

Mayor
Tessa Rudnick
Mayor Pro Tem
Carolyn Wysinger



Councilmembers
Paul Fadelli
Lisa Motoyama
Gabriel Quino

EL CERRITO CITY COUNCIL MINUTES

TUESDAY, JULY 16, 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/88312767082?pwd=a5DynG2qYR2PL7MiGNydESHXiWlqdN.1>

Meeting ID: 883 1276 7082 **Password:** 615564 **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 5:03 PM.

Present: Mayor Rudnick, Mayor Pro Tem Wysinger (arrived at 5:34 PM), Councilmember Fadelli, Councilmember Quinto **Absent:** Councilmember Motoyama

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; Public Safety Management Association; Service Employees International Union Local 1021.

Contact: Sky Woodruff, City Attorney, City Management

City Council convened to closed session at 5:04 PM. No reportable action.

4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

Name of Case: East Bay Regional Park District vs. City of Richmond et al. (Contra Costa County Superior Court, Action No. MSC19-00434)

Contact: Sky Woodruff, City Attorney, City Management

No reportable action.

5. ADJOURN SPECIAL CITY COUNCIL MEETING

The special meeting adjourned at 5:46 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 Quinto **Absent:** Councilmember Motoyama

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 city approval of the BART Transit Oriented Development master plan and subdivision map, announced 7/17 public meeting regarding the approval at City Hall.

Mayor Pro Tem Wysinger - reported on attendance at the July 4th event and Pride Day celebration in San Francisco.

Councilmember Quinto - announced appointment to the Stationary Source Committee for the Bay Area Air Quality Management District.

Councilmember Fadelli - reported on attendance at the July 4th event, and ribbon cutting of Planned Parenthood.

Mayor Rudnick - announced the recognition of centenarians Ruby Adachi Hiramoto and Esther Tanizawa with a Mayoral Certificate of Recognition.

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.

Jennifer Hammer - spoke regarding recreation activities in El Cerrito and the need for increased senior services.

Linda Cain - spoke regarding the need for a space for senior services.

Toby Blome, Fred Bialy, Nina Joe - spoke in support of a council ceasefire resolution.

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

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

Action Proposed: Receive and file adopted accomplishments from applicable Boards, Commissions, and Committees of the City.

Contact: Holly M. Charléty, City Clerk, City Management
Councilmember Fadelli requested a presentation of the Urban Forest Committee workplan when next completed.

Action: Received and filed

B. Monthly Disbursement and Check Register Report for June 2024

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

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

Action: Received and filed

C. Authorize the Purchase of two Hybrid Police Replacement Vehicles

Action Proposed: Adopt a Resolution authorizing the purchase of two

(2) Hybrid Ford Explorer Police Interceptor vehicles for an amount not to exceed \$63,000 per vehicle.

Contact: Emily Graham, Executive Assistant; J.T. Wahrlich, Lieutenant, Police Department

Action: Approved Resolution No. 2024-48

D. Consulting Services Agreement with Renne Public Policy Group for Grant Writing and Legislative Advocacy Services

Action Proposed: Adopt a resolution authorizing the City Manager to execute a consulting services agreement with Renne Public Policy Group (RPPG) in the amount not to exceed \$83,000 for grant writing and legislative advocacy services.

Contact: Alexandra Orologas, Assistant City Manager, City Management

Action: Approved Resolution No. 2024-49

E. Part-Time Minimum Wage Equity Adjustments

Action Proposed: Adopt a resolution to modify the City's part-time hourly salary schedule effective the first full pay period of September 2024 to comply with the City's Minimum Wage Ordinance, eliminate salary compaction, successfully recruit and retain talented staff, and ensure the City's Recreation Programs are sustainable.

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

Action: Approved Resolution No. 2024-50

F. Resolution to Amend the City's Classification Plan

Action Proposed: Adopt a resolution amending the City's Classification Plan to 1) authorize revisions to the existing classifications of Management Assistant, Permit Technician I/II, Assistant - Associate Planner, Firefighter/Firefighter Paramedic, Fire Engineer/Fire Engineer Paramedic, Fire Captain/Fire Captain Paramedic, Aquatics Assistant I/II, Pool Manager and 2) authorize the new classifications and/or title changes of Fire Prevention Officer I/II, Senior Management Assistant, Senior Permit Technician, Neighborhood Preservation Officer I/II, Program Coordinator, Aquatics Instructor I/II/III, Lifeguard I/II, Senior Lifeguard, Facility Attendant.

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

Action: Approved Resolution No. 2024-51

8. PUBLIC HEARINGS

9. POLICY MATTERS

A. Construction Contract Award and Budget Amendment for the Miscellaneous Storm Drain Repair Project, City Project No. C5036.10

Action Proposed: Adopt a resolution to approve plans and specifications for the Miscellaneous Storm Drain Repair, City Project No. C5036.10 (Project); accept the three bids submitted for the Project; authorize the City Manager to execute a contract in the amount of \$649,260 with A-3 Pipeline, Inc. and to approve potential change orders in an amount not to exceed \$65,000 for the construction of the Project; and amend the Fiscal Year (FY) 2024-25 Adopted Budget and Capital Improvement Program to appropriate \$785,000 from the Measure J Storm Drain Fund Balance.

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 priority of six projects listed.

Public Comments:

Rebecca Butler - spoke in support of the project and work to improve conditions in the area, and consideration of property uphill being considered.

Moved/Seconded: Mayor Pro Tem Wysinger/Councilmember Fadelli **Action:** Adopted Resolution No. 2024-52 **Ayes:** Mayor Rudnick, Mayor Pro Tem Wysinger, Councilmember Fadelli, Councilmember Quinto **Noes:** None **Absent:** Councilmember Motoyama

B. El Cerrito Climate Action & Adaptation Plan

Action Proposed: Approve a resolution adopting the El Cerrito Climate Action and Adaptation Plan.

Contact: Will Provost, Assistant to the City Manager, City Management; Christina Leard, Management Analyst III; 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 completed action items and timing of future phases, program updates to the Real Property Transfer Tax (RPPT) rebate program, transportation focus action items, involvement with local transit in development of plan, responsibility of implementation, timing of reported updates to City Council, planting trees, interdepartmental taskforce responsibilities, and climate action pledge.

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

Howdy Goudey - spoke in support of adoption with a need to increase the pace and effort of implementation, support of more frequent updates to the City Council, and transportation emissions.

Toby Blome - spoke in support of updates to City Council every six months to one year, and fast pace of climate change, and the impact of military activities and war on the climate.

Susan Duncan - commented on the importance of a climate focus and need for resident grants to modify to electric and solar installations.

Fred Bialy - commented in support of more frequent reporting to City Council.

Moved/Seconded: Councilmember Fadelli/Mayor Rudnick **Action:** Passed a motion to modify the plan language to report back with updates to City Council not less than every two years. **Ayes:** Mayor Rudnick, Mayor Pro Tem Wysinger, Councilmember Fadelli, Councilmember Quinto **Noes:** None **Absent:**

Councilmember Motoyama

Moved/Seconded: Councilmember Fadelli/Mayor Rudnick
Action: Adopted Resolution No. 2024-53 **Ayes:** Mayor Rudnick, Mayor Pro Tem Wysinger, Councilmember Fadelli, Councilmember Quinto **Noes:** None **Absent:** Councilmember Motoyama

City Council provided staff general direction to prioritize updates to the RPPT rebate program.

C. Call and Request Services for a November 5, 2024 Election to Submit to Voters the Reauthorization of Measure R to Maintain El Cerrito Safety and Local Services

2/3 affirmative vote of City Council required to pass. Notice published on 7/13/2024.

Action Proposed: 1) Adopt a resolution to call for an election to be held on Tuesday, November 5, 2024 to submit to the voters of El Cerrito a measure to reauthorize an existing Transactions and Use Tax (Measure R) to maintain El Cerrito safety and local services, to request the Contra Costa County Board of Supervisors consent to the consolidation of said measure and direct the Registrar of Voters to provide specified services to the City related to the conduct of the election, to direct the City Attorney to prepare an impartial analysis of the measure, and to establish deadlines for arguments and rebuttals; and 2) Waive further reading and introduce by title an ordinance of the City Council of the City of El Cerrito amending and restating chapter 4.62 of the El Cerrito Municipal Code to reauthorize an existing transactions and use tax to be administered by the California Department of Tax and Fee Administration.

Contact: Karen Pinkos, City Manager; Will Provost, Assistant to the City Manager; Holly M. Charléty, City Clerk, City Management
Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding the end date of the tax, accountability measures related to the necessity of the tax, and language used when framing opposition statements during the polling process.

Public Comments: Written comments submitted prior to and during the meeting are posted online as supplemental materials and incorporated into the official meeting record.
Fred Bialy - provided comments regarding polling and concern regarding the lack of an expiration date.

Howdy Goudey - spoke regarding support of the measure with or without a sunset date.

Moved/Seconded: Councilmember Fadelli/Mayor Pro Tem Wysinger **Action:** Adopted Resolution No. 2024-54, waived further

reading and held the first reading by title of Ordinance 2024-02.
Ayes: Mayor Rudnick, Mayor Pro Tem Wysinger, Councilmember Fadelli, Councilmember Quinto **Noes:** None **Absent:** Councilmember Motoyama

10. **CITY COUNCIL LOCAL & REGIONAL LIAISON ASSIGNMENTS** *Mayor and City Council communications regarding local and regional liaison assignments, committee reports, and any required reporting under AB 1234 for meetings (as defined by the Brown Act) attended at the public's expense.*
Councilmember Quinto - reported on attendance at the Cal Cities Board of Directors meeting.

Councilmember Fadelli - reported on attendance at the East Bay Wildfire Coalition meeting.

Mayor Rudnick - reported on attendance at the Association of Bay Area Governments meeting, Cal Cities Public Safety Policy Committee Meeting, Contra Costa Mayors Conference meeting, and call with Congressmen Garamendi.

11. **ADJOURN REGULAR CITY COUNCIL MEETING
IN MEMORY OF FORMER MAYOR AND COUNCILMEMBER JANE BARTKE**
The regular meeting adjourned at 8:18 PM in memory of Councilmember and former Mayor Jane Bartke.

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 July 16, 2024 as approved by the El Cerrito City Council.

DocuSigned by:

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