

Mayor
Tessa Rudnick
Mayor Pro Tem
Carolyn Wysinger



Councilmembers
Paul Fadelli
Lisa Motoyama
Gabriel Quinto

TUESDAY, OCTOBER 1, 2024

SPECIAL CITY COUNCIL MEETING (5:00 PM)

Hillside Conference Room - 10890 San Pablo Ave, El Cerrito

Closed Captions Available Via Zoom:

<https://us06web.zoom.us/j/86959815751?pwd=m0SRyt9DqY6ef3azil9bMHGlt2o3AS.1>

Meeting ID: 869 5981 5751 **Password:** 041863 **Dial in:** 1-408-638-0968

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/81089069140?pwd=B4VLXq1GxorhOBewEzewXKqEDYBimj.1>

Meeting ID: 810 8906 9140 **Password:** 878001 **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

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**

Mayor

Tessa Rudnick
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Carolyn Wysinger

**AGENDA****Councilmembers**

Paul Fadelli
Lisa Motoyama
Gabriel Quinto

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. COMMISSION INTERVIEWS, STATUS AND APPOINTMENTS

Action Proposed: Staff requests that City Council conduct interviews and, at the conclusion of interviews, confer with staff regarding the ongoing recruitments, any remaining vacancies, and the scheduling of further special meetings to conduct interviews (if applicable). Council may decide to make appointments at the conclusion of the meeting.

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

4. 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 Public Safety Management Association (PSMA)

Contact: Sky Woodruff, City Attorney, City Management

5. ADJOURN SPECIAL CITY COUNCIL 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****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.

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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

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. Board, Commission, and Committee Workplan(s) and/or Accomplishments

Action Proposed: Receive and file adopted workplan(s) and/or accomplishments from:

- Park and Recreation Commission (FY24 Accomplishments)

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

B. Approval of Minutes

Action Proposed: Approve the City Council Meeting minutes from August 20, September 16, and September 17, 2024.

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

C. Filipino American History Month Proclamation

Action Proposed: Approve a proclamation recognizing October 2024 as Filipino American History Month in El Cerrito.

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

D. National Arts and Humanities Month Proclamation

Action Proposed: Approve a proclamation in support and recognition of October 2024 as National Arts and Humanities Month in El Cerrito.

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

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E. Code Enforcement/Neighborhood Preservation Officer Appreciation Week Proclamation

Action Proposed: Approve a proclamation recognizing the second week of October as Code Enforcement/Neighborhood Preservation Officer Appreciation Week.

Contact: Jennifer Bright, Management Assistant, Community Development Department

F. 2nd Reading and Adoption of an Ordinance approving a Development Agreement for the 1715 Elm Street project to extend the term of the Agreement with the original developer for 5 years.
Notice published 9/7/2024, 1st Reading 9/17/2024

Action Proposed: Waive the Second Reading and Adopt Ordinance 2024-03 approving a Development Agreement between the City of El Cerrito and S&H Elm Street, LLC for the 1715 Elm Street project and authorizing the City Manager to Execute the Amendment.

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

G. Biennial Update of Agency Conflict of Interest Code

Action Proposed: Adopt a Resolution revising the Conflict of Interest Code for the City of El Cerrito, including filing requirements for related agency positions such as the Public Financing Authority, the Employee Pension Board, and the Successor Agency to the former Redevelopment Agency and rescinding Resolution No. 2022-68.

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

H. Adopt a resolution to authorize the City Manager to enter into a Professional Services Agreement with Bertrand, Fox, Elliot, Osman, & Wenzel (BFEOW) LLC for Legal Services and Representation.

Action Proposed: Adopt a resolution to authorize the City Manager to enter into a Professional Services Agreement with Bertrand, Fox, Elliot, Osman, & Wenzel (BFEOW) LLC for legal services and representation for a total amount not to exceed \$150,000 for the Fiscal Year 2024-25.

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

8. PUBLIC HEARINGS

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Councilmembers
Paul Fadelli
Lisa Motoyama
Gabriel Quinto

9. POLICY MATTERS

A. City Council Wall of Fame Nomination Ad-Hoc Committee Recommendation

Action Proposed: Consider the Wall of Fame Ad-Hoc Committee's recommendation to induct Patricia Durham into the El Cerrito Wall of Fame and direct the City Clerk to return to the City Council at a future City Council meeting, pending availability of all parties involved, with a resolution formalizing the appointment and to hold a formal induction ceremony.

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

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.

**11. ADJOURN REGULAR CITY COUNCIL MEETING
IN MEMORY OF JUDY KATZ, LONG-TIME EL CERRITO SENIOR FITNESS
INSTRUCTOR**

The next regularly scheduled City Council meeting is Tuesday, October 15, 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.



AGENDA BILL

Agenda Item No. 3.

Date: October 1, 2024
To: El Cerrito City Council
From: Holly M. Charl  y, City Clerk, City Management
Subject: COMMISSION INTERVIEWS, STATUS AND APPOINTMENTS

ACTION PROPOSED

Staff requests that City Council conduct interviews and, at the conclusion of interviews, confer with staff regarding the ongoing recruitments, any remaining vacancies, and the scheduling of further special meetings to conduct interviews (if applicable). Council may decide to make appointments at the conclusion of the meeting.

BACKGROUND/ANALYSIS

City staff continues to publicize board, commission and committee vacancies as they occur. Vacancies are published on the City's website and in the West County Times; posted at City Hall, the Community Center, the Library and other various locations throughout the City including Little Libraries. Staff continues to utilize the City Manager's Update, social media outlets, and press releases to increase awareness and opportunities for citizens to participate by attending meetings and/or serving on a Board, Commission or Committee.

INTERVIEW SCHEDULE

Interviews scheduled for this meeting are as follows:

5:00 PM	Jane Brewer	Human Relations Commission
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STRATEGIC PLAN CONSIDERATIONS

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

- *High Performing Organization* by increasing communication and public engagement to ensure access to services and promote community events.

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

This section is not applicable to this agenda item.

LEGAL CONSIDERATIONS

This section is not applicable to this agenda item.

Reviewed by:

A handwritten signature in blue ink, appearing to read "H. Charléty", with a stylized, cursive script.

Holly Charléty, City Clerk

Attachments:

Application(s) on file with City Clerk



AGENDA BILL

Agenda Item No. 7.A.

Date: October 1, 2024
To: El Cerrito City Council
From: Holly M. Charl  ty, City Clerk, City Management
Subject: Board, Commission, and Committee Workplan(s) and/or Accomplishments

ACTION PROPOSED

Receive and file adopted workplan(s) and/or accomplishments from:

- Park and Recreation Commission (FY24 Accomplishments)

BACKGROUND/ANALYSIS

Resolution 2024-16, adopted by the City Council on March 21, 2024, implemented procedures by which City of El Cerrito Boards, Commissions, and Committees (Advisory Bodies) adopt a two-year workplan. The workplan shall be developed within the Advisory Body's scope of responsibility and be aligned with the City's adopted Strategic Plan. The workplan shall be adopted by the Advisory Body (and posted on the Advisory Body website) no later than July 1st of applicable years. The workplan shall also include a section to provide annual accomplishments of the Advisory Body which shall be updated and posted annually by July 1st. Subsequent to adoption by the Advisory Body, the workplan and/or accomplishments shall be transmitted to the City Council on consent as a received and file item. The applicable advisory body chair(s) or designee(s) shall be in attendance at the meeting.

This item includes transmission of the following item(s):

- Park and Recreation Commission **Accomplishments** for FY 2023/2024
 - Chair: Troy Tyler
 - Staff Liaison: Chris Jones, Recreation Director

STRATEGIC PLAN CONSIDERATIONS

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

- *High Performing Organization.*

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

This section is not applicable to this agenda item.

LEGAL CONSIDERATIONS

This section is not applicable to this agenda item.

Reviewed by:

A handwritten signature in blue ink, appearing to read "Karen Pinkos".

Karen Pinkos, City Manager

Attachments:

1. Park and Recreation Commission FY 2023 - 2024 Accomplishments



ACCOMPLISHMENTS FISCAL YEAR 2023-2024

PARK AND RECREATION COMMISSION

Chair **Troy Tyler**; Vice-Chair **Jennifer Kaczor**; Members **Carrine Brody, Hari Lamba**

Staff Liaison

Christopher Jones | (510) 559-7005
cjones@ci.el-cerrito.ca.us
Recreation Department

PRIOR FISCAL YEAR ACCOMPLISHMENTS

Updated annually by July 1 and provided to City Council on Consent

Goal/Objective	Activities Supporting Goal	Status
1. School District Partnership	- Received regular updates on status of Castro Park agreement with school district and provided feedback. - Members monitored and updated Commission on the WCCSUD's 7-11 Committee process for the possible surplus of property at the former Portola Middle School site in El Cerrito.	- Castro Park Agreement in place, receive ongoing updates regarding Pickleball Court construction at Castro Park. 7-11 Committee monitoring continues.
2. Community Outreach & Engagement	- Received regular updates on Recreation Department programs, services and community engagement activities and provided feedback. - Members participated on the Climate Action and Adaptation Plan (CAAP) Stakeholder Group.	- Ongoing - CAAP passed by City Council
3. Engaging Recreation/Community Partners	Received presentation on City Co-Sponsored organizations and other groups who work in collaboration with the Recreation Department and the City and provided feedback.	Incorporated Commission Liaisons to several organizations in Work Plan to increase communication.

4. Open Space & Urban Trails	1. Received presentations on Hillside Natural Area Fire (HNA) Resilience and Forest Conservation Management Plan and provided feedback. Members also participated on the stakeholder group. 2. Received presentations and monitored status of the HNA Wayfinding Signage Project.	1. Continues to monitor status of Plan; 2. HNA Wayfinding Signs installed.
5. Parks and Recreation Projects	Received presentations on the Parks and Recreation Facilities capital improvement program (CIP) projects and provided feedback.	Ongoing

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EL CERRITO CITY COUNCIL DRAFT MINUTES

TUESDAY, AUGUST 20, 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/89053003770?pwd=DjawVX5FHtbiGNdyTWiPVaaZtZgon.1>

Meeting ID: 890 5300 3770 **Password:** 685559 **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 5:00 PM.

Present: Mayor Rudnick, Councilmember Fadelli, Councilmember

Motoyama **Absent:** Mayor Pro Tem Wysinger, Councilmember Quinto

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); Public Safety Management Association; and Service Employees International Union (SEIU) Local 1021.

Contact: Sky Woodruff, City Attorney, City Management

Councilmember Motoyama disclosed that her adult child is employed as a part-time childcare aide for the City of El Cerrito and her position is represented by SEIU. The City Council convened to closed session at 5:02 PM. No reportable action.

4. ADJOURN SPECIAL CITY COUNCIL MEETING

The special meeting adjourned at 5:56 PM.

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

Mayor Rudnick called the meeting to order at 6:04 PM.

Present: Mayor Rudnick, Councilmember Fadelli, Councilmember Motoyama **Absent:** Mayor Pro Tem Wysinger, Councilmember Quinto

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

2. PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF A MOMENT OF SILENCE

3. TELECONFERENCE AND PUBLIC COMMENT INSTRUCTIONS

4. COUNCIL/STAFF COMMUNICATIONS

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

City Manager Pinkos - announced Police Department meeting on 8/22 regarding expansion of the license plate reader program, deadline of 8/25 for Hillside Natural Area Fire resilience and forest conservation management Plan public comments, and workshop for Richmond Complete Streets Improvement project on 9/12.

Councilmember Motoyama - announced the El Cerrito Art Association Call for Artists open until 9/1 and thanked staff and neighbors for the National Night Out event.

Councilmember Fadelli reported on attendance at the 8/15 Hillside Natural Area signage event.

Mayor Rudnick - announced the formation of a Wall of Fame Ad-Hoc committee comprised of Councilmember Motoyama and Mayor Rudnick; re-assignment of alternate voting delegate for Cal Cities annual conference from Mayor Pro Tem Wysinger to Councilmember Fadelli; and on 8/8 signing a letter to the Secretary of the Interior requesting a non-expedited public review period and to fully address environmental impacts of the proposed Scotts Valley Mega Casino and Tribal Housing Project in Solano County.

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.

Bill Barish - rep of 350 Contra Costa, spoke regarding the Climate Action and Adaptation Plan, and requested discussion and update of the CAP at every council meeting.

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 Motoyama/Councilmember Fadelli

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

A. Approval of Minutes

Action Proposed: Approve the City Council Meeting minutes from June 18 and July 16, 2024.

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

Action: Approved minutes with a correction to the spelling of Linda "Cain" under oral communication from the public on the 7/16 minutes.

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

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

- Environmental Quality Committee (FY24 Accomplishments)
- Financial Advisory Board (FY24 Accomplishments)

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

Action: Receive and Filed

C. Civility Awareness Month Proclamation

Action Proposed: *At the request of Mayor Rudnick* Approve a proclamation recognizing August as Civility Awareness Month in El Cerrito

Contact: Holly Charléty, City Clerk, City Management

Action: Approved proclamation

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

Action Proposed: Receive and file the City's Fourth Quarter Cash and Investment Report for the period April 1, 2024 to June 30, 2024.

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

Action: Received and Filed

E. Monthly Disbursement and Check Register Report for July 2024

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

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

Action: Received and Filed

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 Van Driver II, Administrative Assistant I/II and 2) authorize new classifications of Fire Marshal, Van Driver I and Neighborhood Preservation Program Coordinator.

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

Action: Approved Resolution No. 2024-55

- G. Execute an Agreement For The Lease Purchase of Five EKG Monitors And Three Mechanical CPR Devices For An Annual Amount Not To Exceed \$79,000 With A Total Price Of ~~\$332,000~~ \$432,000.**

Action Proposed: Adopt a Resolution authorizing a sixty-six month lease purchase of five EKG monitors and three mechanical CPR devices for an amount not to exceed \$79,000 per year, for a total purchase price of ~~\$331,173~~ **\$432,000.**

Contact: Eric Saylor, Fire Chief, Fire Department

Action: Approved Revised Resolution No. 2024-56

- H. Amendment of the License Agreement with the Kensington Police Protection & Community Services District Extending the Use of Site and Amenities at 10940 San Pablo Avenue**

Action Proposed: Adopt a resolution authorizing the City Manager to execute an amendment to the license agreement with the Kensington Police Protection and Community Services District extending the temporary usage of the modular building and other site amenities located at 10940 San Pablo Avenue for an additional three years with options to extend in two-year increments.

Contact: Christopher Jones, Recreation Director, Recreation Department

Action: Approved Resolution No. 2024-57

8. PUBLIC HEARINGS

A. Fire Hazard Abatement

Exempt from CEQA review pursuant to Sections 15304 and 15308, Notice published 8/10/2024

Action Proposed: 1) Adopt a resolution declaring that weeds, rubbish, litter, or other flammable material on certain real property identified in the resolution constitutes a public nuisance; and 2) Conduct a public hearing; and 3) Adopt a resolution overriding objections by property owners and ordering the City Manager or their designee to abate certain public nuisances pursuant to El Cerrito Municipal Code Chapter 16.26.

Contact: Traviss Crumpacker, Fire Prevention Officer; Chase Beckman, Fire Marshal, Fire Department

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding 1745 Elm.

Moved/Seconded: Councilmember Motoyama/Councilmember Fadelli
Action: Resolution No. 2024-58 (Declaring Properties). **Ayes:** None
Noes: None **Absent:** Mayor Pro Tem Wysinger, Councilmember Quinto

Public Hearing: Mayor Rudnick opened the public hearing.

No Comments

Moved/Seconded: Councilmember Fadelli/Councilmember Motoyama
Action: Closed the Public Hearing. **Ayes:** None **Noes:** None **Absent:** Mayor Pro Tem Wysinger, Councilmember Quinto

Moved/Seconded: Councilmember Motoyama/Councilmember Fadelli
Action: Resolution No. 2024-59 (Overriding Objections). **Ayes:** None
Noes: None **Absent:** Mayor Pro Tem Wysinger, Councilmember Quinto

9. POLICY MATTERS

- 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 Rudnick - reported on attendance at the Contra Costa Mayors Conference, and the Hillside Natural Area sign designation event.

- 11. ADJOURN REGULAR CITY COUNCIL MEETING**
The regular meeting adjourned at 6:48 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 August 20, 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 Quino

EL CERRITO CITY COUNCIL DRAFT MINUTES

MONDAY, SEPTEMBER 16, 2024

SPECIAL CITY COUNCIL MEETING (6:00 PM)

Physical Locations:

Hillside Conference Room - 10890 San Pablo Ave, El Cerrito
11154 CA-76, Pala, CA

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.

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6:00 PM ROLL CALL - CONVENE SPECIAL 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**

Mayor Rudnick called the meeting to order at 6:00 PM.

Present: Mayor Rudnick, Mayor Pro Tem Wysinger, Councilmember Fadelli, Councilmember Motoyama (joined remotely at 6:13 PM), Councilmember Quinto

Absent: None

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 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957

Title: City Manager

Contact: Sky Woodruff, City Attorney, City Management

The City Council convened to closed session at 6:03 PM, no reportable action.

4. CLOSED SESSION CONFERENCE WITH NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency Designated Representatives: Mayor Tessa Rudnick, Councilmember Gabe Quinto

Unrepresented Employee: City Manager

Contact: Sky Woodruff, City Attorney, City Management

No reportable action.

5. ADJOURN SPECIAL CITY COUNCIL MEETING

The special meeting adjourned at 7:30 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 September 16, 2024 as approved by the El Cerrito City Council.

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

Mayor
Tessa Rudnick
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Councilmembers
Paul Fadelli
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Gabriel Quino

EL CERRITO CITY COUNCIL DRAFT MINUTES

TUESDAY, SEPTEMBER 17, 2024

SPECIAL CITY COUNCIL MEETING (5:00 PM)

Hillside Conference Room - 10890 San Pablo Ave, El Cerrito

<https://us06web.zoom.us/j/84360458127?pwd=gJU6J0C8iqdfUx1kiOlboxsPDaTLXKc.1>

Meeting ID: 843 6045 8127 **Passcode:** 736616 **Dial in:** 1-408-638-0968

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/88143098465?pwd=YQBN7tdugqKTHHHnNatlmJR9bpTRJX.1>

Meeting ID: 881 4309 8465 **Password:** 968523 **Dial in:** 1-408-638-0968

View (Regular Meeting Only):

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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 5:00 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. **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 Public Safety Management Association.

Contact: Sky Woodruff, City Attorney, City Management

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

4. **COMMISSION INTERVIEWS, STATUS AND APPOINTMENTS**

Action Proposed: Staff requests that City Council conduct interviews and, at the conclusion of interviews, confer with staff regarding the ongoing recruitments, any remaining vacancies, and the scheduling of further special meetings to conduct interviews (if applicable). Council may decide to make appointments at the conclusion of the meeting.

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

Moved/Seconded: Mayor Rudnick/Councilmember Motoyama **Action:** Conducted 1 interview and made the following appointment. 1) Michael Wheeler to Planning Commission for a partial term of 9/17/2024 - March 1, 2028. **Ayes:** Mayor Rudnick, Mayor Pro Tem Wysinger, Councilmember Fadelli, Councilmember Motoyama, Councilmember Quinto **Noes:** None

5. **ADJOURN SPECIAL CITY COUNCIL MEETING**

The special meeting adjourned at 5:52 PM

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 - congratulated Finance Director Crystal Reams on achieving her Certified Public Accountant license; announced the United Against Hate Week event on 9/26 at the Rialto Theater, 9/29 Play Like a Girl + event, 10/25 Senior Resource Fair, and Free Senior Social hours on Wednesdays and Thursdays at the Community Center.

Housing Manager Aissia Ashoori - announced the award of a \$39 million dollar grant to the City of El Cerrito from the California Strategic Growth Council for the El Cerrito Plaza Transit Oriented Development project.

Fire Chief Eric Saylor - announced recognition received by the Strike Team Leader on the Park Fire for Captain Rune Hoyer-Nielsen's leadership and response.

Councilmember Fadelli - announced 9/23 East Bay Wildfire Coalition meeting.

Councilmember Motoyama- announced the El Cerrito Art Association Artists Reception on 10/4 at the Community Center, the 10/10, 10/12-13, and 10/19 Albany Film Festival in El Cerrito, and the 10/20 Free Folk Festival at the Community Center.

Mayor Rudnick - reported on a 9/9 Wall of Fame Ad-Hoc Meeting and the recommendation to approve Patricia Durham for the Wall of Fame, announced the expansion of the Ad-Hoc charge to include review of the program to return with recommendation before the end of the year.

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.

Buddy Akacic – commented on the Stockton Avenue veteran's building condition and use for senior services, and the need for a senior center in El Cerrito.

Dean Kertesz and Lucinda Casson – spoke in support of the United Against Hate Week proclamation.

Eyal Shahr – spoke regarding antisemitism and in opposition to a council resolution regarding a ceasefire.

Linda Cain – commented regarding the need for a senior center in El Cerrito.

6. PRESENTATIONS

7. ADOPTION OF THE CONSENT CALENDAR

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

Moved/Seconded: Councilmember Fadelli/Councilmember 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. Hispanic Heritage Proclamation

Action Proposed: Pass a motion to approve a proclamation declaring September 15, 2023- October 15, 2023 as Hispanic Heritage Month, by recognizing and celebrating the histories, cultures, and contributions of American citizens whose ancestors came from Spain, Mexico, the Caribbean, and Central and South America.

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

Action: Approved proclamation modifying the first whereas clause to read "whose ancestors came from Africa, Spain...."

B. Suicide Prevention Awareness Proclamation

Action Proposed: Pass a motion to approve a proclamation declaring September as Suicide Prevention Awareness Month in the City of El Cerrito.

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

Action: Approved Proclamation

C. United Against Hate Week

Action Proposed: Pass a motion to approve a proclamation declaring September 21 - 27, 2024 as United Against Hate Week in the City of El Cerrito.

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

Action: Approved Proclamation

D. Monthly Disbursement and Check Register Report for August 2024

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

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

Action: Received and filed

E. 2nd Reading and Adoption of an Ordinance to Reauthorize an Existing Transactions and Use Tax to be Administered by the California Department of Tax and Fee Administration

Notice published 7/13/2024, 1st Reading 7/16/2024

Action Proposed: Waive the Second Reading and Adopt Ordinance 2024-02 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: Holly M. Charléty, City Clerk, City Management

Action: Adopted Ordinance 2024-02

F. Spending Authority for Certain Vendors Expected to Exceed \$45,000 for FY 2024-25

Action Proposed: Adopt a resolution approving spending authority for vendors expected to exceed \$45,000 in Fiscal Year 2024-25.

Contact: Claire Coleman, Budget/Financial Services Manager, Finance Department

Action: Approved Resolution No. 2024-60

G. Consulting Services Agreements for On-Call Engineering and Project Management Services

Action Proposed: Adopt a resolution authorizing the City Manager to execute consulting services agreements with three firms, Bellecci, Tetra Tech, Theis Engineering and Associates, Inc to provide On-call Engineering and Project Management services for three years with options to extend for an additional two years in an amount not to exceed \$250,000 per fiscal year for each agreement.

Contact: A'shanti Coleman, Management Assistant; Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department

Action: Approved Resolution No. 2024-61

H. 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 Childcare Aide, Plan Checker I/II, Assistant Engineer, Engineering Technician II, Information Technology Technician and 2) authorize the new classification of Engineering Technician I.

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

Action: Approved Resolution No. 2024-62

8. PUBLIC HEARINGS

A. Fire Hazard Abatement

Exempt from CEQA review pursuant to Sections 15304 and 15308, Notice published 9/7/2024

Action Proposed: 1) Adopt a resolution declaring that weeds, rubbish, litter, or other flammable material on certain real property identified in the resolution constitutes a public nuisance; and 2) Conduct a public hearing; and 3) Adopt a resolution overriding objections by property owners and ordering the City Manager or their designee to abate certain public nuisances pursuant to El Cerrito Municipal Code Chapter 16.26.

Contact: Traviss Crumpacker, Fire Prevention Officer; Chase Beckman, Fire Marshal, Fire Department

Moved/Seconded: Councilmember Quinto/Councilmember Motoyama

Action: Approved Resolution No. 2024-63 (Declaring Properties).

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

Public Hearing: Mayor Rudnick opened the public hearing.

No comments

Moved/Seconded: Councilmember Quinto/Councilmember Fadelli

Action: Closed the Public Hearing **Ayes:** Mayor Rudnick, Mayor Pro Tem Wysinger, Councilmember Fadelli, Councilmember Motoyama, Councilmember Quinto **Noes:** None

Moved/Seconded: Councilmember Motoyama/Councilmember Fadelli

Action: Approved Resolution No. 2024-64 (Overriding Objections).

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

B. Development Agreement for the 1715 Elm Street Project
Notice Published on 9/7/2024

Action Proposed: Waive the first reading of and introduce an ordinance approving a Development Agreement for the 1715 Elm Street project to extend the term of the Agreement with the original developer for 5 years. **Contact:** Sean Moss, Planning Manager; Jeff Ballantine, Senior Planner, Community Development Department
Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding completion timeline, below market rate units and pricing, and use of historical house leased to the city.

Public Hearing: Mayor Rudnick opened the public hearing.

No public comments.

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

Moved/Seconded: Councilmember Motoyama/Councilmember Quinto
Action: Waived the first reading and introduced an Ordinance to Approve a Development Agreement for the 1715 Elm Street Project to Extend the Term of the Agreement with the Original Developer for 5 Years. **Ayes:** Mayor Rudnick, Mayor Pro Tem Wysinger, Councilmember Fadelli, Councilmember Motoyama, Councilmember Quinto **Noes:** None

9. POLICY MATTERS

A. Police Equipment and Services Agreement with Axon Inc.

Proposed: Adopt a resolution authorizing the City Manager to enter into five-year agreement with Axon Inc. to supply police equipment and services in an amount not to exceed \$159,000 annually, for a total contract amount not to exceed \$785,192.

Contact: Paul Keith, Chief of Police, Police Department

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding public access tracking on the transparency portal, public access to body worn camera footage, deploying camera footage when weapons removed from holster, increased benefits and potential expansion of other services, additional functionality of current license plate readers, taser capacity, budget cycle, which agency vehicles will be affected, length of time footage is stored, and other agencies using products.

Moved/Seconded: Councilmember Quinto/Mayor Rudnick
Action: Approved Resolution No. 2024-65. **Ayes:** Mayor Rudnick, Mayor Pro Tem Wysinger, Councilmember Fadelli, Councilmember Motoyama, Councilmember Quinto **Noes:** None

B. FY 2023-24 General Fund Budget Quarterly Update through June 2024

Action Proposed: Receive and file an update on City General Fund revenues and expenses for FY 2023-24 through June 2024.

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

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding the un-needed reduction in fund balance, expenditure calculations, and advanced access to presentation materials.

Action: Received and filed

C. Roll Forward of Incomplete Purchase Orders from FY 2023-24

Action Proposed: Adopt a resolution authorizing the carry forward of \$604,623.85 from the General Fund and \$12,348,520.48 from special revenue and enterprise funds for purchase orders authorized during FY 2023-24 but expected to be completed in FY 2024-25.

Contact: Crystal Reams, Finance Director/City Treasurer, Finance Department; Claire Coleman, Budget/Financial Services Manager, Finance Department

Moved/Seconded: Councilmember Motoyama/Councilmember Quinto **Action:** Approved Resolution No. 2024-66. **Ayes:** Mayor Rudnick, Mayor Pro Tem Wysinger, Councilmember Fadelli, Councilmember Motoyama, Councilmember Quinto **Noes:** None

D. Voting Direction for League of California Cities 2024 Annual Conference Resolutions Packet

Action Proposed: Pass a motion to authorize and provide direction to the annual conference voting delegate on how to vote on the proposed resolutions packet for 2024.

Contact: 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 legal risk in support of the proposed resolution and council perspectives.

Action: General consensus to not take action and let the voting delegate get more information at the conference and make the decision on the Council's behalf.

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 Pro Tem Wysinger - reported on attendance at a school collaborative meeting regarding the closure of Stege Elementary School.

Councilmember Motoyama - reported on attendance at the Arts and Culture Commission meeting, Park and Recreation Commission meeting, and Marin Clean Energy Executive Committee meeting.

Councilmember Quinto - reported on attendance at two Local Area Foundation Commission (LAFCO) meetings, and Stationary Source Committee for the Bay Area Air Quality Management District meeting.

Councilmember Fadelli - reported on attendance at Contra Costa Transportation Authority meeting.

Mayor Rudnick - reported on attendance at the Contra Costa Mayors Conference meeting, and RecycleMore meeting.

11. **ADJOURN REGULAR CITY COUNCIL MEETING**

The next regularly scheduled City Council meeting is Tuesday, October 1, 2024 at 6:00 p.m.

The regular meeting adjourned at 8:04 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 September 17, 2024 as approved by the El Cerrito City Council.

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

EL CERRITO CITY COUNCIL PROCLAMATION
Recognizing October as Filipino American History Month in the City of El Cerrito

WHEREAS, on October 18, 1587, more than a century before the Mayflower crossed the Atlantic Ocean, the first "Luzones Indios," as Filipinos were known in those days, arrived in Morro Bay, California after sailing across the Pacific Ocean as sailors on Spanish galleons; and

WHEREAS, between 1906 and 1935, the first large wave of Filipino immigration to the United States began as Filipinos were recruited to work in the agricultural industries, canneries, and on sugarcane plantations; and

WHEREAS, during World War II, approximately 200,000 Filipino soldiers, including thousands from California, fought under United States command to preserve the liberty of our country and win back the liberty of the Philippines; and

WHEREAS, between 1941 and 1959, a second wave of Filipino immigration began, as nurses, students, fiancées of World War II military personnel, veterans, and many Filipinos who had served in the United States Navy settled in the Bay Area, including El Cerrito, where they are one of the largest Asian American minorities; and

WHEREAS, 2006 marked the centennial celebration of Filipino migration to the United States. In California, Filipino American History Month was first recognized statewide; and

WHEREAS, on September 9, 2009, the California State Assembly voted to designate the month of October 2009, and every October thereafter, as Filipino American History Month; and

WHEREAS, Chief Justice Tani Gorre Cantil-Sakauye is the first Filipina American to lead California's judiciary, and Attorney General Rob Bonta is the first Filipino American to head California's Department of Justice; and

WHEREAS, on December 19, 2017, El Cerrito's first Filipino American Mayor, Gabriel Quinto, was sworn in by Contra Costa Superior Court Judge Benjamin Reyes II, the first Filipino American judge to serve on the Contra Costa County bench.

NOW THEREFORE, the City Council of the City of El Cerrito does hereby declare October as Filipino American History Month in the City of El Cerrito and invites everyone to celebrate and reflect on the notable accomplishments and outstanding services by Filipino Americans to our Country, our State, and our City.

Dated: October 1, 2024

Tessa Rudnick, Mayor

EL CERRITO CITY COUNCIL PROCLAMATION
Recognizing and Supporting October 2024 as
National Arts and Humanities Month in El Cerrito

WHEREAS, the month of October has been recognized as National Arts and Humanities Month across the country since 1993; and

WHEREAS, National Arts and Humanities Month was initiated to encourage all Americans to begin a lifelong habit of participation in the arts and humanities; and

WHEREAS, the arts and humanities embody much of the accumulated wisdom, intellect, and imagination of humankind; and

WHEREAS, the arts and humanities play a unique role in the lives of our families, our communities, and our country; and

WHEREAS, the arts and humanities enhance and enrich the lives of every American; and

WHEREAS, the arts and humanities contribute towards cross-cultural understanding, and enhance the quality of life; and

WHEREAS, studies show that innovation and creativity are key components to a prosperous future California economy; and

WHEREAS, the Arts and Culture Commission works to encourage and promote arts programs and events happening in El Cerrito during October.

NOW THEREFORE, the City Council of the City of El Cerrito does hereby declares October 2024 as Arts and Humanities Month in the City of El Cerrito and encourages all members of the community to celebrate and promote the arts and culture in our nation and to participate, patronize and support the arts and humanities in El Cerrito.

Dated: October 1, 2024

Tessa Rudnick, Mayor

EL CERRITO CITY COUNCIL PROCLAMATION
Recognizing October 6th – 12th, 2024 as Code Enforcement/Neighborhood
Preservation Officer Appreciation Week

WHEREAS, the State of California wants to recognize and honor Code Enforcement Officers that serve our community and acknowledge their role in leading the way to improve quality of life within our communities; and

WHEREAS, the City of El Cerrito's Neighborhood Preservation Officers fulfill the many responsibilities of a Code Enforcement Officers; and

WHEREAS, Neighborhood Preservation Officers provide for the safety, health, and welfare of citizens in communities throughout the state of California through the enforcement of local, state, and federal laws and ordinances dealing with various issues of building, zoning, housing, environmental health, and life safety; and

WHEREAS, Neighborhood Preservation Officers have challenging and demanding roles, and often do not receive recognition for the job they do in improving the quality of life for the residents and businesses of local communities; and

WHEREAS, the role of many Neighborhood Preservation Officers has expanded in recent years with jurisdictions, increasingly relying on the expertise and training of Code Enforcement Officers in their communities to deal with complex issues; and

WHEREAS, Neighborhood Preservation Officers are dedicated, highly qualified, and highly trained professionals who uphold the goals of preventing neighborhood deterioration, enhancing communities, and ensuring safety, and preserving property values through knowledge, training, and application of housing, zoning, and nuisance laws; and

WHEREAS, Neighborhood Preservation Officers often have a highly visible role in the communities they serve and regularly interact with the public and a variety of federal, state, county, and local officials in their capacity as Code Enforcement Officers; and

NOW THEREFORE, the City Council of the City of El Cerrito does hereby proclaim that the second week of October be known as Code Enforcement/Neighborhood Preservation Officer Appreciation Week and call upon its residents to join in recognizing and expressing their appreciation for the dedication and service by the individuals who serve as our Code Enforcement/Neighborhood Preservation Officers.

Dated: October 1, 2024

Tessa Rudnick, Mayor

ORDINANCE NO. 2024-03

AN ORDINANCE OF THE CITY OF EL CERRITO APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF EL CERRITO AND S&H ELM STREET, LLC FOR THE 1715 ELM STREET PROJECT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT

WHEREAS, on October 2, 2014, the El Cerrito City Council adopted Ordinance 2014-04, approving a Development Agreement between the City of El Cerrito and the Edward and Loretta Biggs Revocable Trust ("Biggs") for the 1715 Elm Street project; and

WHEREAS, the term of the original Development Agreement was five years, commencing upon the effective date of Ordinance 2014-04, November 6, 2014; and

WHEREAS, on September 17, 2019, the City Council adopted Ordinance 2019-08 approving an amendment to the Development Agreement that extended the Development Agreement for 5 years, to November 1, 2024, and required the project to comply with El Cerrito Municipal Code Chapter 19.30 (Inclusionary Zoning). Biggs subsequently sold the property to Thompson Builders ("Thompson"); and

WHEREAS, on December 8, 2021, Thompson sold the property at 1715 Elm to S&H LLC ("Developer").

WHEREAS, the City and Developer have been unable to locate any evidence that Biggs assigned its rights and obligations under the Development Agreement to Thompson or that Thompson subsequently assigned its rights and obligations under the Development Agreement to Developer; and

WHEREAS, the Development Agreement will expire on November 1, 2024 without further action; and

WHEREAS, the City and Developer both believe that it will be in their mutual interest for the terms of the Development Agreement to remain in effect for an additional five years to allow for the completion of the Project, including satisfaction of requirements of the Development Agreement that are of benefit to the City. The City Council therefore desires to approve a new Development Agreement with Developer with the same material terms as the existing Development Agreement (as amended by the First Amendment) with a five-year term; and

WHEREAS, an Initial Study and Mitigated Negative Declaration (MND) pursuant to the California Environmental Quality Act (CEQA) have been prepared for the Project. All potential impacts identified are reduced to a less than significant level pursuant to the California Environmental Quality Act with the implementation of mitigation measures; and

WHEREAS, the City Council used their independent judgment and considered the staff report, the Initial Study and Mitigated Negative Declaration, and all reports, recommendations and testimony referenced above and adopted Resolution No. 2014-44 adopting the Initial Study and Mitigated Negative Declaration prior to approving this amendment; and

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF EL CERRITO DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: Incorporation of Recitals. The City Council finds that the above Recitals are true and correct and are incorporated herein by reference.

Section 2: Findings. On the basis of: (a) the foregoing Recitals which are incorporated herein, (b) the City of El Cerrito General Plan; (c) Initial Study and Mitigated Negative Declaration, (e) the staff report; (f) information in the entire record of proceedings for the Project, and on the basis of the specific conclusions set forth below, the City Council finds and determines that:

1. The Development Agreement is consistent with the objectives, policies, general land uses and programs specified and contained in the City's General Plan in that: (a) the General Plan land use designations, policies, programs and objectives are incorporated into the Development Agreement and not altered by the Development Agreement or amendment; and (b) the Project is consistent with the fiscal policies of the General Plan with respect to the provision of infrastructure and public services.
2. The Development Agreement is compatible with the uses authorized in, and the regulations prescribed for, the land use districts in which the real property is located.
3. The Development Agreement is in conformity with public convenience, general welfare, and good land use policies in that the Project will implement land use guidelines set forth in the General Plan.
4. The Development Agreement will not be detrimental to the health, safety, and general welfare in that the Developer's proposed Project will proceed in accordance with all the programs and policies of the General Plan and Project Approvals.
5. The Development Agreement will not adversely affect the orderly development of property or the preservation of property values in that the Project will be consistent with the General Plan and Project Approvals.
6. The Development Agreement complies with the requirements of §§ 65864 et seq. of the California Government Code and El Cerrito Municipal Code Chapter 19.14 and specify the duration of the agreement, the permitted uses of the property, the density or intensity of use, the maximum height and size of proposed buildings, and provisions for reservation of open space. The Development Agreement contains an indemnity and insurance clause requiring the developer to indemnify and hold the City harmless against claims arising out of the development process, including all legal fees and costs.

Section 3: Approval. The City Council hereby approves the Development Agreement (Attachment A to the Ordinance) and authorizes the City Manager to execute it, including any amendments consistent with the intent of this Ordinance that do not increase the City's obligations, subject to approval as to form by the City Attorney.

Section 4: Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this ordinance, and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to whether any portion of this Ordinance would be subsequently declared invalid or unconstitutional.

Section 5: Effective Date. This Ordinance shall take effect and be enforced thirty days after the date of its adoption. Prior to the expiration of fifteen days from the passage thereof, the Ordinance or a summary thereof shall be posted or published as may be required by law, and thereafter the same shall be in full force and effect.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the City Council on September 17, 2024 and passed by the following vote:

AYES:	Mayor Rudnick; Mayor Pro Tem Wysinger; Councilmembers Fadelli, Motoyama, and Quinto
NOES:	None
ABSENT:	None
ABSTAIN:	None

ADOPTED AND ORDERED published at a regular meeting of the City Council held on October 1, 2024 and passed by the following vote:

AYES:	Councilmembers
NOES:	Councilmembers
ABSENT:	Councilmembers
ABSTAIN:	Councilmembers

APPROVED:

Tessa Rudnick, Mayor

ATTEST:

Holly M. Charl  ty, City Clerk

ORDINANCE CERTIFICATION

I, Holly M. Charléty, City Clerk of the City of El Cerrito, do hereby certify that this Ordinance is the true and correct original Ordinance No. 2024-03 of the City of El Cerrito, that said Ordinance was duly enacted and adopted by the City Council of the City of El Cerrito at a meeting of the City Council held on the 1st day of October 2024; and that said Ordinance has been published and/or posted in the manner required by law.

WITNESS my hand and the Official Seal of the City of El Cerrito, California, on ____
_____.

Holly M. Charléty, City Clerk

RECORDING REQUESTED BY:

CITY OF EL CERRITO

When Recorded Mail To:

City Clerk
City of El Cerrito
10890 San Pablo Ave.
El Cerrito, CA 94530

Exempt from Recorder's Fees
Pursuant to Government Code §§ 27383, 6103

Space above this line for Recorder's use

DEVELOPMENT AGREEMENT

BETWEEN THE

CITY OF EL CERRITO

AND

S&H Elm Street LLC

FOR 1715 ELM STREET

THIS DEVELOPMENT AGREEMENT ("**Agreement**") is made and entered into on [DATE], by and between the City of El Cerrito, a charter city ("**City**") and S&H Elm Street LLC ("**Developer**"). City and Developer are, from time-to-time, individually referred to in this Second Amendment as a party," and collectively as "parties."

RECITALS

A. Developer owns the real property located at 1715 Elm Street in the City (APN 502-112-038) (the "**Property**").

B. The Edward and Loretta Biggs Revocable Trust ("Biggs" previously owned the Property and proposed development of the Property, including the relocation and conversion of an existing historical single-family detached house on the Property into a museum, art studio, office, or other community center type use; the construction of 14 new one- and two-bedroom dwelling units; and the preservation of an existing open space channel on the 0.42 acre site (the "**Project**").

C. Biggs applied for and City approved various land use approvals in connection with the Project, including, without limitation, a General Plan Amendment; Planned Development District zoning; a Planned Development Use Permit; and Design Review. Additionally, City and Biggs entered into that certain Development Agreement, recorded September 30, 2016 as Document No. **2016-0202282-00** in the Official Records of Contra Costa County (the "**Original Development Agreement**"), which is attached as Attachment 1. City and Biggs subsequently agreed to a First Amendment to the Original Development Agreement, which extended the term of the Original Development Agreement for five years and applied City's Inclusionary Zoning to the Project ("**First Amendment**"). The First Amendment was dated November 1, 2019, and recorded as Document No. 2019-0209606-00 in the Official Records of Contra Costa County and is attached as Attachment 2. The Original Development Agreement, as that term is used in this Agreement, includes the amendments made by the First Amendment. All such approvals, collectively, together with any approvals or permits now or hereafter issued with respect to the Project, are referred to as the "**Project Approvals**."

D. Biggs sold the Property to Thompson Builders ("**Thompson**"), and on December 8, 2021, Thompson sold the Property to Developer. Biggs did not assign the Development Agreement to Thompson, and Thompson did not assign its rights and obligations under the Development Agreement to Developer.

E. The term of the Development Agreement will expire on November 1, 2024. As result of the Development not being assigned, as described paragraph (D) above, Developer is not a party to the Development Agreement.

Consequently, the Development Agreement cannot be amended to extend the term. City and Developer nevertheless wish for the terms of the Development Agreement to remain in effect for an additional five years and agree to be bound by the terms of the Development Agreement for the additional five years.

F. The City Council has found that, among other things, this Agreement is consistent with its General Plan, as amended, and has been reviewed and evaluated both in accordance with Government Code sections 65864 *et seq.* and Chapters 19.14 and 19.41 of the El Cerrito Municipal Code.

G. On October 1, 2024, the City Council adopted Ordinance No. 2024- XX, approving this Agreement (the "**Ordinance**"). The Ordinance states that it will take effect on November 1, 2024 (the "**Ordinance Effective Date**").

NOW, THEREFORE, with reference to the foregoing recitals and in consideration of the mutual promises, obligations and covenants herein contained, City and Developer agree as follows:

AGREEMENT

1. Effective Date.

The effective date of this Agreement shall be the Ordinance Effective Date ("**Agreement Effective Date**").

2. Term of Agreement.

The term of this Agreement shall commence on the Agreement Effective Date and extend five (5) years, unless the term is otherwise terminated or modified pursuant to the provisions of this Agreement. As authorized by California Government Code Sections 65863.9 and 66452.6(a)(1), the terms of the Project Approvals shall be the longer of: (a) the term of this Agreement; or (b) the term normally given each approval under controlling law.

3. Relationship with Original Development Agreement.

(a) This Agreement contains all of the material terms of the Original Development Agreement. City and Developer each agree that City shall enjoy all of the rights and be subject to all of the obligations of City under the Original Development Agreement and that Developer shall enjoy all of the rights and be subject to all of the obligations of Biggs under the Original Development Agreement.

(b) Except as expressly modified by this Agreement, the Original Development Agreement shall remain in full force and effect with Developer

substituted for Biggs. To the extent of any inconsistency between this Agreement and the Original Development Agreement, this Agreement shall control.

(c) Capitalized terms used in this Agreement shall have the meanings provided for in this Agreement and shall be incorporated into the Original Development Agreement. Capitalized terms used in the Original Development Agreement shall retain the meanings provided for therein, unless modified by this Agreement.

4. Counterparts.

This Agreement may be executed in multiple duplicate originals, each of which is deemed to be an original.

5. Recordation.

The City shall record a copy of this Agreement within ten (10) days following the Agreement Effective Date.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date and year first above written.

CITY OF EL CERRITO

DEVELOPER

S&H Elm Street, LLC

Karen Pinkos, City Manager

By: _____

Harmeet Anand

Attest:

Holly M. Charl  ty, City Clerk

Approved as to Form:

Sky Woodruff, City Attorney

(NOTARIZATION ATTACHED)



AGENDA BILL

Agenda Item No. 7.G.

Date: October 1, 2024
To: El Cerrito City Council
From: Holly M. Charl  ty, City Clerk, City Management
Subject: Biennial Update of Agency Conflict of Interest Code

ACTION PROPOSED

Adopt a Resolution revising the Conflict of Interest Code for the City of El Cerrito, including filing requirements for related agency positions such as the Public Financing Authority, the Employee Pension Board, and the Successor Agency to the former Redevelopment Agency and rescinding Resolution No. 2022-68.

BACKGROUND

The Political Reform Act of 1974 (“Act”) (codified in Government Code Sections 8100 *et seq.*) requires the City to adopt and promulgate a Conflict of Interest Code (“Code”) applicable to designated City employees and public officials. The Code mandates the positions required to file the Fair Political Practices Commission (FPPC) Form 700 as well as the required disclosure categories.

City Councilmembers, City Manager, City Treasurer, and Planning Commission Members are required to file pursuant to Government Code section 87200, and therefore are not listed in the City’s Code. Section 87200 filings are submitted directly to the FPPC online, or in hard copy to the City Clerk. All Code filings are submitted to the City Clerk. All Form 700 filings, along with the Code are retained and made available to the public by the City Clerk, who acts as the FPPC filing officer for the City.

The City adopted its first Conflict of Interest Code in 1977. In 1983, the City Council enacted Resolution No. 83-14 to adopt the model Conflict of Interest Code drafted by the Fair Political Practices Commission. The Conflict of Interest Code covers matters such as the manner of reporting financial interests, the procedures to be utilized in filing conflict of interest statements, the contents of such statements, and the time within which such statements must be filed.

The Municipal Services Corporation (MSC) is not included in the City’s Conflict of Interest Code as the Corporation is not a public agency. It is a non-profit, public benefit corporation, which is subject to the California Corporations Code. The MSC Board instead adopted its own Conflict of Interest Policy on October 17, 2011 by MSC Resolution No. 2011–11, following the model IRS Conflict of Interest Policy by which a charitable organization should implement decisions regarding transactions or arrangements between the charitable organization and members of the charitable organization’s board of directors and other individuals.

As such, MSC Directors and Officers do not file a Statement of Economic Interests – Form 700 pertaining to the MSC, but file a separate annual declaration as required under the MSC’s existing Conflict of Interest Policy.

As directed by the Fair Political Practices Commission, the City Council is the code-reviewing body for the City of El Cerrito. The last revision was completed in 2022, by Resolution No. 2022-68. Biennially by October 1, the code reviewing body is required to approve revisions to the Code or receive formal notice that no revisions are required.

ANALYSIS

The attached resolution is the City’s Conflict of Interest Code revised to incorporate changes to Appendix A – Designated Positions. Appendix A identifies designated positions and advisory bodies and establishes their respective levels of disclosure.

Appendix B, which outlines the specific requirements of each disclosure category, has no recommended revisions.

The current review included evaluation of all job classifications as a result of the recent classification and compensation study. This review resulted in some modifications to Appendix A including changes to ensure that all job classifications listed match the job title in the recently adopted job descriptions, and that any new job classifications created that meet the requirements to file are included. No deletions are recommended with this review.

The Conflict of Interest Code, as presented, accurately designates all positions that make or participate in the making of governmental decisions. The disclosure categories assigned to these positions require the disclosure of all investments, business positions, interests and sources of income which may foreseeably be affected materially by the decisions made by those designated positions. The Code includes all other provisions required by Government Code Section 87302 and incorporates by reference FPFC Regulation 2 Cal. Admin. Code Section 18730.

STRATEGIC PLAN CONSIDERATIONS

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

- *High Performing Organization* by ensuring the city is in compliance with state law.

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

There are no costs associated with the proposed revisions to the Conflict of Interest Code.

LEGAL CONSIDERATIONS

The Act requires the City Council to review the Conflict of Interest Code on a regular basis and when such amendments are necessitated by changed circumstances, pursuant to Government Code Sections 87306 and 87306.5. Council adoption of the proposed Conflict of Interest Code will sustain continued compliance with State law.

Reviewed by:

A handwritten signature in blue ink, appearing to read "Karen Pinkos".

Karen Pinkos, City Manager

Attachments:

1. Resolution
2. Appendix A and B to the Resolution (redline)
3. Appendix A and B to the Resolution (clean)

RESOLUTION 2024-XX

A RESOLUTION ADOPTING THE CONFLICT OF INTEREST CODE FOR THE CITY OF EL CERRITO, INCLUDING THE FILING OF ANY RELATED AGENCY POSITIONS, SUCH AS THE EMPLOYEE PENSION BOARD, THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY, DESIGNATING POSITIONS AND DISCLOSURE REQUIREMENTS FOR STATEMENTS OF ECONOMIC INTERESTS FORM 700 AND REPEALING RESOLUTION 2022-68

WHEREAS, the Political Reform Act of 1974 (“Act”), Government Code Sections 8100 et seq. enacted as part of Proposition 9, requires every local agency to adopt and promulgate a conflict of interest code applicable to employees or consultants holding designated positions and public officials within the jurisdiction of the local agency; and

WHEREAS, in 1977, the El Cerrito City Council enacted Resolution No. 3843, establishing a Conflict of Interest Code for the City of El Cerrito (“City”); and

WHEREAS, subsequent to the enactment of Resolution No. 3843 the Fair Political Practices Commission (“FPPC”) enacted 2 Cal. Code of Regs. Section 18730 which contains the terms of a standard model conflict of interest code, which could be adopted by local agencies covering such matters as the manner of reporting financial interests, the procedures to be utilized in filing conflict of interest statements, the contents of such statements, the time within which such statements must be filed, etc.; and which may be amended by the FPPC after public notice and hearings to conform to amendments to the Act; and

WHEREAS, in 1983, the City Council enacted Resolution No. 1983-14 which adopted the model conflict of interest code drafted by the FPPC, including any amendments duly adopted by the Commission to conform to amendments to the Act, as the new City of El Cerrito Conflict of Interest Code; and

WHEREAS, the Act additionally requires the submission of a revised conflict of interest code for approval by the code-reviewing body or the notification of said body that no changes are necessary pursuant to Government Code Section 87306.5; and

WHEREAS, the Conflict of Interest Code was last amended by Resolution 2022-68 and requires revision to reflect changes in designated position and the financial interests required to be reported; and

WHEREAS, the Conflict of Interest Code includes filing requirements for related agency positions, such as the Successor Agency to the former El Cerrito Redevelopment Agency, the Public Financing Authority (PFA), and the Employee Pension Board.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito as follows:

Section 1. Incorporation of Recitals. All Recitals above are true and correct and are incorporated herein.

Section 2. Adoption of Model Conflict of Interest Code. The terms of 2 Cal. Adm. Code Section 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference and included as part of the Conflict of Interest Code of the City of El Cerrito.

Section 3. Statement of Economic Interest Requirement. Persons holding designated positions and persons required to do so by Government Code Section 87200 *et. seq.* shall file Statements of Economic Interests with the City of El Cerrito on FPPC forms, in conformance with the individual disclosure categories and State guidelines. Persons holding designated positions and persons required by statute to file statements of economic interests shall also report interests for any other related agency positions, such as the Employee Pension Board, Successor Agency to the former Redevelopment Agency, and the Public Finance Authority (PFA). The City Clerk will retain custody of the statements and make the statements available for public inspection and reproduction.

Section 4. Form 700 Requirement. In accordance with FPPC Regulation 18734, any individual hired for a position not yet covered under this Conflict of Interest Code must file a Form 700 if the individual serves in a position that makes or participates in making governmental decisions. Individuals in this category must file under the broadest disclosure category until the code is amended to include the new position unless the City of El Cerrito provides, in writing, a limited disclosure requirement.

Section 5. Late Filings and Failure to File Statements. Any violation of any provision of this Code is subject to the administrative, criminal and civil sanctions provided in the Act, Government Code Sections 81000 *et seq.* The following additional regulations shall apply to City of El Cerrito (a) designated employees, (b) designated members of boards and commissions appointed by the City Council, and (c) consultants:

- (a) **City Employees:** If a City employee fails to file an Initial, Assuming Office or Annual Statement of Economic Interests within thirty days after the City Clerk has given specific written notice of non-filing, the employee shall undergo steps resulting in a written reprimand in accordance with the provisions of the appropriate Memorandum of Understanding or City of El Cerrito Personnel Policies and Administrative Regulations. The employee's supervisor shall comply with the provisions of the appropriate Memorandum of Understanding or City of El Cerrito Personnel Rules and Administrative Regulations. In addition, the City Clerk shall impose late filing fees in accordance with Government Code Section 91013 and 91013.5. No person who has left City employment and failed to file the appropriate statement shall resume active employment with the City of El Cerrito if there are outstanding statements or fines.
- (b) **Members of Boards and Commissions:** If a member of any non-elected board, commission or committee specified in the Code fails to file an Assuming Office, Initial or Annual Statement of Economic Interests within thirty days after the City Clerk has given specific written notice of non-filing, the member's term on the commission shall expire. The City Clerk shall notify the commissioner that his/her term has expired and notify the City Council that a vacancy exists on the commission. In addition, the City Clerk shall impose late filing fees in accordance with Government Code Sections 91013 and 91013.5.

Prior to being eligible for reappointment to any board, commission, or committee all outstanding filings for all commission appointments must be filed and any outstanding fines, payable under Government Code Section 91013, shall be paid. No person shall be appointed to any commission if there are outstanding statements or fines, and no person shall be appointed to any commission for a period of one year if terminated from any commission more than once for failure to file statements.

- (c) **Consultants:** If a consultant, as defined in 2 Cal. Code Regs. Section 18701, fails to file any Statement of Economic Interests within thirty days after the City Clerk has given specific written notice of non-filing, the consultant shall be advised by the City's project manager that no further payments shall be made by the City of El Cerrito under the contract until such statement has been received by the City Clerk. The City Clerk shall also impose late filing fees in accordance with Government Code Sections 91013 and 91013.5.

Section 6. Designated Positions that Must Disclose Financial Interests. The City Conflict of Interest Code hereby includes Appendix A, which reflects changes in City organization and in the job titles of City management staff and reflects the inclusion of positions with decision making authority as authorized by the El Cerrito Municipal Code and in compliance with Title 2, Section 18701 of the California Code of Regulations. Designated Positions shall disclose financial interests as set forth in Appendix B.

Section 7. Adoption of Disclosure Categories. The City Conflict of Interest Code hereby includes Appendix B, to achieve consistency with State Law and reflect the required disclosure categories of this Conflict of Interest Code.

Section 8. Rescission of Previous Conflict of Interest Code. The City Council hereby rescinds Resolution No. 2022-68.

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

I CERTIFY that at a regular meeting on October 1, 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

City of El Cerrito Conflict of Interest Code

Appendix A – List of Designated Positions

Individuals holding the following positions must file a Statement of Economic Interests (Form 700):

Classification	Disclosure Categories
Assistant City Attorney	1, 2, 3, 4
Assistant City Manager	1, 2, 3, 4
Assistant to the City Manager	1, 2, 3, 4
Associate Engineer	1, 2, 3, 4
Associate Planner	1, 2, 3, 4
Battalion Chief	1, 2, 3, 4
<u>Battalion Chief – Paramedic</u>	<u>1, 2, 3, 4</u>
Battalion Chief – Training Officer	1, 2, 3, 4
Building Official	1, 2, 3, 4
Budget/Financial Services Manager	1, 2, 3, 4
City Clerk	1, 2, 3, 4
Community Development Director	1, 2, 3, 4
<u>Environmental Services Manager</u>	<u>1, 2, 3, 4</u>
<u>Facilities and Maintenance Manager</u>	<u>1, 2, 3, 4</u>
Fire Chief	1, 2, 3, 4
<u>Fire Marshal</u>	<u>1, 2, 3, 4</u>
Information Technology Manager	1, 2, 3, 4
Maintenance Services Superintendent	1, 2, 3, 4
Management Analyst (I, II, and III)	1, 2, 3, 4
Network Security Engineer	1, 2, 3, 4
Operations and Environmental Services Manager	1, 2, 3, 4
Planning Manager	1, 2, 3, 4
Police Captain	1, 2, 3, 4
Police Chief	1, 2, 3, 4
Police Lieutenant	1, 2, 3, 4
Program Manager	1, 2, 3, 4
Public Works Director/City Engineer	1, 2, 3, 4
Recreation Director	1, 2, 3, 4
Recreation Supervisor	1, 2, 3, 4
Recycling Operations Supervisor	1, 2, 3, 4
<u>Senior Building Inspector</u>	<u>1, 2, 3, 4</u>
Senior Engineer	1, 2, 3, 4
Senior Human Resources Analyst	1, 2, 3, 4
<u>Senior Management Analyst</u>	<u>1, 2, 3, 4</u>
Senior Planner	1, 2, 3, 4
Senior Program Manager	1, 2, 3, 4
Special Counsel	1, 2, 3, 4
Consultants	*
Commission and Board Members:	
Arts and Culture Commission Members	5
Design Review Board Members	1, 2, 3, 4

City of El Cerrito Conflict of Interest Code

Financial Advisory Board Members	1, 2, 3, 4
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** Individuals providing services as a consultant as defined in Title 2 Ca Code of Regulations Section 18700.3 or 18734 shall disclose pursuant to the broadest disclosure category in this code unless the City Manager or designee determines in writing that a consultant has been hired to perform a range of duties sufficiently limited in scope and it is more appropriate to assign a limited disclosure requirement. Any determination is a public record and shall be retained in the same manner and location as the disclosure statements filed pursuant to this code.*

Appendix B – Disclosure Categories

The disclosure categories listed below identify the types of investments, business positions, sources of income or real property which Designated Positions must disclose for each category to which the position is assigned.

#	Description
1	Personal Income: All sources of income, including investments, gifts, loans and travel payments as defined in Government Code Section 82030, as amended.
2	Interests in Real Property: All interests in real property, as defined in Government Code Section 82033, as amended, located in whole or in part within the City of El Cerrito or within a two-mile radius of the boundaries of the City of El Cerrito. An "interest in real property" does not include the principal residence occupied by the designated filer or their family, if used exclusively as a personal residence.
3	Investments: All investments in excess of \$2,000 held by the designated filer the filer's spouse, domestic partner or dependent children, as defined in Government Code Section 82034, as amended. including but not limited to common stock, preferred stock, options, debt instruments and any partnership or other ownership interest if the business entity or any parent, subsidiary or otherwise related business entity has an interest in real property in the City of El Cerrito, or does business or plans to do business in the City of El Cerrito, or has done business within the City of El Cerrito at any time during the two years prior to the time this disclosure statement is made.
4	Business positions: Management positions held with any business entity located, doing business, planning to do business, or having done business in the past two years within the City of El Cerrito.
5	Arts and Culture Commission: All members of the Commission shall disclose business entities in which they have an investment, or in which they are a director, officer, partner, employee, or hold any position of management; and income as defined in Government Code Section 82030, as amended, including gifts, loans, and travel payments; if the business entity or source of income: a) has applied for, is receiving, or within the previous two years has received, funds through the City to advance Arts in El Cerrito; b) has profited from the creation, production, sale, or display of any artistic endeavor; or c) has provided services, goods, or equipment to artistic endeavors in the City of El Cerrito.

FURTHER INFORMATION AND INSTRUCTIONS

Further information and instructions regarding the Statement of Economic Interests (Form 700) may be found within Form 700 itself, and the Form 700 Reference Pamphlet, both available at the California Fair Political Practices Commission website: www.fppc.ca.gov

Appendix A – List of Designated Positions

Individuals holding the following positions must file a Statement of Economic Interests (Form 700):

Classification	Disclosure Categories
Assistant City Attorney	1, 2, 3, 4
Assistant City Manager	1, 2, 3, 4
Assistant to the City Manager	1, 2, 3, 4
Associate Engineer	1, 2, 3, 4
Associate Planner	1, 2, 3, 4
Battalion Chief	1, 2, 3, 4
Battalion Chief – Paramedic	1, 2, 3, 4
Battalion Chief – Training Officer	1, 2, 3, 4
Building Official	1, 2, 3, 4
Budget/Financial Services Manager	1, 2, 3, 4
City Clerk	1, 2, 3, 4
Community Development Director	1, 2, 3, 4
Environmental Services Manager	1, 2, 3, 4
Facilities and Maintenance Manager	1, 2, 3, 4
Fire Chief	1, 2, 3, 4
Fire Marshal	1, 2, 3, 4
Information Technology Manager	1, 2, 3, 4
Maintenance Services Superintendent	1, 2, 3, 4
Management Analyst (I, II, and III)	1, 2, 3, 4
Network Security Engineer	1, 2, 3, 4
Operations and Environmental Services Manager	1, 2, 3, 4
Planning Manager	1, 2, 3, 4
Police Captain	1, 2, 3, 4
Police Chief	1, 2, 3, 4
Police Lieutenant	1, 2, 3, 4
Program Manager	1, 2, 3, 4
Public Works Director/City Engineer	1, 2, 3, 4
Recreation Director	1, 2, 3, 4
Recreation Supervisor	1, 2, 3, 4
Recycling Operations Supervisor	1, 2, 3, 4
Senior Building Inspector	1, 2, 3, 4
Senior Engineer	1, 2, 3, 4
Senior Human Resources Analyst	1, 2, 3, 4
Senior Management Analyst	1, 2, 3, 4
Senior Planner	1, 2, 3, 4
Senior Program Manager	1, 2, 3, 4
Special Counsel	1, 2, 3, 4
Consultants	*

City of El Cerrito Conflict of Interest Code

Commission and Board Members:	
Arts and Culture Commission Members	5
Design Review Board Members	1, 2, 3, 4
Financial Advisory Board Members	1, 2, 3, 4

** Individuals providing services as a consultant as defined in Title 2 Ca Code of Regulations Section 18700.3 or 18734 shall disclose pursuant to the broadest disclosure category in this code unless the City Manager or designee determines in writing that a consultant has been hired to perform a range of duties sufficiently limited in scope and it is more appropriate to assign a limited disclosure requirement. Any determination is a public record and shall be retained in the same manner and location as the disclosure statements filed pursuant to this code.*

Appendix B – Disclosure Categories

The disclosure categories listed below identify the types of investments, business positions, sources of income or real property which Designated Positions must disclose for each category to which the position is assigned.

#	Description
1	Personal Income: All sources of income, including investments, gifts, loans and travel payments as defined in Government Code Section 82030, as amended.
2	Interests in Real Property: All interests in real property, as defined in Government Code Section 82033, as amended, located in whole or in part within the City of El Cerrito or within a two-mile radius of the boundaries of the City of El Cerrito. An "interest in real property" does not include the principal residence occupied by the designated filer or their family, if used exclusively as a personal residence.
3	Investments: All investments in excess of \$2,000 held by the designated filer the filer's spouse, domestic partner or dependent children, as defined in Government Code Section 82034, as amended. including but not limited to common stock, preferred stock, options, debt instruments and any partnership or other ownership interest if the business entity or any parent, subsidiary or otherwise related business entity has an interest in real property in the City of El Cerrito, or does business or plans to do business in the City of El Cerrito, or has done business within the City of El Cerrito at any time during the two years prior to the time this disclosure statement is made.
4	Business positions: Management positions held with any business entity located, doing business, planning to do business, or having done business in the past two years within the City of El Cerrito.
5	Arts and Culture Commission: All members of the Commission shall disclose business entities in which they have an investment, or in which they are a director, officer, partner, employee, or hold any position of management; and income as defined in Government Code Section 82030, as amended, including gifts, loans, and travel payments; if the business entity or source of income: a) has applied for, is receiving, or within the previous two years has received, funds through the City to advance Arts in El Cerrito; b) has profited from the creation, production, sale, or display of any artistic endeavor; or c) has provided services, goods, or equipment to artistic endeavors in the City of El Cerrito.

FURTHER INFORMATION AND INSTRUCTIONS

Further information and instructions regarding the Statement of Economic Interests (Form 700) may be found within Form 700 itself, and the Form 700 Reference Pamphlet, both available at the California Fair Political Practices Commission website: www.fppc.ca.gov



AGENDA BILL

Agenda Item No. 7.H.

Date: October 1, 2024
To: El Cerrito City Council
From: Shannon Bassi, Senior Human Resources Analyst, City Management
Subject: Adopt a resolution to authorize the City Manager to enter into a Professional Services Agreement with Bertrand, Fox, Elliot, Osman, & Wenzel (BFEOW) LLC for Legal Services and Representation.

ACTION PROPOSED

Adopt a resolution to authorize the City Manager to enter into a Professional Services Agreement with Bertrand, Fox, Elliot, Osman, & Wenzel (BFEOW) LLC for legal services and representation for a total amount not to exceed \$150,000 for the Fiscal Year 2024-25.

BACKGROUND/ANALYSIS

The City of El Cerrito employs a variety of personnel to provide City services for the community. Employees of the City may be represented through collective bargaining units, and may be subject to rules and regulations that are set forth in the City's approved Memorandums of Understanding, the Personnel Rules and Regulations, and/or State and Federal Law. Bertrand, Fox, Elliot, Osman, and Wenzel (BFEOW) LLC is a local legal firm that specializes in assisting local government agencies with personnel and legal matters, especially those agencies with Police and Fire (sworn) personnel, which requires a unique skill set of legal knowledge. The proposed professional services agreement will allow City staff to engage BFEOW when needed to assist and represent the City in legal and personnel matters, such as employee discipline and grievances, appeals and hearings, legal compliance, general advice and counsel, DFEH/EEOC matters, and investigations.

Additionally, BFEOW is an authorized and pre-approved firm of the statewide Employment Risk Management Authority (ERMA), which provides employment risk management insurance to local government agencies throughout the State of California. ERMA provides the City with employment liability coverage, training, and resources and is part of the City's larger scope of insurance provided by the Municipal Pooling Authority (MPA). By engaging in such services with BEFOW, it will ensure the City is promptly addressing critical legal matters, ensuring compliance, and partnering with skilled and trained legal professionals to mitigate risk.

STRATEGIC PLAN CONSIDERATIONS

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

- *High Performing Organization*

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

There are no additional funds being requested as a part of this action. All expenses associated with this agreement are within the FY 2024-25 operating budget.

LEGAL CONSIDERATIONS

The City Attorney has reviewed this action 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. Reso - Legal Services BFEOW

RESOLUTION 2024-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH BERTRAND, FOX, ELLIOT, OSMAN, & WENZEL (BFEOW) LLC.

WHEREAS, the City of El Cerrito employs a variety of personnel to provide City Services for the community, who may be represented through collective bargaining units, and may be subject to rules and regulations set forth in the City's approved Memorandums of Understanding, the Personnel Rules and Regulations, and/or State and Federal law; and

WHEREAS, BFEOW are local attorneys that represent local government agencies, and provide legal services and representation to the City of El Cerrito; and

WHEREAS, BFEOW possesses the specialized local government and legal knowledge, especially including sworn-employee expertise, needed to represent the City of El Cerrito regarding critical functions and personnel matters, and minimizing the City's liability exposure and risk; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council authorize the City Manager to enter in a Professional Services Agreement with BFEOW in the amount not to exceed \$150,000 for the fiscal year 2024-2025.

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

I CERTIFY that at a regular meeting on October 1, 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



AGENDA BILL

Agenda Item No. 9.A.

Date: October 1, 2024
To: El Cerrito City Council
From: Holly M. Charléty, City Clerk, City Management
Subject: City Council Wall of Fame Nomination Ad-Hoc Committee Recommendation

ACTION PROPOSED

Consider the Wall of Fame Ad-Hoc Committee's recommendation to induct Patricia Durham into the El Cerrito Wall of Fame and direct the City Clerk to return to the City Council at a future City Council meeting, pending availability of all parties involved, with a resolution formalizing the appointment and to hold a formal induction ceremony.

BACKGROUND/ANALYSIS

Resolution 2017-80, adopted by City Council on November 21, 2017 provides for a July 1st application deadline annually for nominations to the City's Wall of Fame. The City received one application by the deadline and on August 20, 2024 the Mayor formed an Ad-Hoc committee comprised of Mayor Rudnick and Councilmember Motoyama for the purpose of reviewing the nomination.

The ad-hoc committee met on September 9, 2024 to review nomination materials. At the September 17, 2024 City Council meeting, the committee reported their recommendation to forward the nominee, Patricia Durham, to the full City Council for consideration.

Patricia Durham has been active in El Cerrito for more than 50 years supporting, advocating, and organizing community engagement through her membership to St. Peters CME Church, the El Cerrito Branch of the National Association for the Advancement of Colored People (NAACP), the El Cerrito Human Relations Commission, the El Cerrito Historical Society, and the El Cerrito High Archival Committee. Pat has been involved in the development of Christian education programs and Black History programs, has played an intricate role in the Martin Luther King Jr. celebration since its inception 35 years ago, served as a member of the Human Relations Commission from 2005 - 2015, and has received several awards including Woman of the Year from a host of organizations, businesses and political figures.

Pursuant to Resolution 2017-80, following the September 17, 2024 City Council Ad-Hoc recommendation, the City Clerk notified the nominee and all parties who submitted the Nomination Application of the meeting date for the City Council to consider taking action. The next step in the process is for the City Council to consider the Ad-Hoc Committee's recommendation to induct Patricia Durham into the El Cerrito Wall of Fame and if so, direct the City Clerk to return to the City Council at a future City Council meeting, pending availability of all parties involved, with a resolution formalizing the

appointment and to hold a formal induction ceremony.

STRATEGIC PLAN CONSIDERATIONS

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

- *Livability and Belonging* by recognizing members of the community for their contributions.

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

Financial considerations include professional photography, custom framing costs, and light refreshments for induction which are estimated at less than \$1,000, and adequate funds are included in the adopted City Council budget for fiscal year 2025.

LEGAL CONSIDERATIONS

This section is not applicable to this agenda item.

Reviewed by:

A handwritten signature in blue ink, appearing to read "Karen Pinkos".

Karen Pinkos, City Manager

Attachments:

1. Nomination of Patricia Durham
2. Resolution 2017-80



WALL OF FAME NOMINATION APPLICATION

Date: 6/18/2024

Name, Address and Phone No. of Nominee

Note: The nominee must be a resident of the City of El Cerrito.

Patricia Durham

_____, El Cerrito, CA

Describe why the nominee deserves this honor. What (non-profit) activities did the nominee participate in that warrants acclamation. Indicate whether each activity is non-profit if it is not inherently obvious.

Induction into the El Cerrito Wall of Fame is a prestigious honor established to recognize El Cerrito Residents who have distinguished themselves by making outstanding and exemplary contributions to their community over a long period of time through their work on special projects. Patricia (Pat) Durham's decades of service of support, advocacy, organizing and community engagement through her membership as a member of St. Peter CME Church, El Cerrito Branch NAACP, El Cerrito Human Relations Commission, El Cerrito Historical Society, and El Cerrito High Archival Committee make her an exemplary candidate for this award.

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Soon after graduating, she took her close friend, Natalie Allen, for a job interview in Oakland. While waiting for her, she saw a help wanted sign for Kaiser Aluminum. To pass the time, she decided to go and take the test. Without even completing the entire test, she left early because it was time to pick up her friend, she passed with flying colors. She began work as a secretary at Kaiser Aluminum in July 1968. She eventually became Executive Secretary to the CEO. She also continued cultivating her relationship with God and in church service. She delved into the learning the methods of the CME church, serving as a Delegate for the Annual Conferences, Superintendent of Sunday School, President of the choir and Lay Leader. As she grew her leadership, she moved into community activism within the City of El Cerrito.

As a member of St. Peter CME Church (non profit), Pat was in relationship with the leaders of the Naomi Circle. This circle was responsible for developing Christian education programs during the month of February. They produced a Black History program that highlighted the work and methods of Dr. Martin Luther King, Jr. She also became a member of the El Cerrito Branch of the National Association for the Advancement of Colored People (NAACP)(non profit). The president of the Branch, Attorney Charles E. Wilson, was a member of St. Peter as was his secretary, Barbara G. Davis.

In 1983, President Ronald Reagan officially made Dr. Martin Luther King, Jr.'s birthday a holiday. It was first observed three years later on January 20, 1986. At first, some municipalities resisted observing the holiday. The City of El Cerrito was one of them. In response to the city's resistance to recognizing the holiday, St. Peter CME Church and the El Cerrito Branch NAACP organized a non violent march to honor his birthday. The event was a success and moved city leaders to acknowledge the holiday, become a sponsor for the event and to initiate a Human Relations Commission with the city that would continue to support citizens and city leadership to collaborate. Lucy W. Wilson, Attorney Wilson's wife and a member of St. Peter's Naomi Circle, was the first to chair the Human Relations commission. Pat, then a young leader within the church, worked under the mentorship of Lucy Wilson and Barbara Davis to produce events and support activities.

Pat was appointed to the Human Relations Commission in 2005. As she assumed this role, she began serving as chair of the annual Dr. Martin Luther King, Jr. Day celebration. She has been involved in the support and production of the event since its inception. Under her leadership, the event has grown to become the largest celebration for Dr. King in Northern California. When her term on the commission ended, she was made an Emeritus member of the commission. Pat is a perpetual learner. She avidly takes advantage of every opportunity to attend conferences, enroll in classes and engage with people to enhance her knowledge. She's taken classes at Laney, Contra Costa and Merritt Jr. Colleges just to keep her mind sharp. Unbeknownst to her, through these activities, she gained enough credits to receive an Associate of Arts degree. She enrolled at St. Mary's College of California, receiving a Bachelor of Arts degree, at the age of 50. She attends summer classes at the institution to continue her learning journey. She has retired from Kaiser Aluminum, Western Network, and University of California at Berkeley. She has been self employed as an accounting professional for decades. She will always have unconditional love for her Church and Community because it is from these roots that she has grown to be a phenomenal woman.

She has received a copious number of awards as a Woman of Valor and Appreciation from a host of organizations, businesses, and political figures including County Supervisor John Gioia, Assemblywoman Nancy Skinner, State Education Superintendent Tony Thurman and Congressman Mark DeSaulnier to name a few.

How long has the nominee been actively engaged in carrying out the above described activity(s)?

As described above, some elements of Pat's work have been lifelong endeavors, particularly as it relates to her work with the NAACP, St. Peter's CME Ministry and the Annual Martin Luther King Jr. Celebration.

She has been an active member of the El Cerrito Branch of the NAACP for over 50 years.

She has taken a leadership role in St. Peter's CME Church for over 50 years.

She was the President of the El Cerrito Alumni Association Archival Project for 10 years.

Pat served on the El Cerrito Human Relations Commission from 2005 until 2015.

Pat has served in a leadership role with the Martin Luther King Jr. Celebration from 2005 through present.

Pat became a board member of the El Cerrito Historical Society in 2021 and continues to serve.



How have these activity(s) benefited or potentially benefited residents of El Cerrito?

Pat has held significant roles in cultivating and promoting the diversity of El Cerrito through several organizations.

In her role as a member of the Human Relations Commission (HRC), she participated in many projects to foster diversity and inclusion. Partly in her role on the Human Relations Commission, she is one of the driving forces behind the annual El Cerrito Martin Luther King Jr. Celebration and Parade. Each year, Pat brings together voices from all over the Bay Area, to share their reflections and thoughts on the impact of Martin Luther King Jr. and how his message continues to be relevant and resonate through the years. For decades, she has been one of the lead organizers for the event. Pat served as a commissioner from 2005 to 2015. In her time on the HRC, she also developed and supported El Cerrito's "Not in our Town" program, promoting cultural understanding and opposition to race based hate.

In the NAACP, Pat has worked to bring forward the concerns of Black El Cerrito residents, to ensure that all members of the El Cerrito Community are treated justly and with respect. She has helped organize an annual Prayer Breakfast at St. Peter's CME Church in El Cerrito that brings together City Staffers and members of the El Cerrito Community to share food, reflections, and camaraderie. These prayer breakfasts have helped breakdown communication barriers and sparked collaboration between groups that might not have otherwise been connected.

As a member of the El Cerrito Historical Society, Pat has been an important voice in helping present the diverse history of our community. She challenged the historical society to increase its attention to the contributions of Black El Cerritans, resulting in the Society finding new oral histories of the El Cerrito experience. She also led the Society's efforts to document the history and impact of the Martin Luther King Jr. Celebration and Parade that resulted in a one-hour documentary on the subject.

Pat has also served for decades in her local congregation, St. Peter's Christian Methodist Episcopal Church, in El Cerrito. Through her church, she has touched countless lives. She has led programs that connect and support community members. One such program, the weekly food program, helps provide sustenance to over 40 community members each week. The program leverages the many connections in our community to help our most hard pressed.

Please list the names and addresses of any groups or organizations that have recognized the nominated person's activities on behalf of this community. Please state how recognition was given and when. *(Attach supporting documentation as necessary)*

"Women of the Year" Assemblywoman Nancy Skinner, March 8, 2012

"Award of Appreciation" Reverend Willie McDaniel, on behalf of the El Cerrito Branch NAACP, January 15, 2024

Name (please print): **Paul Keith**

Phone #: **[REDACTED]**

Email: **[REDACTED]**

Relationship to Nominee: Friend/Collaborator/Colleague

How long have you known the nominee: 20 years



Additional Supporters of Nomination (if applicable):

Name of individual(s) or organization(s): **Reverend Willie McDaniel**

Address: **St. Peter's CME, 5324 Cypress Ave., El Cerrito, CA**

Phone: [REDACTED]

Email: _____

Name of individual(s) or organization(s): **Wilhemina Wilson**

Address: **NAACP, 5324 Cypress Ave., El Cerrito, CA**

Phon: [REDACTED]

Em: [REDACTED]

Name of individual(s) or organization(s): **David Weinstein**

Address: **El Cerrito Historical Society, PO Box 304, El Cerrito, CA**

Phone: [REDACTED]

Em: [REDACTED]

Name of individual(s) or organization(s): _____

Address: _____

Phone #: _____

Email: _____

Please attach at least two letters of recommendation from community members or community organizations knowledgeable about the person's contributions, activities, accomplishments and achievements along with any other supporting documentation you wish.

Additional supporting details may also be attached and submitted with this application.

If you have any questions or require additional information please contact Holly M. Charl  y, City Clerk, at 215-4305 or cityclerk@ci.el-cerrito.ca.us.

Supplemental pages can be added to the email generated when selecting the submit button.

Wall of Fame Application Page **3 of 3**

June 24, 2024



SUBJECT: Support for Patricia Durham's El Cerrito Wall of Fame Nomination

Dear City of El Cerrito,

I write to express my strong support for the effort to select Patricia (Pat) Durham for the El Cerrito Wall of Fame.

I've known and respected Pat for many years and have worked with her on numerous community issues. Pat is an ideal candidate for this prestigious honor, which aims to recognize El Cerrito Residents who have distinguished themselves by making outstanding and exemplary contributions to their community.

Pat has worked for decades to better El Cerrito and Contra Costa County through support, advocacy, organizing and community engagement as a member of St. Peter CME Church, El Cerrito Branch NAACP, El Cerrito Human Relations Commission, El Cerrito Historical Society, and the El Cerrito High Archiving Project.

Pat has held significant roles in cultivating and promoting the diversity of El Cerrito through several organizations. In her role as a member of the Human Relations Commission (HRC), she participated in many projects to foster diversity and inclusion. She is one of the driving forces behind the annual El Cerrito Martin Luther King Jr. Celebration and Parade. Each year, Pat brings together voices from all over the Bay Area, to share their reflections and thoughts on the impact of Martin Luther King Jr. and how his message continues to be relevant and resonate through the years.

I have shared just a small part of Pat's tireless, passionate community work. She is a force for justice and equity in our community, and has been for decades. I strongly support her selection for the El Cerrito Wall of Fame.

Sincerely,

A black rectangular box redacting the signature of John Gioia.

John Gioia
Supervisor, District One

ST. PETER CHRISTIAN METHODIST EPISCOPAL CHURCH

5324 Cypress Avenue, El Cerrito 94530

Rev. Willie McDaniel, Pastor

Bishop Charlie Hames
Presiding Prelate, Ninth Episcopal District

Rev. Dr. Reginal Walton
Presiding Elder, San Francisco District

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June 24, 2024

Paul Keith
El Cerrito Wall of Fame Induction Committee
El Cerrito, CA

Dear Mr. Keith and committee members,

It is my pleasure to write a letter in support of Patricia Durham for possible induction into the El Cerrito Wall of Fame.

As a resident of El Cerrito for thirty-seven years and a businessperson in this community for forty-five years I can personally attest to the fact that Patricia Durham has been, and is still committed to the El Cerrito community. She has devoted herself to civic engagement in an effort to strengthen our community by way of direct hands on involvement and also recruiting others to assist.

The sheer force of her personality and her strong desire to make things happen in El Cerrito has yielded tangible results, the most notable among them being the annual Martin Luther King Jr., celebration which she has successfully coordinated for decades. This highly anticipated and regarded event brings people together from all walks of life and is recognized as the largest MLK celebration in Northern California.

Patricia Durham is also a supporter of our business community and was helpful to me when I served as President of the El Cerrito Chamber of Commerce. She recognizes the importance of a vibrant and engaged business community and loves to work on win-win programs that will benefit the business community as well as the community-at-large.

The core of her involvement is grounded in her faith which she shares openly through her work at St. Peter CME Church in El Cerrito. From this faith and her strong belief in service to others, the citizens of El Cerrito have been great beneficiaries.

Patricia Durham is worthy to be inducted as a member of the El Cerrito Wall of Fame. Thank you for your consideration.

Cordially,


Jeffrey Wright
Resident and local businessperson

Politics & Government

"Women of the Year" Include Patricia Durham, Chris Sorensen

El Cerrito's Patricia Durham, leader of the group that started the city's Martin Luther King Jr. parade and rally, and Kensington's Chris Sorensen, long-time community volunteer, are being honored by Assemblywoman Nancy Skinner.



Charles Burrell, Patch Staff

Posted Thu, Mar 8, 2012 at 2:41 am PTUpdated Fri, Mar 9, 2012 at 7:55 pm PT



This year's "Women of the Year" named by state Assemblywoman Nancy Skinner includes Patricia Durham of El Cerrito and Chris Sorensen of Kensington.

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Durham "led the coalition involving her church, the NAACP, West Contra Costa School District and others to realize El Cerrito's annual Martin Luther King Jr. Day Parade and events," says an announcement from Skinner's office. "Pat played a leadership role in the rebuilding of El Cerrito High School and has served as a role model for others in retirement when she took over her late husband's tax preparation business."

The announcement called Sorensen "a multi-decade volunteer" who has been "pivotal to improving education at Kensington Hilltop and Portola Schools and El Cerrito High; she led the PTA and presided over the Kensington Educational Foundation. A former Board Chair of Planned Parenthood Shasta-Diablo, Chris was instrumental in bringing Planned Parenthood's clinic to El Cerrito Plaza."

Find out what's happening in El Cerrito with free, real-time updates from Patch.

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They are among 15 awardees representing communities in Skinner's District 15.

They will be honored at a dinner tonight, Thursday, at the . The gathering, which is sold out, will include a talk by noted Bay Area journalist, Belva Davis,

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The call for nominations from Skinner's office in November said, "Nominees must be female residents of Assembly District 14 or women's organizations located within AD 14. Nominees must have made a notable contribution to empowering women, strengthening democracy or improving civil rights; their or the organization's accomplishments may be either as a volunteer, or in a paid position."

This year's award winners include 12 women and three women's organizations:

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- Albany, Peggy McQuaid
- Berkeley, Anewamerica

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- Berkeley, Rocio de Mateo Smith
- Berkeley, Karen McKie
- El Cerrito, Patricia Durham
- El Sobrante, Maria Resendiz
- Emeryville, Mary Tagliaferri
- Kensington, Chris Sorenson
- Lafayette, Katie Ricklefs
- Moraga, Valarie Burgess
- Pleasant Hill, Pamela Comfortt
- Richmond, Toody Maher
- San Pablo, Nour Tweimeh
- Oakland, Bananas, Inc.
- Oakland, Women's Cancer Resource Center

A brief description of each awardee can be found on [Skinner's Web site](#).

Longer biographies of Durham and Sorensen provided by Skinner's office are attached to this article.

Skinner also expressed her appreciation to Joann Steck-Bayat of El Cerrito, Laurie Schumacher of Kensington and others on the event-organizing committee, who are receiving special recognition at the dinner:

"A special thanks to the volunteers who helped me establish the Woman of the Year recognition event, and made it what it is today. They developed the program, solicited nominees, reviewed nominations, and much more; they

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RESOLUTION NO. 2017-80

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO AMENDING RESOLUTION NO. 2008-17 TO REVISE THE POLICY FOR NOMINATION AND SELECTION OF WALL OF FAME INDUCTEES

WHEREAS, on September 19, 2008 the Wall of Fame City Council Subcommittee met and prepared recommendations for Council consideration regarding the process for nomination and selection of appointments to the Wall of Fame; an Annual Wall of Fame Event; Guidelines for Nomination and Selection of Inductees into the Wall of Fame; and

WHEREAS, the City Council considered, discussed and adopted the City Council Wall of Fame Subcommittee recommendations by Resolution No. 2008-77 at its November 3, 2008 meeting; and

WHEREAS, at its meeting of April 4, 2017 the City Council appointed a Wall of Fame Subcommittee to perform a review Wall of Fame guidelines and procedures; and

WHEREAS, the Wall of Fame City Council Subcommittee represented by Mayor Abelson and Councilmember Fadelli met to review and discuss program criteria and recommend enhancing the display of Wall of Fame Inductees at City Hall and on the City's website by transitioning to an archived virtual Wall of Fame to promote volunteerism and accommodate future growth of the program and also recommends revisions to the Wall of Fame nomination and selection criteria.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby amends Resolution No. 2008-77 to revise Wall of Fame nomination and selection criteria to read as follows:

Section 1: PROCESS FOR NOMINATION AND SELECTION OF APPOINTMENTS TO THE WALL OF FAME

A. Wall of Fame City Council Subcommittees shall consist of two members of the City Council who will be appointed on an ad-hoc basis by the Mayor for the purpose of reviewing nomination(s) for the Wall of Fame and may make a recommendation regarding an appointment to the City Council.

B. An application deadline of July 1st of every year is established for nominations to the Wall of Fame.

C. After July 1st of each year, the City Clerk will provide copies of all nomination packages, if any, received by the application deadline to the Wall of Fame Subcommittee.

D. Only complete applications will be passed on to the City Council Wall of Fame Subcommittee for review. The City Clerk will determine when an application is complete.

E. The City Council Wall of Fame Subcommittee shall review the nomination documents, interview candidates, determine whether to proceed with a recommendation and provide a written recommendation to the City Council regarding its selection, if any. No more than one candidate will be recommended for induction into the Wall of Fame each year.

F. If the City Council Wall of Fame Subcommittee identifies an individual for the City Council's consideration, the individual shall be notified of the City Council Wall of Fame Subcommittee's recommendation prior to the City Council's consideration of the Subcommittee's

recommendation and will be informed of the date and time the City Council will consider the recommendation.

G. If a selection is made, formal induction into the El Cerrito Wall of Fame will occur at a regularly scheduled City Council meeting which is mutually agreeable to the honoree.

Section 2: WALL OF FAME RECOGNITION

A. Every year, the City Newsletter will feature an article showcasing the El Cerrito Wall of Fame which will highlight the most recent person inducted into the El Cerrito Wall of Fame, describe the person's achievements and contributions and provide a complete list of all persons on the Wall of Fame and briefly describe why each was inducted in to the Wall of Fame. The City's website shall also showcase El Cerrito Wall of Fame honorees.

B. Any new inductee to the Wall of Fame shall be invited to and recognized at a Volunteer Recognition Dinner.

C. The Wall of Fame gallery will transition to a virtual Wall of Fame by publishing the archive of inductee photos and resolutions highlighting inductee community contributions and achievements on the City's website and a dedicated monitor located in the City Hall Chambers Vestibule to further promote volunteerism, visibility and recognition.

Section 3: GUIDELINES/POLICY FOR NOMINATION AND SELECTION OF INDUCTEES TO WALL OF FAME

The purpose and policy for nomination and selection of inductees shall remain as follows:

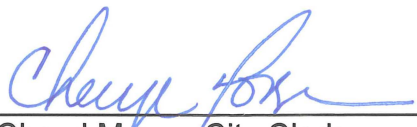
- A. PURPOSE: To reaffirm the City Council's commitment to recognizing residents of El Cerrito who have made a significant and/or lifetime contribution to El Cerrito for outstanding community service and civic contributions by portrayal on the "Wall of Fame" and to advise employees and the public of the guidelines for nomination and City Council selection.
- B. POLICY: It is the policy of the City of El Cerrito to recognize residents of El Cerrito who have made substantial civic contributions to the community over a long period of time through their work on special projects in the community and to honor their lifetime achievement and volunteer service. Any person selected by the City Council shall have their photograph, preferably in the setting of the activity for which they are most recognized, placed on the Wall of Fame located at City Hall and on the City's Wall of Fame website. The guidelines for selection are:
 - 1. The Honoree must be a resident of the City of El Cerrito.
 - 2. Nominators must identify themselves, their relationship to the nominee, and how long they have known the nominee. They must explain how they personally know about the nominee's community service, civic contributions and accomplishments.
 - 3. Nomination forms and documentation must be accompanied by at least two letters of recommendation from community members or community organizations knowledgeable about the person's contributions, activities, accomplishments and achievements.

4. Individuals eligible for nomination to the El Cerrito Wall of Fame shall have performed outstanding volunteer service of enduring value to the residents of El Cerrito. The civic contributions and community service for which an individual is recognized must be an ongoing activity in El Cerrito for at least fifteen years. Civic contributions may be in the founding, developing, supporting or sustaining of one or (usually) more organizations or community services leading to further honor, development or recognition.
5. The event(s) or activity(ies) must potentially be of benefit to all El Cerritans.
6. The event(s), contribution(s) or activity(ies) must be non-profit in nature.
7. City board, commission or committee service shall not be the sole criteria for selection.
8. Recipients of this honor should have been recognized for their efforts by a citizen group or an organization in El Cerrito, West County, regionally, statewide or nationally.

I CERTIFY that at a regular meeting on November 21, 2017 the City Council of the City of El Cerrito passed this Resolution by the following vote:

AYES:	Councilmembers Fadelli, Lyman, Pardue-Okimoto, Quinto and Mayor Abelson
NOES:	None
ABSENT:	None
ABSTAIN:	None

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on November 29, 2017.


Cheryl Morse, City Clerk

APPROVED:


Janet Abelson, Mayor



**SUPPLEMENTAL AGENDA MATERIALS
CITY COUNCIL MEETING
October 1, 2024**

REGULAR CITY COUNCIL MEETING (6:00 PM)

- 1. Public Comments (Not on the Agenda and Consent Calendar)**

From: [Cordell Hindler](#)
To: [City Clerk](#)
Subject: Public Comments
Date: Thursday, September 26, 2024 3:48:57 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 Danny Wan or Designee to Present on the Port
2. Also to bring forward some classifications as part of the class & comp study from Koff & Associates

Sincerely
Cordell

From: [Ira Sharenow](#)
To: [Holly Charléty](#); [City Clerk](#)
Cc: [Lisa Motoyama](#); [Tessa Rudnick](#); [Paul Fadelli](#)
Subject: Not on the Agenda, October 1, 2024
Date: Friday, September 27, 2024 1:33:50 PM

Caution! This message was sent from outside your organization.

I recommend that the council hold an emergency joint session with the Financial Advisory Board to discuss El Cerrito's growing pension liability.

The UAL is now \$89,246,893.

<https://www.calpers.ca.gov/page/employers/actuarial-resources/public-agency-actuarial-valuation-reports>

The FY 2026 payment will be \$7,763,945.

The FY 2031 payment is projected to be \$10,212,000.

El Cerrito has a BBB credit rating and is still on the state auditor's high-risk list.

Even with all of the tax increases, services have been cut and the pavement condition index has been in steep decline.

I believe there is an urgent need to address the city's precarious financial state. We also need a town hall meeting in which senior management explains its strategy for getting the city's financial crisis under control.

Ira Sharenow

El Cerrito, CA