideration as appropriate in the future.

R3 found that the City provides curbside recycling collection services at a lower cost than would be offered by private solid waste operators. R3 also found that the City maintains a higher level of control over the range and quality of services it provides because of the nature of providing recycling services as a public utility and the uniqueness of the shared operations with the City's Recycling + Environmental Resources Center (RERC). R3 identified the following three potential options for next steps: 1) maintaining the status quo, 2) continuing curbside recycling operations but making additional investments, and 3) pursuing a Request for Information (RFI)/Request for Proposal (RFP) process.

As part of the upcoming biennial budget process and update to the Integrated Waste Management (IWM) Fund forecast, City staff will consider increased investments to continue to improve operating standards, safety, and efficiency. City staff considered R3's recommendation to conduct an RFI/RFP and determined that the additional effort is not warranted now knowing that the City provides the curbside recycling service at a

lower rate than surrounding communities and the likelihood, if the service was outsourced, the rates would go up for residents and businesses. Notably, as indicated in the report, the City's recycling operations have historically provided a high level of customer service and have rated quite high in community satisfaction surveys.

STRATEGIC PLAN CONSIDERATIONS

This action supports the [City's Strategic Plan Goal\(s\)](#) of:

- *High Performing Organization* by preserving and annually adjusting Integrated Waste Management fees to provide sufficient resources to deliver high-quality recycling and other integrated waste management services and programs to the community; and
- *Environmental Sustainability* by continuing to implement services and programs that promote waste diversion and reduce the amount of waste generated in El Cerrito, and maintains and leverages the Recycling Center as a community asset.

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

The City's curbside recycling operations are funded by the City's Integrated Waste Management (IWM) fees, which also fund the operations of the RERC, and other waste collection, source reduction, recycling and related environmental services and programs operated by the City. These fees also cover administrative overhead captured by the operating transfer to the General Fund. The IWM fees are established on an annual basis by the City Council based on the revenue required to run these operations, making them self-sustaining.

LEGAL CONSIDERATIONS

This section is not applicable to this agenda item.

Reviewed by:



Karen Pinkos, City Manager

Attachments:

1. R3 Report: Analysis of Potential Outsourcing of the City's Municipal Curbside Recycling Operations

January 25, 2024

Ms. Yvetteh Ortiz
Public Works Director/City Engineer
City of El Cerrito
10890 San Pablo Avenue, El Cerrito, CA 94530
submitted via email: yortiz@ci.el-cerrito.ca.us

Subject: Analysis of Potential Outsourcing of the City's Municipal Curbside Recycling Operations

Dear Ms. Ortiz,

R3 Consulting Group, Inc. (R3) is pleased to submit the attached Final Report of the evaluation of the potential for outsourcing the Operations + Environmental Services Division's (Division) municipal curbside recycling collection operations to the private sector. This report summarizes the results of our analysis.

* * * * *

We appreciate the opportunity to be of service to the City. Should you have any questions regarding our Final Report or need any additional information – please don't hesitate to reach out directly.

Sincerely,



Jordan Muratsuchi | *Sr. Project Analyst*
R3 Consulting Group, Inc.
808.284.3168 | jmuratsuchi@r3cgi.com



Garth Schultz | *Principal*
R3 Consulting Group, Inc.
510.292.0853 | gschultz@r3cgi.com

TABLE OF CONTENTS

1.

Executive Summary

page 1



2.

Analysis

page 4



3.

Other Considerations

page 7



1. EXECUTIVE SUMMARY

Background

The City has a long-standing history of providing municipal recycling collection services, including curbside collection operations and the operation of the City's flagship drop-off Recycling Center. The City's recycling operations have historically provided a high level of customer service, have rated extremely high in community satisfaction surveys, and consequently have been well supported by the City Council since operations began in the 1970s.

In 2021, the City of El Cerrito's financial position was such that it needed to evaluate all possible opportunities to increase efficiency, limit risk, and reduce City costs. While the City's recycling operations are ratepayer funded via a self-sustaining enterprise fund, the City wanted to explore whether outsourcing curbside collection operations (and not the operations of the City's recycling drop-off center) could provide positive financial benefits and limit future financial risks.

Key Findings

1. A private hauler could earn a maximum compensation of \$1.54 million per year without the City increasing IWM fees.

Should the City decide to outsource the Division's recycling collection operations while maintaining the current IWM fee schedule, a private hauler could earn a maximum of approximately \$1.54 million a year (in current dollars) which is equivalent to roughly \$10.25 per month per residential account.

2. The Division's recycling collection cost per account is significantly below the regional industry average.

The Division's average residential recycling cost per account is over \$3.00 below the surveyed average in the region. Factors such as the Division's lower labor rates for drivers contribute to the lower collection cost per account. Private haulers pay driver wages which are significantly more than the City's wages.

3. The Division's recycling costs are low because recycling collection operations are shared with the drop-off Recycling Center.

Roughly 40% of IWM fees are used to fund curbside recycling operations, meaning that 60% of such fees are used to fund other IWM related programs such as the Recycling Center, trash/litter abatement, and contract management, in addition to funding administrative, professional, and supervisory positions which are shared among all operations.

The curbside recycling operations isolated expenses are \$1.54 million due to having an array of additional recycling-related expenses – primarily administration, professional, and supervisory staff – that are shared with the Recycling Center. Should \$1.54 million in annual compensation not be viable and enticing for a private hauler, the City could include all recycling operations – including the Recycling Center – should outsourcing be deemed an interest. However, outsourcing additional programs would likely require a reduction or reassignment of current administrative, professional, and supervisory positions. This may be impracticable given that these are specialized positions are not easily consolidated or shared with other divisions.

4. Interest from a Private Hauler may be limited by the maximum allowable compensation.

The Division's curbside recycling costs are currently below the regional industry average, meaning that a private hauler would earn less revenue per account serving the City than it does in neighboring and regional communities. Although it is not completely clear what a private hauler's minimum compensation for operating in the City would be without conducting a Request for Proposals process. The key question is whether a hauler could operate in the City for no more than approximately \$1.54 million annually. While our market analysis indicates a low likelihood of the private sector being able to provide recycling collection services at this cost, it could be feasible if neighboring recycling collection operations have available recycling collection capacity.

5. Recent outsourcing successes were likely the result of very different circumstances.

Other successful outsourcing cases yielded significant financial benefits to the public agencies, without initial customer rate increase. However, this appears to have been because there was excess value in these jurisdiction's rates above an efficient operating condition. As such, the City's low cost per account and high efficiency make it unlikely that the City could realize the same level of financial benefits.

6. The Division can benefit from releasing a Request of Information (RFI).

Although the analysis shows that the City's costs (which is equivalent to the revenue for a third-party contractor) are well below what private haulers realize in other communities in the region, the City could still benefit from releasing an RFI in the following ways:

- 》 The City could potentially receive interest from one or more haulers (e.g., EBS, Republic, Waste Management, Bay View Refuse, Ecology Center).
- 》 The City could obtain information, via the RFI, on current industry operations and expenses, which could be used to assist in reevaluating the level of funding the City is providing the Division for its recycling operations. This information could be used to support increased investment in the City's recycling collection operations.

7. The El Cerrito has a unique operation.

Comparison of the City to other recycling collection operations is naturally limited by the uniqueness of the City. Very few communities either solely perform municipally provided recycling or have a sole hauler for recycling collection (with notable and local exceptions being Berkeley, Oakland, Hayward, Union City, Santa Clara, and others included in our analysis). Furthermore, we are not aware of another community that owns and operates both a collection operation and a robust recycling center.

Next Steps

Given the results of this analysis, the City has multiple options for future operations. The options for future recycling operations, shown below, include maintaining the status quo, continuing recycling operations but making additional investments, and pursuing an RFI/RFP process. The RFI process could include gauging the interest of the City's current solid waste hauler in expanding its services to include recycling collection operations.

Option 1: Maintain Status Quo

This option involves changing virtually no aspect of the collection operations, continuing as planned.

Option 2: Maintain Status Quo, but Provide Additional Investments

This option is similar to Option 1 in that the City's municipal recycling operations remain structurally the same, however the City would increase its investment in recycling to continue to improve operating standards, safety, and efficiency. While the City is already performing well in these areas, there is room for the City to fund additional improvements, given the relative comparison of its costs to the marketplace.

Option 3: Release an RFI and Consider an RFP to Outsource Services

In this option, the City finalizes and publicly releases an RFI to prospective haulers. Depending on the level of responses provided, the City could follow up with a Request for Proposals. After releasing an RFI, the City would either continue with the RFP process and potentially contract with a third-party hauler or continue to operate the collection operations itself—potentially with additional investments.

2. ANALYSIS

Estimated Financial Impact of Outsourcing

Expenses that Would Remain with the City upon Outsourcing

Working with City staff, a review was conducted to identify which of those budgeted costs would be eliminated if City's curbside recycling operations were outsourced, and which of those costs would remain. Through that analysis, we found that if the City outsourced curbside recycling operations to the private sector, approximately 40% of the City's budgeted expenses could be transitioned to a private operator.

Our analysis found that the City would be able to eliminate approximately \$1.54 million in expenses (in current fiscal year (FY 2023-24) dollars) relating to curbside recycling operations. Of that amount, we estimate that of those \$1.54 million in expenses, approximately \$970,000 would be eliminated from residential operations and \$570,000 from commercial operations. Expenses were allocated to residential and commercial operations based on factors such as number of collection drivers, number of associated customer accounts, as well as factoring in some line items which are wholly allocated to either residential or commercial services.

Our analysis above assumed that, if outsourced, the City's staff positions that would be transitioned to a private operator would include five (5) collection drivers and one (1) waste prevention specialist. All other budgeted staff would remain and dedicate their time to the Recycling Center, contract management, compliance, and other solid waste related services. Additionally, the Division's budget partially funds administrative overhead. These expenses, such as HR and insurance, are captured in the operating transfer to the general fund. The Division's budget also includes expenses for environmental services and related maintenance. R3 did not address other divisions (e.g., Engineering, Maintenance and City Management) associated with IWM operations.

Outsourcing curbside operations would mean the City would lose approximately \$15,000 in revenue from State curbside collection grants. This reduction in curbside revenue equates to an equal reduction in curbside expenditures which would be eliminated due to outsourcing. This is because the revenue would no longer be available to the City and therefore could not be used to pay a private hauler to conduct curbside collection.

Estimated Maximum Contractor Compensation under Current Rate Schedule

R3 completed an analysis to estimate the theoretical maximum costs that could be incurred by a private recycling collector without raising the City's IWM fees. Should the City's IWM fees remain the same, a private contractor's maximum compensation would be equal to the amount of expenses that are eliminated from the City's budget as a result of outsourcing (assuming that IWM fees and total revenue continue to align with expenses). This means that the total maximum annual compensation a private contractor could realize under this scenario (not increasing IWM fees as a result of outsourcing) would be approximately \$1.54 million in current FY 2023-24 dollars.

Using the tentative expenses that would be eliminated under the outsourcing scenario discussed above, R3 calculated the annual and monthly maximum compensation that a private contractor could realize under the City's current rate schedule, resulting in an average of \$15.15 per month per overall account, or \$10.25 per month per residential account and \$83.25 per month per commercial account. We assumed a total of 8,470 recycling accounts, of which 7,900

are residential and 570 are commercial. **Table 1** shows the results in current FY 2023-24 dollars. Please note that the amounts per account are representative and not for IWM fee calculation purposes and are rounded to the nearest five cents.

**Table 1: Maximum Contractor Compensation, Under Current Rate Schedule.
Based on City Expenses Eliminated by Outsourcing**

Net Financial Impact of Outsourcing	Total	Residential	Commercial
Expenses Eliminated by City / Maximum Expenses Incurred by a Private Contractor	\$ 1,540,000	\$ 970,000	\$ 570,000
Estimated Number of Recycling Accounts	8,470	7,900	570
Maximum Monthly Contractor Compensation (<i>per Account</i>)	\$ 15.15	\$ 10.25	\$ 83.25

Comparison of Monthly Recycling Fees with other Communities

As noted above, the residential cost per account for the City is calculated to be approximately \$10.25 in FY 2023-24 dollars and which is low in comparison to other communities for which the costs of curbside recycling are known by R3. The comparison communities included Berkeley (almost \$14 per resident per month), Oakland (around \$14 per resident per month), San Jose (nearly \$15 per resident per month), and Union City (almost \$16 per resident per month). As such, the City's cost per account is significantly below market cost for private operations in the region. Based on this information, we estimate that the City would pay approximately 30% more for recycling collection service provided by private operators (including their profit).

While the evidence is conclusive that the City's curbside recycling costs are low, this comparison analysis, like all rate analyses, is not a perfect "apples to apples" comparison as there are many other factors that affect costs such as location, demographics and economics, additional services offered, and differences in wages.

In 2021 (the last year for which such information was available as the time of this writing), R3 surveyed union recycling driver wages in the East Bay and found that the City's labor rates for collection drivers were over \$7 per hour (20%) lower than the rates of EBS and the City of Berkeley. These rates are assumed to be commensurate with the City's benefits included – however, benefits provided to others were not available for comparison. Labor is one of the largest expenses in any solid waste collection operation, and as such the City's low recycling cost per account is affected by these low labor rates.

Additionally, the City's curbside collection operations account for approximately 40% of the IWM budget, meaning that roughly 60% of Integrated Waste Management (IWM) fees are used to fund non-collection functions. There is no material comparison available (to R3's knowledge) for an enterprise that includes both curbside collection and operation of such a unique municipal recycling center and as such, this analysis is limited accordingly.

Assumptions and Limitations

The assumptions made while conducting this analysis include and are not limited to:

- » The only City staff that would be reassigned upon outsourcing are five (5) drivers and one (1) waste prevention specialist.
- » The City currently has 7,900 residential customers and 570 commercial customers that are required to subscribe to recycling collection. This figure is expected to grow with the San Pablo corridor development.

Additionally, costs for SB 1383 were not estimated and are not included in this analysis. SB 1383, effective January 1, 2022, require additional services that the City must account for, including but not limited to contamination monitoring, inspection and enforcement, and reporting. Those associated costs for SB 1383 specific services have not been specifically factored into the analysis above, as it is expected that the positions remaining upon outsourcing would take on ongoing SB 1383 related responsibilities with the City.

3. OTHER CONSIDERATIONS

After analyzing the City's curbside recycling operations, R3 identified considerations that could provide advantages for both retaining the City's operations as well as outsourcing to a private contractor using the following criteria directly relevant to the City's operations:

» **Impact on customer rates**

- If curbside recycling operations are outsourced, a private hauler in the neighboring area may be able to realize new efficiencies by expanding into a neighboring area. This is speculative at this phase and would depend on a regional hauler being able to gain routing efficiency but could potentially help keep customer rates at the current level.
- Per the financial analysis in this report, it is unlikely that the City's customers would obtain a reduction in rates, and furthermore there is limited possibility of retaining the current rates upon outsourcing due to the City's current low-cost collection operation.

» **Impact on customer service**

- Private haulers, especially the larger competitors, tend to have high-quality customer service with requirements and performance benchmarks explicitly stated in a franchise agreement, and with corresponding liquidated damages for unsatisfactory performance. The City can fully control customer service requirements and standards through a franchise agreement.
- The City currently has an effective and well-managed customer service operation that residents and businesses are familiar with and changing customer service providers may take time for customers to become accustomed to.

» **Integration with garbage and green waste collection**

- The City can require a private hauler (via a franchise agreement) to collaborate with EBS on operations and can possibly include liquidated damages in their contract for failure to do so. This option would reduce the amount of responsibility for City staff, allowing them to provide additional focus elsewhere.
- The City currently has full control directly collaborating with EBS on garbage and green waste collection at their discretion.

» **Integration with drop-off recycling**

- The City can require a private hauler (via a franchise agreement) to collaborate with drop-off recycling and Recycling Center operations and can possibly include liquidated damages in their contract for failure to do so.
- The City currently has direct control over both curbside and recycling center operations and can integrate both operations efficiently. It is unknown if collaborating with another party can produce the same efficiency as current where decision making staff are under one chain of command for both operations and collaborate and alternate between the Recycling Center and curbside operations as needed.

» **Impact on the City's waste reduction, recycling, and climate action goals**

- The City can require a private hauler (via a franchise agreement) to collaborate and perform services that are in alignment with the City's overall goals for waste reduction, recycling, and climate action, which could potentially support the work of the IWM staff.

- The City currently has direct control over all of its recycling operations and can make decisions and implement programs and practices to support the City's goals, including indirect control through contractual agreements for how to handle post-collection operations.

» **Impact on City employees**

- The City can require a private hauler to offer employment to the City's displaced employees.
- Should curbside recycling operations be outsourced, the City would expect to eliminate six positions in total. This will create hardship for those impacted employees. It will also create an impact on the remaining operations staff who will experience a loss and reduction of force.

» **Impact and community values**

- The City's recycling operation, both curbside and drop-off, is highly valued in the community and has a rich history dating back to 1972. The community will likely be very sensitive to outsourcing operations and great care will need to be taken to guarantee that any new hauler can match, if not exceed, the level of service provided by the City.

» **Impact on the City's ability to respond to technological, regulatory, and economic changes**

- Private haulers have access to private capital and investment allowing them to pilot new technologies and implement advancements in collection vehicles. Private haulers can have economies of scale to be resilient and responsive in a changing environment.
- The City has a supportive community that tasks it with always doing better. The City has been able to meet and exceed regulatory requirements. The City does have limitations on the funding side but has been successful in managing the IWM Fund to effectively support its recycling operations.



AGENDA BILL

Agenda Item No. 9.A.

Date: February 6, 2024
To: El Cerrito City Council
From: Shannon Bassi, Senior Human Resource Analyst, City Management
Subject: Adoption of a Resolution Approving a Side Letter of Agreement Between the City of El Cerrito and the Service Employees International Union (SEIU) Local 1021

ACTION PROPOSED

Adopt a resolution approving a side letter to the Memorandum of Understanding between the City of El Cerrito and the Service Employees International Union (SEIU) Local 1021 to modify language on salaries and provide a four (4) month extension to April 30, 2024.

BACKGROUND/ANALYSIS

SEIU Local 1021 is recognized as the majority bargaining unit for full-time and part-time represented general employees. On May 19, 2020, the City Council approved a two-year agreement with SEIU Local 1021 through Resolution 2020-25 by modifying salaries and creating a Memorandum of Understanding (MOU) effective July 1, 2020 through June 30, 2022. Subsequently, on July 19, 2022, the City Council approved an eighteen-month extension agreement with SEIU Local 1021 through Resolution 2022-60, extending the agreement through December 31, 2023.

The following is a summary of the tentative agreement with SEIU Local 1021:

- The agreement will be effective from January 1, 2024, through April 30, 2024 (4 months).
- Effective the first full pay period of January 2024, the City will increase the salary or wage range for all represented classifications by 4%.

The City would like to thank SEIU Local 1021 for the leadership and patience they have shown while the City's Classification and Compensation Study has been underway. The City looks forward to continuing the strong collaborative relationship with SEIU Local 1021.

STRATEGIC PLAN CONSIDERATIONS

This action supports the [City's Strategic Plan Goal\(s\)](#) of:

- *High Performing Organization* by ensuring the City maintains a strong financial position and a high-performing organization where employees feel a sense of inclusion and belonging.

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

The estimated total cost of a 4% increase for SEIU Local 1021, effective first pay period in January 2024, is \$76,484.

LEGAL CONSIDERATIONS

Reviewed by:

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

Karen Pinkos, City Manager

Attachments:

1. Resolution
2. Exhibit A to Resolution

RESOLUTION 2024-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO APPROVING A SIDE LETTER TO THE EXISTING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE SERVICE EMPLOYEES INTERNATIONAL UNION (SEIU), LOCAL 1021 TO MODIFY LANGUAGE ON SALARIES FROM JANUARY 1, 2024, THROUGH APRIL 30, 2024

WHEREAS, the Meyers-Milias-Brown Act allows employee units within the City to represent themselves on matters concerning salaries, hours and working conditions; and

WHEREAS, the Employer-Employee Relations Ordinance of the City of El Cerrito provides the methods and procedures for meeting and conferring in good faith; and

WHEREAS, the Service Employees International Union (SEIU), Local 1021 is recognized as the majority bargaining unit for full-time and part-time represented general employees; and

WHEREAS, representatives of the City of El Cerrito and the Service Employees International Union (SEIU), have met and conferred in good faith; and

WHEREAS, the City of El Cerrito and the Service Employees International Union, Local 1021 representatives have reached agreement regarding matters within the scope of representation, including wages.

NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby adopt the Tentative Agreement, attached hereto as Exhibit A, between the City of El Cerrito and Service Employees International Union (SEIU), Local 1021 effective January 1, 2024, through April 30, 2024.

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

I CERTIFY that at a regular meeting on February 6, 2024, 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. Charl  ty, City Clerk

APPROVED:

Tessa Rudnick, Mayor

TENTATIVE AGREEMENT TO EXTEND THE MOU

Between
CITY OF EL CERRITO
And
S.E.I.U. LOCAL 1021

January 22, 2024

3.1 Duration of this Memorandum

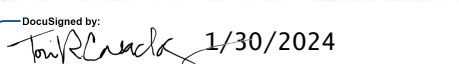
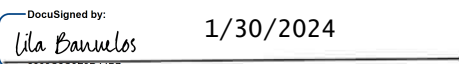
- The term of this agreement shall be from January 1, 2024 to April 30, 2024.

13.1 Salaries for Represented Classifications

- Effective the first full pay period in January 2024, the City will increase the salary or wage ranges for all represented classifications by 4.0%.

For SEIU Local 1021


1/29/24

DocuSigned by:
Steven Mello 1/30/2024
E7429785C37949D

DocuSigned by:
Toni Rencio 1/30/2024
321F10C817D048F

DocuSigned by:
Lita Barrios 1/30/2024
2809C2C9F9D44B7...

For the City of El Cerrito

DocuSigned by:
Gunn Burkheimer 1/30/2024
75A078A404CD458
1/30/2024
DocuSigned by:
Shannon Bassi 1/30/2024
07D3D912A98F4C0
DocuSigned by:
Will Provost 1/30/2024
775B39AE36A34B7...



AGENDA BILL

Agenda Item No. 9.B.

Date: February 6, 2024
To: El Cerrito City Council
From: Stephen Prée, Environmental Programs Manager/City Arborist; Karineh Samkian, Senior Program Manager; Susan Kattchee, Interim Operations and Environmental Services Division Manager; Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department
Subject: Agreement with Rubicon Landscape Corporation for Landscape Maintenance Services

ACTION PROPOSED

Adopt a resolution authorizing the City Manager to execute an agreement with Rubicon Landscape Corporation in an amount not to exceed \$128,554 and \$316,660 in Fiscal Years (FY) 2023-24 and 2024-25 respectively, to provide Landscape Maintenance Services effective March 1, 2024, for a period of three years with an option to annually extend three years thereafter; and amending the FY 2023-24 Adopted Budget to appropriate \$86,078 from the General Fund Unrestricted Balance for services in FY 2023-24.

BACKGROUND

Recently, the City of El Cerrito has had contracts for Landscape Maintenance Services with three companies that each focus on providing services at different types of City facilities. BrightView Landscaping Services maintains City streetscapes, medians, traffic islands, rain gardens and some of the City's building grounds; New Image Landscape Company maintained the Ohlone Greenway (until December 1, 2023); and Rubicon Landscape Corporation maintains the City's parks and athletic fields. The City has previously entered into agreements for these services with multiple companies in order to achieve the best value for the City, in terms of selecting the company that was most well suited to provide a specific type of landscape maintenance service at a competitive cost.

While the contract for maintaining the parks and athletic fields was awarded to Rubicon in June 2022 (Resolution 2022-43), the City last issued a competitive Request for Proposals (RFP) for streetscapes, medians, traffic islands, rain gardens, building grounds, and the Ohlone Greenway in 2018. At that time, the City entered into an agreement with BrightView (formally Coast Landscape Management) for the City streetscapes, medians, traffic islands, rain gardens, and some of the City's building grounds, and to New Image for the Ohlone Greenway (Resolution 2018-64). The term of the New Image agreement expired on December 1, 2023, and staff negotiated with BrightView to continue the services to provide the City with sufficient time to conduct an RFP process. The BrightView agreement will expire on February 29, 2024.

With the term of the BrightView contract expiring, and to ensure the City continues to receive the best value for Landscape Maintenance Services, on November 28, 2023 the Public Works Department released an RFP for qualified licensed landscape companies to provide landscape maintenance services for the City's streetscapes, medians, traffic islands, rain gardens, other building grounds, and the Ohlone Greenway. The sites are divided into two separate bundles and proposers were given the option to submit proposals for one or both bundles. The landscape maintenance bundles included in the RFP are:

1. Bundle 1 - Streetscapes, Medians, Traffic Islands, Rain Gardens, and City Building Grounds – Approximately 22.41 acres of landscapes and streetscapes consisting of sidewalks, small plazas, trees, shrubs, and ground covers, and rain gardens. This bundle contains 20 sites and is divided into Type 1 and Type 2 facilities. Type 1 facilities require twice-weekly care; Type 2 facilities need weekly, bi-monthly, or monthly care.
2. Bundle 2 - Ohlone Greenway – 2.6 linear miles (approximately 19.96 acres) consists primarily of a heavily used pedestrian and bicycle path and linear park lined by a combination of naturalized fields of “no-mow” fescue, wildflowers, and shrubs, punctuated by small formal play spaces, small plazas, creek crossings, and areas of sensitive habitat.

A list of facilities and the required service levels for each is included in the Technical Specifications (Attachment 2). These Technical Specifications comprise the scope of work for the contractor.

The RFP was posted to the City's website on November 28, 2023 and published in the West County Times on November 30, 2023. A notice inviting proposals was also emailed directly to 22 landscape maintenance companies. The RFP requested proposals for services for an initial agreement term of three years, with three possible annual extensions. One addendum was issued in response to questions received from interested companies.

ANALYSIS

The City received six proposals by the due date of December 21, 2023. The RFP requested an annual cost proposal for one or both bundles. The cost proposals are listed below.

<i>Cost Items</i>	<i>Rubicon Landscape Corporation</i>	<i>BrightView Landscape Services Inc.</i>	<i>New Image Landscape Company</i>	<i>Banksia Landscape</i>	<i>Prado's Landscaping Inc.</i>	<i>SkyLandscape</i>
Bundle 1	\$228,471	\$166,560	\$180,730	\$207,273	\$1,046,320	\$126,900
Bundle 2	\$193,743	\$138,600	\$120,435	\$145,145	\$398,600	\$111,800
TOTAL	\$422,214	\$305,160	\$301,165	\$352,418	\$1,444,920	\$238,700

In summary, the City received responsive proposals with an annual cost for both bundles ranging from \$238,700 from SkyLandscape to \$1,444,920 from Prado's Landscaping, Inc. Following receipt of the proposals, a committee comprised of staff from the Public Works Department evaluated the proposals based on the following criteria: demonstrated experience in municipal landscape maintenance services, experience of key personnel, required licensing and certifications, and cost competitiveness. Based on the proposal evaluation, Rubicon, BrightView, and New Image were invited to an interview to better understand each proposal, the company's staffing levels, and their cost.

After evaluating the proposals, completing interviews, and reviewing the City's experience working with all three companies, Rubicon emerged as the company that best fits the needs of the City for both bundles. However, their costs were higher than the other two companies, mostly because they had included more staff hours to improve upon the current level of maintenance and appearance of the landscaping. After meeting with the Rubicon team to discuss the scope in more detail, Rubicon adjusted their staffing and revised their proposal to an annual cost of \$316,660 to maintain the landscaping service level at status quo with a one-time cost of \$23,000 in FY 2023-24 to evaluate, replace, and repair any non-functional irrigation in the two bundled areas.

Although the negotiated amount is 25% less than the original proposal, it is higher than current budgeted amount for maintaining these two areas. Staff identified the following conditions impacting the increased cost:

1. Labor costs have increased since 2018 when the City last released an RFP for these services and the contracts did not provide for annual Consumer Price Index (CPI) increases.
2. There is an additional 1.14 acres added to the scope for maintaining the Ohlone Greenway next to the El Cerrito Del Norte and Plaza Bart Station areas.
3. There is extra cost for companies as they transition their landscape equipment to electric, since AB 1346 prohibits the sale of new gas-powered landscape equipment.
4. For improved efficiency, the scope of work includes supplying irrigation parts, turf seed, fertilizer, and heavy-duty waste can liners, at agreed upon mark-up, as part of the contract instead of being City-supplied.

The proposed landscape service cost is based on a competitive procurement process and the other two proposals were similar in cost, indicating that this price is within the current market rate.

Rubicon is cost competitive and they know the City well as they are the current landscape services company for parks. Rubicon has proven to provide reliable service levels and be very responsive to City needs, which is key given areas that are highly used and valued by the community along the Ohlone Greenway and San Pablo Avenue. With their main office in Richmond, they have been able to quickly respond to any service issues or requests and mobilize for special projects at affordable prices. During interviews, City staff highly

ranked Rubicon's knowledge of the City's facilities, their environmental training, available resources, and their commitment to serving the City of El Cerrito. Rubicon holds major federal and municipal maintenance contracts, including the City of San Francisco, Veterans Affairs, and the US Coast Guard. Rubicon's experience covers all the different facets of landscaping, which includes installation and maintenance of various landscaping and irrigation systems.

In addition, Rubicon Landscape Corporation is an enterprise program of Rubicon Programs, Inc. whose mission is to provide job training and placement, financial education, behavioral health, legal services, and other supportive services to the low-income community of the East Bay to break the cycle of poverty. All net income proceeds from Rubicon Landscape are transferred to Rubicon Programs. Rubicon stated that these trained workers from the program can serve as staff for their maintenance contracts.

Based on the RFP process, City staff recommends that the City Council approve an agreement with Rubicon Landscape Corporation to provide Landscape Maintenance Services for the City's streetscapes, medians, traffic islands, rain garden, other building grounds, and the Ohlone Greenway (Bundle 1 and Bundle 2), effective March 1, 2024 for a period of three years, with an option to annually extend three years thereafter, for a cost not to exceed \$128,554 for the remainder of FY 2023-24 and \$316,660 in FY 2024-25. For the third year of the initial term and each extension, the contract amount is adjustable consistent with the CPI for the San Francisco-Oakland-Hayward region a maximum of one time annually starting July 1, 2025 and each July 1 thereafter, if the City extends the contract. Staff also requests a budget amendment for FY 2023-24 in the amount of \$86,078 from the General Fund Unrestricted Fund Balance to provide sufficient budget for the remainder of the fiscal year.

STRATEGIC PLAN CONSIDERATIONS

This action supports the [City's Strategic Plan Goal\(s\)](#) of:

- *Livability and Belonging* by maintaining the City's parks; and
- *Infrastructure and Amenities* by addressing ongoing and deferred maintenance of City's landscaped areas; and
- *Environmental Sustainability* by implementing ReScape (formerly Bay Friendly) landscape maintenance practices, the City's Integrated Pest Management Policy, and a transition to electric-powered landscape equipment.

ENVIRONMENTAL CONSIDERATIONS

This proposed action will not result in a project as defined by the California Environmental Quality Act (CEQA). No further environmental review is needed.

FINANCIAL CONSIDERATIONS

The proposed agreement with Rubicon Landscape Corporation is for a cost not to exceed \$128,554 for the remainder of FY 2023-24 and \$316,660 in FY 2024-25. Thereafter, the amount may be annually adjusted consistent with the regional CPI. The

annual amount currently included in the FY 2023-24 Adopted Budget for Landscape Maintenance Services, which are the subject of the RFP, is \$199,929, of which \$157,453 will have been expended by the end of February 2024.

If the agreement with Rubicon is approved by the City Council, City staff requests that the City Council also amend the FY 2023-24 Adopted Budget to appropriate \$86,078 from the General Fund Unrestricted Fund Balance to provide sufficient budget for the remainder of the fiscal year. Table 1 below summarizes the existing budget and the additional funds needed through the end of FY 2023-24. For FY 2024-25, the annual increase in cost would be \$116,731. City staff plan to request this amount as part of the upcoming biennial budget process.

Table 1: Landscape Services Budget in FY 2023-24

<i>FY 2023-24 Adopted Budget</i>	<i>Funds Expended by End of February</i>	<i>Remaining Budget</i>	<i>Proposed Contract Cost March-June</i>	<i>Difference Between Remaining Budget and Proposed Contract</i>
\$199,929	\$157,453	\$42,476	\$128,554	\$86,078

LEGAL CONSIDERATIONS

The City Attorney has reviewed the proposed action and found that legal considerations have been addressed. The proposed agreement will conform to the City's standard agreement as approved to form by the City Attorney.

Reviewed by:



Karen Pinkos, City Manager

Attachments:

1. Resolution
2. Technical Specifications

RESOLUTION 2024 - XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH RUBICON LANDSCAPE CORPORATION IN AN AMOUNT NOT TO EXCEED \$128,554 AND \$316,660 FOR FISCAL YEARS 2023-24 AND 2024-25 RESPECTIVELY, TO PROVIDE LANDSCAPE MAINTENANCE SERVICES EFFECTIVE MARCH 1, 2024, FOR A PERIOD OF THREE YEARS WITH AN OPTION TO ANNUALLY EXTEND THREE YEARS THEREAFTER; AND AMENDING THE FISCAL YEAR 2023-24 ADOPTED BUDGET TO APPROPRIATE \$86,078 FROM THE GENERAL FUND UNRESTRICTED BLANACE FOR SERVICES IN FISCAL YEAR 20223-24

WHEREAS, the City of El Cerrito (City) is responsible for maintaining its streetscapes, medians, traffic islands, rain gardens, building grounds and the Ohlone Greenway; and

WHEREAS, on November 28, 2023, the City issued a Request for Proposals (RFP) for Landscape Maintenance Services, which was posted to the City's website, published in the West County Times, and directly provided to twenty-two qualified landscape maintenance companies; and

WHEREAS, the RFP separated the landscape maintenance services into Bundle 1 (Streetscapes, medians, traffic islands, rain gardens, and City building grounds) and Bundle 2 (Ohlone Greenway), and invited proposers to propose on one or two bundles; and

WHEREAS, the City received six proposals by the December 21, 2023 due date; and

WHEREAS, upon consideration of competitive pricing, performance of similar work, and the landscape experience, licensing and certification of key personnel, the selection committee determined that the proposal received from Rubicon Landscape Corporation (Rubicon) best fits the needs of the City and provides the best value for both bundles; and

WHEREAS, the cost for Rubicon to provide Landscape Maintenance Services for Bundles 1 and 2 in Fiscal Year (FY) 2023-24 and FY 2024-24 is \$128,554 and \$316,660 respectively; and

WHEREAS, an additional \$86,078 is needed for the services to be performed under this agreement through the end of the fiscal year.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of El Cerrito authorizes the City Manager to execute an agreement with Rubicon Landscape

Corporation in an amount not to exceed \$128,554 and \$316,660 in FY 2023-24 and FY 2024-25 respectively, to perform landscape maintenance services for three years with an option to annually extend the agreement for an additional three years thereafter, contingent upon funding being appropriated by the City Council in future City budgets; and amending the FY 2023-24 Adopted Budget to appropriate \$86,078 from the General Fund Unrestricted Balance for services in FY 2023-24.

BE IT FURTHER RESOLVED, the cost for services provided by Rubicon Landscape Corporation under the agreement may be adjusted consistent with the Consumer Price Index for the San Francisco-Oakland-Hayward region, a maximum of one time annually starting July 1, 2025, for the third year of the initial term and each July 1 thereafter for any extension, if the City extends 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 February 6, 2024, 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:

Tessa Rudnick, Mayor

ATTACHMENT 2

TECHNICAL SPECIFICATIONS

I. GENERAL REQUIREMENTS

A. Landscape Maintenance

Contractor shall provide the highest quality of landscape maintenance services. The Contractor agrees to provide the highest quality commercially accepted methods, procedures and controls for landscape maintenance consistent with the City's Integrated Pest Management (IPM) policy, ReScape (formerly Bay-Friendly) landscape maintenance practices, and information in standard landscape industry references. This shall include the use of proper knowledge, skills, materials and equipment of a timely basis to maintain all areas in a clean, safe, healthy, and aesthetically acceptable manner during the entire term of this contract. The Contractor shall furnish landscape maintenance services by qualified landscape horticulturists, site managers and landscape maintenance crews to provide a maintenance program according to this Specification. It will be the responsibility of the Contractor to provide all equipment, materials, and labor as necessary to perform the work described in these documents in a safe, efficient and legal manner. The City shall provide certain materials as listed in this Specification, Section II.B. "Materials Provided by City." Contractor will be responsible for all other materials.

The Contractor for this Agreement shall provide the City with a landscape maintenance program at the frequencies called for in this RFP, Section II.E. "City Facilities and Service Levels." The maintenance program is not limited to specifying daily, weekly and monthly landscape maintenance task schedules covering all areas of responsibility specified in this agreement. The maintenance program will be submitted and agreed upon within 30 calendar days following award of this contract. This program and any changes, deletions, or additions therein, if approved by the City, shall become part of this agreement and shall be used by both the Contractor and the City of El Cerrito for performance monitoring of Contractor obligations.

Full compensation for conforming to the requirements of this Specification shall be considered as included in the contract prices paid for the various items of work and no separate payment may be made thereof.

Special projects may require a City approved traffic control plan. Special projects on San Pablo Ave. may require a Caltrans encroachment permit and an approved traffic control plan.

B. Management Philosophy

The Contractor shall take a pro-active approach in correcting problems within the Contractors' span of responsibility and control. Other problems and suggestions for improvements, both short and long term, must be submitted promptly to the City for appropriate action.

C. Public Image and Etiquette

Contractor employees shall wear company uniforms, which consist of long pants and shirts with company name and individual's name on the shirt. When needed, the Contractor's staff will utilize rain

gear, rain boots, safety shoes, and other high visibility protective equipment. All contracted employees while on the site shall exhibit a clean, neat professional appearance. Contractor's equipment and vehicles shall also be professional in appearance, exhibit the company name and phone number, and be well maintained for safe operation.

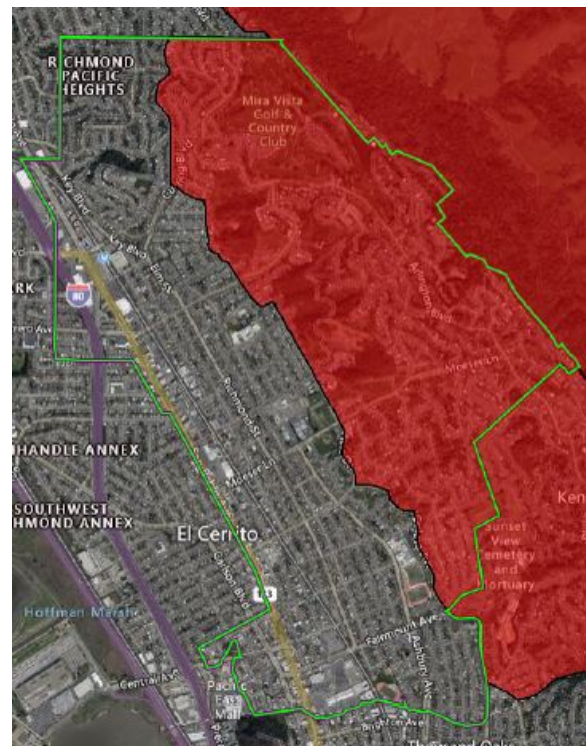
D. Hours of Operation

The Contractor shall conform operations to the hours between 7:00 AM and 5:00 PM, during the life of the contract. The Contractor shall conform his operations to the hours of 9:00 a.m. to 3:00 p.m. to medians and roadside strips. The use of power equipment or other work close to residential areas that results in noises shall not be permitted before 7:00 AM. Any exception shall only be authorized with prior approval of the City Representative.

E. Red Flag Days

Contractor shall check for Red Flag Warnings by monitoring alerts and webpages from Cal Fire including: <https://www.fire.ca.gov/programs/communications/red-flag-warnings-fire-weather-watches/>. On days where a Red Flag Warning is declared in the East Bay Hills, no "Hot Work" shall be allowed as follows, where "Hot work" is defined as any work that involves burning, welding, metal-cutting, paving, using fire- or spark-producing tools, gas-powered equipment, open flames or other work that produces a source of ignition:

- a. On Red Flag Days, inside areas of the City that are labelled as Very High Fire Hazard Severity Zones (VHFHSZ), as shown in the red areas of the map:
 - a) No hot work or other activities that could cause a fire in the VHFHSZ are allowed.
 - b) Mowing irrigated fields using equipment with spark arrestors is acceptable before 10 AM.
- b. On Red Flag Days, outside VHFHSZ areas:
 - a) All work including hot work is acceptable except if special conditions exist, such as humidity in low digits, high winds or high temperatures. In these cases, Contractor shall consult with City Representative.



The map pictured here displays the City boundaries with the area colored red denoting Very High Fire Hazard Severity Zones, more information on the VHFHSZ boundaries can be found at <https://egis.fire.ca.gov/FHSZ/>.

F. Repairs and Corrective Actions

The Contractor agrees to be continuously alert in locating and defining problems and agrees to exercise prompt and proper corrective action. Action items will be prioritized, and low priority items will be given a timeline for corrections. Contractor shall communicate to the City Representative any landscape and non-landscape related hazards encountered while on site. Work requests related to citizen requests or reported hazards to Contractor that require scheduling with the City's Representative will be prioritized dependent on each request. Immediate response may be necessary.

Any private property or City property damaged or altered in any way during the performance of the work under this contract shall be reported promptly to the City's representative and shall be rectified in an approved manner back to its former condition, prior to damage, at the Contractor's expense.

Any hazardous conditions noted, or seen, by the Contractor that has occurred by any means other than during the performance of the Contractor's work, whether by vandalism or any other means, shall be promptly reported to the City's Representative. The Contractor is responsible for securing any immediate hazards with caution tape, safety cones, or barricades until a City Representative arrives to the location.

G. Safety

Contractor agrees to perform all work outlined in the Agreement in such a manner as to meet all accepted standards for safe practices during the maintenance operation and to safely maintain stored equipment, machines, and materials or other hazards consequential or related to the work; and agrees additionally to accept the sole responsibility for complying with all City, County, State or other legal requirements including, but not limited to, full compliance with the terms of the applicable O.S.H.A. and CAL E.P.A. Safety Orders at all times so as to protect all persons, including contractor employees, agents of the City, vendors, members of the public or others from foreseeable injury, or damage to their property.

Contractor shall cooperate fully with City in the investigation of any accident, injury or death occurring on city property, including a complete written report thereof to the City Representative within twenty-four (24) hours following the occurrence.

Contractor shall carry portable fire extinguishers.

H. Traffic

a. Maintaining Traffic - If traffic is to be detoured over a centerline, detour plans must be submitted and approved by the City prior to starting work. Police, Fire, and the Public Works Department shall be notified at least 24 hours in advance of any work which will interfere with the normal flow of vehicular or pedestrian traffic. If lane closures or traffic modifications are needed, Contractor shall, as applicable, apply for and obtain an encroachment permit from the City.

It shall be the Contractor's responsibility to post, and remove after work is complete, no parking signs as required to perform work. Temporary "No Parking" signs and barricades can be provided by the City for pickup at the City Corporation Yard. Arrangements for signs and barricades can be made by verbal or written request to the City Representative five working days in advance of the need for signs and barricades.

Minor deviations from the requirements of this section concerning hours of work which do not significantly change the cost of the work may be permitted upon the written request of the Contractor if in the opinion of the City Representative public traffic will be better served and the work expedited. Such deviation shall not be adopted until the City Representative has indicated his written approval.

Full compensation for conforming to the requirements of this Section shall be considered as included in the contract prices paid for the various items of work and no separate payment may be made thereof.

b. Traffic Controls for Lane Closure - If a lane closure is necessary in order to do the work, it shall be in accordance with the State of California Standard Specifications Section 12, "Construction Area Traffic Control Devices" and the provisions specified herein. The provisions in this Section will not relieve the Contractor from his responsibility to provide such measures as may be necessary to ensure public safety. Contractor at his own expense shall ensure proper signage, as approved by the City Representative, during lane closures.

If any component in the traffic control system is damaged, displaced or ceases to operate or function as specified, from any cause during the progress of the work, the contractor shall immediately repair said component to its original condition or replace said component and shall restore the component to its original location. Lane closures may be made for work periods only. At the end of each work period, all components of the traffic control system shall be removed from the traveled way, shoulder, sidewalk, pathway and parking lanes. If the Contractor so elects, said components may be stored at selected central locations approved by the City Representative within the limits of the City right-of-way.

Full compensation for conforming to the requirements of this Section shall be considered as included in the contract prices paid for the various items of work and no separate payment may be made thereof.

I. Adjacent Properties

Adjacent City and private property and improvements shall be protected from damage and intrusion at all times during the execution of the work embraced herein. Any damage to adjacent properties shall be repaired or replaced by the Contractor at his/her expense and no payment will be allowed thereof. Work shall be carried out in a manner to avoid all conflicts with operations on adjacent properties and access to adjacent properties.

J. Differing Site Conditions

During the progress of the work, if latent physical conditions are encountered at the site differing materially from those indicated in the contract, or if unknown physical conditions of an unusual nature differing materially from those ordinarily encountered and generally recognized as inherent in the work provided for in the contract are encountered at the site, the party discovering such conditions shall promptly notify the City in writing of such specific differing conditions before they are disturbed and before the affected work is performed.

Upon notification, the City Representative will investigate the conditions, and if the City Representative determines that the conditions materially differ and cause an increase or decrease in the cost or time required for the performance of the work under the contract, an adjustment, excluding loss of anticipated profits, will be made and the contract modified in writing accordingly. The City Representative will notify the Contractor of his/her determination whether or not an adjustment of the

contract is warranted. No contract adjustment which results in a benefit to the Contractor will be allowed unless the Contractor has requested such in writing. No contract adjustment will be allowed under provisions specified in this section for any effects on unchanged work.

K. City Noise Ordinance

The Contractor and any subcontractor shall at all times conform their operations with the requirement of the City Of El Cerrito's Noise Ordinance (ECMC, Chapter 19.21.050 Performance Standards).

L. Monthly Progress Reports

The Contractor shall provide monthly progress reports either verbally to the City Representative or as written documents associated with the monthly invoices. These reports are to include the following information:

- a. Areas recommended for attention encountered during the month.
- b. Monthly application reports for all materials applied by site. This will include location, application date, materials, amount of material applied, etc.

M. Payment and Inspection

Payment will be made for work satisfactorily completed as called for in this contract. The City's Representative shall inspect and notify the Contractor of any unsatisfactory work. Unsatisfactory work shall be corrected within 24 hours. Contractor or Contractor's representative shall meet with a representative from the City at least once a month during the life of this contract to inspect Work performed.

Full compensation for conforming to the work of these specifications shall be considered as included in the contract unit prices, or the proposed hourly rates and material markup, and no further payment may be made thereof.

The contract unit prices and payments shall include full compensation for furnishing all labor, materials, tools, equipment, and incidentals, and for doing all the work involved in completing the work as specified herein, and as directed by the City.

Contractor shall invoice City on a monthly basis in a form approved by the City Representative. Invoicing shall include a detail of costs for work performed during the payment period, a summary of current invoice amounts, previous payments, and total payments to date.

N. Adjustment in Scope or Quantity of Work

The City reserves the right to increase or decrease quantities of work included by the Technical Specification or to delete entire proposal items from the proposal schedule, either before execution of the agreement or during the agreement term. If related services are desired by City which are not covered by the Technical Specifications or by the hourly rate schedule, the fee shall be negotiated and a written work order issued accordingly by the City. Contractor shall not be entitled to compensation for additional services unless a prior written work order has been executed describing the work and specifying the compensation thereof.

O. Hourly Rates for Work Not Included in Technical Specifications

During the agreement term, City may request Contractor to perform work not listed in the Technical Specifications. The Contractor offers the specified labor categories at the indicated hourly rate for these additional services. Hourly rates shall include all direct and indirect costs. For labor not listed below which is needed to perform additional work, the hourly rate shall be agreed upon between the City and Contractor before additional services are performed.

II. SPECIFIC REQUIREMENTS

A. Equipment and Labor

It will be the responsibility of the Contractor to provide all equipment and labor as necessary to perform the work described in these documents in a safe, efficient, aesthetically pleasing, and legal manner. The Contractor shall at all times furnish and maintain sufficient equipment as necessary to perform the work of this contract. Such equipment shall be subject to the inspection and approval of the City's Representative. If the contractor is unable to consistently provide the necessary equipment to perform the work, it may be considered a breach of this contract.

a. Materials Provided by the City

The City shall provide the following materials. All labor costs in regards to, but not limited to, transporting, spreading, and maintaining these materials to and in the field shall be covered by the Contractor.

- Water is to be furnished by the City.
- Compost is to be furnished by the City for purposes of being applied in planter beds and around shrubs or in tree wells, as requested by City Representative.
- Mulch is to be furnished by the City for purposes of being applied in planter beds, around shrubs, and as a ground cover as appropriate.
- Sand is to be furnished by the City for purposes of replenishing playground sand areas.

b. Materials Provided by Contractor

The Contractor shall provide the following materials as necessary. A mark-up to the cost of all materials provided by the contractor may be added but shall not exceed the amount proposed in the Cost Proposal associated with this RFP.

- Irrigation Parts to be used as part of this agreement shall be consistent with the make and model of the existing system components unless otherwise specified by the City Representative. Component variations shall be submitted to the City for review and approval prior to use.
- Turf Seed intended to be used as part of this agreement is to be submitted electronically to the City representative for approval prior to purchase and application.
- Fertilizers intended to be used as part of this agreement are to be submitted electronically to the City representative for approval prior to purchase and application.
- Heavy-duty waste can liners are to be furnished by the Contractor for purposes of trash and recycling can management. Recycling shall be collected in clear plastic bags and deposited in designated mixed recycling containers at the City's recycling center.

- **Pesticides** - No pesticide shall be applied without prior approval of the City Integrated Pest Management (IPM) Coordinator. Pesticide use must comply with the City's IPM Policy (**Attachment 3**), which specifies the use of reduced risk pesticides only after City thresholds have been crossed and alternative strategies exhausted. All pesticides shall bear the manufacturer's label and be registered with the California EPA. The Contractor shall provide and carry the product label and Safety Data Sheets for all chemicals in use. In certain areas, the City may require pesticide application posting 24 hours in advance, and to remain 72 hours after application. The Contractor shall provide the City with copies of all required permits, written recommendations, application records and employee training documentation with respect to any application of herbicide, or insecticide, or any other restricted or regulated pest control material as required by the State of California and/or Contra Costa County Agricultural Commissioner's office. Use of most rodenticides is strictly prohibited by the City of El Cerrito. Currently, the City has a moratorium on the use of products containing Glyphosate. The City may request that Contractor provide a written recommendation from a California Department of Pesticide Regulations Pest Control Advisor regarding the use of any pesticide.
- **Plant Material** shall be of the highest quality, displaying a healthy appearance and of a size relevant to their container size and the landscape application and conform to industry standards. The Contractor must schedule an inspection with the City's Representative to inspect and approve all plant materials including nursery receipts prior to planting.
- **Miscellaneous Materials** - Other materials, including but not limited to decomposed granite, wood, utility boxes, metal edging, etc. that are needed on an ad hoc basis in order to perform repairs shall be provided by the Contractor. Replacement parts shall be consistent with the type of the existing components unless otherwise specified by the City representative. Variations shall be submitted to the City Representative for review and approval prior to use.

B. Description of Work

1. Tree, Shrub and Ground Cover Care (Bundle 1 and 2)

Contractor shall maintain all trees, shrubs and ground covers in a healthy growing condition by performing the following operations, as well as other incidental work as needed, in all locations covered under this agreement:

- a. **Irrigation Monitoring and Maintenance** – The Contractor will be responsible for water management and programming controllers. Contractor will monitor each site to ensure vegetation is being properly watered and water is being used efficiently on site with minimal runoff. Contractor shall monitor irrigation to make sure that it is establishing moisture to the full depth of the root zone, while avoiding erosion, runoff, or puddles. Contractor shall correct any waterlogged soil conditions. Contractor shall inspect the irrigation system once a month during the dry season, check for leaks, broken, misdirected or clogged spray heads, excessive run-off, water logging, etc. Contractor shall report any irrigation deficiencies to the City Representative and make necessary repairs to the remote control valves, lateral lines, irrigation-heads and drip systems. The City is responsible for irrigation repairs upstream from the valve to the back-flow-preventor and water meter. The City may request the Contractor to provide a repair cost proposal as additional work. The Contractor will notify the City representative of any mainline leaks, breaks or valve malfunctions as soon as possible within 24 hours.

b. Pruning, Hedging, and Trimming – Pruning and trimming shall be done by qualified, trained professional personnel. Excessive pruning, hedging or stubbing back shall not be permitted. With the exception of pre-existing hedges, all pruning cuts shall be properly made using bypass pruners or sharp pruning saws only to maintain the natural shape of the plant. Cuts shall be made cleanly, outside of the branch collar with no flush-cuts or tearing of the bark.

Contractor shall not prune any tree branches over 14 feet high. The City requires that tree pruning be performed under supervision of an ISA Certified Arborist. All but minor clearance tree pruning for egress be approved in advance by the City Arborist. Dead or damaged branches shall be removed from shrubs, trees and ground covers to maintain plant health and appearance. Areas adjacent to damaged branches located over 14 feet up in trees shall be secured (either by the means of caution tape, cones, or barricades) and reported immediately to the City's Representative.

Contractor shall assess all shrubs on a quarterly basis to determine which plants should be pruned. Contractor shall confer with the City Representative prior to pruning other than for the following purposes: Remove branches and vines that are encroaching on roadways, walkways, fences, and buildings, and/or posing a safety hazard to pedestrians, bicycles, or vehicles;

- Remove dead branches, diseased sections of shrubs, spent flowers, etc.;
- Maintain the natural shape of the plant species; and
- To maintain the health of the plant.

Periodic hard pruning of certain herbaceous shrubs, as requested and approved by the City Representative, may be required, but will not exceed one time bi-annually. Care shall be taken to remove dead branches from shrubs and groundcovers in order to maintain a healthy plant canopy. Dead or damaged branches over 1/2" shall be removed from shrubs and ground covers.

The Contractor is responsible for replacing, at their cost, any damage to plant materials caused by excessive pruning, improper pruning techniques, poor equipment etc.

c. "No-Mow" and Specialty Grasses, Reeds and Sedges – Care shall be taken to maintain the natural character of ornamental grasses, sedges and reeds with or without periodic or annual cutting. "No Mow" turf shall be mowed annually or semiannually at the highest mower setting or by other City approved means with the majority of clippings removed. Specialty grasses, reeds and sedges may be regenerated periodically by hard pruning. Each of these activities shall be approved by the City's Representative prior to performance.

d. Rain Gardens/ Green Infrastructure – The City's 'green infrastructure' (bio-retention or LID storm water facilities) shall be maintained with inlet cleaning, weeding, and litter removal as needed to allow for the unimpeded inflow of rainwater. All plantings in these facilities shall be maintained to retain the natural characteristics of the plant species while keeping plant material clear of inlets, egresses and the PROW.

e. Fertilization - Fertilize shrub, ground cover, and planter bed areas as needed with a City approved organic fertilizer, with prior approval by the City Representative.

f. Mulch and Soil Health - Contractor shall maintain areas under trees, shrubs, and on bare soil with a minimum 3-inch layer of organic material. Mulch shall not be placed closer than 4" from plant or tree trunks. Mulch shall be provided by City's Public Works Department. All labor costs in regards

to, but not limited to transporting, spreading, and maintaining the mulch shall be covered by Contractor. Leaf drop and/or clippings that are free of disease may become part of the mulch layer in the trees, shrubs or groundcover areas, if it can be done so in an attractive manner and away from high traffic areas. Contractor shall remove leaf litter from storm drain areas and prevent such debris from entering drain inlets or building-up on plant or tree trunks.

g. Weeding - All areas, including but not limited to shrub beds, flower beds, groundcover beds, tree wells, paved areas, sidewalks, cracks, stairways, pavers, expansion joints, decomposed granite paths, picnic areas, playgrounds, and under bleachers/benches, shall be kept weed free at all times. Weeds shall be dug-out by the root when possible. **Weeds or weed flowers shall be removed before they set seed**, whenever the appearance becomes unsightly, or when requested by the City Representative.

h. Replacement of Material – Contractor shall remove dead and damaged plants and replace with material of equivalent size, condition and variety, subject to approval and/or purchase by the City Representative. Labor shall be provided by the Contractor in a timely manner. Plant material shall be provided by the City unless damage is caused by Contractor's negligence (i.e. chemical damage, mechanical damage, water stress.) Damage not resulting from Contractor's negligence, such as vandalism, abuse from the public, or weather shall be reported promptly to the City Representative. The City will provide all necessary materials. Labor shall be provided by the Contractor in a timely manner.

2. Tree Pruning and Maintenance (Bundle 1 and 2)

a. Permissible Activity: Contractor shall not prune any tree limbs over 14 feet high. The City requires that tree pruning performed under supervision of an ISA Certified Arborist. All but minor clearance tree pruning shall be approved in advance by the City Arborist. All trees with a canopy extending over pedestrian or bicycle paths of travel shall be pruned to maintain branches above 8' (96") above ground level. Any dead or damaged branches shall be removed from shrubs and ground covers. Any damaged branches located over 14 feet up in trees shall be secured (either by the means of caution tape, cones, or barricades) and reported immediately to the City's Representative.

b. Method - All pruning cuts shall be properly made using bypass pruners or by pruning saw only. Cuts shall be made cleanly with no tearing of the bark. All cuts over 2" in diameter shall be made by the compound cut method of three cuts (under, over and final). Contractor will designate employees that have received training approved by the City Arborist to perform this duty.

c. Suckers - Suckers or water sprouts located at the base of trees shall be removed by trained employees, limited to only using by-pass-pruners. Hedge trimmer, line trimmer, herbicides or any other type of mechanical or chemical mechanism shall not be used to remove or control suckers.

d. Tree Wells - Contractor shall keep tree wells weed and litter free and mulched with a 3" deep layer to assist in suppressing weeds. Adequate decomposed granite or wood mulch will be applied as necessary in the tree wells to insure a level surface with the surrounding concrete sidewalk. Mulch shall be clear of the tree's root crown by at least 4 inches. Tree well diameters may vary dependent on location, size, and use zones of trees. A minimum of a 6 ft in diameter, or 3ft in all directions from the tree trunk shall be maintained unless otherwise directed by City Representative.

- e. Tree stakes - Tree stakes and ties shall be removed as trees mature with authorization of the City Representative. Tree stakes shall be replaced as needed in case of vandalism or wood rotting at the base of the stakes.

3. Integrated Pest Management (IPM) (Bundle 1 and 2)

The City of El Cerrito has adopted policies, procedures and sustainable landscaping standards that include IPM, ReScape (Bay-Friendly) Landscaping Principles and other best management practices. These standards nurture plant and soil health and ecological diversity, reduce pruning requirements, staff and public exposure to pesticides, and reduce toxicity in public areas, water bodies and other sensitive habitats. Contractor adherence to these policies, goals and pest prevention priorities is required.

- a. Contractor's Integrated Pest Management Plan - Within 45 days and annually on the anniversary of this agreement, the Contractor shall submit to the City IPM Coordinator an INTEGRATED PEST MANAGEMENT (IPM) PLAN that complies with the City of El Cerrito's IPM Policy (**Attachment 3**), goals and specifications outlined in this RFP. Contractors IPM Plan shall be reviewed annually for updates and modifications with the City's IPM Coordinator.
- b. Site Inspections - Frequent and thorough site inspections, on foot, will be needed to ensure no major pest infestations occur. The first priority in addressing pests identify the source of the pathogen. Pest management will be based upon sound scientific information such as that provided by the University of California Agriculture and Natural Resources IPM website. Conventional pesticides will be used as the last option. The Contractor shall provide the City Representative with any Safety Data Sheets of chemicals that will be utilized.
- c. Qualified Personnel - Pest control shall be done only by qualified, trained personnel, under the supervision of a California Department of Pesticide Regulations (DPR) Licensed Applicator, only using materials that have received prior approval by the City IPM Coordinator. All pesticide applications shall be made with extreme care to avoid any hazard to any person, pet, or wildlife in the area or adjacent areas, or any property damage. Application shall be in strict accordance with all governing regulations. The Contractor must provide, within 30 days of the Notice to Proceed, their CA DPR License, and the names and license/certification numbers of any individuals responsible for or applying pesticides in accordance with this agreement.
- d. Reporting - All pest problems shall be reported to the City IPM Coordinator, who shall approve all pesticides applications prior to application. Records of all pest control operations stating dates, locations, times, methods of application, chemical formulations, target pest, the applicator's names and weather conditions shall be made and retained in an active file for a minimum of three (3) years.
- e. Pesticide Applications – Application of any pesticide shall be supervised by a CA DPR Qualified or Licensed Applicator. No pesticide application shall be made during heavy traffic (vehicle, bicycle, or pedestrian) periods or when winds create material drift and/or exceeds 5mph and/or as directed per chemical label. The City IPM Coordinator shall permit no spraying without prior approval and has the ability to halt a planned spraying if he/she believes one of the above is in violation. The Contractor is required to contact the City IPM Coordinator for application scheduling.
- f. Prohibited Areas - The use of herbicides for "chemical edging" of turf and ground cover areas, clearing rights-of-way or along roadways, and near sensitive habitat, any creek, drainage course, pond or other water feature is not be permitted.

g. Notice, Signage, and Monitoring - Temporary notice may be required on certain sites and shall be clearly posted on site 24 hours prior to, during and 72 after a site has been sprayed. These areas that are sprayed shall be flagged and signed until the chemical has completely dried according to product label and/or MSDS. Treated areas must be monitored during and after pesticide application until material has dried according to the product label and SDS. No unprotected person, pet, or wildlife may enter a treated area until all re-entry intervals have been satisfied.

h. Rodent Control – Rodenticide use is severely restricted. All methods of rodent control shall be approved by the City IPM Coordinator. The City will be the primary agent controlling gophers and other rodents. However, Contractor shall assist the City in keeping all turf and landscaped areas free of gophers, moles, and other rodents causing damage to City Property by immediately reporting evidence of rodent activity to the City Representative. Gophers shall be controlled by using Macabee gopher traps or other devices approved by the City Representative. Holes caused by gophers shall be backfilled with soil provided by City.

4. Playgrounds and Equipment Maintenance (Bundle 2)

The following recreational equipment maintenance guidelines apply to all playground areas included in this agreement. Inspections of playground equipment and fall surfaces needs to be performed each time the Contractor is working in the park or facility where the equipment is located. The Contractor must schedule playground maintenance when playground use is typically low in the morning hours so the playground area can be thoroughly cleaned and inspected with minimal interference to and from park users.

a. Equipment Check: Any equipment showing signs of wear, fatigue, vandalism or otherwise presenting an unsafe condition shall be reported immediately to the City Representative. The Contractor may be required to close the area with caution-tape.

b. General Clean-Up: All play areas shall be maintained free of litter, cans, pop tops, broken glass, sticks, Band-Aids, rocks, cigarette butts, ropes, toys, and other harmful and unsightly debris. Sweep or blow walks around play areas and return fall cushioning material to play area. Gather loose belongings and set aside on a bench for two days until disposing.

c. Fall Cushioning Material: Special attention shall be made to areas around and immediately adjacent to play equipment. The rubberized fall cushioning material in these areas shall be inspected for wear and tear, holes and loose adherence or separation. Any surface showing signs of wear, fatigue, vandalism or otherwise presenting an unsafe condition shall be reported immediately to the City Representative. The Contractor may be required to close the area with caution-tape. Sand must be raked, kept free of debris and maintained at a depth of 12 inches. The contractor shall provide the labor to transport and install new sand as needed. The City shall provide the replacement sand after notification by the contractor.

5. General Maintenance and Clean Up (Bundle 1 and 2)

The following general maintenance and clean up guidelines apply to all areas included in this agreement.

a. Garbage, Recycling, Green Waste Pick-Up and Disposal - All existing garbage cans in the areas under Contractor's responsibility shall be emptied of refuse by the Contractor and disposed of legally according to the frequencies listed in Section II.E, "List of Facilities and Service Levels." Garbage

pick-up shall occur on the day of the week specified by the City Representative, usually Monday and/or Friday, depending on the frequency of service listed in Section II.E, "List of Facilities and Service Levels." **All garbage cans must have a garbage can liner. The Contractor is responsible for providing garbage can liners.** Re-using soiled garbage can liners is not permitted.

Material from garbage cans and recycling containers must be collected separately and disposed in the proper fashion (i.e., recycling materials shall be diverted for recycling, green waste shall be diverted for composting). Upon being properly trained in tipping wall procedures and consistently adhering to tipping wall protocols, **Contractor may use the City's municipal transfer station for disposal of garbage, green waste, and recycling collected from City facilities, free of charge.**

b. All Clippings, Trimmings, Cuttings that are generated by the Contractor that cannot be used as mulch on site shall be promptly removed from the work area as the crew moves to the next area. Debris in walkways, bike paths, parking lots and egress points is not tolerated, and shall be removed immediately. All generated debris shall be removed from the work site the same day the work is performed. Upon being properly trained in tipping wall procedures, **Contractor may use the City's municipal transfer station for disposal of green waste collected from City facilities.** On-site dumpsters or containers shall not be used on the sites unless approved by the City Representative.

c. Loose Debris - All areas covered by this agreement, including but not limited to areas around shrubs and trees, non-landscaped islands, sidewalks, patios, planter beds, curbs and gutters, shall be kept free from weeds, litter, glass and other debris. Contractor shall be responsible for clearing these areas of debris at the frequencies listed in Section II.E, "List of Facilities and Service Levels." Debris includes, but is not limited to: paper litter, leaf and plant debris, household furniture, household appliances, cardboard, cigarette butts, shopping carts (shall be returned to local business on same day), animal feces, biohazards (human feces, hypodermic needles), illegal drug paraphernalia, and vehicle parts.

d. Paved Areas, Parking Lots, Pathways, Stairways, and other City-Owned Easements - Contractor shall be responsible to cut back vegetation as necessary to keep pathways, stairways, easements and access roads clear and passable. Contractor shall edge back groundcover as requested or on an as-needed basis. Contractor shall remove litter and shall sweep or blow and clean off any dirt, debris, weeds or soils from all sites, paved areas, including play and picnic areas, at the frequencies listed in Section II.E, "List of Facilities and Service Levels," or as requested by the City Representative.

e. Seating Benches and Tables - All tables and benches shall be kept clear of debris as part of the general clean-up responsibilities of the Contractor for each particular facility. Benches and tables shall be scrubbed and washed using a biodegradable cleanser on a monthly basis between the months of March and November, in accordance with the City's Clean Water Program's Best Management Practices (BMPs). All wastewater shall be directed to and absorbed into permeable landscape surfaces.

f. Sand Areas - All sand areas shall be kept raked and cleaned of any debris. Children's toys that don't constitute safety hazards can be left in sand areas. Sand shall be furnished by City on an "as needed" basis, type to be determined by the City Representative.

g. Safety Inspection - Contractor shall inspect all parks for glass and other safety hazards during the course of each maintenance visit and shall remove manageable hazards, reporting each incident

to the City Representative. For hazards that cannot be removed by the Contractor, Contractor shall secure hazard area with caution tape and immediately report hazards to the City Representative.

h. Decomposed Granite - All decomposed granite pathways and areas must be raked and not blown where indicated by the City Representative. On an as needed basis, the City shall furnish decomposed granite for the Contractor to repair ruts, holes and gaps in decomposed granite areas.

i. Repair of Irrigation Systems - The Contractor shall have either on inventory or available for immediate supply, the materials (pipeline, fittings, spray heads, nozzles, etc.) appropriate for the routine performance of removing and replacing components of the existing landscape irrigation systems. For special order items, the Contractor shall place the order for said materials and inform the City Representative, in writing, of the cost and the schedule for delivery and incorporation of such materials. The City Representative must approve of the proposed materials and prior to incorporation into the work. Special order items will be paid at the actual invoiced price plus the allowable mark-up. The Contractor shall be responsible to immediately repair systems at his own costs damaged by his own operations with new replacement parts of same manufacturer model as existing components.

j. Homeless Encampments - The Contractor shall report to the City Representative any signs of homeless encampments on any sites in his contract. Encampment debris includes, but is not limited to, large cardboard, plywood, shopping carts, blankets, sleeping bags, coolers, tents, tarps, etc.. The Contractor, at the request of the City Representative shall remove incidental litter/debris generated by any homeless activity or after the encampment has been removed by the City.

C. City Facilities and Service Levels

The City of El Cerrito desires to contract for the maintenance of the City's medians, streetscapes, pedestrian paths, and other building grounds. These sites are divided into 2 separate bundles. Bidders may submit proposals for one or both bundles. The specifics of the various facilities in each bundle and the maintenance work to be performed are included as **Attachment 2, Technical Specifications**. These bundles are:

- **Bundle 1 -San Pablo Ave Streetscapes, Medians, Traffic Islands, Rain Gardens, and City Building Grounds** – Approximately 22.41 acres of landscapes and streetscapes consisting of sidewalks, small plazas, trees, shrubs, and ground covers, and rain gardens. This bundle contains 20 sites and is divided into Type 1, and Type 2 facilities. Type 1 facilities require twice weekly care; Type 2 facilities need weekly, bi-monthly, or monthly care.

The City of El Cerrito will begin construction of the Del Norte Complete Streets project in 2024. The construction may impact the work area in this RFP and therefore there may be an adjustment to the scope of work. Beginning in 2026 when the project is completed, the City may require that the Del Norte Complete Streets project area be added to the contract with pricing to be negotiated at that time.

- **Bundle 2 - Ohlone Greenway** – 2.6 linear miles (approximately 19.96 acres) consisting primarily of a heavily used pedestrian and bicycle path and linear park lined by a combination of naturalized fields of “no-mow” fescue, wildflowers, and shrubs, punctuated by small formal play spaces, small plazas, creek crossings, and areas of sensitive habitat.

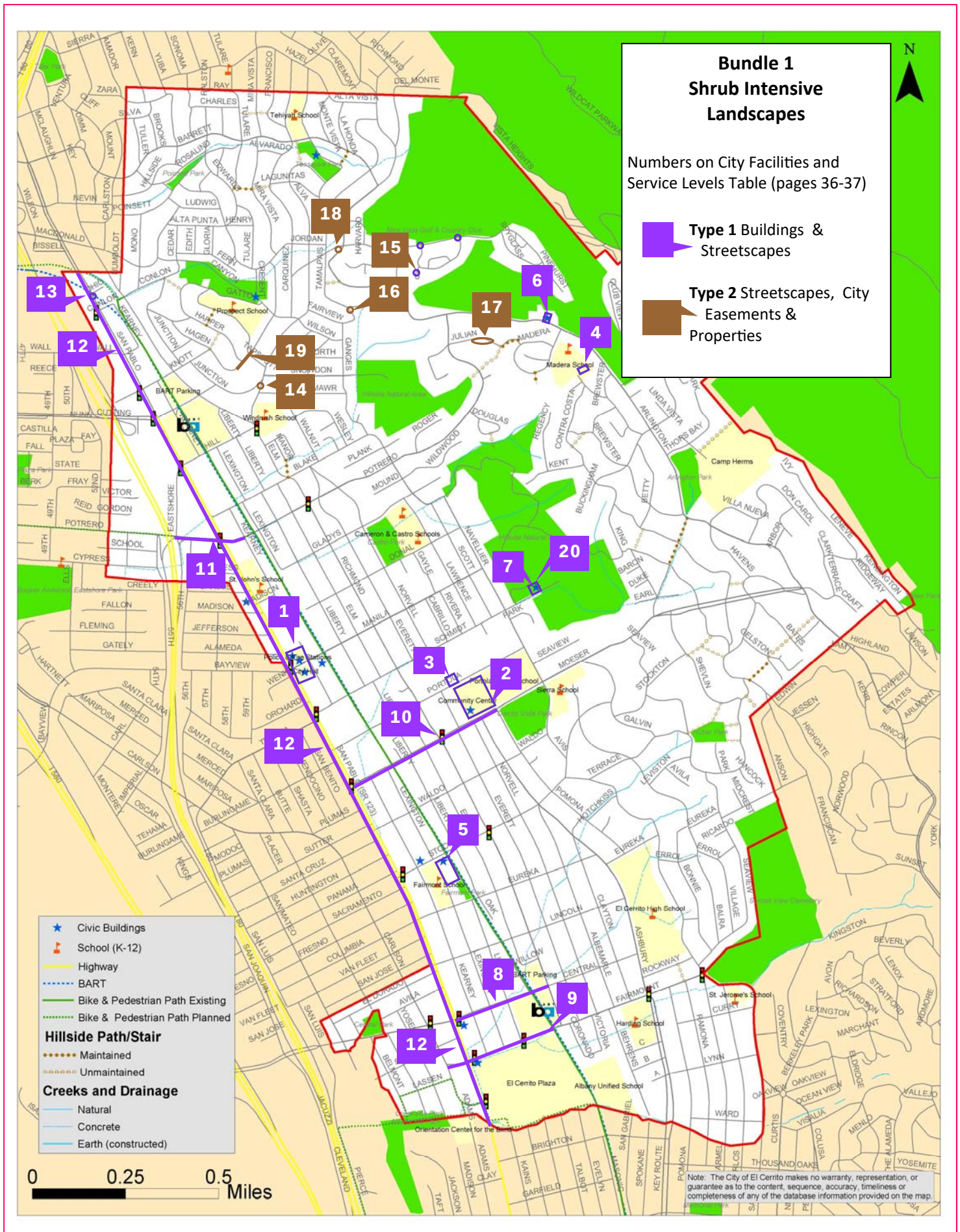
The Contractor shall furnish all necessary materials, equipment, labor, and incidentals as required to perform to maintain the bundled sites for which the contractor is proposing and as specified in this RFP. Contractor shall inspect all sites prior to submittal of the bid proposal.

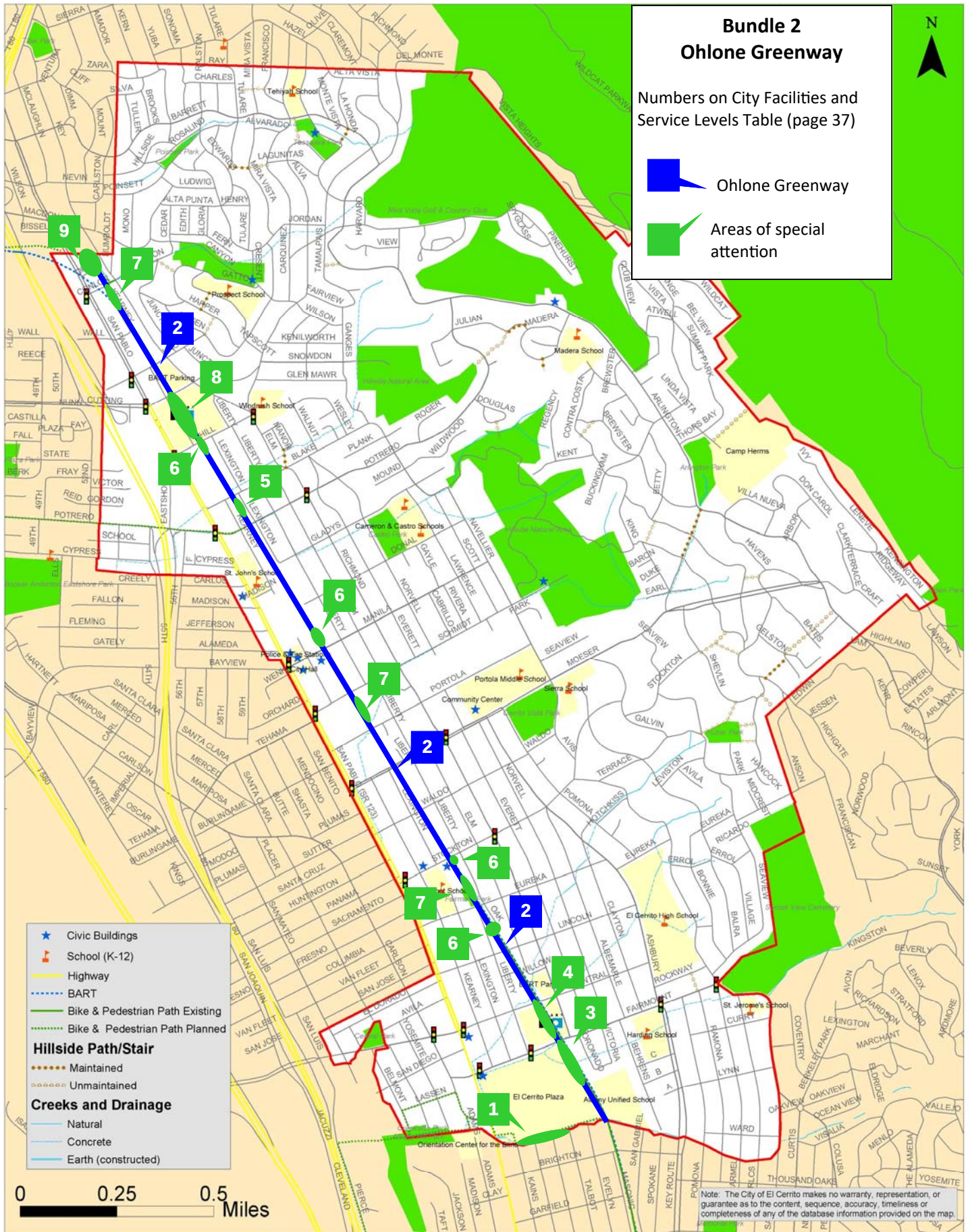
City Facilities and Service Levels

#	FACILITY	ACRES	FREQUENCIES		
	BUNDLE 1 (Shrub Intensive Landscapes)	Approx. Acreage	General Clean-Up	Mowing and/or Weeding	Trim/ Prune
	Building Grounds (includes two trash cans) – Type 1				
1	City Hall & Public Safety Building Grounds (lot size includes building, clean-up includes 2 trash cans)	2.4	2x per wk	1x per wk	Quarterly
	Building Grounds (no trash cans) – Type 2				
2	Community/ Swim Centers (excludes care of recreational equipment)	3.0	1x per wk	1x per wk	Quarterly
3	Portola Clubhouse Child Care Center & Playground	0.60	1x per wk	2x per month	Quarterly
4	Madera Child Care Center & Playground	0.20	1x per wk	2x per month	Quarterly
5	Library	0.30	1x per wk	2x per month	Quarterly
6	Fire Station 72	0.38	1x per month	1x per month	Quarterly
7	Recycling Center Rain Gardens, Turn About, and Redwood Stand (7501 Schmidt Ln)	0.22	2x per month	2x per month	2x annually or as needed
	TOTAL ACRES Building Grounds Type 1 & 2	7.1			
	Streetscapes (Sidewalks, Islands and Medians; no trash cans) -Type 1				
8.	Central Ave Streetscape (San Pablo Ave to Richmond St)	0.20	1x per wk	1x per month	Quarterly
9	Fairmount Ave Streetscape (Carlson Blvd to BART tracks)	0.80	1x per wk	1x per month	Quarterly
10	Moeser Lane Streetscape (San Pablo Ave to Pomona Ave.)	0.31	1x per month	1x per month	Quarterly
11	Potrero Ave Streetscape (Kearny Street to Eastshore Blvd)	0.17	1x per wk	1x per month	Quarterly
12	San Pablo Ave Streetscape (So. City Limit to No. City Limit)	12.44	1x per wk	1x per month	Quarterly
13	Triangular parcel at Ohio Ave and San Pablo Ave under Bart Track	0.04	1x per wk	Quarterly	Quarterly
	TOTAL ACRES Streetscapes Type 1	13.96			

	Streetscapes (Sidewalks, Islands and Medians) - Type 2				
14	Elm Street and Cutting (Island only)	0.03	Quarterly	Quarterly	Bi-annually
15	Pebble Beach Dr - 3 separate traffic islands	0.05	Quarterly	Quarterly	Bi-annually
16	Tamalpais Place - Traffic Island 7000 Tamalpais Pl.	0.01	Quarterly	Quarterly	Bi-annually
17	Julian Drive Traffic Island	0.32	Quarterly	Quarterly	Bi-annually
18	Arlington Ave and Cutting - Corner pie-shaped lot	0.08	Quarterly	Quarterly	Bi-annually
19	Hagen Blvd and Tapscott Ave (Island only)	0.26	Quarterly	Quarterly	Bi-annually
20	Recycling Center Perimeter Annual Vegetation Management/ Fuel Reduction	0.60	Annually	Annually	Annually
	TOTAL ACRES Streetscapes Type 2	1.35			
	TOTAL ACRES for Bundle 1	22.41			

#	FACILITY	ACRES	FREQUENCIES		
	BUNDLE 2 (Ohlone Greenway)	Approx. Acreage	General Clean-Up	Mowing and/or weeding and pruning	Refuse Collection
1	Cerrito Creek and Pedestrian Path (Kains Ave to Talbot Ave.)	0.32	2x per week	Quarterly	NA (3 can emptied by others)
2	Ohlone Greenway (OG) in Total	13.66	2x per week	8x per year	2x per week
3	Raingarden (OG at Fairmount)	1.08	2x per week	2x per month	2x per week
4	OG through Plaza BART station	0.64	2x per week	8x per year	2x per week
5	Bruce King Dog Park and Tree Park (OG at Hill St)	1.12	1x per week	Quarterly	2x per week
6	Pocket Parks (OG at Stockton; OG at Oak St; OG at Manila; OG at Hill St.)	0.32	2x per week	2x per month	2x per week
7	Sensitive Areas on OG (All creek beds; Wildflower Area between Conlon and Junction; Frog Habitat at Eureka)	0.55	2x per week	2x per year	2x per week
8	OG through Del Norte BART station including plaza seating on Hill St and Cutting Blvd.	0.50	2x per week	8x per year	2x per week
9	Baxter Creek Gateway Park	1.77	2x per week	Quarterly or as needed	2x per week
10	Unirrigated East side of Greenway	Included in #2 above	2x per week	2x annually	2x per week
	Total ACRES for Bundle 2	19.96			







AGENDA BILL

Agenda Item No. 9.C.

Date: February 6, 2024
To: El Cerrito City Council
From: Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department
Subject: Budget Amendment for Park and Facility Deferred Maintenance and Repair Projects

ACTION PROPOSED

Adopt a resolution amending the Fiscal Year (FY) 2023-24 Adopted Budget and Capital Improvement Program to appropriate \$1,084,800 from the General Fund Unrestricted Fund Balance for various park and facility deferred maintenance and repair projects.

BACKGROUND

As part of the Fiscal Year (FY) 2023-24 Adopted Budget and Capital Improvement Program, City staff identified the following park and facility deferred maintenance and repair projects that would need funding from the General Fund Unrestricted Fund Balance:

- Castro Park Sewer Line Replacement
- City Hall Boiler Replacement
- City Hall Leak Repair
- Community Center Roof Replacement
- Swim Center ADA & Electric Vehicle Station Parking Lot Enhancements
- Arlington Park Playground Surfacing Replacement
- Corporation Yard Pavement Rehabilitation
- Public Safety Parking Lot Pavement Rehabilitation

These projects were listed in the FY 2023-24 Budget as One-Time Expenditure Requests with an estimated total cost of \$1.14 million. Instead of appropriating the funding within the operating budget in June 2023, City staff recommended that the City Council appropriate funding for the projects at the time that the cost estimates had been refined and the design or construction of the projects required a contract. Even so, in the interest of maintaining a healthy fund balance, a \$1.14 million cost for the design and construction of these projects (the planning level cost estimate at that time) was modeled in the 10-year General Fund forecast.

ANALYSIS

Over the last several months, City staff have refined the scope, cost, and schedule for the park and facility deferred maintenance and repair projects listed above. Attachment 2 contains details for each project. The cost estimates have increased from the planning level estimates as a result of increased scope to address additional deficiencies that were identified, most notably ADA deficiencies, as well as

increased construction prices. Currently, the total estimated cost is \$2.75 million for the design and construction of all the projects. This includes the amount previously appropriated by the City Council to close the funding shortfall for the Arlington Park Improvements Project, City Project No. C3082 (October 2023, Resolution 2023-75).

Given the number of active projects and staff capacity in the current fiscal year, the start of all the projects will not be possible by June 2024. As a result, City staff will phase implementation of the projects over the next two years as summarized below.

Project	Estimated Cost	Phases to Begin in FY2023-24	FY2023-24 Expenditure	Rebate/ Insurance	FY2023-24 Adjusted Expenditure
Arlington Park Improvements (Council approved Oct 2023)	\$ 75,000	Construction (Const)	\$ 75,000		\$ 75,000
Castro Park Sewer Line Replacement	\$ 65,000	Design, Bid & Const	\$ 65,000		\$ 65,000
City Hall Boiler Replacement	\$ 277,000	Design, Bid & Const	\$ 277,000	\$ (5,500)	\$ 271,500
City Hall Leak Repair	\$ 205,700	Design, Bid & Const	\$ 205,700		\$ 205,700
Community Center Roof Replacement	\$ 448,500	Design, Bid & Const	\$ 448,500	\$ (71,000)	\$ 377,500
Swim Center ADA & EV Station Parking Lot Improvements	\$ 677,100	Design	\$ 88,600		\$ 88,600
Arlington Park Playground Resurfacing	\$ 353,500	Start next FY	\$ -		\$ -
Corporation Yard Parking Lot Rehab	\$ 304,400	Start next FY	\$ -		\$ -
Public Safety Parking Lot Security & Rehab	\$ 337,500	Start next FY	\$ -		\$ -
Total	2,743,700		1,159,800	(76,500)	1,083,300

City staff requests that the City Council appropriate \$1,084,800 (\$1,159,800 minus \$75,000 previously appropriated for Arlington Park) for expenditures in FY 2023-24 for the design, construction, or both for a subset of these projects. After rebates or insurance payment, the total cost would be reduced by \$76,500. City staff will request the remaining amount for other projects and phases as part of the upcoming biennial budget process.

STRATEGIC PLAN CONSIDERATIONS

This action supports the [City's Strategic Plan Goal\(s\)](#) of:

- *Livability and Belonging* by improving parks and recreational facilities; and
- *Infrastructure and Amenities* by investing in the maintenance, rehabilitation, and development of sustainable, climate-adapted infrastructure and community assets.

ENVIRONMENTAL CONSIDERATIONS

The projects are categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) because they are repairs to existing facilities involving negligible or no expansion of use beyond that presently existing. More specifically, restoration or rehabilitation of deteriorated or damaged facilities to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as an earthquake, landslide, or flood, is exempt from CEQA.

FINANCIAL CONSIDERATIONS

The total estimated cost is \$2.75 million over two years for the design and construction of the previously identified park and facilities deferred maintenance and repair projects. City staff requests that the City Council amend the FY 2023-24 Adopted Budget and Capital Improvement Program to appropriate \$1,084,800 from the General Fund Balance Unrestricted Fund Balance at this time for phased implementation of a subset of these projects.

The unaudited General Fund Unrestricted Fund Balance as of the end of FY 2022-23 is estimated at \$10,295,220 (including estimated adjustments for emergency and pension trust funds). Previous budget amendments during FY 2023-24 have totaled \$2,299,978. This proposed appropriation would result in an estimated General Fund Unrestricted Fund Balance of \$6,910,442, or approximately 15% of General Fund expenditures; the full General Fund Balance, including both the Emergency Disaster Relief Fund (EDRF) and unrestricted funds, is estimated to total \$15,910,442, or approximately 33% of General Fund expenditures. Actual Fund Balances will be confirmed at the conclusion of the City's annual independent audit and in the Annual Comprehensive Financial Report (ACFR).

LEGAL CONSIDERATIONS

The City Attorney has reviewed the proposed action and found that legal considerations have been addressed.

Reviewed by:



Karen Pinkos, City Manager

Attachments:

1. Resolution
2. Project Summary

RESOLUTION 2024-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO AMENDING THE FISCAL YEAR (FY) 2023-24 ADOPTED BUDGET AND CAPITAL IMPROVEMENT PROGRAM TO APPROPRIATE \$1,084,800 FROM THE GENERAL FUND UNRESTRICTED FUND BALANCE FOR VARIOUS PARK AND FACILITY DEFERRED MAINTENANCE AND REPAIR PROJECTS

WHEREAS, as part of the Fiscal Year (FY) 2023-24 Adopted Budget and Capital Improvement Program, City staff identified the following park and facility deferred maintenance and repair projects that would need funding from the General Fund Unrestricted Fund Balance: Castro Park Sewer Line Replacement, City Hall Boiler Replacement, City Hall Leak Repair, Community Center Roof Replacement, Swim Center ADA & Electric Vehicle Station Parking Lot Enhancements, Arlington Park Playground Surfacing Replacement, Corporation Yard Pavement Rehabilitation, and Public Safety Parking Lot Pavement Rehabilitation; and

WHEREAS, City staff recommended that the City Council appropriate funding for the projects at the time that the cost estimates had been refined and the design or construction the projects required a contract instead of appropriating the funding in June 2023 with the FY 2023-24 Adopted Budget; and

WHEREAS, City staff have refined the scope, cost, and schedule for the park and facility deferred maintenance and repair projects; and

WHEREAS, the cost estimates have increased from the planning level estimates as a result of increased scope to address additional deficiencies that were identified, most notably ADA deficiencies, as well as increased construction prices; and

WHEREAS, the currently estimated cost is \$2.75 million for the design and construction of all the projects over two years; and

WHEREAS, expenditures of \$1,159,800 are anticipated in FY 2023-24 for the design, construction, or both for a subset of these projects, and this includes the \$75,000 previously appropriated by the City Council to close the funding shortfall for the Arlington Park Improvements Project, City Project No. C3082; and

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

WHEREAS, the projects are categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) because the project involves a repair to an existing facility involving negligible or no expansion of use beyond that presently existing.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of El Cerrito hereby amends the Fiscal Year 2023-24 Adopted Budget and Capital Improvement Program to appropriate \$1,084,800 from the General Fund Unrestricted Fund Balance for various park and facility deferred maintenance and repair projects.

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

I CERTIFY that at a regular meeting on February 6, 2024 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. Charl  ty, City Clerk

APPROVED:

Tessa Rudnick, Mayor

DEFERRED MAINTENANCE PROJECTS

Estimated Costs and Phasing January 2024

Project Name	Scope	Status/Comments	Design & Bidding Phase		Construction Phase			Initial Cost	Rebates/ Insurance Reimburs	Final Cost
			Soft Cost	Duration	Soft Cost	Hard Cost	Duration			
Castro Park Sewer Line Replacement	Clubhouse to Norvell Ave	In-House Design & Construction Management, based on bids for similar work at Public Safety Building	\$ 2,000	2 months	\$ 3,000	\$ 60,000	2 months	\$ 65,000	\$ -	\$ 65,000
City Hall Boiler Replacement	Replacement of Existing Boiler past service life	Gas Boiler is \$70k less than Electric. Budget shown includes Electric Boiler with the MCE Credit of \$5,500	\$ 47,000	4 months after Council Project Initiation	\$ 10,000	\$ 220,000	3 months after Council Construction Contract Award	\$ 277,000	\$ (5,500)	\$ 271,500
City Hall Leak Repair	Repair to portions of City Hall Building	Consultant has a proposal in to complete the design and for design support in construction	\$ 14,500	4 months after Council Project Initiation	\$ 26,200	\$ 165,000	3 months after Council Construction Contract Award	\$ 205,700		\$ 205,700
Community Center Roof Replacement	Replacement of Existing Damaged Community Center Roofs	\$25,000 Insurance Deductible and Insurance Payment of a portion of Hard and Soft Costs - approx. \$96,000	\$ 24,000	4 months after Council Project Initiation	\$ 39,500	\$ 385,000	3 months after Council Construction Contract Award	\$ 448,500	\$ (71,000)	\$ 377,500
Swim Center ADA & EV Parking Lot Improvements	ADA Parking Spaces, ADA Accessible Path from parking lot and Moeser to Building Entrance and 2-dual EV charging stations	Budget based on recent consultant proposal, including anticipated MCE Rebate of \$14,000	\$ 88,600	6 months after Council Project Initiation	\$ 79,100	\$ 509,400	4 months after Council Construction Contract Award	\$ 677,100	\$ (14,000)	\$ 663,100

DEFERRED MAINTENANCE PROJECTS

Estimated Costs and Phasing January 2024

Arlington Park Playground Resurfacing	Repair of Playground Surfacing at Arlington Park, including ADA and Drainage Improvements	Budget based on original playground resurfacing quote from vendor and contractor, plus additional ADA and drainage work. Exploring grant funding opportunities.	\$ 41,000	4 months after Council Project Initiation	\$ 37,500	\$ 275,000	3 months after Council Construction Contract Award	\$ 353,500		\$ 353,500
Corporation Yard Parking Lot Rehab	Rehab main parking lot and patch pave storage area	In-House Design & Construction Management, design costs for minor consultant support, based on bids for recent paving work in City	\$ 10,000	2 months after Council Project Initiation	\$ 12,800	\$ 281,600	3 months after Council Construction Contract Award	\$ 304,400		\$ 304,400
Public Safety Parking Lot Security & Rehab	Rehab parking lot, install security fencing, and install conduit for future EV	Preliminary estimate. Will explore grant funding opportunities.	\$ 50,000	5 months after Council Project Initiation	\$ 37,500	\$ 250,000	3 months after Council Construction Contract Award	\$ 337,500		\$ 337,500

SUPPLEMENTAL AGENDA MATERIALS
REGULAR CITY COUNCIL MEETING
February 6, 2024
(revised 2/6/2024 at 3:29 PM)

1. Public Comments (Not on the Agenda and Consent Calendar)
2. Agenda Item 9.B. - Agreement with Rubicon Landscape Corporation for Landscape Maintenance Services
 - a. Presentation
3. Agenda Item 9.C. - Budget Amendment for Park and Facility Deferred Maintenance and Repair Projects
 - a. **Presentation**
 - b. Public Comments

From: Dave Weinstein

El Cerrito Trail Trekkers' 2020 goals:

Trail Trekkers ends 2019 and starts 2020 at our annual meeting January 19, 2020, featuring a talk about creek restoration by the esteemed pioneer in the field, Ann Riley. We will open the meeting by remembering Mollie Hazen, the longtime Trekker board member who passed away in 2019 after contributing so much to the community for many years.

Trail Trekkers celebrates its 10th anniversary in 2020. Trail Trekkers' first ever hike occurred March 10, 2010 – before the group actually formed. The public meeting that formed the group, sponsored by the Environmental Quality Committee and El Cerrito Historical Society, almost filled the city council chambers on July 15, 2010. Throughout 2020 we will celebrate our anniversary through hikes and other events.

Rotary Interpretive Walk will be installed in 2020. Plans for installation in 2019 were delayed. We thank the El Cerrito Rotary Club for initiating and funding this project – and for the patience of our friendly Rotarians, especially Lee Prutton. Thanks due also to sign illustrator Adam Prost, designer Jan Byers, and to all the authors of text: Susan Schwartz, Tara McIntire, Keli Hendricks, Gary Prost, Zara McDonald, Bev Ortiz, Eddie Dunbar, and Dave Weinstein. Tom Gehling and Linda Yamane contributed additional illustrations.

Directional trail signs to be installed in the Hillside Natural Area. These were designed for us by the National Park Service (thank you park planner Patrick Johnston!) but installation has been delayed, most recently as city officials ponder renaming trails. But – 2020 will be the year!

Fund-raising for the urban path signs. The city is providing funding for the National Park Service-designed signs in the Hillside Natural Area. But no funds have been provided for the many public paths, stairways and walks that are outside of the Hillside – even though many are obscure. The Park Service has designed all the signs. Treasurer Pam Austin leads fund-raising efforts to pay for these signs and installation, a process that may take several years.

Preserving Open Space. We will continue to organize opposition to a proposed tract of mini-mansions on Fairview Open Space. The area is just to the north of Motorcycle Hill, bordered by Fairview Drive and Tamalpais Avenue and by houses that are on Arlington Boulevard.

Trail Trekkers is forming an Activities and Planning Council to get more people active in our 10-year-old organization. Advisory council members would provide input as needed, and energy, as available. Council members would be asked to meet once a year – at a “strategic planning retreat” with the Trekkers board. Refreshments provided of course! Wade Huntley came up with the plan. Let us know if you want to learn more or join.

Trail work. Besides continuing our existing efforts, Trekkers plans to develop shovel-ready trail projects in conjunction with the city, so work can move ahead expeditiously as volunteers – Scouts for example – become available.

The seventh Annual Hillside Festival will benefit from lessons we learned in previous years. No longer will hikes overlap, for example, so people can go on every hike if they wish. As always, it will be the first weekend of May 1-3 this year, with most events on Saturday and Sunday. The schedule will be final at the start of March.

Other hikes, new hike leaders. Trekkers is always looking for new hike leaders. We have found that hikes that feature nature, geology and history are a good draw. But we also love putting on hikes that are simply about walking and talking and enjoying the sights. Interested in

leading a hike? Leaders provide subject expertise and/or enthusiasm. Trekker “ambassadors” go on all hikes and handle all else, logistics, paperwork, publicity, safety. Let us know.

Trail Trekkers’ 2019 accomplishments:

Trail work and habitat improvement. Trekkers put on about a dozen trail work parties and broom pull events, on our own or with Friends of Five Creeks and the Environment Quality Committee. We worked at Madera Open Space, and improved such trails as Motorcycle Hill, the Live Oak, and Madera-Julian. We also joined the EQC at several cleanups at Baxter and Cerrito creeks.

Our map to all the trails in El Cerrito was published. We finished this long promised map just as the year ended. It will be distributed free too all member and sold to others for \$6. Steve Bowes, an El Cerrito resident, designed the trail map on behalf of the National Park Service and Jan Byers designed the final map package. Tom Gehling and Carol Langhuaser saw it to completion. Dozens of volunteers throughout the years charted all of the trails.

The Sixth Annual Hillside Festival continued to attract naturalists and would-be naturalists, families and children, to learn about nature, geology and history in the Hillside Natural Area – and simply to have fun. We continue to attract 300-plus people every year – a good number for this event. One favorite hike focused on insects, led by Eddie Dunbar.

Hikes. Trail Trekkers put on more than a dozen hikes this year, not counting those at the festival. These included a Wildcat Canyon Ramble, a Wonderful Waterfalls Hike. Ralph Boniello and Ann Harlow’s Trees and Paths of Kensington, a Tree and Climate hike by climate scientist David Ackerly, an Easy Shoreline Walk, a San Francisco Pier to Pier Hike, a Three Parks Stroll, and others.

Fire prevention. Trekkers focused on fire prevention in and around the Hillside this year. One activity was at our annual meeting with presentations by Cheryl Miller, executive coordinator of the Diablo Fire Safe Council, and Dave Gibson, El Cerrito’s fire marshal. We have [posted Ann’s talk on our website](#).

In addition, Dave Gibson led a walk about fire prevention in the Hillside during the Hillside Festival.

Advised the city on protecting native plants during road grading in the Hillside. Crews hired by the city repaired and re-graded some fire roads that provide access to the Hillside Natural Area for hikers and fire emergency equipment. Trekkers (Tom Gehling) and Friends of Five Creeks (Susan Schartz) worked with the city to successfully ensure that native habitat was preserved during construction.

Co-sponsored with the El Cerrito Library a library exhibit about Trekkers and a program by Eddie Dunbar, “Insects of the San Francisco Bay Area,” with stimulating discussion among people who are fascinated by these tiny critters. Barbara Lass made it happen.

Trekkers welcomed many volunteers. Throughout the year we gained new volunteers, Susan Kuchinskas, our webmaster, Clare Sheridan to handle publicity, all of our hike leaders, all those who have turned out for work parties. We also appreciate our longtime volunteers, like Jim and Andia Rasmussen, and Jenny Hammer who is leading work parties. It is all of these people who make Trekkers the dedicated organization it has remained for 10 years.

Our members appreciation barbecue helped foster community. Every year we put on annual or semi-annual parties for members. Also in 2019, we added a purely social gathering – open to all -- during the Hillside Festival. The late Mollie Hazen spearheaded these efforts as a

board member. Trekkers does more than fight for trails and open space. We serve an important role in building local social engagement in and around El Cerrito.

Provided encouragement to trail groups in neighboring towns. Trail and urban living advocates in two nearby or not-so-far-away unincorporated communities sought out Trail Trekkers for our input as they worked to restore trails and otherwise improve things. We met with the Kensington Pathskeepers as they strive to restore the network of trails just alongside ours. We provided input to a new group in Crockett that hopes to use the arts, historic buildings, and their own network of urban paths to improve quality of life there. These discussions are continuing.

And of course we remain in close touch with Berkeley Path Wanderers, the group that inspired our own formation and continue to provide us with so inspiration and information.

Supported El Cerrito's Measure H. Trail Trekkers strongly supported Measure H on the November ballot, which passed with about 70 percent of the vote. The measure extends an existing \$58.46 per property annual charge that pays for recreation and parks, including trails and open space.

We helped develop the city's Park and Recreation Master Plan by attending many meetings in 2018 and 2019, providing other comments, and encouraging others to do the same.

Trail Trekker T-shirts. Barbara Lass and Wade Huntley oversaw production of the first ever Trekker T-shirts, emblazoned with the logo designed for us six years ago by Sue Labouvie.

You can now order a Trail Trekkers t-shirt at Copy Central at 1553 Solano Ave. in Berkeley. Ask the manager to have a Trail Trekkers shirt printed. It takes about 48 hours. You can bring your own shirt or have Copy Central supply the shirt.

Michael A. Fischer
El Cerrito City Designated Library Commissioner
eclibrarycommissioner@gmail.com
February 5, 2024

Mayor Tessa Rudnick
Mayor Pro Tem Carolyn Wysinger
Council Member Paul Fadelli
Council Member Lisa Motoyama
Council Member Gabe Quinto

I am Michael Fischer and I have the honor and duty of being your Library Commissioner. I am a member and immediate past chair of the Contra Costa County Library Commission occupying the seat on that body that is filled by a vote of this council. I have been in this position since 2017. I also serve as a member of the board of the El Cerrito Library Foundation, as parliamentarian of the Friends of the El Cerrito Library and as Secretary of the Library Foundation of Contra Costa.

I strongly support a badly needed replacement for our library and have worked for that since my appointment to the Commission. The case for a new library for our city is well made by the website of the Committee for a Plaza Station Library, of which I am a member, at c4psl.org. In this letter I'd like to focus on one subject — how much we love and use our library, even though it is both too small and in bad disrepair.

There are twenty-six libraries in the Contra Costa County system, many of them in cities that are larger than ours and libraries that are open more hours. Yet El Cerrito has the 10th largest door count countywide and second largest of the eight west county libraries. Door count measures the number of people who come into the library. Eight of the libraries that outrank El Cerrito are open considerably more — 52 or 56 hours compared to 46 hours that our building can provide for.

Our patrons not only come to the library, they use its valuable resources. El Cerrito ranks 10th countywide and 1st in the west county in circulation figures.

We need and deserve a library that is safe, more open and meets the needs of its many patrons. I've submitted two tables that show the door count of each county facility from July 2022 through June 2023 and the circulation figures for last half of 2023.

Very truly yours,



Michael A. Fischer
El Cerrito City Designated Library Commissioner
Past Chair, Contra Costa County Library Commission
Secretary, Library Foundation of Contra Costa County
Board Member, El Cerrito Library Foundation
Parliamentarian, Friends of the El Cerrito Library
Member, C4PSL (Committee for a Plaza Station Library)

Table 1-Door County 2022-2023

Library	Region	Total / 2022-2023
Pleasant Hill	North Central	487,994
Walnut Creek	South Central	466,011
Brentwood	East	387,413
San Pablo	West	339,729
San Ramon	South Central	355,277
Lafayette	West Central	346,385
Danville	South Central	244,153
Ygnacio Valley	South Central	208,156
Clayton	North Central	156,182
El Cerrito	West	177,112
Concord	North Central	197,184
Hercules	West	151,073
Dougherty Station	South Central	146,640
Moraga	West Central	124,228
Antioch	East	119,496
Oakley	East	95,394
Orinda	West Central	130,078
Martinez	North Central	85,228
Pittsburg	East	83,135
Pinole	West	77,220
Kensington	West	71,240
Prewett	East	55,406
El Sobrante	West	36,920
Baypoint	North Central	18,720
Rodeo	West	6,487
Crockett	West	4,368

Table 2-Circulation July-Dec 2023

Library	Region	Number
Pleasant Hill	North Central	176,237
San Ramon	South Central	137,812
Walnut Creek	South Central	106,785
Danville	South Central	101,049
Lafayette	West Central	96,766
Brentwood	East	95,655
Ygnacio Valley	South Central	73,299
Orinda	West Central	71,261
El Cerrito	West	60,165
Clayton	North Central	57,877
Dougherty Station	South Central	53,080
Concord	North Central	53,068
Hercules	West	43,189
El Sobrante	West	35,725
San Pablo	West	34,241
Kensington	West	26,713
Pittsburg	East	26,091
Moraga	West Central	23,463
Pinole	West	20,866
Oakley	East	20,382
Antioch	East	19,664
Martinez	North Central	15,560
Prewett	East	9,897
Baypoint	North Central	3,700
Crockett	West	3,586
Rodeo	West	1,187

From: [Somaia Nassef](#)
To: [City Clerk](#)
Subject: Add ceasefire resolution to next city council meeting agenda
Date: Thursday, January 18, 2024 12:12:21 AM

Caution! This message was sent from outside your organization.

Hello,

Currently, our senate debates a deal that will send billions more of our tax dollars to the Israeli military to continue its campaign of ethnic cleansing and genocide. It is imperative that we take a stand as a city - demanding an end to the violence and suffering.

As I write this, Israel is bombing the LAST functioning hospital in Gaza.
<https://www.nytimes.com/2024/01/17/world/middleeast/israel-hamas-gaza-hospital.html>
7 thousand civilians were taking refuge there.

The unfortunate souls that have survived so far are being starved to death.
<https://www.hrw.org/news/2023/12/18/israel-starvation-used-weapon-war-gaza>

On average 250 Palestinians are murdered every single day without a ceasefire, 100 of whom are children. And about 10 children a day are forced to have limbs amputated without anesthesia due Israel's complete blockade.
[oxfam.org](https://www.oxfam.org)

I would like to add, Israel's military operation has killed far more hostages than it has saved.

Israel currently stands trial at the International Court of Justice for the crime of genocide. A case brought forth by South Africa to uphold its legal and more importantly its moral obligations. We, the funders of this genocide, do we not have an even greater moral obligation to speak out against it?

Thank you for your time and consideration.

Somaia N.

From: [Aminna Ibrahim](#)
To: [City Clerk](#); [Paul Fadelli](#); [Lisa Motoyama](#); [Gabe Quinto](#); [Tessa Rudnick](#); [Carolyn Wysinger](#)
Subject: Item not on the agenda - Ceasefire Resolution
Date: Tuesday, January 23, 2024 4:42:24 PM

Caution! This message was sent from outside your organization.

Dear City Council,

I am writing to express my concern about the recent city council meeting, specifically regarding apparent violations of the Brown Act and issues related to public comment time. Limiting public comments to just one hour hindered the democratic process, denying many residents the opportunity to voice their concerns. Furthermore, there appeared to be a bias favoring one group over another, which goes against the principles of fairness and impartiality. I strongly urge the City Council to address these issues promptly, ensuring adherence to the Brown Act to allow all community members the opportunity for public comment in future meetings. It is essential for our democratic process to uphold transparency and fairness, allowing all community members to participate without limitations or biases.

Once again, we call on our City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid. We are asking that you support a ceasefire resolution and be on the side of compassion and humanity, and be aligned with most El Cerrito residents.

In the last three months, we have watched with heavy hearts as over 25,000 innocent people in Gaza have been killed by Israel's indiscriminate bombing, more than half of them are women and children. You heard some names of children between the ages of newborn and 5 years old at the meeting. 60,000 people have been wounded and thousands more are still buried under the rubble. Over 80% of Gaza's population is displaced and almost all of them are starving and dehydrated because Israel will not allow basic humanitarian aid to enter such as food, water, fuel, medical supplies, and even women's products.

We condemn the attack on civilians by Hamas on October 7th and reject the murder or kidnapping of any innocent civilians. All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

Israel has recently been taken to the International Court of Justice for its active genocide against the Palestinian people. South Africa presented a powerful and well-argued case - while Israel gave a weak rebuttal about self-defense and provided no evidence against the claims. It is very likely that Israel will be found guilty for genocide in the ICJ. As a party to the Genocide Convention, the United States is required to "undertake to prevent and punish" the crime of genocide.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in military aid to Israel.. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on this issue.

Senator Bernie Sanders recently put forward a resolution that proposed to impose conditions on billions of dollars that the US sends Israel. As a hardworking taxpayer, I absolutely support putting contingencies against committing human rights violations so that my tax dollars do not fund a genocide.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda. Thank you very much for your time.

From: [Judith Green](#)
To: [City Clerk](#); [Paul Fadelli](#); [Lisa Motoyama](#); [Gabe Quinto](#); [Tessa Rudnick](#); [Carolyn Wysinger](#)
Subject: Item not on the agenda - Ceasefire Resolution
Date: Tuesday, January 23, 2024 6:32:49 PM

Caution! This message was sent from outside your organization.

Dear City Council,

I am writing to express my concern about the recent city council meeting, specifically regarding apparent violations of the Brown Act and issues related to public comment time. Limiting public comments to just one hour hindered the democratic process, denying many residents the opportunity to voice their concerns. Furthermore, there appeared to be a bias favoring one group over another, which goes against the principles of fairness and impartiality. I strongly urge the City Council to address these issues promptly, ensuring adherence to the Brown Act to allow all community members the opportunity for public comment in future meetings. It is essential for our democratic process to uphold transparency and fairness, allowing all community members to participate without limitations or biases.

Once again, we call on our City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid. We are asking that you support a ceasefire resolution and be on the side of compassion and humanity, and be aligned with most El Cerrito residents.

In the last three months, we have watched with heavy hearts as over 25,000 innocent people in Gaza have been killed by Israel's indiscriminate bombing, more than half of them are women and children. You heard some names of children between the ages of newborn and 5 years old at the meeting. 60,000 people have been wounded and thousands more are still buried under the rubble. Over 80% of Gaza's population is displaced and almost all of them are starving and dehydrated because Israel will not allow basic humanitarian aid to enter such as food, water, fuel, medical supplies, and even women's products.

We condemn the attack on civilians by Hamas on October 7th and reject the murder or kidnapping of any innocent civilians. All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

Israel has recently been taken to the International Court of Justice for its active genocide against the Palestinian people. South Africa presented a powerful and well-argued case - while Israel gave a weak rebuttal about self-defense and provided no evidence against the claims. It is very likely that Israel will be found guilty for genocide in the ICJ. As a party to the Genocide Convention, the United States is required to "undertake to prevent and punish" the crime of genocide.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in military aid to Israel.. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on this issue.

Senator Bernie Sanders recently put forward a resolution that proposed to impose conditions on billions of dollars that the US sends Israel. As a hardworking taxpayer, I absolutely support putting contingencies against committing human rights violations so that my tax dollars do not fund a genocide.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda. Thank you very much for your time.

From: [Hatice Seflek](#)
To: [City Clerk](#); [Paul Fadelli](#); [Lisa Motoyama](#); [Gabe Quinto](#); [Tessa Rudnick](#); [Carolyn Wysinger](#)
Subject: Item not on the agenda - Ceasefire Resolution
Date: Tuesday, January 23, 2024 7:43:20 PM

Caution! This message was sent from outside your organization.

Dear City Council,

I am writing to express my concern about the recent city council meeting, specifically regarding apparent violations of the Brown Act and issues related to public comment time. Limiting public comments to just one hour hindered the democratic process, denying many residents the opportunity to voice their concerns. Furthermore, there appeared to be a bias favoring one group over another, which goes against the principles of fairness and impartiality. I strongly urge the City Council to address these issues promptly, ensuring adherence to the Brown Act to allow all community members the opportunity for public comment in future meetings. It is essential for our democratic process to uphold transparency and fairness, allowing all community members to participate without limitations or biases.

Once again, we call on our City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid. We are asking that you support a ceasefire resolution and be on the side of compassion and humanity, and be aligned with most El Cerrito residents.

In the last three months, we have watched with heavy hearts as over 25,000 innocent people in Gaza have been killed by Israel's indiscriminate bombing, more than half of them are women and children. You heard some names of children between the ages of newborn and 5 years old at the meeting. 60,000 people have been wounded and thousands more are still buried under the rubble. Over 80% of Gaza's population is displaced and almost all of them are starving and dehydrated because Israel will not allow basic humanitarian aid to enter such as food, water, fuel, medical supplies, and even women's products.

We condemn the attack on civilians by Hamas on October 7th and reject the murder or kidnapping of any innocent civilians. All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

Israel has recently been taken to the International Court of Justice for its active genocide against the Palestinian people. South Africa presented a powerful and well-argued case - while Israel gave a weak rebuttal about self-defense and provided no evidence against the claims. It is very likely that Israel will be found guilty for genocide in the ICJ. As a party to the Genocide Convention, the United States is required to "undertake to prevent and punish" the crime of genocide.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in military aid to Israel.. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on this issue.

Senator Bernie Sanders recently put forward a resolution that proposed to impose conditions on billions of dollars that the US sends Israel. As a hardworking taxpayer, I absolutely support putting contingencies against committing human rights violations so that my tax dollars do not fund a genocide.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda. Thank you very much for your time.

From: [Ameena Jandali](#)
To: [City Clerk](#); [Paul Fadelli](#); [Lisa Motoyama](#); [Gabe Quinto](#); [Tessa Rudnick](#); [Carolyn Wysinger](#)
Subject: Item not on the agenda - Ceasefire Resolution
Date: Tuesday, January 23, 2024 7:58:31 PM

Caution! This message was sent from outside your organization.

Dear City Council Members:

I am writing to express my concern about the recent city council meeting which I attended but was not able to speak specifically due to the time limitation of one hour only. Limiting public comments to just one hour hindered the democratic process, denying many residents the opportunity to voice their concerns. Furthermore, there appeared to be a bias favoring one group over another, which goes against the principles of fairness and impartiality. I strongly urge the City Council to address these issues promptly, ensuring adherence to the Brown Act to allow all community members the opportunity for public comment in future meetings. It is essential for our democratic process to uphold transparency and fairness, allowing all community members to participate without limitations or biases.

I urge our City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid.

We are asking that you support a ceasefire resolution and be on the side of compassion and humanity, and be aligned with most El Cerrito residents.

In the last three months, we have watched with heavy hearts as over 25,000 innocent people in Gaza have been killed by Israel's indiscriminate bombing, more than half of them are women and children. You heard some names of children between the ages of newborn and 5 years old at the meeting.

Additionally, some 60,000 people have been wounded and thousands more are still buried under the rubble. Over 80% of Gaza's population is displaced and almost all of them are starving and dehydrated because Israel will not allow basic humanitarian aid to enter such as food, water, fuel, medical supplies, and even women's products.

We condemn the attack on civilians by Hamas on October 7th and reject the murder or kidnapping of any innocent civilians. All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

Israel has recently been taken to the International Court of Justice for its active genocide against the Palestinian people. South Africa presented a powerful and well-argued case - while Israel gave a weak rebuttal about self-defense and provided no evidence against the claims. It is very likely that Israel will be found guilty for genocide in the ICJ. As a party to the Genocide Convention, the United States is required to "undertake to prevent and punish" the crime of genocide.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in military aid to Israel.. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on this issue.

Senator Bernie Sanders recently put forward a resolution that proposed to impose conditions on billions of dollars that the US sends Israel. As a hardworking taxpayer, I absolutely support putting contingencies against committing human rights violations so that my tax dollars do not fund a genocide.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda. Thank you very much for your time.

Regards,

Ameena Jandali

[REDACTED]
El Cerrito, CA 94530

From: [Somaia Nassef](#)
To: [City Clerk](#); [Paul Fadelli](#); [Lisa Motoyama](#); [Gabe Quinto](#); [Tessa Rudnick](#); [Carolyn Wysinger](#)
Subject: Item not on the agenda - Ceasefire Resolution
Date: Tuesday, January 23, 2024 9:47:55 PM

Caution! This message was sent from outside your organization.

Dear City Council,

I am writing to express my concern about the recent city council meeting, specifically regarding apparent violations of the Brown Act and issues related to public comment time. Limiting public comments to just one hour hindered the democratic process, denying many residents the opportunity to voice their concerns. Furthermore, there appeared to be a bias favoring one group over another, which goes against the principles of fairness and impartiality. I strongly urge the City Council to address these issues promptly, ensuring adherence to the Brown Act to allow all community members the opportunity for public comment in future meetings. It is essential for our democratic process to uphold transparency and fairness, allowing all community members to participate without limitations or biases.

Once again, we call on our City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid. We are asking that you support a ceasefire resolution and be on the side of compassion and humanity, and be aligned with most El Cerrito residents.

In the last three months, we have watched with heavy hearts as over 25,000 innocent people in Gaza have been killed by Israel's indiscriminate bombing, more than half of them are women and children. You heard some names of children between the ages of newborn and 5 years old at the meeting. 60,000 people have been wounded and thousands more are still buried under the rubble. Over 80% of Gaza's population is displaced and almost all of them are starving and dehydrated because Israel will not allow basic humanitarian aid to enter such as food, water, fuel, medical supplies, and even women's products.

We condemn the attack on civilians by Hamas on October 7th and reject the murder or kidnapping of any innocent civilians. All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

Israel has recently been taken to the International Court of Justice for its active genocide against the Palestinian people. South Africa presented a powerful and well-argued case - while Israel gave a weak rebuttal about self-defense and provided no evidence against the claims. It is very likely that Israel will be found guilty for genocide in the ICJ. As a party to the Genocide Convention, the United States is required to "undertake to prevent and punish" the crime of genocide.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in military aid to Israel.. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on this issue.

Senator Bernie Sanders recently put forward a resolution that proposed to impose conditions on billions of dollars that the US sends Israel. As a hardworking taxpayer, I absolutely support putting contingencies against committing human rights violations so that my tax dollars do not fund a genocide.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda. Thank you very much for your time.

From: [Shaulnie Mohan](#)
To: [City Clerk](#); [Paul Fadelli](#); [Lisa Motoyama](#); [Gabe Quinto](#); [Tessa Rudnick](#); [Carolyn Wysinger](#)
Subject: Item not on the agenda - Ceasefire Resolution
Date: Tuesday, January 23, 2024 10:55:35 PM

Caution! This message was sent from outside your organization.

Dear City Council,

I am writing to express my concern about the recent city council meeting, specifically regarding apparent violations of the Brown Act and issues related to public comment time. Limiting public comments to just one hour hindered the democratic process, denying many residents the opportunity to voice their concerns. Furthermore, there appeared to be a bias favoring one group over another, which goes against the principles of fairness and impartiality. I strongly urge the City Council to address these issues promptly, ensuring adherence to the Brown Act to allow all community members the opportunity for public comment in future meetings. It is essential for our democratic process to uphold transparency and fairness, allowing all community members to participate without limitations or biases.

Once again, we call on our City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid. We are asking that you support a ceasefire resolution and be on the side of compassion and humanity, and be aligned with most El Cerrito residents.

In the last three months, we have watched with heavy hearts as over 25,000 innocent people in Gaza have been killed by Israel's indiscriminate bombing, more than half of them are women and children. You heard some names of children between the ages of newborn and 5 years old at the meeting. 60,000 people have been wounded and thousands more are still buried under the rubble. Over 80% of Gaza's population is displaced and almost all of them are starving and dehydrated because Israel will not allow basic humanitarian aid to enter such as food, water, fuel, medical supplies, and even women's products.

We condemn the attack on civilians by Hamas on October 7th and reject the murder or kidnapping of any innocent civilians. All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

Israel has recently been taken to the International Court of Justice for its active genocide against the Palestinian people. South Africa presented a powerful and well-argued case - while Israel gave a weak rebuttal about self-defense and provided no evidence against the claims. It is very likely that Israel will be found guilty for genocide in the ICJ. As a party to the Genocide Convention, the United States is required to "undertake to prevent and punish" the crime of genocide.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in military aid to Israel.. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on this issue.

Senator Bernie Sanders recently put forward a resolution that proposed to impose conditions on billions of dollars that the US sends Israel. As a hardworking taxpayer, I absolutely support putting contingencies against committing human rights violations so that my tax dollars do not fund a genocide.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda. We elected you and we expect you to represent us. Thank you very much for your time.

Sincerely,
S. Mohan

From: [Yuko Matsumoto](#)
To: [City Clerk](#); [Paul Fadelli](#); [Lisa Motoyama](#); [Gabe Quinto](#); [Tessa Rudnick](#); [Carolyn Wysinger](#)
Cc: [Yuko Matsumoto](#)
Subject: Please put on agenda: Ceasefire Resolution
Date: Wednesday, January 24, 2024 12:23:57 AM

Caution! This message was sent from outside your organization.

Dear City Council,

I have been a resident of El Cerrito for eleven years, since 2012. I am writing to express my concern about the recent city council meeting, specifically regarding apparent violations of the Brown Act and issues related to public comment time. Limiting public comments to just one hour hindered the democratic process, denying many residents the opportunity to voice their concerns. Furthermore, there appeared to be a bias favoring one group over another, which goes against the principles of fairness and impartiality. I strongly urge the City Council to address these issues promptly, ensuring adherence to the Brown Act to allow all community members the opportunity for public comment in future meetings. It is essential for our democratic process to uphold transparency and fairness, allowing all community members to participate without limitations or biases.

Once again, we call on our City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid. We are asking that you support a ceasefire resolution and be on the side of compassion and humanity, and be aligned with most El Cerrito residents.

In the last three months, we have watched with heavy hearts as over 25,000 innocent people in Gaza have been killed by Israel's indiscriminate bombing, more than half of them are women and children. You heard some names of children between the ages of newborn and 5 years old at the meeting. 60,000 people have been wounded and thousands more are still buried under the rubble. Over 80% of Gaza's population is displaced and almost all of them are starving and dehydrated because Israel will not allow basic humanitarian aid to enter such as food, water, fuel, medical supplies, and even women's products.

We condemn the attack on civilians by Hamas on October 7th and reject the murder or kidnapping of any innocent civilians. All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

Israel has recently been taken to the International Court of Justice for its active genocide against the Palestinian people. South Africa presented a powerful and well-argued case - while Israel gave a weak rebuttal about self-defense and provided no evidence against the claims. It is very likely that Israel will be found guilty for genocide in the ICJ. As a party to the Genocide Convention, the United States is required to "undertake to prevent and punish" the crime of genocide.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in military aid to Israel.. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on this issue.

Senator Bernie Sanders recently put forward a resolution that proposed to impose conditions on billions of dollars that the US sends Israel. As a hardworking taxpayer, I absolutely support putting contingencies against committing human rights violations so that my tax dollars do not fund a genocide.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda. Thank you very much for your time.

Yuko Matsumoto

From: 78divalicious
To: [City Clerk](#); [Paul Fadelli](#); [Lisa Motoyama](#); [Gabe Quinto](#); [Tessa Rudnick](#); [Carolyn Wysinger](#)
Subject: Item not on the agenda - Ceasefire Resolution
Date: Tuesday, January 23, 2024 8:15:29 PM

Caution! This message was sent from outside your organization.

Dear Members of the City Council,

I am writing to express my concern about last week's city council meeting, specifically regarding apparent violations of the Brown Act and issues related to public comment time. Limiting public comments to just one hour hindered the democratic process, denying MY VOICE the opportunity to speak.

I strongly urge the City Council to address these issues promptly, ensuring adherence to the Brown Act to allow all community members the opportunity for public comment in future meetings.

Once again, I call on my City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid. ***As a Jewish resident of El Cerrito for over 30 years*** I'm asking that you support a ceasefire resolution and be on the side of compassion and humanity, and be aligned with most El Cerrito residents. Do not conflate standing up to the government of Israel's war crimes with antisemitism. What the Israeli government is doing is putting all Jewish people across the globe in danger.

In the last three months, we have watched with heavy hearts as over 25,000 innocent people in Gaza have been killed by Israel's indiscriminate bombing, more than half of them are women and children. You heard some names of children between the ages of newborn and 5 years old at the meeting. 60,000 people have been wounded and thousands more are still buried under the rubble. Over 80% of Gaza's population is displaced and almost all of them are starving and dehydrated because Israel will not allow basic humanitarian aid to enter such as food, water, fuel, medical supplies, and even women's products.

We condemn the attack on civilians by Hamas on October 7th and reject the murder or kidnapping of any innocent civilians. All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

Israel has recently been taken to the International Court of Justice for its active genocide against the Palestinian people. South Africa presented a powerful and well-argued case - while Israel gave a weak rebuttal about self-defense and provided no evidence against the claims. It is very likely that Israel will be found guilty for genocide in the ICJ. As a party to the Genocide Convention, the United States is required to "undertake to prevent and punish" the crime of genocide.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in military aid to Israel.. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on this issue.

Senator Bernie Sanders recently put forward a resolution that proposed to impose conditions on billions of dollars that the US sends Israel. As a hardworking taxpayer, I absolutely support putting contingencies against committing human rights violations so that my tax dollars do not fund a genocide.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda. Thank you very much for your time.

Sincerely,
Kate Bolton-Schmukler

From: [Zeid Arnaout](#)
To: [City Clerk](#); [Paul Fadelli](#); [Lisa Motoyama](#); [Gabe Quinto](#); [Tessa Rudnick](#); [Carolyn Wysinger](#)
Subject: Item not on the agenda - Ceasefire Resolution
Date: Wednesday, January 24, 2024 12:55:40 PM

Caution! This message was sent from outside your organization.

Dear City Council,

I am writing to express my concern about the recent city council meeting, specifically regarding apparent violations of the Brown Act and issues related to public comment time. Limiting public comments to just one hour hindered the democratic process, denying many residents the opportunity to voice their concerns. Furthermore, there appeared to be a bias favoring one group over another, which goes against the principles of fairness and impartiality. I strongly urge the City Council to address these issues promptly, ensuring adherence to the Brown Act to allow all community members the opportunity for public comment in future meetings. It is essential for our democratic process to uphold transparency and fairness, allowing all community members to participate without limitations or biases.

Once again, we call on our City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid. We are asking that you support a ceasefire resolution and be on the side of compassion and humanity, and be aligned with most El Cerrito residents.

In the last three months, we have watched with heavy hearts as over 25,000 innocent people in Gaza have been killed by Israel's indiscriminate bombing, more than half of them are women and children. You heard some names of children between the ages of newborn and 5 years old at the meeting. 60,000 people have been wounded and thousands more are still buried under the rubble. Over 80% of Gaza's population is displaced and almost all of them are starving and dehydrated because Israel will not allow basic humanitarian aid to enter such as food, water, fuel, medical supplies, and even women's products.

We condemn the attack on civilians by Hamas on October 7th and reject the murder or kidnapping of any innocent civilians. All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

Israel has recently been taken to the International Court of Justice for its active genocide against the Palestinian people. South Africa presented a powerful and well-argued case - while Israel gave a weak rebuttal about self-defense and provided no evidence against the claims. It is very likely that Israel will be found guilty for genocide in the ICJ. As a party to the Genocide Convention, the United States is required to "undertake to prevent and punish" the crime of genocide.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in military aid to Israel.. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on this issue.

Senator Bernie Sanders recently put forward a resolution that proposed to impose conditions on billions of dollars that the US sends Israel. As a hardworking taxpayer, I absolutely support putting contingencies against committing human rights violations so that my tax dollars do not fund a genocide.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda. Thank you very much for your time.

From: [Allison Cooper](#)
To: [City Clerk](#); [Paul Fadelli](#); [Lisa Motoyama](#); [Gabe Quinto](#); [Tessa Rudnick](#); [Carolyn Wysinger](#)
Subject: Item not on the agenda - Ceasefire Resolution
Date: Wednesday, January 24, 2024 1:48:22 PM

Caution! This message was sent from outside your organization.

Dear City Council,

I am writing to call on our City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid. We are asking that you support a ceasefire resolution and be on the side of compassion and humanity.

In the last three months, we have watched with heavy hearts as over 25,000 innocent people in Gaza have been killed by Israel's indiscriminate bombing, more than half of them are women and children. You heard some names of children between the ages of newborn and 5 years old at the meeting. 60,000 people have been wounded and thousands more are still buried under the rubble. Over 80% of Gaza's population is displaced and almost all of them are starving and dehydrated because Israel will not allow basic humanitarian aid to enter such as food, water, fuel, medical supplies, and even women's products.

All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in military aid to Israel.. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on this issue.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda. Thank you very much for your time.

Allison, El Cerrito resident

From: [Seth Morrison](#)
To: [City Clerk](#)
Subject: public comments – not on the agenda
Date: Thursday, January 25, 2024 1:28:04 PM

Caution! This message was sent from outside your organization.

Seth Morrison

The Hon. Tessa Rudnick
Mayor, City of El Cerrito
10890 San Pablo Avenue
El Cerrito, CA 94530

Dear Mayor Rudnick,

On January 16, 2024 I was one of many residents and non-residents who packed the City Council Chamber to speak on an item not on the agenda - a call for a Ceasefire in Gaza resolution. It appeared that the city leadership anticipated a crowd, most likely due to the almost 100 letters from constituents asking that the City Council bring a ceasefire resolution to a future agenda for discussion as well as the 20 or so letters opposing this.

At the start of the meeting you stated, "For those who stand on the side of peace, words need to align with their actions." Unfortunately, Mayor, it appears that you have chosen to use your power to silence residents that you disagree with rather than allow us to use our words in apparent contradiction of the Brown Act.

After delaying public comment to ensure the presentation for the evening could be presented, you arbitrarily set a 60-minute time limit with 2 minutes per person for public comments. You did so knowing there were 37 speakers, most supporting a ceasefire. In the El Cerrito City Policy Manual, The rules of order state, "*A majority of the City Council present at a City Council meeting shall have the authority to waive provisions of the policy and procedures unless otherwise required by law.*" You acted to limit comments without formal consent from the other Council members.

It was also very noticeable that all speakers from the opposing a ceasefire side were allowed to speak before those of us who are asking for a resolution. So the net effect was that all speakers on one side got to speak and only some on the other side got to speak. According to El Cerrito's Code of Conduct, City leaders are expected to, "Work for the common good of the people of El Cerrito and not for any private or personal interest."

Members of the public who arrived early, who signed up to make comments were denied that right. The arbitrary 60-minute time limit is not rooted in the concern for free speech or civic participation. It is deeply disappointing and particularly glaring when we watch how other cities foster participation. In Albany, on the same evening, the Mayor asked anyone who wanted to speak to line up, offered them 2 minutes and allowed all members of the public to speak.

Your actions do not seem to be fair and impartial. Currently the Jewish Community Relations Council (JCRC) has an active campaign to prevent discussions of ceasefire

resolutions at city council meetings. Their talking points seem to be your talking points, and you clearly have a strong relationship with the JCRC as a Regional Chair of the Bay Area Network of Jewish Officials (BANJO). This does not seem to be in compliance with the commitment to "Endeavor to treat all members of the public and issues before them in a fair and equitable manner."

In light of your previous actions and your clear conflict of interest and in compliance with the "El Cerrito City Council Administrative Policies and Rules of Order and Procedure" Last Adopted December 1, 2020, you must immediately recuse yourself from any further discussion of this issue.

I along with many other El Cerrito residents will be continuing our efforts to have the El Cerrito City Council vote on a fair and balanced resolution on the killing of civilians in Gaza and hope that the Mayor Pro Tem will preside over a truly open debate of this issue.

Sincerely,

Seth Morrison

--

Seth Morrison
He/Him/His

[REDACTED]

From: [REDACTED]
To: [City Clerk](#); [Paul Fadelli](#); [Lisa Motoyama](#); [Gabe Quinto](#); [Tessa Rudnick](#); [Carolyn Wysinger](#)
Subject: Item not on the agenda - Ceasefire Resolution
Date: Thursday, January 25, 2024 1:55:34 PM

Caution! This message was sent from outside your organization.

Dear City Council,

I am writing to express my concern about the recent city council meeting, specifically regarding apparent violations of the Brown Act and issues related to public comment time. Limiting public comments to just one hour hindered the democratic process, denying many residents the opportunity to voice their concerns. Furthermore, there appeared to be a bias favoring one group over another, which goes against the principles of fairness and impartiality. I strongly urge the City Council to address these issues promptly, ensuring adherence to the Brown Act to allow all community members the opportunity for public comment in future meetings. It is essential for our democratic process to uphold transparency and fairness, allowing all community members to participate without limitations or biases.

Once again, we call on our City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid. We are asking that you support a ceasefire resolution and be on the side of compassion and humanity, and be aligned with most El Cerrito residents.

In the last three months, we have watched with heavy hearts as over 25,000 innocent people in Gaza have been killed by Israel's indiscriminate bombing, more than half of them are women and children. You heard some names of children between the ages of newborn and 5 years old at the meeting. 60,000 people have been wounded and thousands more are still buried under the rubble. Over 80% of Gaza's population is displaced and almost all of them are starving and dehydrated because Israel will not allow basic humanitarian aid to enter such as food, water, fuel, medical supplies, and even women's products.

We condemn the attack on civilians by Hamas on October 7th and reject the murder or kidnapping of any innocent civilians. All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

Israel has recently been taken to the International Court of Justice for its active genocide against the Palestinian people. South Africa presented a powerful and well-argued case - while Israel gave a weak rebuttal about self-defense and provided no evidence against the claims. It is very likely that Israel will be found guilty for genocide in the ICJ. As a party to the Genocide Convention, the United States is required to "undertake to prevent and punish" the crime of genocide.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in military aid to Israel.. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on this issue.

Senator Bernie Sanders recently put forward a resolution that proposed to impose conditions on billions of dollars that the US sends Israel. As a hardworking taxpayer, I absolutely support putting contingencies against committing human rights violations so that my tax dollars do not fund a genocide.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda. Thank you very much for your time.

Leslie Adams
El Cerrito, CA

From: [Brendan Harrison](#)
To: [City Clerk](#); [Paul Fadelli](#); [Lisa Motoyama](#); [Gabe Quinto](#); [Tessa Rudnick](#); [Carolyn Wysinger](#)
Subject: Item not on the agenda - Ceasefire Resolution
Date: Wednesday, January 24, 2024 10:20:23 PM

Caution! This message was sent from outside your organization.

Dear City Council,

I am writing to express my concern about the recent city council meeting, specifically regarding apparent violations of the Brown Act and issues related to public comment time. Limiting public comments to just one hour hindered the democratic process, denying many residents the opportunity to voice their concerns. Furthermore, there appeared to be a bias favoring one group over another, which goes against the principles of fairness and impartiality. I strongly urge the City Council to address these issues promptly, ensuring adherence to the Brown Act to allow all community members the opportunity for public comment in future meetings. It is essential for our democratic process to uphold transparency and fairness, allowing all community members to participate without limitations or biases.

Once again, we call on our City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid. We are asking that you support a ceasefire resolution and be on the side of compassion and humanity, and be aligned with most El Cerrito residents.

In the last three months, we have watched with heavy hearts as over 25,000 innocent people in Gaza have been killed by Israel's indiscriminate bombing, more than half of them are women and children. You heard some names of children between the ages of newborn and 5 years old at the meeting. 60,000 people have been wounded and thousands more are still buried under the rubble. Over 80% of Gaza's population is displaced and almost all of them are starving and dehydrated because Israel will not allow basic humanitarian aid to enter such as food, water, fuel, medical supplies, and even women's products.

We condemn the attack on civilians by Hamas on October 7th and reject the murder or kidnapping of any innocent civilians. All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

Israel has recently been taken to the International Court of Justice for its active genocide against the Palestinian people. South Africa presented a powerful and well-argued case - while Israel gave a weak rebuttal about self-defense and provided no evidence against the claims. It is very likely that Israel will be found guilty for genocide in the ICJ. As a party to the Genocide Convention, the United States is required to "undertake to prevent and punish" the crime of genocide.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in military aid to Israel. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on this issue.

Senator Bernie Sanders recently put forward a resolution that proposed to impose conditions on billions of dollars that the US sends Israel. As a hardworking taxpayer, I absolutely support putting contingencies against committing human rights violations so that my tax dollars do not fund a genocide.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda. Thank you very much for your time.

From: [Michelle Ayazi](#)
To: [City Clerk](#); [Paul Fadelli](#); [Lisa Motoyama](#); [Gabe Quinto](#); [Tessa Rudnick](#); [Carolyn Wysinger](#)
Subject: Item not on the agenda - Ceasefire Resolution
Date: Thursday, January 25, 2024 11:30:40 AM

Caution! This message was sent from outside your organization.

Dear City Council,

I hope you're all doing well.

I am writing to express my concern about the recent city council meeting, specifically regarding **apparent violations of the Brown Act and issues related to public comment time. Limiting public comments to just one hour hindered the democratic process, denying many residents the opportunity to voice their concerns.** Furthermore, there appeared to be a bias favoring one group over another, which goes against the principles of fairness and impartiality. I strongly urge the City Council to address these issues promptly, ensuring adherence to the Brown Act to allow all community members the opportunity for public comment in future meetings. It is essential for our democratic process to uphold transparency and fairness, allowing all community members to participate without limitations or biases.

Once again, we call on our City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid. We are asking that you support a ceasefire resolution and be on the side of compassion and humanity, and be aligned with most El Cerrito residents.

In the last three months, we have watched with heavy hearts as over 25,000 innocent people in Gaza have been killed by Israel's indiscriminate bombing, more than half of them are women and children. You heard some names of children between the ages of newborn and 5 years old at the meeting. 60,000 people have been wounded and thousands more are still buried under the rubble. Over 80% of Gaza's population is displaced and almost all of them are starving and dehydrated because Israel will not allow basic humanitarian aid to enter such as food, water, fuel, medical supplies, and even women's products.

We condemn the attack on civilians by Hamas on October 7th and reject the murder or kidnapping of any innocent civilians. All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

Israel has recently been taken to the International Court of Justice for its active genocide against the Palestinian people. South Africa presented a powerful and well-argued case - while Israel gave a weak rebuttal about self-defense and provided no evidence against the claims. It is very likely that Israel will be found guilty for genocide in the ICJ. As a party to the Genocide Convention, the United States is required to "undertake to prevent and punish" the crime of genocide.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in military aid to Israel.. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on this issue.

Senator Bernie Sanders recently put forward a resolution that proposed to impose conditions on billions of dollars that the US sends Israel. As a hardworking taxpayer, I absolutely support putting contingencies against committing human rights violations so that my tax dollars do not fund a genocide.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda.

Thank you very much for your time.

Warmly,
Michelle Ayazi

El Cerrito Resident of 10 Years
Mom to 10-year old at a EC Public School

From: [Andrew Zieminski](#)
To: [City Clerk](#); [Paul Fadelli](#); [Lisa Motoyama](#); [Gabe Quinto](#); [Tessa Rudnick](#); [Carolyn Wysinger](#)
Subject: Item not on the agenda - Ceasefire Resolution
Date: Thursday, January 25, 2024 12:43:20 PM

Caution! This message was sent from outside your organization.

Dear City Council,

As an El Cerrito resident, I am writing to express my concern about the recent city council meeting, specifically regarding apparent violations of the Brown Act and issues related to public comment time. Limiting public comments to just one hour hindered the democratic process, denying many residents the opportunity to voice their concerns. Furthermore, there appeared to be a bias favoring one group over another, which goes against the principles of fairness and impartiality. I strongly urge the City Council to address these issues promptly, ensuring adherence to the Brown Act to allow all community members the opportunity for public comment in future meetings. It is essential for our democratic process to uphold transparency and fairness, allowing all community members to participate without limitations or biases.

Once again, we call on our City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid. We are asking that you support a ceasefire resolution and be on the side of compassion and humanity, and be aligned with most El Cerrito residents.

We condemn the attack on civilians by Hamas on October 7th and reject the murder or kidnapping of any innocent civilians. All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

Israel has recently been taken to the International Court of Justice for its active genocide against the Palestinian people. South Africa presented a powerful and well-argued case - while Israel gave a weak rebuttal about self-defense and provided no evidence against the claims. It is very likely that Israel will be found guilty for genocide in the ICJ. As a party to the Genocide Convention, the United States is required to "undertake to prevent and punish" the crime of genocide.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in military aid to Israel.. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on this issue.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda. Thank you very much for your time.

Thank you,
Andy Zieminski
El Cerrito resident

From: Miguel Gravelle Izaguirre
To: [City Clerk](#); [Paul Fadelli](#); [Lisa Motoyama](#); [Gabe Quinto](#); [Tessa Rudnick](#); [Carolyn Wysinger](#)
Subject: Item not on the agenda - Ceasefire Resolution
Date: Monday, January 29, 2024 7:47:06 AM

Dear City Council, I am writing to express my concern about the previous city council meeting, specifically regarding apparent violations of the Brown Act and issues related to public comment time. Li
Caution! This message was sent from outside your organization.
sophospsmartbannerend
Dear City Council,

I am writing to express my concern about the previous city council meeting, specifically regarding apparent violations of the Brown Act and issues related to public comment time. Limiting public comments to just one hour hindered the democratic process, denying many residents the opportunity to voice their concerns. Furthermore, there appeared to be a bias favoring the anti-ceasefire group over the pro-ceasefire group, which goes against the principles of fairness and impartiality. I strongly urge the City Council to address these issues promptly, ensuring adherence to the Brown Act to allow all community members the opportunity for public comment in future meetings. It is essential for our democratic process to uphold transparency and fairness, allowing all community members to participate without limitations or biases.

Once again, we call on our City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid. We are asking that you support a ceasefire resolution and be on the side of compassion and humanity, and be aligned with most El Cerrito residents.

In the last three months, we have watched with heavy hearts as over 25,000 innocent people in Gaza have been killed by Israel's indiscriminate bombing, more than half of them are women and children. You heard some names of children between the ages of newborn and 5 years old at the meeting. 60,000 people have been wounded and thousands more are still buried under the rubble. Over 80% of Gaza's population is displaced and almost all of them are starving and dehydrated because Israel will not allow basic humanitarian aid to enter such as food, water, fuel, medical supplies, and even women's products.

We condemn the attack on civilians by Hamas on October 7th and reject the murder or kidnapping of any innocent civilians. All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

Israel has recently been taken to the International Court of Justice for its active genocide against the Palestinian people. South Africa presented a powerful and well-argued case - while Israel gave a weak rebuttal about self-defense and provided no evidence against the claims. In a near unanimous decision by the United Nations' International Court of Justice, supported even by the United States judge, they found a "real and imminent risk" that Israel is perpetuating a genocide against the people of Gaza. It also ordered Israel to "with immediate effect" ensure that it is not/does not commit any of the crimes listed under the UN Genocide Convention. As a party to the Genocide Convention, the United States is required to "undertake to prevent and punish" the crime of genocide.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in military aid to Israel.. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on

this issue.

Senator Bernie Sanders recently put forward a resolution that proposed to impose conditions on billions of dollars that the US sends Israel. As a hardworking taxpayer, I absolutely support putting contingencies against committing human rights violations so that my tax dollars to not fund a genocide.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda. Thank you very much for your time.

Miguel Gravelle

El Cerrito Resident

From: [arodriguezperny](#) [REDACTED]
To: [City Clerk](#); [Paul Fadelli](#); [Lisa Motoyama](#); [Gabe Quinto](#); [Tessa Rudnick](#); [Carolyn Wysinger](#)
Subject: Item not on the agenda - Ceasefire Resolution
Date: Tuesday, January 30, 2024 4:12:21 PM

Caution! This message was sent from outside your organization.

Dear City Council,

I am writing to express my concern about the recent city council meeting, specifically regarding apparent violations of the Brown Act and issues related to public comment time. Limiting public comments to just one hour hindered the democratic process, denying many residents the opportunity to voice their concerns. Furthermore, there appeared to be a bias favoring one group over another, which goes against the principles of fairness and impartiality. I strongly urge the City Council to address these issues promptly, ensuring adherence to the Brown Act to allow all community members the opportunity for public comment in future meetings. It is essential for our democratic process to uphold transparency and fairness, allowing all community members to participate without limitations or biases.

Once again, we call on our City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid. We are asking that you support a ceasefire resolution and be on the side of compassion and humanity, and be aligned with most El Cerrito residents.

In the last three months, we have watched with heavy hearts as over 25,000 innocent people in Gaza have been killed by Israel's indiscriminate bombing, more than half of them are women and children. You heard some names of children between the ages of newborn and 5 years old at the meeting. 60,000 people have been wounded and thousands more are still buried under the rubble. Over 80% of Gaza's population is displaced and almost all of them are starving and dehydrated because Israel will not allow basic humanitarian aid to enter such as food, water, fuel, medical supplies, and even women's products.

We condemn the attack on civilians by Hamas on October 7th and reject the murder or kidnapping of any innocent civilians. All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

Israel has recently been taken to the International Court of Justice for its active genocide against the Palestinian people. South Africa presented a powerful and well-argued case - while Israel gave a weak rebuttal about self-defense and provided no evidence against the claims. It is very likely that Israel will be found guilty for genocide in the ICJ. As a party to the Genocide Convention, the United States is required to "undertake to prevent and punish" the crime of genocide.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in military aid to Israel.. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on this issue.

Senator Bernie Sanders recently put forward a resolution that proposed to impose conditions on billions of dollars that the US sends Israel. As a hardworking taxpayer, I absolutely support putting contingencies against committing human rights violations so that my tax dollars do not fund a genocide.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda. Thank you very much for your time.

From: [Anne Okahara](#)
To: [City Clerk](#); [Paul Fadelli](#); [Lisa Motoyama](#); [Gabe Quinto](#); [Tessa Rudnick](#); [Carolyn Wysinger](#)
Subject: Item not on the agenda - Ceasefire Resolution
Date: Tuesday, January 30, 2024 6:13:44 PM

Caution! This message was sent from outside your organization.

Dear City Council,

I am writing to express my concern about the recent city council meeting, specifically regarding apparent violations of the Brown Act and issues related to public comment time. Limiting public comments to just one hour hindered the democratic process, denying many residents the opportunity to voice their concerns. Furthermore, there appeared to be a bias favoring one group over another, which goes against the principles of fairness and impartiality. I strongly urge the City Council to address these issues promptly, ensuring adherence to the Brown Act to allow all community members the opportunity for public comment in future meetings. It is essential for our democratic process to uphold transparency and fairness, allowing all community members to participate without limitations or biases.

Once again, we call on our City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid. We are asking that you support a ceasefire resolution and be on the side of compassion and humanity, and be aligned with most El Cerrito residents.

In the last three months, we have watched with heavy hearts as over 25,000 innocent people in Gaza have been killed by Israel's indiscriminate bombing, more than half of them are women and children. You heard some names of children between the ages of newborn and 5 years old at the meeting. 60,000 people have been wounded and thousands more are still buried under the rubble. Over 80% of Gaza's population is displaced and almost all of them are starving and dehydrated because Israel will not allow basic humanitarian aid to enter such as food, water, fuel, medical supplies, and even women's products.

We condemn the attack on civilians by Hamas on October 7th and reject the murder or kidnapping of any innocent civilians. All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

Israel has recently been taken to the International Court of Justice for its active genocide against the Palestinian people. South Africa presented a powerful and well-argued case - while Israel gave a weak rebuttal about self-defense and provided no evidence against the claims. It is very likely that Israel will be found guilty for genocide in the ICJ. As a party to the Genocide Convention, the United States is required to "undertake to prevent and punish" the crime of genocide.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in military aid to Israel.. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on this issue.

Senator Bernie Sanders recently put forward a resolution that proposed to impose conditions on billions of dollars that the US sends Israel. As a hardworking taxpayer, I absolutely support putting contingencies against committing human rights violations so that my tax dollars do not fund a genocide.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda. Thank you very much for your time.

Anne Okahara

El Cerrito

From: [Eva Arifin](#)
To: [City Clerk](#); [Paul Fadelli](#); [Lisa Motoyama](#); [Gabe Quinto](#); [Tessa Rudnick](#); [Carolyn Wysinger](#)
Subject: Ceasefire Resolution
Date: Wednesday, January 31, 2024 5:41:25 AM

Caution! This message was sent from outside your organization.

Dear City Council,

I am writing to express my concern about the recent city council meeting, specifically regarding apparent violations of the Brown Act and issues related to public comment time. Limiting public comments to just one hour hindered the democratic process, denying many residents the opportunity to voice their concerns. Furthermore, there appeared to be a bias favoring one group over another, which goes against the principles of fairness and impartiality. I strongly urge the City Council to address these issues promptly, ensuring adherence to the Brown Act to allow all community members the opportunity for public comment in future meetings. It is essential for our democratic process to uphold transparency and fairness, allowing all community members to participate without limitations or biases.

Once again, we call on our City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid. We are asking that you support a ceasefire resolution and be on the side of compassion and humanity, and be aligned with most El Cerrito residents.

In the last three months, we have watched with heavy hearts as over 25,000 innocent people in Gaza have been killed by Israel's indiscriminate bombing, more than half of them are women and children. You heard some names of children between the ages of newborn and 5 years old at the meeting. 60,000 people have been wounded and thousands more are still buried under the rubble. Over 80% of Gaza's population is displaced and almost all of them are starving and dehydrated because Israel will not allow basic humanitarian aid to enter such as food, water, fuel, medical supplies, and even women's products.

We condemn the attack on civilians by Hamas on October 7th and reject the murder or kidnapping of any innocent civilians. All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

Israel has recently been taken to the International Court of Justice for its active genocide against the Palestinian people. South Africa presented a powerful and well-argued case - while Israel gave a weak rebuttal about self-defense and provided no evidence against the claims. It is very likely that Israel will be found guilty for genocide in the ICJ. As a party to the Genocide Convention, the United States is required to "undertake to prevent and punish" the crime of genocide.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in military aid to Israel.. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on this issue.

Senator Bernie Sanders recently put forward a resolution that proposed to impose conditions on billions of dollars that the US sends Israel. As a hardworking taxpayer, I absolutely support putting contingencies against committing human rights violations so that my tax dollars do not fund a genocide.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda. Thank you very much for your time.

From: [Seth Morrison](#)
To: [City Clerk](#); [Paul Fadelli](#); [Lisa Motoyama](#); [Gabe Quinto](#); [Tessa Rudnick](#); [Carolyn Wysinger](#)
Subject: Item not on the agenda - Ceasefire Resolution
Date: Wednesday, January 31, 2024 2:54:34 PM

Caution! This message was sent from outside your organization.

Dear City Council,

As I have written to the Mayor, she has a well documented conflict of interest in discussing a resolution on Gaza. She is a leader in the JCRC which openly opposes a cease fire resolution. The Mayor must recuse herself from that discussion to ensure fair debate of the issue.

I am writing to express my concern about the recent city council meeting, specifically regarding apparent violations of the Brown Act and issues related to public comment time. Limiting public comments to just one hour hindered the democratic process, denying many residents the opportunity to voice their concerns. Furthermore, there appeared to be a bias favoring one group over another, which goes against the principles of fairness and impartiality. I strongly urge the City Council to address these issues promptly, ensuring adherence to the Brown Act to allow all community members the opportunity for public comment in future meetings. It is essential for our democratic process to uphold transparency and fairness, allowing all community members to participate without limitations or biases.

Once again, we call on our City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid. We are asking that you support a ceasefire resolution and be on the side of compassion and humanity, and be aligned with most El Cerrito residents.

In the last three months, we have watched with heavy hearts as over 25,000 innocent people in Gaza have been killed by Israel's indiscriminate bombing, more than half of them are women and children. You heard some names of children between the ages of newborn and 5 years old at the meeting. 60,000 people have been wounded and thousands more are still buried under the rubble. Over 80% of Gaza's population is displaced and almost all of them are starving and dehydrated because Israel will not allow basic humanitarian aid to enter such as food, water, fuel, medical supplies, and even women's products.

We condemn the attack on civilians by Hamas on October 7th and reject the murder or kidnapping of any innocent civilians. All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

Israel has recently been taken to the International Court of Justice for its active genocide against the Palestinian people. South Africa presented a powerful and well-argued case - while Israel gave a weak rebuttal about self-defense and provided no evidence against the claims. It is very likely that Israel will be found guilty for genocide in the ICJ. As a party to the Genocide Convention, the United States is required to "undertake to prevent and punish" the crime of genocide.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in

military aid to Israel.. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on this issue.

Senator Bernie Sanders recently put forward a resolution that proposed to impose conditions on billions of dollars that the US sends Israel. As a hardworking taxpayer, I absolutely support putting contingencies against committing human rights violations so that my tax dollars do not fund a genocide.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda. Thank you very much for your time.

From: [Sherry Drobner](#)
To: [Holly Charléty](#); [Lisa Motoyama](#); [Tessa Rudnick](#); [Carolyn Wysinger](#); [Gabe Quinto](#); [Paul Fadelli](#)
Cc: [Seth Morrison](#)
Subject: Public Comment Not on the Agenda
Date: Wednesday, January 31, 2024 8:05:08 PM

Caution! This message was sent from outside your organization.

Dear Mayor and City Council members,

It is with great enthusiasm that I announce that two very large cities, Minneapolis and Chicago have both passed resolutions asking for a ceasefire in Gaza. Locally, the City of Hayward voted to divest any funds from Israel. I am so sorry that our own City Council refuses to take up the discussion of a ceasefire resolution. I won't deny that the process is messy, that voices may get loud, and that people who are neighbors may have to sit down and agree to disagree.

I listened to a virtual town hall meeting with our Representative John Garamendi. When I first wrote to him, asking for him to call for a ceasefire he wrote back and told me that Israel had the right to defend itself. But he saw, as do the majority of Americans, that the bombing of civilians in Gaza is no longer self-defense. Garamendi stated that a ceasefire was needed and that the conduct of war carried out by the Israeli military was unacceptable. And he is right, the International Court of Justice heard a case against Israel with the claimants accusing the Israeli government of carrying out a genocide in Gaza. The ICJ made a preliminary ruling to say that the case against Israel was plausible.

As I write, arial bombings continue with U.S. weaponry. Our City Council should support a ceasefire by resolution that reaches to the highest offices of this land. It is only through actions from every level of government that we can stop the nightmare hurling down on the people of Gaza.

Respectfully,
Sherry Drobner
El Cerrito

I live and work on unceded Lisjan Ohlone land in the territory of Huchiun. As a non-Native person I pay Shuumi, a voluntary land tax that supports Lisjan Ohlone sovereignty. Learn more [here](#).

From: [Fuad Farradi](#)
To: [City Clerk](#); [Carolyn Wysinger](#); [Gabe Quinto](#); [Lisa Motoyama](#); [Paul Fadelli](#); [Tessa Rudnick](#)
Subject: Item not on the agenda - Ceasefire Resolution
Date: Wednesday, January 31, 2024 2:54:17 PM

Caution! This message was sent from outside your organization.

Dear City Council,

I am writing to express my concern about the recent city council meeting, specifically regarding apparent violations of the Brown Act and issues related to public comment time. Limiting public comments to just one hour hindered the democratic process, denying many residents the opportunity to voice their concerns. Furthermore, there appeared to be a bias favoring one group over another, which goes against the principles of fairness and impartiality. I strongly urge the City Council to address these issues promptly, ensuring adherence to the Brown Act to allow all community members the opportunity for public comment in future meetings. It is essential for our democratic process to uphold transparency and fairness, allowing all community members to participate without limitations or biases.

Once again, we call on our City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid. We are asking that you support a ceasefire resolution and be on the side of compassion and humanity, and be aligned with most El Cerrito residents.

In the last three months, we have watched with heavy hearts as over 25,000 innocent people in Gaza have been killed by Israel's indiscriminate bombing, more than half of them are women and children. You heard some names of children between the ages of newborn and 5 years old at the meeting. 60,000 people have been wounded and thousands more are still buried under the rubble. Over 80% of Gaza's population is displaced and almost all of them are starving and dehydrated because Israel will not allow basic humanitarian aid to enter such as food, water, fuel, medical supplies, and even women's products.

We condemn the attack on civilians by Hamas on October 7th and reject the murder or kidnapping of any innocent civilians. All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

Israel has recently been taken to the International Court of Justice for its active genocide against the Palestinian people. South Africa presented a powerful and well-argued case - while Israel gave a weak rebuttal about self-defense and provided no evidence against the claims. It is very likely that Israel will be found guilty for genocide in the ICJ. As a party to the Genocide Convention, the United States is required to "undertake to prevent and punish" the crime of genocide.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in military aid to Israel.. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on this issue.

Senator Bernie Sanders recently put forward a resolution that proposed to impose conditions on billions of dollars that the US sends Israel. As a hardworking taxpayer, I absolutely support putting contingencies against committing human rights violations so that my tax dollars do not fund a genocide.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda. Thank you very much for your time.

From: [iman eliyah](#)
To: [City Clerk](#); [Paul Fadelli](#); [Lisa Motoyama](#); [Gabe Quinto](#); [Tessa Rudnick](#); [Carolyn Wysinger](#)
Subject: Item not on the agenda - Ceasefire Resolution
Date: Wednesday, January 31, 2024 10:40:33 PM

Caution! This message was sent from outside your organization.

,Dear City Council

I am writing to express my concern about the recent city council meeting, specifically regarding apparent violations of the Brown Act and issues related to public comment time. Limiting public comments to just one hour hindered the democratic process, denying many residents the opportunity to voice their concerns. Furthermore, there appeared to be a bias favoring one group over another, which goes against the principles of fairness and impartiality. I strongly urge the City Council to address these issues promptly, ensuring adherence to the Brown Act to allow all community members the opportunity for public comment in future meetings. It is essential for our democratic process to uphold transparency and fairness, allowing all community members to participate without limitations or biases.

Once again, we call on our City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid. We are asking that you support a ceasefire resolution and be on the side of compassion and humanity, and be aligned with most El Cerrito residents.

In the last three months, we have watched with heavy hearts as over 25,000 innocent people in Gaza have been killed by Israel's indiscriminate bombing, more than half of them are women and children. You heard some names of children between the ages of newborn and 5 years old at the meeting. 60,000 people have been wounded and thousands more are still buried under the rubble. Over 80% of Gaza's population is displaced and almost all of them are starving and dehydrated because Israel will not allow basic humanitarian aid to enter such as food, water, fuel, medical supplies, and even women's products.

We condemn the attack on civilians by Hamas on October 7th and reject the murder or kidnapping of any innocent civilians. All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

Israel has recently been taken to the International Court of Justice for its active genocide against the Palestinian people. South Africa presented a powerful and well-argued case - while Israel gave a weak rebuttal about self-defense and provided no evidence against the claims. It is very likely that Israel will be found guilty for genocide in the ICJ. As a party to the Genocide Convention, the United States is required to "undertake to prevent and punish" the crime of genocide.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in military aid to Israel.. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on this issue.

Senator Bernie Sanders recently put forward a resolution that proposed to impose conditions on billions of dollars that the US sends Israel. As a hardworking taxpayer, I absolutely support putting contingencies against committing human rights violations so that my tax dollars to not fund a genocide.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda. Thank you very much for your time.

Sent from my iPhone

From: [Cordell Hindler](#)
To: [City Clerk](#)
Subject: Public Comments
Date: Thursday, February 1, 2024 3:07:46 PM

Caution! This message was sent from outside your organization.

Hello Mayor Rudnick, Council Members and Staff,

I AM Submitting the Following Comments into the Record

1. for a Future Meeting, The Council Should Invite DR Alvarez to Present on the 30x30 Initiative
2. Also to Direct Staff and KOFF & Associates to Present on the Class & Comp Study
3. Also to Have Danny Wan to Present on the Port of Oakland

Sincerely
Cordell

From: [Eva Arifin](#)
To: [City Clerk](#); [Paul Fadelli](#); [Lisa Motoyama](#); [Gabe Quinto](#); [Tessa Rudnick](#); [Carolyn Wysinger](#)
Subject: Item not on the agenda - Ceasefire Resolution
Date: Monday, February 5, 2024 5:47:00 AM

Caution! This message was sent from outside your organization.

Dear City Council,

I am writing to express my concern about the recent city council meeting, specifically regarding apparent violations of the Brown Act and issues related to public comment time. Limiting public comments to just one hour hindered the democratic process, denying many residents the opportunity to voice their concerns. Furthermore, there appeared to be a bias favoring one group over another, which goes against the principles of fairness and impartiality. I strongly urge the City Council to address these issues promptly, ensuring adherence to the Brown Act to allow all community members the opportunity for public comment in future meetings. It is essential for our democratic process to uphold transparency and fairness, allowing all community members to participate without limitations or biases.

Once again, we call on our City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid. We are asking that you support a ceasefire resolution and be on the side of compassion and humanity, and be aligned with most El Cerrito residents.

In the last three months, we have watched with heavy hearts as over 25,000 innocent people in Gaza have been killed by Israel's indiscriminate bombing, more than half of them are women and children. You heard some names of children between the ages of newborn and 5 years old at the meeting. 60,000 people have been wounded and thousands more are still buried under the rubble. Over 80% of Gaza's population is displaced and almost all of them are starving and dehydrated because Israel will not allow basic humanitarian aid to enter such as food, water, fuel, medical supplies, and even women's products.

We condemn the attack on civilians by Hamas on October 7th and reject the murder or kidnapping of any innocent civilians. All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

Israel has recently been taken to the International Court of Justice for its active genocide against the Palestinian people. South Africa presented a powerful and well-argued case - while Israel gave a weak rebuttal about self-defense and provided no evidence against the claims. It is very likely that Israel will be found guilty for genocide in the ICJ. As a party to the Genocide Convention, the United States is required to "undertake to prevent and punish" the crime of genocide.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in military aid to Israel.. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on this issue.

Senator Bernie Sanders recently put forward a resolution that proposed to impose conditions on billions of dollars that the US sends Israel. As a hardworking taxpayer, I absolutely support putting contingencies against committing human rights violations so that my tax dollars do not fund a genocide.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda. Thank you very much for your time.

From: [Yuko Matsumoto](#)
To: [City Clerk](#); [Paul Fadelli](#); [Lisa Motoyama](#); [Gabe Quinto](#); [Tessa Rudnick](#); [Carolyn Wysinger](#)
Subject: Item not on the agenda - Ceasefire Resolution
Date: Monday, February 5, 2024 8:08:47 AM

Caution! This message was sent from outside your organization.

Dear City Council,

I am a 12-year resident of El Cerrito (zip code 94530). I'm writing to express my concern about the recent city council meeting, specifically regarding apparent violations of the Brown Act and issues related to public comment time. Limiting public comments to just one hour hindered the democratic process, denying many residents the opportunity to voice their concerns. Furthermore, there appeared to be a bias favoring one group over another, which goes against the principles of fairness and impartiality. I strongly urge the City Council to address these issues promptly, ensuring adherence to the Brown Act to allow all community members the opportunity for public comment in future meetings. It is essential for our democratic process to uphold transparency and fairness, allowing all community members to participate without limitations or biases.

Once again, we call on our City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid. We are asking that you support a ceasefire resolution and be on the side of compassion and humanity, and be aligned with most El Cerrito residents.

In the last three months, we have watched with heavy hearts as over 25,000 innocent people in Gaza have been killed by Israel's indiscriminate bombing, more than half of them are women and children. You heard some names of children between the ages of newborn and 5 years old at the meeting. 60,000 people have been wounded and thousands more are still buried under the rubble. Over 80% of Gaza's population is displaced and almost all of them are starving and dehydrated because Israel will not allow basic humanitarian aid to enter such as food, water, fuel, medical supplies, and even women's products.

We condemn the attack on civilians by Hamas on October 7th and reject the murder or kidnapping of any innocent civilians. All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

Israel has recently been taken to the International Court of Justice for its active genocide against the Palestinian people. South Africa presented a powerful and well-argued case - while Israel gave a weak rebuttal about self-defense and provided no evidence against the claims. It is very likely that Israel will be found guilty for genocide in the ICJ. As a party to the Genocide Convention, the United States is required to "undertake to prevent and punish" the crime of genocide.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in military aid to Israel.. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on this issue.

Senator Bernie Sanders recently put forward a resolution that proposed to impose conditions on billions of dollars that the US sends Israel. As a hardworking taxpayer, I absolutely support putting contingencies against committing human rights violations so that my tax dollars do not fund a genocide.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda. Thank you very much for your time.

From: Paola Alessandra Sensi-Isolani
To: [City Clerk](#); [Paul Fadelli](#); [Lisa Motoyama](#); [Gabe Quinto](#); [Tessa Rudnick](#); [Carolyn Wysinger](#)
Subject: Item not on the agenda - Ceasefire Resolution
Date: Monday, February 5, 2024 9:09:29 AM

Caution! This message was sent from outside your organization.

Dear City Council,

I am writing to express my concern about the recent city council meeting, specifically regarding apparent violations of the Brown Act and issues related to public comment time. Limiting public comments to just one hour hindered the democratic process, denying many residents the opportunity to voice their concerns. Furthermore, there appeared to be a bias favoring one group over another, which goes against the principles of fairness and impartiality. I strongly urge the City Council to address these issues promptly, ensuring adherence to the Brown Act to allow all community members the opportunity for public comment in future meetings. It is essential for our democratic process to uphold transparency and fairness, allowing all community members to participate without limitations or biases.

Once again, we call on our City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid. We are asking that you support a ceasefire resolution and be on the side of compassion and humanity, and be aligned with most El Cerrito residents.

In the last three months, we have watched with heavy hearts as over 25,000 innocent people in Gaza have been killed by Israel's indiscriminate bombing, more than half of them are women and children. You heard some names of children between the ages of newborn and 5 years old at the meeting. 60,000 people have been wounded and thousands more are still buried under the rubble. Over 80% of Gaza's population is displaced and almost all of them are starving and dehydrated because Israel will not allow basic humanitarian aid to enter such as food, water, fuel, medical supplies, and even women's products.

We condemn the attack on civilians by Hamas on October 7th and reject the murder or kidnapping of any innocent civilians. All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

Israel has recently been taken to the International Court of Justice for its active genocide against the Palestinian people. South Africa presented a powerful and well-argued case - while Israel gave a weak rebuttal about self-defense and provided no evidence against the claims. It is very likely that Israel will be found guilty for genocide in the ICJ. As a party to the Genocide Convention, the United States is required to "undertake to prevent and punish" the crime of genocide.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in military aid to Israel.. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on this issue.

Senator Bernie Sanders recently put forward a resolution that proposed to impose conditions on billions of dollars that the US sends Israel. As a hardworking taxpayer, I absolutely support putting contingencies against committing human rights violations so that my tax dollars do not fund a genocide.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda. Thank you very much for your time.

From: [Judith Green](#)
To: [City Clerk](#); [Paul Fadelli](#); [Lisa Motoyama](#); [Gabe Quinto](#); [Tessa Rudnick](#); [Carolyn Wysinger](#)
Subject: Item not on the agenda - Ceasefire Resolution
Date: Monday, February 5, 2024 12:34:18 PM

Caution! This message was sent from outside your organization.

Dear City Council,

I am writing to express my concern about the recent city council meeting, specifically regarding apparent violations of the Brown Act and issues related to public comment time. Limiting public comments to just one hour hindered the democratic process, denying many residents the opportunity to voice their concerns. Furthermore, there appeared to be a bias favoring one group over another, which goes against the principles of fairness and impartiality. I strongly urge the City Council to address these issues promptly, ensuring adherence to the Brown Act to allow all community members the opportunity for public comment in future meetings. It is essential for our democratic process to uphold transparency and fairness, allowing all community members to participate without limitations or biases.

Once again, we call on our City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid. We are asking that you support a ceasefire resolution and be on the side of compassion and humanity, and be aligned with most El Cerrito residents.

In the last three months, we have watched with heavy hearts as over 25,000 innocent people in Gaza have been killed by Israel's indiscriminate bombing, more than half of them are women and children. You heard some names of children between the ages of newborn and 5 years old at the meeting. 60,000 people have been wounded and thousands more are still buried under the rubble. Over 80% of Gaza's population is displaced and almost all of them are starving and dehydrated because Israel will not allow basic humanitarian aid to enter such as food, water, fuel, medical supplies, and even women's products.

We condemn the attack on civilians by Hamas on October 7th and reject the murder or kidnapping of any innocent civilians. All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

Israel has recently been taken to the International Court of Justice for its active genocide against the Palestinian people. South Africa presented a powerful and well-argued case - while Israel gave a weak rebuttal about self-defense and provided no evidence against the claims. It is very likely that Israel will be found guilty for genocide in the ICJ. As a party to the Genocide Convention, the United States is required to "undertake to prevent and punish" the crime of genocide.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in military aid to Israel.. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on this issue.

Senator Bernie Sanders recently put forward a resolution that proposed to impose conditions on billions of dollars that the US sends Israel. As a hardworking taxpayer, I absolutely support putting contingencies against committing human rights violations so that my tax dollars do not fund a genocide.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda. Thank you very much for your time.

I am a Jewish resident of El Cerrito who condemns this attempted genocide and the horrific withdrawal of humanitarian support for the people in Gaza.

I hope you will take the moral stance on this issue. Thank you.

Judith Green

From: [Allison Tanner](#)
To: [City Clerk](#)
Subject: Public Comment - not on the agenda
Date: Tuesday, February 6, 2024 10:39:37 AM

Caution! This message was sent from outside your organization.

Dear City Council,

I write to urge the council to pass a resolution for a ceasefire in Gaza and Israel. A ceasefire is a call for peace and a call to put all weapons down. Every day hundreds more are being killed in Gaza and the West Bank, and the longer the war draws on, the longer it will take to facilitate the release of hostages. The only time hostages have been released was during a time of ceasefire. A ceasefire is necessary to save both Palestinian and Israeli lives.

I am a resident of El Cerrito, a local pastor and an interfaith leader in the Bay Area. I am committed to the ways of peace and justice, neither of which can take place with the ongoing destruction of lives, families and communities. Cities across the country are taking a stand for humanity, and I hope my own city can, too. This is a local issue because our taxes are funding the mass destruction in Gaza. Further, the ongoing war means many Arabs, Muslims and Jews in our city feel unsafe. We have the ability to say very clearly that the weapons must be put down, and that our government needs to stop funding the violence taking place.

I am part of an interfaith movement in the Bay Area calling for a ceasefire, a release of all hostages, and an end to further weapons sales to the Israeli government. Throughout the Bay Area, houses of worship and individual homes are displaying signs "Love Demands Permanent Ceasefire Now." These signs are a testament to our faith values of love and the sanctity of all life. As more congregations, communities, homes and cities call for the end to the violence in Gaza, I sincerely hope my city can join the chorus.

Sincerely,
Allison Tanner

The Reverend Dr. Allison J Tanner
Pastor of Public Witness
Lakeshore Avenue Baptist Church Oakland, California

From: [Fred Bialy](#)
To: [City Clerk](#)
Subject: Public Comments for February 6 - Agenda Item #5
Date: Tuesday, February 6, 2024 10:40:50 AM

Caution! This message was sent from outside your organization.

Dear Mayor Rudnick, Mayor Pro Tem Wysinger and Council Members Fadelli, Motoyama and Quinto,

On January 16, the U.N Office of the High Commissioner for Human Rights stated about Israel's war against Gaza:

"We have raised the alarm of the risk of genocide several times reminding all governments they have a duty to prevent genocide. Not only is Israel killing and causing irreparable harm against Palestinian civilians with its indiscriminate bombardments, it is also knowingly and intentionally imposing a high rate of disease, prolonged malnutrition, dehydration, and starvation by destroying civilian infrastructure,"

On January 18, at a talk before the Islamic Society of New Jersey, Chris Hedges said the following:

"Israel has killed or seriously wounded close to 100,000 Palestinians in Gaza, almost 1 in 20 inhabitants. It has destroyed or damaged 60% of the housing. The safe areas to which 2 million Gazans were instructed to flee in the south have been relentlessly bombed with thousands of casualties. Palestinians in Gaza now make up 80% of all the people facing famine or catastrophic hunger world-wide according to the U.N. Every person in Gaza is hungry, a quarter of the population are starving and struggling to find food and drinkable water. Famine is imminent. The 335,000 children under the age of five are at high risk for malnutrition, some 50,000 pregnant women lack health care and adequate nutrition. Infants are dying in droves.

In September, before the incursion into Israel by Hamas and other resistance fighters, Israeli prime minister Benjamin Netanyahu displayed a map of what he called the New Middle East at a U.N. General Assembly meeting. Gaza, the West Bank and East Jerusalem had all been incorporated into a greater Israel. Palestine had ceased to exist.

The Palestinians are being forced to choose between death from bombs, disease, exposure or starvation or being driven from their homeland. There will soon reach a point where death will be so ubiquitous that deportation for those who want to live will be the only option. Israel is lobbying countries in Latin America and Africa to accept Palestinian refugees. Israeli officials are calling this deportation 'voluntary migration.' This is the plan."

Two courts have now ruled that Israel's military assault on Gaza is a plausible case for genocide against the Palestinian people.

On January 26, the International Court of Justice ruled so, and while the court reaches a final determination on the issue, which could take years, it ordered that Israel in the meantime must:

- 1) take all possible measures to prevent acts as outlined in the 1948 Genocide Convention which entails not killing Palestinians, not causing physical or psychological harm to Palestinians, not inflicting living conditions which are calculated to bring about the end of the existence of Palestinians, and not carrying out actions designed to prevent births of Palestinians.
- 2) prevent and punish the “direct and public incitement to commit genocide against Palestinians in the Gaza Strip”.
- 3) “take immediate and effective measures to enable the provision of urgently needed basic services and humanitarian assistance to address the adverse conditions of life faced by Palestinians in the Gaza Strip.”

On January 31, while dismissing on jurisdictional grounds the case *Defense of Children International-Palestine v. Biden*, Federal Judge Jeffrey White supported the ICJ’s determination and implored the Biden administration to examine its “unflagging support” for Israel’s campaign.

The Biden administration continues to support Israel with money, weapons shipments and political cover despite its obligation as a signer of the Convention against Genocide to make every effort to stop genocide.

Already in early December, 2023, polling showed that sixty-one percent of likely voters, including a majority of Democrats (76%) and Independents (57%) and a plurality of Republicans (49%), support the U.S. calling for a permanent ceasefire and a de-escalation of violence in Gaza. Those numbers have certainly gone higher since then.

Demonstrators throughout the nation are speaking out against Israel’s military campaign and calling for a permanent ceasefire to no seeming effect.

It’s therefore incumbent on us to continue doing all that we can as individuals (especially if we are in positions of influence, however small) to stop Israel’s genocidal war on Gaza.

I’m writing again today to urge the City Council to adopt a Resolution calling for a permanent ceasefire in the Israeli war against Hamas & Gaza. The war presents us with a moral issue that is therefore a local issue everywhere. Imagine if every citizen and city in the country called on our government to effect a permanent ceasefire. How powerful that would be towards ending the carnage.

Sincerely,

Fred Bialy
EC Resident

From: [Npa](#)
To: [City Clerk](#); [Paul Fadelli](#); [Lisa Motoyama](#); [Gabe Quinto](#); [Tessa Rudnick](#); [Carolyn Wysinger](#)
Subject: Item not on the agenda - Ceasefire Resolution
Date: Tuesday, February 6, 2024 1:48:53 PM

Caution! This message was sent from outside your organization.

Dear City Council,

My name is Nanci Andrade. I am a 20 years home owner in El Cerrito.
I attended the council meeting last month and didn't have a chance to speak. Unfortunately, I am not able to attend today. But I want please ask to pass the ceasefire resolution.
We don't have time to waste, every minute a child, a parent, a human being dies.
I know many folks voiced that they would not feel safe if this would pass.
As a black, female and immigrant who was undocumented for 10 years, I know what it means to feel unsafe.
But it's not compared to what people in Gaza must be feeling right now.
Humanity must speak out. Please cease fire now!
Below is a scripted email that I fully support.
Thank you
Nanci Andrade

I am writing to express my concern about the recent city council meeting, specifically regarding apparent violations of the Brown Act and issues related to public comment time. Limiting public comments to just one hour hindered the democratic process, denying many residents the opportunity to voice their concerns. Furthermore, there appeared to be a bias favoring one group over another, which goes against the principles of fairness and impartiality. I strongly urge the City Council to address these issues promptly, ensuring adherence to the Brown Act to allow all community members the opportunity for public comment in future meetings. It is essential for our democratic process to uphold transparency and fairness, allowing all community members to participate without limitations or biases.

Once again, we call on our City Council to stand up for the innocent civilians of Gaza who are facing starvation and death in the face of aggression from the Israeli government supported by U.S. military aid. We are asking that you support a ceasefire resolution and be on the side of compassion and humanity, and be aligned with most El Cerrito residents.

In the last three months, we have watched with heavy hearts as over 25,000 innocent people in Gaza have been killed by Israel's indiscriminate bombing, more than half of them are women and children. You heard some names of children between the ages of newborn and 5 years old at the meeting. 60,000 people have been wounded and thousands more are still buried under the rubble. Over 80% of Gaza's population is displaced and almost all of them are starving and dehydrated because Israel will not allow basic humanitarian aid to enter such as food, water, fuel, medical supplies, and even women's products.

We condemn the attack on civilians by Hamas on October 7th and reject the murder or kidnapping of any innocent civilians. All lives are sacred. However, this cannot justify the collective punishment of an entire population of over 2 million people, that is a war crime.

Israel has recently been taken to the International Court of Justice for it's active genocide against the Palestinian people. South Africa presented a powerful and well-argued case - while Israel gave a weak rebuttal about self-defense and provided no evidence against the claims. It is very likely that Israel will be found guilty for genocide in the ICJ. As a party to the Genocide Convention, the United States is required to "undertake to prevent and punish" the crime of genocide.

We have a responsibility as humans to speak up against injustice. And as Americans, we are especially responsible for taking action because our tax dollars are being sent by the billions in military aid to Israel.. Meanwhile, our local communities are not able to sustain our roads and infrastructure, fund our education system, or fight homelessness

and hunger. Our local governments must put pressure on the federal government to call for an immediate and permanent ceasefire. Our City Council represents the people of their city, and should be aligned with the majority on this issue.

Senator Bernie Sanders recently put forward a resolution that proposed to impose conditions on billions of dollars that the US sends Israel. As a hardworking taxpayer, I absolutely support putting contingencies against committing human rights violations so that my tax dollars do not fund a genocide.

To put it simply, the people of Gaza deserve to live and we must stand up for humanity.

Please act now by putting forward a ceasefire resolution for discussion on your City Council agenda. Thank you very much for your time.

Sent from my iPhone

From: [Fred Bialy](#)
To: [City Clerk](#)
Subject: Public Comments for February 6 - Agenda Item #5
Date: Tuesday, February 6, 2024 1:05:43 PM

Caution! This message was sent from outside your organization.

Dear Mayor Rudnick, Mayor Pro Tem Wysinger and Council Members Fadelli, Motoyama and Quinto,

This is in follow-up to my earlier comments today.

I have just listened to Democracy Now from February 5. One of the segments in their program on Monday concerned a Palestinian American cardiologist who has lost nearly 100 members of his extended family in the bombing of Gaza. As introduction to the segment:

We speak with Dr. Tariq Haddad, a Palestinian American leader who refused to meet with Secretary of State Antony Blinken last week in protest of the Biden administration's ongoing support of Israel's bombardment of Gaza. Instead, the doctor wrote a 12-page letter to Blinken admonishing the latter for his role in the deaths of nearly 100 of his family members. "I wanted him to see me and see Palestinians as human beings, not as some part of a political game," says Haddad. He shares stories of some of his lost loved ones and condemns U.S. political and military partnership with Israel. "I just kept looking for evidence that our government actually cares about the lives of my family, and I saw none."

https://www.democracynow.org/2024/2/5/tariq_haddad_blinken

At what point do we say "enough is enough."

Sincerely,

Fred Bialy
EC Resident

Landscape Maintenance Agreement

STEPHEN PRÉE AND KARINEH SAMKIAN
PUBLIC WORKS DEPARTMENT
CITY COUNCIL MEETING, FEBRUARY 6, 2024

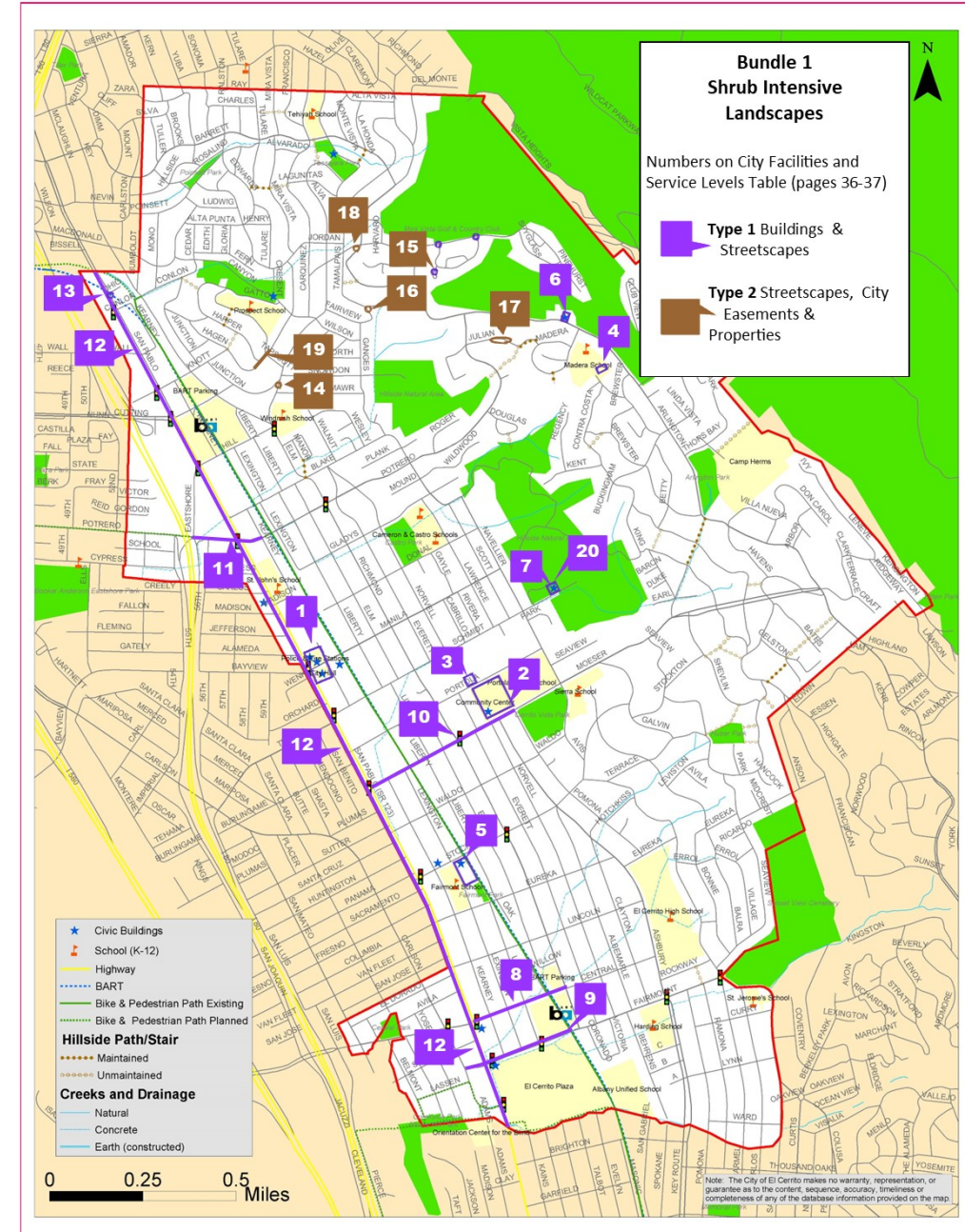


Background

- ▶ Three bundles of landscape maintenance:
 1. Streetscapes, medians, traffic islands, rain gardens and building grounds - *BrightView Landscaping Services*
 2. Ohlone Greenway - *New Image Landscape Company*
 3. Parks and athletic fields - *Rubicon Landscape Corporation*

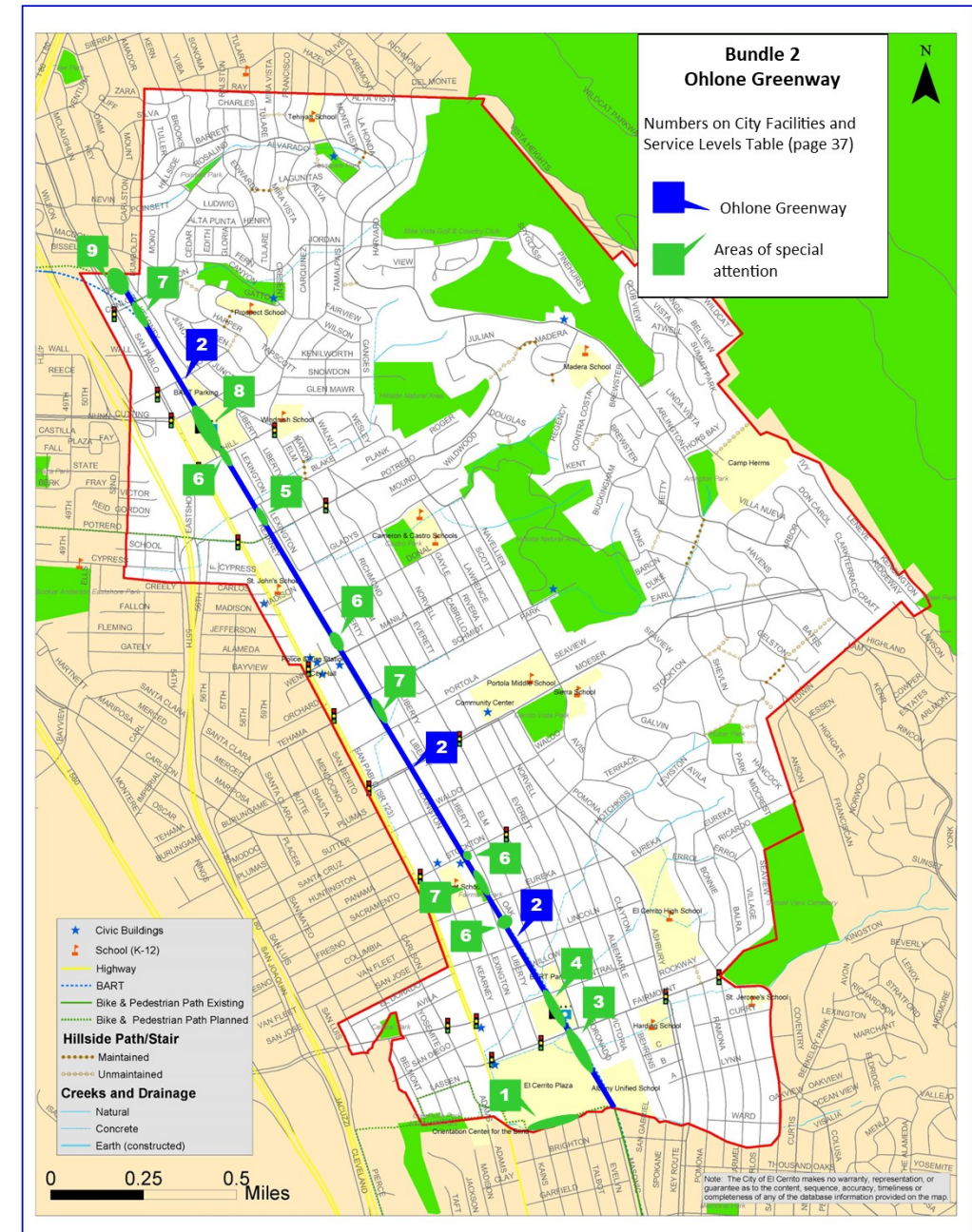
Scope – Bundle 1

- Streetscapes, Medians, Traffic Islands, Rain Gardens, and City Building Grounds



Scope – Bundle 2

► Ohlone Greenway



Request For Proposals (RFP) Process

- ▶ RFP released November 28, 2023 (City website, West County Times and emailed to 22 companies)
- ▶ Optional pre-proposal meeting
- ▶ Addendum/Q&A
- ▶ Received 6 proposals by December 21, 2023

Proposal Review Process

- ▶ Proposals evaluated based on following criteria:
 - ▶ demonstrated experience in municipal landscape maintenance services
 - ▶ experience of key personnel
 - ▶ required licensing and certifications
 - ▶ cost competitiveness
- ▶ Interviewed 3 companies
- ▶ Rubicon emerged as company that provides best value and best fits the needs of the City



- ▶ Local based company
- ▶ Experienced municipal contractor
- ▶ Horticulture graduate supervising crews
- ▶ Understands the City's regulatory requirements (stormwater permit)
- ▶ Rubicon Landscape Corporation is a branch of Rubicon Programs whose mission is to provide job training opportunities and placement
 - ▶ Successful trainees may serve as contract staff

Financial Considerations

- ▶ Negotiated annual cost of \$316,660
- ▶ FY 2023-24 – \$128,554 includes base monthly rate + \$23,000 one-time cost to evaluate and repair irrigation
- ▶ Additional Funds needed:

FY 2023-24 Adopted Budget	Funds Expended by End of February	Remaining Budget	Proposed Contract Cost March-June	Difference Between Remaining Budget and Proposed Contract
\$199,929	\$157,453	\$42,476	\$128,554	\$86,078

Reasons for Cost Increase

1. Labor costs have increased since 2018
2. Additional 1.14 acres added to the scope
3. Cost to transition to electric powered landscape equipment
4. Scope change - City no longer supplying various materials (e.g., irrigation parts)

Proposed Action

- ▶ Authorize the City Manager to execute an agreement with Rubicon Landscape Corporation in an amount not to exceed \$128,554 and \$316,660 in Fiscal Years (FY) 2023-24 and 2024-25 respectively.
- ▶ Amend the FY 2023-24 Adopted Budget to appropriate \$86,078 from the General Fund Unrestricted Balance for services in FY 2023-24.

Questions?



Budget Amendment for Park and Facility Deferred Maintenance and Repair Projects

City of El Cerrito City Council Meeting

February 6, 2024

Yvetteh Ortiz, Public Works Director



Background - Current-Year Proposed General Fund Projects

- Proposed Capital Projects
 - Castro Park Sewer Line Replacement
 - City Hall Boiler Replacement
 - City Hall Leak Repair
 - Community Center Roof Replacement
 - Swim Center ADA & Electric Vehicle Station Parking Lot Enhancements
 - Arlington Park Playground Surfacing Replacement
 - Corporation Yard Pavement Rehabilitation
 - Public Safety Parking Lot Pavement Rehabilitation
- Address Most Urgent Deferred Maintenance & Repair Projects
- Estimated One-Time Expenditure Requests of \$1.14 million (Planning Level)
- Modeled in 10-Year General Fund Forecast
- Appropriation Requests at time when contracts needed to further advance projects

Project Development

- Refined Scope, Cost, and Schedule
- Estimated costs have increased from planning estimate to \$2.75 million for design and construction
 - Address additional deficiencies, ADA and other
 - Increased Construction Prices (inflation, labor, supplies)
- Phased Implementation over two years given number of active projects and staff capacity



Project Summary

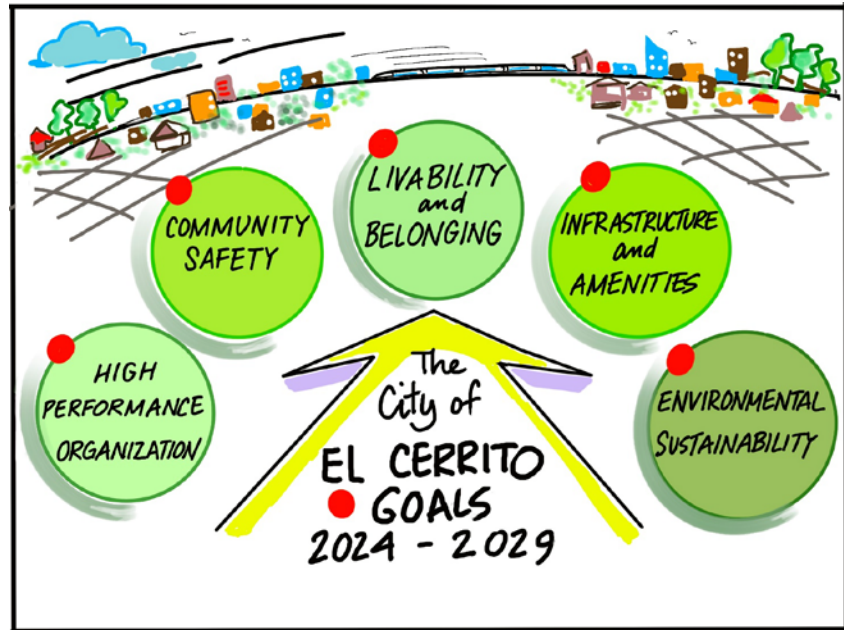
Project	Scope	Estimated Total Cost	FY2023-24 Phases (Start)	FY2023-24 Expenditure	Rebate/ Insurance	FY2023-24 Adjusted Expenditure
Arlington Park Improvements	Council approved Oct 2023	\$ 75,000	Construction (Const)	\$ 75,000		\$ 75,000
Castro Park Sewer Line Replacement	Clubhouse to Norvell Ave	\$ 65,000	Design, Bid & Const	\$ 65,000		\$ 65,000
City Hall Boiler Replacement	Replacement of existing boiler past service life with electric boiler	\$ 277,000	Design, Bid & Const	\$ 277,000	\$ (5,500)	\$ 271,500
City Hall Leak Repair	Repair to south facing portions of City Hall Building	\$ 205,700	Design, Bid & Const	\$ 205,700		\$ 205,700
Community Center Roof Replacement	Replacement of damaged sections Community Center roofs	\$ 448,500	Design, Bid & Const	\$ 448,500	\$ (71,000)	\$ 377,500
Swim Center ADA & EV Station Parking Lot Improvements	ADA Parking Spaces, ADA Accessible Path from parking lot and Moeser to Building Entrance and 2-dual EV charging stations	\$ 677,100	Design	\$ 88,600		\$ 88,600
Arlington Park Playground Resurfacing	Repair of Playground Surfacing at Arlington Park, including ADA and drainage	\$ 353,500	Start next FY			
Corporation Yard Parking Lot Rehab	Rehab main parking lot and patch pave storage area	\$ 304,400	Start next FY			
Public Safety Parking Lot Security & Rehab	Rehab parking lot, install security fencing, and install conduit for future EV	\$ 337,500	Start next FY			
Total	Supplemental Packet Page 64 of 69 Agenda Packet Page 148 of 153		\$2,743,700	\$1,159,800	\$ (76,500)	\$1,083,300

Estimated One-Time Expenditures in FY 2023-24

- Approximately \$1.16 million for design and/or construction of subset of projects in FY 2023-24
- Includes \$75,000 previously approved for Arlington Park Improvements (Resolution 2023-75)
- Budget for remaining projects/phases to be requested next fiscal year as part of biennial budget process



Strategic Plan Goals



Livability and Belonging by improving parks and recreational facilities

Infrastructure and Amenities by investing in the maintenance, rehabilitation, and development of sustainable, climate-adapted infrastructure and community assets

Proposed Action and General Fund Unrestricted Balance

- Proposed Action: Amendment of FY2023-24 Adopted Budget and Capital Improvement Program to appropriate \$1,084,800 from the General Fund Unrestricted Fund Balance for various park and facility deferred maintenance and repair projects
- FY 2022-23 Unaudited General Fund Unrestricted Fund Balance estimated at \$10,295,220 (including estimated adjustments for emergency and pension trust funds)
- Previous FY 20223-24 Budget Amendments total \$2,299,978 (including contract with Rubicon for Landscape Maintenance, if approved tonight)
- Proposed Amendment would result in an estimated General Fund Unrestricted Fund Balance of \$6,910,442 (approx 15% of General Fund expenditures)

Questions & Comments



February 6, 2024

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

RE: Agenda Item 9C, Facility Maintenance Budget Amendment

Dear Mayor Rudnick and Council Members,

I would like to urge support for the electric boiler replacement option in the City Hall, as identified in the proposed budget amendment. To be consistent with the coming Climate Action and Adaptation Plan, all current and future facilities equipment replacements should prioritize electric replacement of gas appliances. It is not a sufficient financial comparison to say the gas boiler is \$70K less without also presenting the ongoing operational cost differences, which are likely lower for the electric option. The electric “boiler” should be a high efficiency heat pump and not an option heavily reliant on less efficient electric resistance heating.

Likewise, I think it is important to include funding for EV charging stations at the Community Center and the Public Safety building parking lot. Ideally the Public Safety work should include more than just the conduit. It is important to begin supporting employee charging, as well as public charging within the city. The Federal Infrastructure and IRA funding should provide some grant opportunities to help pay for this EV infrastructure, in addition to the MCE funding that is already included.

Re-roofing the Community Center should include a consideration of providing for a future expanded solar panel array by installation of rack supports integrated into the roofing work at the time of re-roofing to provide better waterproofing and reduced costs for adding additional solar at the community center at a future time.

Thank you for your time and consideration,



Howdy Goudey
El Cerrito