

Mayor
Tessa Rudnick
Mayor Pro Tem
Carolyn Wysinger



Councilmembers
Paul Fadelli
Lisa Motoyama
Gabriel Quinto

EL CERRITO CITY COUNCIL MINUTES

TUESDAY, MAY 07, 2024

SPECIAL CITY COUNCIL MEETING (5:00 PM)
Hillside Conference Room - 10890 San Pablo Ave, El Cerrito

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

Closed Captions Available Via Zoom:

<https://us06web.zoom.us/j/82860673725?pwd=kZc1zd4OdltuWG6pVXheyZMSd04nWE.1>

Meeting ID: 828 6067 3725 **Password:** 253618 **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**.

5:00 PM ROLL CALL - CONVENE SPECIAL CITY COUNCIL MEETING
Mayor Rudnick called the meeting to order at 5:01 PM.
Present: Mayor Rudnick, Mayor Pro Tem Wysinger (arrived at 5:32 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 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

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: Police Employees Association (PEA); and Service Employees International Union (SEIU) Local 1021.

Contact: Sky Woodruff, City Attorney, City Management

City Council convened to closed session at 5:02 PM. No reportable Action

4. ADJOURN SPECIAL CITY COUNCIL MEETING

The special meeting adjourned at 5:39 PM

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

Mayor Rudnick called the meeting to order at 6:00 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 Castro Park Pickleball contract.

Councilmember Quinto - announced appointment to Bay Area Quality Management Board as the Contra Costa Mayors Conference Representative.

Mayor Pro Tem Wysinger - reported on Fairmont Elementary block party, Harding silent auction fundraiser event, upcoming Fairmont Teacher Appreciation luncheon,

Councilmember Motoyama - announced teacher appreciation week this week, 5/18 Community Center Spring Tea Party, and reported on Association of Bay Area Governments Executive Committee meeting.

Mayor Rudnick - reported issuance of Mayoral Proclamation recognizing April as Sexual Assault Awareness Month.

- A. **Mayoral Proclamation in Recognition of Education and Sharing Day**
Presented mayoral proclamation.

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.

Ryan Lau - provided an update on the AC Transit Realign project and solicited public input.

D. Bruce - commented on a personal incident and police response.

Eyal Shahan, B.L., Lucinda Casson, Faith M., Dean Kertesz, Dee Weiss,
- spoke in opposition of a council ceasefire resolution.

Rayah, Miguel, Julie Beck, Nanci A., Yuko M., Somaia Nassef, Leslie Adams, Zainab H., Tamiko Panzella, Nina Joe - spoke in support of a council ceasefire resolution.

6. **PRESENTATIONS**

- A. **Contra Costa County Local Hazard Mitigation Plan (LHMP)**

Action Proposed: Receive and file a presentation on the 2024 version of the Contra Costa County Local Hazard Mitigation Plan (LHMP) with regards to the plan's purpose, local hazards addressed, community preparation, and public involvement in the planning process.

Contact: Eric Saylor, Fire Chief, Fire Department

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding volunteers that can assist in outreach, strategy for outreach to general public, recent hazard map updates and incorporation of information into plan, outreach done to community groups.

Action: Received and filed

B. Local Measure Renewal Feasibility Survey Results

Action Proposed: Receive and file a presentation from Bryan Godbe of Godbe Research with Highlights of a 2024 Service Priorities and No-Rate Increase Local Measure Renewal Feasibility Survey.

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

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding statistical significance, critical statements and polling "will never end" versus "until repealed by voters".

Action: Received and filed

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 Wysinger **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: Approve the City Council Meeting minutes from February 2, 13, 20; March 5, 19; and April 2, 2024.

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

Action: Approved minutes with a correction to the document header to reflect the current Mayor and Mayor Pro Tem.

B. Board, Commission, and Committee Workplan(s) and Accomplishments

Action Proposed: Receive and file adopted workplan(s) from applicable Boards, Commissions, and Committees of the City.

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

Action: Received and filed

C. Crime Prevention Committee Appointment of Rosa Esquivel

Action Proposed: Approve a Crime Prevention Committee recommendation to appoint Rosa Esquivel to the Crime Prevention Committee, effective May 7, 2024.

Contact: Aaron Leone, Sergeant/Staff Liaison, Police Department

Action: Approved appointment

D. Monthly Disbursement and Check Register Report for March 2024

Action Proposed: Receive and file the Monthly Disbursement and Check Register Report for the month of March 2024.

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

Action: Received and filed

E. Asian American, Native Hawaiian, and Pacific Islander Heritage Month Proclamation

Action Proposed: Approve a proclamation declaring the Month of May 2024 as Asian American, Native Hawaiian, and Pacific Islander Heritage Month in the City of El Cerrito.

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

Action: Approved proclamation

F. National Cities, Towns and Villages Month Proclamation

Action Proposed: Approve a proclamation declaring May as National Cities, Towns and Villages Month in the City of El Cerrito.

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

Action: Approved proclamation

G. Affordable Housing Month Proclamation

Action Proposed: Approve a proclamation designating May 2024 as Affordable Housing month in El Cerrito.

Contact: Aissia Ashoori, Housing-Economic Development Manager, Community Development Department

Action: Approved proclamation

H. National Public Works Week Proclamation

Action Proposed: Approve a proclamation designating May 19 through 25, 2024 as National Public Works Week in El Cerrito and encouraging all residents, businesses, and community organizations to recognize the substantial contributions Public Works personnel make to protect our health, safety, and quality of life.

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

Action: Approved proclamation

I. El Cerrito Hillside Festival 10th Anniversary Proclamation

Action Proposed: Approve a proclamation recognizing the 10th Anniversary of the El Cerrito Hillside Festival.

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

Action: Approved proclamation

J. Bike to Wherever Day Proclamation

Action Proposed: Approve a Proclamation declaring May 16, 2024, as Bike to Wherever Day in the City of El Cerrito.

Contact: Jennifer Bright, Management Assistant, Community Development Department

Action: Approved proclamation

K. Extension of Services Agreement with ChildCare Careers, LLC

Action Proposed: Adopt a resolution authorizing the City Manager to extend the Recreation Department's services agreement with Childcare Careers, LLC for fiscal year (FY) 2023-24 for a total amount not to exceed \$95,000.

Contact: Christopher Jones, Recreation Director, Recreation Department

Action: Approved Resolution No. 2024-25

L. Reject Construction Bids for the Miscellaneous Storm Drain Repair Project, City Project No. C5036.10

Action Proposed: Adopt a resolution rejecting all bids submitted for the Miscellaneous Storm Drain Repair, City Project No. C5036.10 (Project); and authorizing City staff to amend the Project documents, and rebid the Project.

Contact: Roland Lambert, Associate Engineer; Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department

Action: Approved Resolution No. 2024-26

M. Adopt a Resolution Authorizing the Purchase of Three (3) Hybrid Ford Explorer Police Vehicles in an Amount not to Exceed \$174,000.

Action Proposed: Adopt a Resolution Authorizing the Purchase of Three (3) Hybrid Ford Explorer Police Interceptor Vehicles for an Amount not to Exceed \$174,000.

Contact: Paul Keith, Chief of Police, Police Department

Action: Approved Resolution No. 2024-27

N. Adopt Landscape and Lighting Assessment (LLAD) for Fiscal Year 2024-25 and Adopt Resolution of Intent to Order Improvements; and Set the Public Hearing as May 21, 2024

Action Proposed: Accept the Engineer's Report specifying assessments for Landscape and Lighting Assessment District No 1988-1 for Fiscal Year 2024-25 and adopt a Resolution of Intention to order improvements pursuant to the Landscape and Lighting Act of 1972, and set the time, date, and place of the public hearing as May 21, 2024 at 6:00 p.m.

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

Action: Approved Resolution No. 2024-28

O. Resolution authorizing amendments to the Disposition and Development Agreement and Affordable Housing Regulatory Agreement with Mayfair Affordable, LLC, 11690 San Pablo Avenue

Action Proposed: Adopt a resolution authorizing the City Manager to 1) amend the *Disposition and Development Agreement (DDA)* and *Affordable Housing Regulatory Agreement (Agreement)* with the non-profit developer, Mayfair Affordable, LLC (Developer), for the property located at 11690 San Pablo Avenue - APN 502-062-031-5 (Affordable Project) associated with the development of 69 affordable housing units and 2) execute any other related documents and to take any other actions necessary to implement the *Development and Disposition Agreement* and the *Predevelopment Loan*.

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

Action: Approved Resolution No. 2024-29

8. PUBLIC HEARINGS

9. POLICY MATTERS

A. Construction Contract Award for ADA Modification - Curb Ramp and Sidewalk Project, City Project No. C3024.7

Action Proposed: Adopt a resolution to approve plans and specifications for the ADA Modification - Curb Ramp and Sidewalk Project, City Project No. C3024.7 (Project); accept the six bids submitted for the Project; authorize the City Manager to execute a contract in the amount of \$371,923 with FJ&I Engineering, Inc. and to approve potential change orders in an amount not to exceed \$37,200 for the construction of the Project; and amend the Fiscal Year (FY) 2023-24 Adopted Budget and Capital Improvement Program to appropriate \$112,123 from the SB 1 - Road Maintenance & Rehabilitation Account Fund/Local Streets & Road Program for the Project.

Contact: Roland Lambert, Associate Engineer; 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 included projects needing ADA accessibility, and selection of a west county construction vendor.

Moved/Seconded: Councilmember Motoyama/Councilmember Quinto

Action: Approved Resolution No. 2024-30 **Ayes:** Mayor Rudnick, Mayor Pro Tem Wysinger, Councilmember Fadelli, Councilmember Motoyama, Councilmember Quinto **Noes:** None

B. Fiscal Year 2024-25 and Fiscal Year 2025-26 Budget Study Session

Action Proposed: Conduct a study session on the Biennial Budget for Fiscal Years 2024-25 and 2025-26 including:

- Feedback from the April 6 and April 23, 2024 Community Budget meetings
- Revenue Projections
- Discussion on Priorities
- City Council Budget

Contact: Karen Pinkos, City Manager; Will Provost, Assistant to the City Manager, City Management; Crystal Reams, Finance Director/City Treasurer; Claire Coleman, Budget/Financial Services Manager, Finance Department

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding Property Transfer Tax projections, UUT study and assumption for increases, increase of senior population and focus on access to senior programs, goal for \$1M surplus, increased budget review process, library costs, reason for overall increase to total budget, devices issued to members, training budget for staff versus council, travel as compensation versus a benefit.

Moved/Seconded: Councilmember Fadelli/Councilmember Motoyama

Action: Passed a motion directing staff to budget a reduction to Council travel allotments for members to \$5K with an additional \$5K for the Mayor.

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 Motoyama - reported on attendance at Association of Bay Area Governments (ABAG) Housing Committee meeting, ABAG Executive Committee meeting, and BART Legacy Ride Event.

Councilmember Quinto - reported on attendance at the Cal Cities Leaders' Summit.

Councilmember Fadelli - reported on attendance at Mayors Conference, East Bay Wildlife Coordination meeting.

Mayor Rudnick - reported on attendance at Cal Cities Public Safety Policy Committee Meeting, meeting with Contra Costa County Civic Theater director, Good Friday Breakfast event at St. Peters Church, Ribbon Cutting for 100% Chiropractic, ad-hoc public safety committee meetings with Police and Fire Chiefs, CCC Realtor Breakfast Event, Seussical the Musical performance at Contra Costa Civic Theater, Cal Cities East Bay Division meeting, Mayors Conference in Pinole, El Cerrito Fire Department Academy Graduation, Trail Trekkers event, and Crime Prevention Committee meeting.

11. ADJOURN REGULAR CITY COUNCIL MEETING

The regular meeting adjourned at 9:10 PM

DocuSigned by:

Tessa Rudnick

75D98BA3B1674CF

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 May 7, 2024 as approved by the El Cerrito City Council.

DocuSigned by:

HCharlety

F741004CB417415...

Holly M. Charlety, MMC, City Clerk