

Mayor
Tessa Rudnick
Mayor Pro Tem
Carolyn Wysinger



Councilmembers
Paul Fadelli
Lisa Motoyama
Gabriel Quinto

EL CERRITO CITY COUNCIL MINUTES

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

Mayor Rudnick called the meeting to order at 6:01 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 update on recent rain event and Public Works response.

Assistant City manager - announced upcoming Midyear budget coming to Council on 3/5, and upcoming crab feed on 3/9.

Mayor Pro Tem Wysinger - reported on attendance at the recent St. John's School crab feed and El Cerrito employee recognition dinner.

Councilmember Motoyama - thanked staff for the work on the employee recognition event and Contra Costa Mayors Conference hosted in February by El Cerrito.

Councilmember Fadelli - announced upcoming Primary Election and vote by mail drop box located at City Hall, Contra Costa Transportation Authority (CCTA) upcoming recognition with East Bay Innovation Award, and upcoming Law Enforcement Appreciation Night.

Councilmember Quinto - announced upcoming Law Enforcement Appreciation Night, and reported on attendance at Contra Costa Mayors Conference.

Mayor Rudnick - honored the recent loss of an Alameda Firefighter.

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.

Michael Fischer – spoke in support of a new library and facilities current usage.

Dave Weinstein - provided an update on recent events and activities by the Trail Trekkers group.

Stuart Sonatina - commented on traffic fatalities and need for traffic- calming and increased biking infrastructure needs.

Denise Sangster - spoke regarding AT&T application to the CPUC to terminate all landline services and asked for letter of opposition by the Council.

Keeta Smith - commented on the need for stronger infrastructure for pedestrian crossings.

Marilyn Langlois, Seth Morrison, Sherry Drobner, Leslie Adams, Brian Woodson, Cindy McPherson, Rev. Deborah Lee, Somaia Nassef, Fred Bialy, Toby Blome, Ameena Jandah, Adriana Cerlindolo, Sepideh Khosrowjah - spoke in support of a council ceasefire resolution.

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 Saylor, Fire Chief, Fire Department

Moved/Seconded: Councilmember Motoyama/Councilmember Quinto

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

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:** Adopted items A and C on 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 October 28, 2023, November 7, 2023, January 13, 2024 and January 16, 2024.

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

Action: Approved Minutes

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

Pulled from consent by Mayor Pro Tem Wysinger.

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

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

Action: Approved proclamation

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

Pulled by Councilmember Motoyama. **Discussion:** Policy and protocol regarding cash on hand.

Moved/Seconded: Councilmember Motoyama/Councilmember Fadelli

Action: Received and filed **Ayes:** Mayor Rudnick, Mayor Pro Tem Wysinger, Councilmember Fadelli, Councilmember Motoyama, Councilmember Quinto **Noes:** None

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

Pulled by Councilmember Motoyama. **Discussion:** Hillside Natural Area signage payment and status of way finding signs.

Moved/Seconded: Councilmember Motoyama/Councilmember Quinto

Action: Received and filed **Ayes:** Mayor Rudnick, Mayor Pro Tem Wysinger, Councilmember Fadelli, Councilmember Motoyama, Councilmember Quinto **Noes:** None

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

Pulled by Councilmember Fadelli. Discussion: The origin of the request in relation to the State Audit, and the cost of the study.

Moved/Seconded: Councilmember Quinto/Councilmember Fadelli

Action: Received and filed **Ayes:** Mayor Rudnick, Mayor Pro Tem Wysinger, Councilmember Fadelli, Councilmember Motoyama, Councilmember Quinto **Noes:** None

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

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

Moved/Seconded: Councilmember Motoyama/Councilmember Quinto

Action: Approved Resolution No. 2024-3 **Ayes:** Mayor Rudnick, Mayor Pro Tem Wysinger, Councilmember Fadelli, Councilmember Motoyama, Councilmember Quinto **Noes:** None

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

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding Richmond border area inclusion in the maintenance work, signage and graffiti cleanup, Baxter Creek cleanup, competing submissions, coverage of medians south of Ashbury Ave., irrigation repairs and sites of significant need, other work done by Rubicon Group, and a focus on Ohlone Greenway.

Moved/Seconded: Councilmember Quinto/Councilmember Motoyama

Action: Approved Resolution No. 2024-4 **Ayes:** Mayor Rudnick, Mayor Pro Tem Wysinger, Councilmember Fadelli, Councilmember Motoyama, Councilmember Quinto **Noes:** None

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

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding available fund balance, difference between restricted and unrestricted general fund balance, swim center ADA project, location of Electric Vehicle charging station at the Community Center, and grant funding for charging station.

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

Moved/Seconded: Councilmember Fadelli/Councilmember Motoyama

Action: Approved Resolution No. 2024-5 **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 upcoming meeting with Cal Cities executive committee and Governor Newsom.

Councilmember Fadelli - reported on meeting between Contra Costa Transportation Authority (CCTA) representatives and city staff regarding rapid bus transit project through Richmond, El Cerrito and San Pablo.

Councilmember Motoyama - reported on attendance at the Association of Bay Area Governments (ABAG) Executive Committee, Cal Cities Economic and Housing Policy Committee; presented on housing to the Association of American University Women, attended El Cerrito employee recognition dinner, met with El Cerrito Rollers and Strollers, and attended Contra Costa Mayors Conference.

Mayor Rudnick - reported on attendance at Contra Costa Mayors Conference, and ribbon cutting for NitPixies.

11. CLOSED SESSION

The City Council convened to closed session at 7:50 PM.

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

No reportable action.

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

No reportable action.

12. ADJOURN REGULAR CITY COUNCIL MEETING

The regular meeting adjourned at 9:20 PM

DocuSigned by:

Tessa Rudnick

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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 February 6, 2024 as approved by the El Cerrito City Council.

DocuSigned by:

HCharlety

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Holly M. Charlety, MMC, City Clerk