

Mayor
Carolyn Wysinger
Mayor Pro Tem
Gabe Quinto



Councilmembers
William Ktsanes
Lisa Motoyama
Rebecca Saltzman

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TUESDAY, OCTOBER 21, 2025

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/82200295144?pwd=jwxsxnIMwCiWO0YXTFsljP7a5TOi7O.1>

Meeting ID: 822 0029 5144 **Passcode:** 466151 **Dial in:** 1-408-638-0968

View:

1. Cable T.V. Broadcast on KCRT Channel 28
2. Livestream Online at www.elcerrito.gov/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@elcerrito.gov 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**.

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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.

5. ORAL COMMUNICATIONS FROM THE PUBLIC

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

6. PRESENTATIONS

A. 2025 Legislative Update

Action Proposed: Receive and file a presentation on the 2025 legislative session for the City's Lobbyist, California Public Policy Group.
Contact: Dane Hutchings, CEO, California Public Policy Group

B. Presentation on Transit Oriented Communities (TOC) Policy and Housing Element Implementation

Action Proposed: Receive and file a presentation on Transit Oriented Communities (TOC) Policy and Housing Element implementation.
Contact: Sean Moss, Planning Manager, Community Development Department

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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. Unity Day Proclamation

Action Proposed: Approve a proclamation declaring October 22, 2025 as Unity Day in the City of El Cerrito.

Contact: Christopher Jones, Recreation Director, Recreation Department

B. Monthly Disbursement and Check Register Report for September 2025

Action Proposed: Receive and file the Monthly Disbursement and Check Register Report for the month of September 2025.

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

C. FY 2025-26 First Quarter Cash and Investment Report

Action Proposed: Receive and file the City's Second Quarter Cash and Investment Report for the period July 1, 2025 to September 30, 2025.

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

D. Establish All-Way Stop at the Manila Avenue and Norvell Street Intersection

Action Proposed: Adopt a resolution establishing an all-way stop at the intersection of Manila Avenue and Norvell Street.

Contact: Eduardo Huizar, Engineering Technician; James Mizutani, Associate Engineer; Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department

8. PUBLIC HEARINGS

A. Revisions to the Adopted Fiscal Year 2025-26 Master Fee Schedule
Notice Published 10/11/2025 and 10/17/2025

Action Proposed: Conduct a public hearing and, upon conclusion, adopt a Resolution approving revisions to the Fiscal Year 2025-26 Master Fee

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Schedule.

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

B. 2nd Reading and Adoption of Building and Fire Code Ordinance
1st Reading and Introduction 10/7/2025; Notice published 10/11/2025

Action Proposed: Conduct a public hearing, and upon conclusion, waive the second reading and adopt Ordinance 2025-03 which adopts the 2025 California Green Code, Administrative, Building, Fire, Plumbing, Mechanical, Electrical, Energy, Residential, Existing Building Code, 2021 International Property Maintenance Code, and Related Construction Codes as applicable to all construction within the City of El Cerrito, with local modifications as outlined in the Ordinance.

Contact: Cindy Lucas, Interim Building Official; Melanie Mintz, Community Development Director, Community Development Department

9. POLICY MATTERS

A. Approval of a Memorandum of Understanding between the City of El Cerrito and United Professional Firefighters Local 1230

Action Proposed: Adopt a resolution approving a new Memorandum of Understanding between the City of El Cerrito and United Professional Firefighters Local 1230 modifying language on salaries and benefits, and approving an appropriation of \$120,116 from the General Fund unassigned balance.

Contact: Shannon Bassi, Human Resources Manager

B. Study Session - Update on Swim Center Lap Pool Renovation Options and Discussion of Capital Expenditures

Action Proposed: Conduct a study session to receive updated report on Swim Center options and provide direction to City staff regarding use of General Fund balance for FY 2025–26.

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

10. CITY COUNCIL LOCAL & REGIONAL LIAISON ASSIGNMENTS

Mayor and City Council communications regarding local and regional liaison assignments, committee reports, and any required reporting under AB 1234 for

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meetings (as defined by the Brown Act) attended at the public's expense.

11. ADJOURN REGULAR CITY COUNCIL MEETING

The next regularly scheduled City Council meeting is Tuesday, November 4, 2025 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 Item No. 6.A.

City of El Cerrito

City Council Legislative Update

October 21, 2025

Dane Hutchings, Founder and CEO, California Public Policy Group

Ethan Nagler, Associate Lobbyist, California Public Policy Group

2025: Year in Review

Key Dates and Stats

- The legislative session ended September 13 and the deadline for the Governor to sign or veto legislation was October 13.
- 2,833 measures introduced in 2025.
 - 917 bills reached the Governor's desk.
 - 794 were signed.
 - 123 were vetoed.
 - Vetoes were primarily based on the State's ongoing budget challenges.

2025: Year in Review Cont.

2025 Legislative Policy Trends

- *CA v. Trump 2.0*, Housing, CEQA overhaul, local revenues, governmental operations.

Cap-and-Invest

- Cap-and-Invest Program extended with \$1 billion annually for various programs and \$1 billion annually for the High-Speed Rail Project.
- Greenhouse Gas Reduction Fund revenues will go to clean transportation, housing and community investment, clean air and water, wildfire prevention and resilience, agriculture, clean energy, and climate-focused innovation.



Status on Positioned Bills

Positioned* Bill: SB 423 (Gonzalez)

Transfer Tax Exemption

- This bill would have prohibited cities from imposing a transactions or sales tax on the transfer of certain newly constructed residential properties. Specifically, it bars such taxes on multifamily and commercial properties for 15 years after issuance of a certificate of occupancy and on single-family homes rebuilt after disasters for 5 years.
- Groundswell of opposition and massive engagement resulted in narrowing of bill in print to Los Angeles only and then ended up stalling.
- However, business organizations have stated that they will bring a statewide bill back next year.

Status: Held

Position: Oppose (*unofficial language)

Positioned Bill: AB 330 (Rogers)

AB 330 (Rogers) Local Prepaid Mobile Telephony Services Collection Act.

This bill would continue a system where prepaid wireless surcharges are collected at the point of sale, with funds distributed to local governments. This bill extends the sunset date of this system to January 1, 2031, ensuring local governments can continue to receive these revenues.

Status: Chaptered
Position: Support



Positioned Bill: AB 382 (Berman)

AB 382 (Berman) Pedestrian safety: school zones: speed limits.

This bill authorizes a city to determine a speed limit of 20 miles per hour in a school zone when a school speed limit sign states that “children are present.”

Status: Chaptered
Position: Support



Positioned Bill: AB 650 (Papan)

AB 650 (Papan) Planning and zoning: housing element: regional housing needs allocation.

This bill extends the timeline in the process of determining regional housing needs allocations and housing element revisions and requires HCD to provide analysis and text to local governments to remedy deficiencies in their draft housing element revisions.

CalCities Sponsored Bill

Status: Vetoed

Position: Support

Excerpt from Governor Newsom's Veto Message:

Although intended to build on these recent efforts, I am concerned that this bill would inappropriately shift responsibility for preparing housing elements from local jurisdictions to HCD. While HCD provides technical assistance when requested and in response to inadequate housing elements, that support is no substitute to the local government's fundamental responsibility to plan for its share of housing needs. Further, shifting these duties to the state would add at least \$11 million in new annual costs.

Positioned Bill: AB 1026 (Wilson)

AB 1026 (Wilson) Public utilities: electrical corporations: energization.

This bill requires the PUC to direct large electrical corporations to post required energization application information and a sample approved application, including one for housing, on their websites, by a date specified by the PUC.

Status: Vetoed

Position: Support



Positioned Bill: SB 63 (Wiener)

SB 63 (Wiener) San Francisco Bay area: local revenue measure: public transit funding.

This bill creates the Transportation Revenue Measure District and authorizes it to place a retail transactions and use tax measure on the November 2026 ballot to fund Bay Area transit operators. Includes the counties of Alameda, Contra Costa, San Mateo, Santa Clara, and San Francisco, with a 14-year duration.

Status: Chaptered
Position: Support

The City was featured in the Assembly Revenue and Taxation Committee's analysis for the July 14 hearing:

2) This bill is supported by the City of El Cerrito, which notes the following:

Our region's public transportation network is in crisis. Decades of underfunding, compounded by sharp ridership declines due to the COVID-19 pandemic, have left major transit agencies facing severe service cuts that would be devastating to the Bay Area's economy, equity, and climate goals. Without new revenue, transit systems will be forced to eliminate entire lines, close stations early, and slash frequency—making it harder for riders to depend on transit and ultimately pushing more people into cars.

SB 63 presents a practical and regionally coordinated solution. By authorizing the Transit Revenue Measure District to place a 10 to 15-year regional sales tax measure on the November 2026 ballot, SB 63 provides the means to ask voters to sustain critical transit services. The bill contains strong accountability mechanisms to ensure fiscal responsibility and improved coordination between public transit agencies in the Bay Area. The inclusion of the Transit Operations Financial Responsibility and Implementation Plan, required efficiency reviews, and alignment with the Bay Area's Transit Transformation Action Plan, all demonstrate a thoughtful and outcome-driven approach to restoring public trust and enhancing system performance.

Positioned Bill: SB 456 (Ashby)

SB 456 (Ashby) Contractors: exemptions: **muralists.**

This bill exempts muralists from being required to obtain a contractor's license to perform their work.

Status: Chaptered
Position: Support





Other Measures of Interest

Legislative Update: AB 339 (Ortega)

AB 339 (Ortega) Local public employee organizations: notice requirements.

This bill requires public agencies to give a recognized employee organization no less than 45 days' written notice regarding contracts to perform services that are within the scope of work of job classifications represented by the recognized employee organization.

Status: Chaptered
Position: No Position



Legislative Update: AB 476 (González)

AB 476 (González) Metal theft.

This measure would enhance regulations to reduce metal theft and improve enforcement.

Status: Chaptered
Position: No Position



Legislative Update: AB 992 (Irwin)

AB 992 (Irwin) Peace officers.

This measure would require police officers hired on or after January 1, 2031, to obtain a degree in modern policing within 36 months of obtaining their basic certificate from the Commission on Peace Officers Standards and Training.

Status: Chaptered
Position: No Position



Legislative Update: SB 79 (Wiener)

SB 79 (Wiener) Housing development: transit-oriented development.

This bill requires a housing development project within a specified radius of a major transit-oriented development (TOD) stop be an allowable use on a site zoned for residential, mixed, or commercial development. This bill also allows a transit agency to adopt TOD zoning standards for district-owned land located in a TOD zone. *Not applicable to Contra Costa County because the County has fewer than 15 passenger rail stations.*

Status: Chaptered
Position: No Position



Legislative Update: SB 346 (Durazo)

SB 346 (Durazo) Local agencies: transient occupancy taxes: short-term rental facilitator.

This bill allows local agencies to require short-term rental facilitators to report the address of each rental and would provide cities audit authority for transient occupancy taxes.

CalCities Sponsored Bill
Status: Chaptered
Position: No Position



Legislative Update: SB 627 (Wiener)

SB 627 (Wiener) Law enforcement: masks.

This bill makes it a crime for a law enforcement officer to wear a facial covering in the performance of their duties, with some exceptions, and requires any law enforcement agency operating in California to maintain and publicly post a written policy limiting the use of facial coverings.

Status: Chaptered
Position: No Position



Legislative Update: SB 707 (Durazo)

SB 707 (Durazo) Open meetings: meeting and teleconference requirements.

This bill requires city councils in certain population categories to allow remote public comment during all open meetings. Goes into effect on July 1, 2026, and sunsets on January 1, 2030.

Status: Chaptered
Position: No Position



Legislative Update: SB 827 (Gonzalez)

SB 827 (Gonzalez) Local agency officials: training.

This bill requires local agency officials to participate in at least two hours of fiscal and financial training every two years if that local agency official makes decisions or recommendations regarding financial administration, budgeting, or the use of public resources, or if they are an executive or administrative officer.

Status: Chaptered

Position: No Position





Looking Ahead

Looking Ahead: 2026

2026 Key Dates

- January 1, 2026: All bills signed into law in 2025, unless otherwise stated, go into effect.
- January 5, 2026: Legislature reconvenes for second year of 2025-26 legislative session.
- January 10, 2026: Governor releases 2026-27 budget proposal.

2026 Policy Trends

- **Local Taxes and Fees**
 - Howard Jarvis initiatives
 - AB 698 (Wicks) reintroduction
 - SB 423 (Gonzalez) reintroduction
- **CEQA Reforms—Unfinished Business**
- **Local Governmental Operations Measures**





Questions/Discussion
Thank You!



TRANSIT-ORIENTED COMMUNITIES (TOC) POLICY AND HOUSING ELEMENT IMPLEMENTATION

EL CERRITO CITY COUNCIL

Agenda Item No. 6.B.

October 21, 2025



What is the TOC Policy?

Four goals guide TOC policy and advance [Plan Bay Area 2050 \(PBA 2050\)](#) implementation

Increase affordable housing supply in transit areas

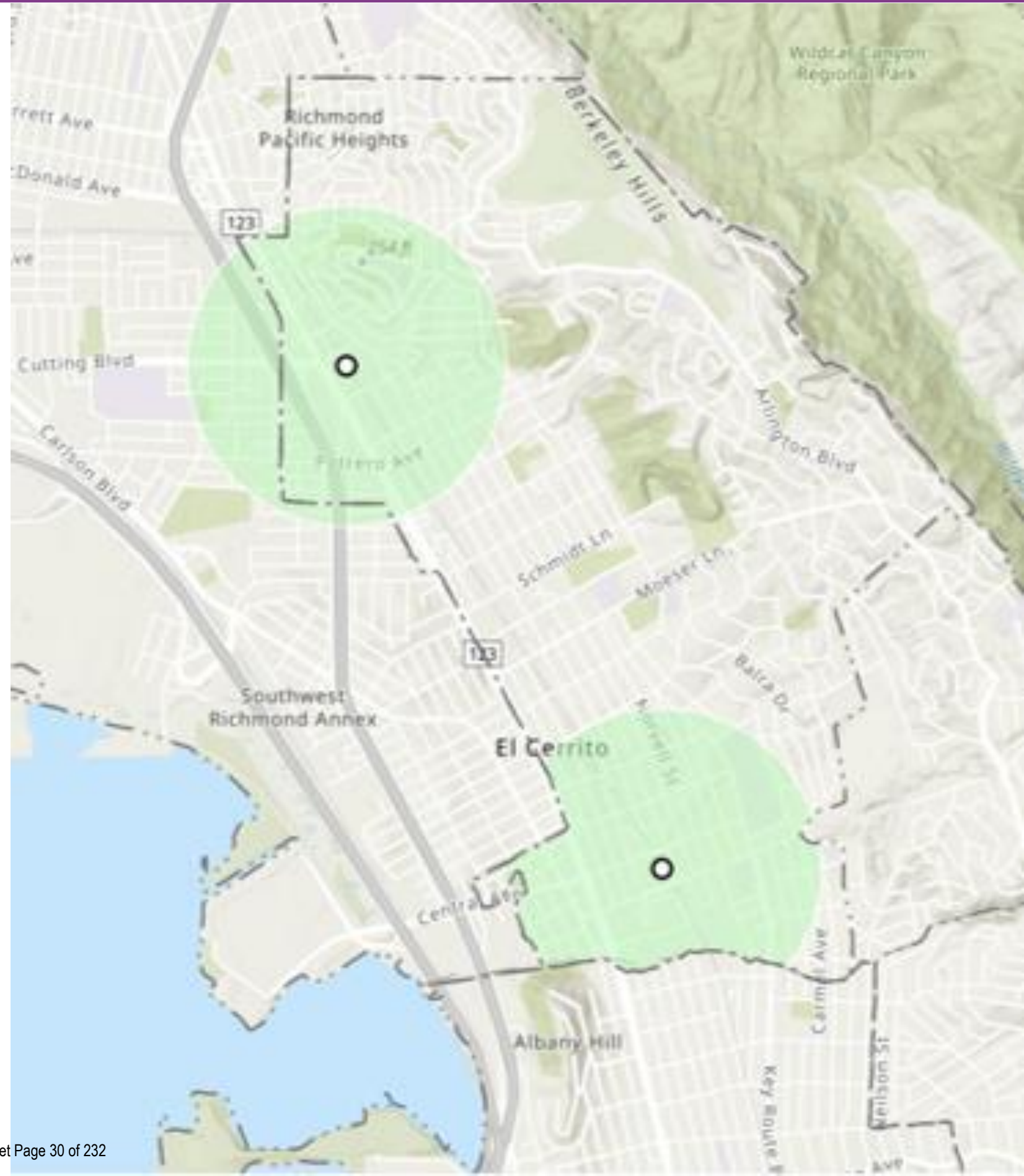
Increase density for commercial office development

Prioritize transit and active transportation near stations

Create equitable transit-oriented communities

- Areas within **½ mile** of major transit stations.
- [MTC Administrative Guidance: TOC Policy](#) (May 2025)
- Compliance required to receive One Bay Area Grant (OBAG)
 - Scoring criteria TBD
 - City has received \$9.78 million in prior rounds

[More information: mtc.ca.gov/toc](https://mtc.ca.gov/toc)



TOC POLICY ELEMENTS



DENSITY

Increasing residential and commercial densities around station areas



AFFORDABLE HOUSING

Adopting housing policies from the 3Ps framework (**production, preservation and protection**)



PARKING MANAGEMENT

Adjusting minimum and maximum parking ratios as well as transportation demand management policies



TRANSIT STATION ACCESS AND CIRCULATION

Planning for station access that includes active transportation uses and mobility hub infrastructure



DENSITY

Compliance requirements:

- Adopt minimum and maximum density/intensity that exceeds thresholds for **new** residential and commercial office development.

Transit Tier 2 Average Density and Intensity Requirements	
Residential development thresholds	
Average minimum density	75 units/net acre
Average maximum density	100 units/net acre or higher
Commercial office development thresholds	
Average minimum FAR	3 or higher
Average maximum FAR	6 or higher



PARKING MANAGEMENT

Transit Tier 2 Parking Requirements		Existing San Pablo Avenue Specific Plan Standards
New Residential Developments		
Parking Minimum	Not Allowed	None (per AB 2097)
Parking Maximum	0.5 spaces per unit or lower	1.0 space/unit
Bicycle Parking Minimum	1 secure bicycle parking space per dwelling unit	1.5 long-term spaces/unit
New Commercial Development		
Parking Minimum	Not Allowed	None (per AB 2097)
Parking Maximum	1.6 spaces per 1,000 square feet or lower	1.0 space/1,000 square feet
Bicycle Parking Minimum	1 secure bicycle parking space per 5,000 square feet	1.5 long-term spaces/5,000 square feet



AFFORDABLE HOUSING & COMMERCIAL STABILIZATION

- **Menu of 28 policy options** to fulfill the Affordable Housing and Commercial Stabilization components
- **At least two policies** for each of the 3Ps (**Production, Preservation, Protection**)
 - Underway in El Cerrito
 - **Production**
 - Inclusionary Housing
 - Development Certainty and Streamlined Entitlement Process
 - **Protection**
 - Rental Assistance Program
 - Legal Assistance for Tenants
 - **Preservation**
 - TBD
- **At least one policy** for commercial stabilization
- **Required funding commitment** over a four-year period (2026-2030) for certain **policy options**



Elora (AKA Mayfair Affordable), 11690 San Pablo Ave
69 affordable units

Under Construction, Estimated Completion Spring 2026



POTENTIAL TOC POLICIES FOR FUTURE DISCUSSION

AFFORDABLE HOUSING PRODUCTION POLICY	AFFORDABLE HOUSING PRESERVATION POLICY	AFFORDABLE HOUSING PROTECTION & ANTI-DISPLACEMENT POLICY	COMMERICAL STABLIZATION POLICY
*\$1.4M Total 4-Year Funding (\$350k Annually)	**\$600,000 Total 4-Year Funding (\$150k Annually)	***\$200,000 Total 4-Year Funding (\$50k Annually)	
Select at least 2 policies <i>Underline = Underway</i>	Select at least 2 policies <i>Underline = Underway</i>	Select at least 2 policies <i>Underline = Underway</i>	Select at least 1 policy <i>Underline = Underway</i>
<u>Inclusionary Zoning</u>	Mobile Home Preservation	Just Cause Eviction	Small Business and Non-Profit Overlay Zone
<u>Development Certainty & Streamlined Entitlement Process</u>	Tenant/Community Opportunity to Purchase	Tenant Anti-Harassment Protections	Small Business and Non-Profit Preference Policy
Affordable Housing Overlay Zones	Single-Room Occupancy (SRO) Preservation	Tenant Relocation Assistance	Small Business and Non-Profit Financial Assistance Program
Public Land for Affordable Housing	Condominium Conversion Restrictions	Rent Stabilization	<u>Small Business Advocate Office</u>
		Mobile Home Rent Stabilization	
Ministerial Approval	**Funding to Preserve Unsubsidized Affordable Housing (Local)	No Net Loss and Right to Return to Demolished Homes	
*Affordable Housing Funding (Local)	**Funding to Support Preservation Capacity	***Foreclosure Assistance	
*Public/Community Land Trusts (Local)	**Public/Community Land Trusts (Local)	***Preventing Displacement from Substandard Conditions and Associated Code Enforcement Activities	
	Preventing Displacement from Substandard Conditions & Associated Code Enforcement Activities	* <u>Legal Assistance for Tenants</u>	
		*** <u>Rental Assistance Program</u>	
		*** <u>Fair Housing Enforcement</u>	

- State-required plan to meet current and future housing needs of all community members
- 2023-2031 Regional Housing Need Allocation (RHNA)
 - El Cerrito: 1,391 New Housing Units
 - 334 Very Low; 192 Low; 241 Moderate; 624 Above Moderate
- Identifies Opportunity Sites that can accommodate development sufficient to satisfy RHNA
 - TOC Policies can support development of opportunity sites
- Requires review and certification from Department of Housing and Community Development (HCD)
- Progress Report on the Housing Element prepared annually by April and provided to City Council and HCD



AUGUST 2023
Final Housing Element



**2023-2031
HOUSING ELEMENT**



HOUSING ELEMENT GOALS

GOAL H1

Accelerate
Housing
Production

GOAL H2

Support Affordable
and Special Needs
Housing

GOAL H3

Conserve Existing
Housing and
Prevent
Displacement

GOAL H4

Affirmatively
Further Fair
Housing

GOAL H5

Energy
Conservation and
Sustainable
Development

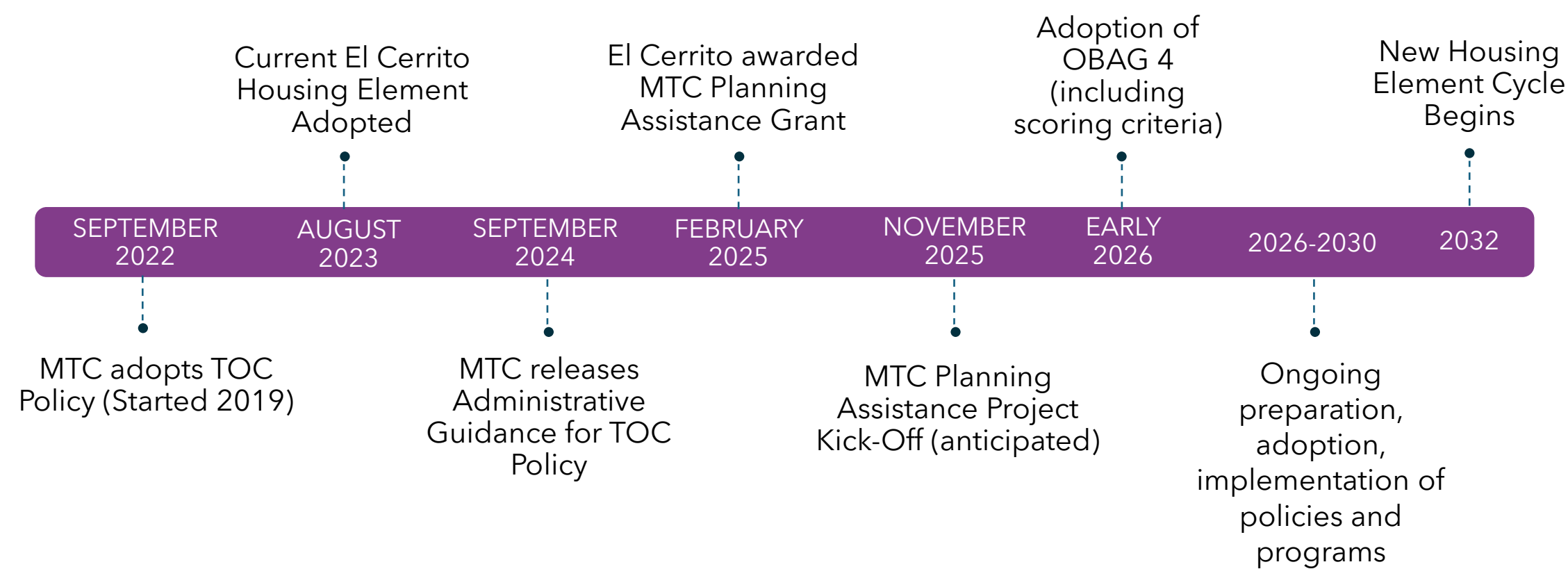
NEAR-TERM (2024-2026) HOUSING ELEMENT PROGRAM EXAMPLES

-  ○ **Program H-2.A: Inclusionary Zoning Ordinance Modifications**
 - Staff is currently working with Strategic Economics to evaluate and determine if modifications are needed
-  ○ **Program H-3.C: Tenant Protections**
 - Staff is currently working with Strategic Economics to evaluate the Rent Registry and other tenant protection policies including AB 1482
- **Program H-2.I: Density Bonus Ordinance**
 - Update of Density Bonus Ordinance currently being drafted.
- **Program H-4.B: Reasonable Accommodation Procedures**
 - Updated reasonable accommodation procedures currently being drafted.
-  ○ **Program H-1.D: Objective Design Standards (ODS)**
 - ODS will be drafted as part of TOC grant.



= Overlap with TOC compliance requirements

TIMELINE



CHALLENGES AND CONSTRAINTS

- Staff capacity
- Timing of TOC and Housing Element Requirements
 - Inconsistent TOC and HE timelines
 - Condensed timelines
- Ongoing Evolution of TOC policy/process
- Existing Conditions
 - Market feasibility
 - Land uses patterns within TOC areas
- Affordable Housing Funding
 - Production, Preservation, Protection
 - TOC Program Requirements

HOUSING ELEMENT

- Required Zoning Amendments (e.g. State Density Bonus, ADUs, Reasonable Accommodations)
- Community Engagement and Planning Commission
- City Council: Early 2026

MTC TOC

- Ongoing monitoring and coordination with MTC
- Density, Parking, Objective Design Standards, Affordable Housing
- Commence Work: Late 2025
- Planning Commission/City Council (Density, Design Standards, Parking)
- City Council (Affordable Housing)

EL CERRITO CITY COUNCIL PROCLAMATION
Recognizing October 22, 2025 as Unity Day

WHEREAS, bullying is the aggressive use of power targeting another person or group of people with repeated, unwanted words or action, hurting them emotionally or physically; and

WHEREAS, bullying occurs in neighborhoods, playgrounds, schools, and online through technology; and

WHEREAS, in 2023 one out of every 3 teenagers reported being bullied, with sexual or gender minority teenagers more likely to be bullied, according to the U.S. Centers for Disease Control and Prevention; and

WHEREAS, targets of bullying are at increased risk for depression, anxiety, sleep difficulties, lower academic achievement, and dropping out of school and students who are repeatedly bullied often fear such activities as riding the bus, going to school, interacting online, and attending community activities; and

WHEREAS, children who bully are at greater risk of engaging in more serious violent behaviors; and

WHEREAS, [Unity Day](#) promotes kindness, inclusion, and acceptance of differences for all people and provides bullying awareness and prevention resources for residents in El Cerrito, and throughout the Country and research has shown that promoting and modeling these behaviors creates healthier communities for all people with fewer incidences of bullying; and

WHEREAS, children and staff in El Cerrito Recreation programs will wear **orange** on Unity Day, Wednesday, October 22, 2025 and take a stand against bullying. Children and staff will participate in creative and meaningful activities to demonstrate inclusion and kindness; and

WHEREAS, this event provides a catalyst for everyone to come together with a visual statement that our actions matter not only on one day but every day.

NOW THEREFORE, the City Council of the City of El Cerrito does hereby proclaim October 22, 2025 as Unity Day in El Cerrito and encourages all schools, students, parents, recreation programs, religious institutions, businesses, and community organizations to engage in a variety of awareness and prevention activities designed to make our community safer for everyone.

Dated: October 21, 2025

Carolyn Wysinger, Mayor



AGENDA BILL

Agenda Item No. 7.B.

Date: October 21, 2025
To: El Cerrito City Council
From: Crystal Reams, Finance Director/City Treasurer, Finance Department
Subject: Monthly Disbursement and Check Register Report for September 2025

ACTION PROPOSED

Receive and file the Monthly Disbursement and Check Register Report for the month of September 2025.

BACKGROUND/ANALYSIS

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

- Month ending September, 2025, reflecting 221 Accounts Payable General Warrant Nos. 94212 through 94432, 40 Automated Clearing House/Electronic Funds Transfer (ACH/EFT) transactions, and 645 payroll-related checks and EFTs for a grand total of \$4,197,305.45.

STRATEGIC PLAN CONSIDERATIONS

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

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

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

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

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

LEGAL CONSIDERATIONS

This section is not applicable to this agenda item.

Reviewed by:

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

Karen Pinkos, City Manager

Attachments:

1. Monthly Payment Register September 2025

City of El Cerrito
Payment Register

From Payment Date 9/1/2025 - To Payment Date 9/30/2025

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Description	Transaction Amount
AP-AP Check - Accounts Payable Checking Account								
<u>Check</u>								
94212	09/04/2025	Open			Accounts Payable	LUH PUTU CAHYANI AISL NG DEWI	RAVENCLIFF CAMP COUNSELOR 7/13 - 8/3/24	\$1,440 00
94213	09/04/2025	Open			Accounts Payable	2-ELEVEN SH ELDS	FD SHIELDS	\$606.75
94214	09/04/2025	Open			Accounts Payable	ARMOUR PETROLEUM SERVICE & EQU PMENT CORP	UST SERVICE CALL-DIESEL FUEL SAMPLE & LAB AN	\$1,420.11
94215	09/04/2025	Open			Accounts Payable	ASBURY ENVIRONMENTAL SERVICES	USED MOTOR OIL RECYCLING 8/20/25	\$153 00
94216	09/04/2025	Open			Accounts Payable	AT&T	AT&T LAND TELEPHONE LINE 07/12/25 - 08/11/25	\$13,515 05
94217	09/04/2025	Open			Accounts Payable	CHALLENGE ISLAND BAY AREA	CHALLENGE ISLAND WK9 SUMMER CAMP 2025	\$8,377 60
94218	09/04/2025	Open			Accounts Payable	C NTAS CORPORATION #054 UNIFORMS	CORP YARD UNIFORMS WEEKLY RENTALS	\$474.40
94219	09/04/2025	Open			Accounts Payable	COMMUNITY CONSERVATION CENTERS, NC.	MIXED PAPER + NON-CRV PLASTIC RECYCLING 7/3	\$509.76
94220	09/04/2025	Open			Accounts Payable	DH DISTR BUTION & SERVICE, LLC	HARDING TENNIS COURT POST REPAIR	\$3,746.10
94221	09/04/2025	Open			Accounts Payable	E&J TRUCK AND EQUIPMENT REPA R LLC	RECYCLING TRUCK C2: OPACITY TEST	\$260 00
94222	09/04/2025	Open			Accounts Payable	EAST BAY BLUE PR NT & SUPPLY CO.	HP PLOTTER LEASE AUG 2025	\$82 69
94223	09/04/2025	Open			Accounts Payable	EAST BAY SANITARY CO. NC.	STREET SWEEPING JUNE 2025	\$9,172 95
94224	09/04/2025	Open			Accounts Payable	EL CERRITO ART ASSOCIATION	MINI GRANT FOR 48TH ANNUAL ART SHOW AWAF	\$2,500 00
94225	09/04/2025	Open			Accounts Payable	EXPERIAN	ID WORKS FOR CREDIT MONITORING	\$401 80
94226	09/04/2025	Open			Accounts Payable	FIRST SERVE PRODUCTIONS NC	CERRITO VISTA TENNIS COURT REPAIR	\$3,500 00
94227	09/04/2025	Open			Accounts Payable	FLEET MANAGEMENTHOLDINGS, LLC	RECYCLING TRUCK C4: ENGINE COOLING SYSTEM	\$20,826 30
94228	09/04/2025	Open			Accounts Payable	GARDA CL WEST,INC.	ARMORED TRANSPORT SVC - AUG25	\$311.16
94229	09/04/2025	Open			Accounts Payable	GOLDEN BEAR TRANSFER STATION	STREET SWEEPING SPOILS ON 8/5/25	\$569 30
94230	09/04/2025	Open			Accounts Payable	GRA NGER	INFRASTRUCTURE SUPPLIES COLD PATCH 60 LB BA	\$796.12
94231	09/04/2025	Open			Accounts Payable	HONEY BUCKET	CENTRAL PARK SERVICE 8/19/25-9/15/25	\$241 05
94232	09/04/2025	Open			Accounts Payable	NCRED FLIX NC.	INCREDIFLIX CAMP WK8 2025	\$9,862.72
94233	09/04/2025	Open			Accounts Payable	KENNEDY AND ASSOCIATES	MRP COMPLIANCE CONSULTING JULY 2025	\$2,248.45
94234	09/04/2025	Open			Accounts Payable	KNORR SYSTEMS, NC.	CO2 6/16/25	\$7,998.12
94235	09/04/2025	Open			Accounts Payable	LEETE GENERATORS	STA 51 REPAIR	\$1,404 30
94236	09/04/2025	Open			Accounts Payable	MIGHETTO ELECTRIC	STA 52 CIRCUIT	\$335 00
94237	09/04/2025	Open			Accounts Payable	ODP BUS NESS SOLUTIONS, LLC	CORP YARD OFFICE SUPPLIES	\$70.78
94238	09/04/2025	Open			Accounts Payable	PLAZA AUTO SERVICE INC	MAINTENANCE TRUCK M35 -CHECK FRONT END R	\$150 00
94239	09/04/2025	Open			Accounts Payable	RICOH USA, NC	OVERAGE CHARGE	\$2,809 04
94240	09/04/2025	Open			Accounts Payable	R NGCENTRAL, INC.	VOLP PHONE SERVICE FOR CITY STAFFS	\$2,059 51
94241	09/04/2025	Open			Accounts Payable	SIERRA NSTALLATIONS INC	REMOVAL AND REPLACEMENT OF STREET BANNEF	\$2,215 00
94242	09/04/2025	Open			Accounts Payable	TWO BROTHERS POOL & SPA, INC	AUG SVCS CHEMICALS + SPLASH PARK VALVE	\$5,101 59
94243	09/04/2025	Open			Accounts Payable	UNIVERSAL BUILD NG SERVICE	LIBRARY CUSTODIAL SUPPLIES	\$1,559 57
94244	09/04/2025	Open			Accounts Payable	MOTOYAMA, LISA	REIMBURSEMENT FOR TRAVEL 3/27/2025	\$347 36
94245	09/04/2025	Open			Accounts Payable	VAN WYCK, JAMES	REIMBURSEMENT FOR CO. OFFICER 2B TRAINING (	\$375 00
94246	09/04/2025	Open			Accounts Payable	VERNARECCI, RILEY	REIMBURSEMENT FOR TRAINING CLASS 8/2/25	\$135 00
94247	09/04/2025	Open			Accounts Payable	EMERGENCY RESTORATION COMPANY, DRY KING , RESTORATION, LLC DBA	EMERGENCY CLEAN-UP FOR COMM. CTR KITCHEN	\$3,015.14
94248	09/05/2025	Open			Accounts Payable	CALPERS LONG TERM CARE PROGRAM	PER3 - CALPERS Longterm Care Ins	\$43 62
94249	09/05/2025	Open			Accounts Payable	FRANCHISE TAX BOARD	GA159 - FTB [REDACTED] 110-15580-17	\$1,366 90
94250	09/05/2025	Open			Accounts Payable	HEALTH CARE DENTAL TRUST	DEN1 - Dental 1*	\$17,779 31
94251	09/05/2025	Open			Accounts Payable	IAFF LOCAL 1230	DUE4 - UNION LOCAL 1230	\$5,929.76
94252	09/05/2025	Open			Accounts Payable	KAISER FOUNDATION HEALTH PLAN	K1 - Kaiser 1*	\$263,130.41
94253	09/05/2025	Open			Accounts Payable	LEGALSHIELD	LEGL - PRE-PAID LEGAL SRVC	\$153 50
94254	09/05/2025	Open			Accounts Payable	MUNIC PAL POOL NG AUTHORITY	LIFE - Supp Life Ins.*	\$13,013 50
94255	09/05/2025	Open			Accounts Payable	NATIONW DE TRUST COMPANY, FSB	FHEA - Fire Health Savings Acct	\$18,175 00
94256	09/05/2025	Open			Accounts Payable	SEIU LOCAL 1021	COPE - VOLUNTARY COPE DEDUCTION*	\$1,875 64
94257	09/05/2025	Open			Accounts Payable	U.S. BANK - INSTITUTIONAL TRUST - W REGION	PAR - PARS - ARS 457*	\$3,512 54
94258	09/11/2025	Open			Accounts Payable	GHILOTTI BROS, INC	DEL NORTE TOD COMPLETE STREETS IMPROV 6/21	\$187,137.42
94259	09/11/2025	Open			Accounts Payable	BKF ENGINEERS	PARCEL MAP 06/30-7/27/25	\$1,865 50
94260	09/11/2025	Open			Accounts Payable	BLUECOSMO	FD SATELLITE PHONES	\$154 50

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94261	09/11/2025	Open			Accounts Payable	CAL FORNIA PUBLIC POLICY GROUP INC.	GRANT WRITING & ADVOCACY SVCS AUG 2025	\$6,500 00
94262	09/11/2025	Open			Accounts Payable	CHALLENGE ISLAND BAY AREA	CHALLENGE ISLAND WK8 SUMMER CAMP 2025	\$4,260 20
94263	09/11/2025	Open			Accounts Payable	CITYGATE ASSOCIATES, LLC	SERVICE DELIVERY STUDY AUG 2025	\$7,554 56
94264	09/11/2025	Open			Accounts Payable	CIVIC CENTER AUTO CARE	PATROL CAR #7 DISABLED	\$100 00
94265	09/11/2025	Open			Accounts Payable	COMMUNITY VIOLENCE SOLUTIONS	CIC INTERVIEW FY 25-26 EXPENSES	\$1,069 03
94266	09/11/2025	Open			Accounts Payable	CONTRA COSTA COUNTY	BUSINESS CARDS JULY 2025	\$41 90
94267	09/11/2025	Open			Accounts Payable	COOKE, JOANNE	FLAMENCO DANCE AUG 2025	\$240 00
94268	09/11/2025	Open			Accounts Payable	CORODATA SHREDD NG INC.	SHREDDING SVCS JUL 2025	\$297.75
94269	09/11/2025	Open			Accounts Payable	CPS HR CONSULT NG	RECRUITING 6/29/25-8/2/25	\$1,439.45
94270	09/11/2025	Open			Accounts Payable	CR ME SCENE CLEANERS, INC.	BIOHAZARD REMOVAL	\$130 00
94271	09/11/2025	Open			Accounts Payable	EBMUD	EBMUD 7/1/25-8/29/25	\$9,636.45
94272	09/11/2025	Open			Accounts Payable	EL CERRITO HIGH STUDENT ACTIVITY FUND	BIKE VALET - BIKE RACK RENTAL 4TH OF JULY FEST	\$300 00
94273	09/11/2025	Open			Accounts Payable	EL CERRITO HISTORICAL SOCIETY	EL CERRITO HISTORICAL SOCIETY DEPOSIT REFUND	\$72 60
94274	09/11/2025	Open			Accounts Payable	ELASTEC, INC.	DRUG INCINERATOR	\$6,010 00
94275	09/11/2025	Open			Accounts Payable	EYEP-SOLUTIONS NC	LPR INSTALL	\$26,747.46
94276	09/11/2025	Open			Accounts Payable	FOLGERGRAPHICS, INC.	SUPERVISOR RECRUITMENT POST CARD	\$1,432 05
94277	09/11/2025	Open			Accounts Payable	GABRIEL, BARBARA, A.	ADULT BALLET AUG 2025	\$585 60
94278	09/11/2025	Open			Accounts Payable	GILMAN PRESS	BUSINESS CARDS	\$1,315.71
94279	09/11/2025	Open			Accounts Payable	GRAND PRIX CAR WASH	CAR WASH	\$37 98
94280	09/11/2025	Open			Accounts Payable	HI-TECH NC.	ES1 REPAIRS	\$1,029 03
94281	09/11/2025	Open			Accounts Payable	JONES, HIROMI	HATHA YOGA AUG 2025	\$738 00
94282	09/11/2025	Open			Accounts Payable	KEL-A RE	HVAC 8/5/2025	\$707 56
94283	09/11/2025	Open			Accounts Payable	KENNEDY, GREG, C	EMS CALL REVIEW JUL 2025	\$4,200 00
94284	09/11/2025	Open			Accounts Payable	KI RESEARCH NSTITUTE	AIKIDO AUG 2025	\$264 00
94285	09/11/2025	Open			Accounts Payable	KINSEY, KATHRYNE ANN	BRIDGE AUG 2025	\$538 80
94286	09/11/2025	Open			Accounts Payable	MIGHETTO ELECTRIC	ELECTRICAL WORK	\$1,103 00
94287	09/11/2025	Open			Accounts Payable	ODP BUS NESS SOLUTIONS, LLC	SUPPLIES	\$397 59
94288	09/11/2025	Open			Accounts Payable	OLIVER'S TOW NC.	EVIDENCE TOW	\$231 00
94289	09/11/2025	Open			Accounts Payable	Rogers Stringer & McClelland, Inc.	LAP POOL DESIGN DEVELOPMENT 7/1/25 -8/31/25	\$68,000 00
94290	09/11/2025	Open			Accounts Payable	STATE OF CA DEPT OF JUSTICE	FINGERPRINTING JULY 2025	\$838 00
94291	09/11/2025	Open			Accounts Payable	STERICYCLE, NC.	MEDICAL WASTE SEPT 2025	\$837 25
94292	09/11/2025	Open			Accounts Payable	STEWART'S BODY SHOP	VEHICLE REPAIR	\$4,768.12
94293	09/11/2025	Open			Accounts Payable	THE ED JONES COMPANY	BADGE RIBBON	\$99 23
94294	09/11/2025	Open			Accounts Payable	THEIS ENG NEERING & ASSOCIATES	RICHMOND ST PRO & DEL NORTE TOD PRO JULY 2	\$14,837 00
94295	09/11/2025	Open			Accounts Payable	TYLER TECHNOLOGIES	NW SVCS: INACTIVATE VENDORS	\$1,000 00
94296	09/11/2025	Open			Accounts Payable	U.S. BANK	RDA 2016A&B ADMIN FEES -IN ADVANCE 8/1/25-7	\$2,750 00
94297	09/11/2025	Open			Accounts Payable	UNDERGROUND SERVICE ALERT OF NORTHERN CALIFORNIA	CALIFORNIA STATE FEE FOR REGULATORY COSTS 7	\$820 07
94298	09/11/2025	Open			Accounts Payable	UNIVERSAL BUILD NG SERVICE	JANITORIAL SERVICES -RECYCLE CENTER AUG 2025	\$6,301 00
94299	09/11/2025	Open			Accounts Payable	VERMONT SYSTEMS, INC.	VSI COULD HOSTING AUG 2025	\$2,636 80
94300	09/11/2025	Open			Accounts Payable	W-TRANS INC	CCTA SMART SIGNALS JUL 2025	\$5,028.75
94301	09/11/2025	Open			Accounts Payable	BROSAS, DONOVAN	PER DIEM -SLI JUL 24- JUL 26 2025	\$300 00
94302	09/11/2025	Open			Accounts Payable	JONES, CHRIS	REIMBURSEMENT FOR 4TH OF JULY PURCHASES	\$618.45
94303	09/11/2025	Open			Accounts Payable	KINOSHITA, JURI	IKEBANA MATERIALS FEES 8/27/2025	\$102 50
94304	09/18/2025	Open			Accounts Payable	RON MOUNTAIN	Off site records storage	\$820 22
94305	09/18/2025	Open			Accounts Payable	EBMUD	EBMUD 7/2/25-9/3/25	\$37,553.48
94306	09/18/2025	Open			Accounts Payable	SEWER WORKS, INC	RELEASE OF BONDS -SEPT 2025	\$33,029.44
94307	09/18/2025	Open			Accounts Payable	4LEAF, NC.	PROFESSIONAL SERVICES - STAFFING JULY 2025	\$41,092 04
94308	09/18/2025	Open			Accounts Payable	A M CONTRUCTION SUPPLY, INC.	CORP YARD TOOLS -ALL PURPOSE BLADE CONCRET	\$330.74
94309	09/18/2025	Open			Accounts Payable	A.S.T.I.SERVICES, NC.	REPLACE FIRE SPRINKLER HEADS STA 52	\$2,785 00
94310	09/18/2025	Open			Accounts Payable	AMERIGAS PROPANE INC	PROPANE FOR FORKLIFTS 8/15/25	\$674 96
94311	09/18/2025	Open			Accounts Payable	ARMOUR PETROLEUM SERVICE & EQUIPMENT CORP	UST DIESEL TANK CLEAN UP	\$3,586 38

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94312	09/18/2025	Open			Accounts Payable	ASBURY ENVIRONMENTAL SERVICES	USED MOTOR OIL RECYCLING 9/4/25	\$153 00
94313	09/18/2025	Open			Accounts Payable	AVANTPAGE INC.	TRANSLATION SERVICES FOR MAINT. WORKER REC	\$295.45
94314	09/18/2025	Open			Accounts Payable	AVILA PROJECT MANAGEMENT	2025 SURFACE SEAL PROJ -NEGOTIATION & AWAR	\$7,202 50
94315	09/18/2025	Open			Accounts Payable	BAFP NC DBA BAY AREA & SAN JOSE FIRE PROTECTION	KITCHEN INSPECTION AUG 2025	\$845 00
94316	09/18/2025	Open			Accounts Payable	BAY ALARM COMPANY	STA 52 10/01/25-12/31/25	\$528.75
94317	09/18/2025	Open			Accounts Payable	BAY AREA NEWS GROUP EAST BAY	PUBLIC HEARINGS AUG 2025	\$173.40
94318	09/18/2025	Open			Accounts Payable	BOUNDTREE MEDICAL LLC	MEDICAL SUPPLIES	\$3,296 20
94319	09/18/2025	Open			Accounts Payable	CARROLL, JAMES	BACKGROUND	\$1,850 00
94320	09/18/2025	Open			Accounts Payable	C NTAS CORPORATION #054 UNIFORMS	CORP YARD UNIFORMS WEEKLY RENTALS	\$545 38
94321	09/18/2025	Open			Accounts Payable	COMCAST	COMCAST BUSINESS INTERNET 9/11/25-10/10/25	\$1,968 22
94322	09/18/2025	Open			Accounts Payable	DATA TICKET, NC.	BUILDING AND SAFETY JULY 2025	\$400 00
94323	09/18/2025	Open			Accounts Payable	EAST BAY SANITARY CO. NC.	MONTHLY POWER SWEEPING CITY OF EL CERRITO	\$9,172 95
94324	09/18/2025	Open			Accounts Payable	FEDEX	POSTAGE & DELIVERY 8/15/25	\$172 02
94325	09/18/2025	Open			Accounts Payable	FIRST SERVE PRODUCTIONS NC	CASTRO PARK PICKLEBALL COURTS PROJECT AUG ;	\$6,162 22
94326	09/18/2025	Open			Accounts Payable	FLEET MANAGEMENTHOLDINGS, LLC	RECYCLING TRUCK R3: EXHAUST MANIFOLD + EMI!	\$3,081 28
94327	09/18/2025	Open			Accounts Payable	FUJIWARA, PATTY	OPEN CERAMICS MON EVENING AUG 2025	\$894 80
94328	09/18/2025	Open			Accounts Payable	GOLDEN BEAR TRANSFER STATION	STREET SWEEP SPOILS ON 8/26/2025	\$501 22
94329	09/18/2025	Open			Accounts Payable	GOLDFARB & LIPMAN LLP	PROFESSIONAL SERVICES JULY 2025	\$1,168 00
94330	09/18/2025	Open			Accounts Payable	H LLYARD	CITYWIDE CUSTODIAL SUPPLIES 8/8/25	\$3,532 01
94331	09/18/2025	Open			Accounts Payable	MAGETREND LLC	ELITE RESCUE SAAS RECURRING	\$12,021.45
94332	09/18/2025	Open			Accounts Payable	NTREPID ELECTRONIC SYSTEMS	CITY HALL QUARTERLY SPRINKER INSPECTION	\$299 00
94333	09/18/2025	Open			Accounts Payable	JAFFE, SCOT	OPEN CERMAICS THRU AUG 2025	\$436 80
94334	09/18/2025	Open			Accounts Payable	KEL-A RE	STA 52 MAINTENANCE 8/25/25	\$1,488 90
94335	09/18/2025	Open			Accounts Payable	KNORR SYSTEMS, NC.	CHLORINE 8/20/25	\$5,283 57
94336	09/18/2025	Open			Accounts Payable	KONG, KRISTEN	ECONOMIC DEVELOPMENT FOOD BINGO	\$478.12
94337	09/18/2025	Open			Accounts Payable	LANER ELECTRIC SUPPLY	BUILDING SUPPLIES -CITY HALL COUNCIL CHAMBE	\$143 03
94338	09/18/2025	Open			Accounts Payable	MICHAEL'S TRANSPORTATION SERVICE , NC	DISCOVERY FIELD TRIP 7/9/25	\$16,712 00
94339	09/18/2025	Open			Accounts Payable	NORGE CLEANERS	DRY CLEANING AUG 2025	\$337 35
94340	09/18/2025	Open			Accounts Payable	ODP BUS NESS SOLUTIONS, LLC	SUPPLIES FOR PD	\$61 06
94341	09/18/2025	Open			Accounts Payable	PAYMENTUS CORPORATION	CREDIT CARD PROCESSING FEES JULY 2025	\$2,968 56
94342	09/18/2025	Open			Accounts Payable	PLAZA AUTO SERVICE INC	MAINTENANCE -OIL CHANGE 08 CHEVROLET	\$2,433 87
94343	09/18/2025	Open			Accounts Payable	PREM ER GRAPHICS	NO PARKING SIGNS	\$1,801.49
94344	09/18/2025	Open			Accounts Payable	REDWOOD PUBLIC LAW, LLP	COMMUNITY DEVELOPMENT (LABOR) 6/30/25-8/:	\$34,809.78
94345	09/18/2025	Open			Accounts Payable	R LE, KATHRYN	OPEN CERAMICS MON EVENING AUG 2025	\$468 00
94346	09/18/2025	Open			Accounts Payable	ROADSAFE TRAFFIC SYSTEMS, INC.	TRAFFIC SIGNS, OBJECT MARKERS & UBL0T BRACK	\$2,610 35
94347	09/18/2025	Open			Accounts Payable	S.P. AUTOMOTIVE	TRUCK SUPPLIES: DIESEL EXHAUST FLUID & COOLA	\$1,459 20
94348	09/18/2025	Open			Accounts Payable	SHAHKAR, MEHRAN	STRENGTH AND BALANCE AUG 2025	\$1,308 00
94349	09/18/2025	Open			Accounts Payable	SSD ALARM	HARDING CLUBHOUSE ALARM SVCS -EQUIP MALF	\$670 53
94350	09/18/2025	Open			Accounts Payable	ST. FRANCIS ELECTRIC	TS & SL MAINTENANCE & RESPONSE AUG 2025	\$7,778 60
94351	09/18/2025	Open			Accounts Payable	STA LING S&S RV REPAIRS	VEHICLE MAINTENANCE FPO SIRENS	\$792.77
94352	09/18/2025	Open			Accounts Payable	STANTEC CONSULTING SERVICES, NC. (SCSI)	DEVELOPMENT TRIBAL SUPPORT	\$8,726 33
94353	09/18/2025	Open			Accounts Payable	STAPLES	OFFICE SUPPLIES -MULTI INVOICE	\$131 32
94354	09/18/2025	Open			Accounts Payable	STERICYCLE, NC.	WASTE DISPOSAL SEPT 2025	\$90.17
94355	09/18/2025	Open			Accounts Payable	SUPER SOCCER STARS	SATURDAY SOCCER SUMMER 2025	\$3,248 00
94356	09/18/2025	Open			Accounts Payable	SUPERION, LLC	ALP & COMMDEV MIGRATION PROJECT	\$4,005 00
94357	09/18/2025	Open			Accounts Payable	Technica Auto, Inc.	CAR#2	\$1,793 33
94358	09/18/2025	Open			Accounts Payable	The Construction Zone, LLC	INFRASTRUCTURE SUPPLIES - STREET SIGN ORDER	\$1,030 84
94359	09/18/2025	Open			Accounts Payable	TRB AND ASSOCIATES, NC.	PROFESSIONAL SERVICES 7/1/25-7/31/25	\$103,399 05
94360	09/18/2025	Open			Accounts Payable	UNIVERSAL BUILD NG SERVICE	LIBRARY JANITORIAL SERVICES JULY 2025	\$1,727 00
94361	09/18/2025	Open			Accounts Payable	ZOON ENGINEERING, INC.	2025 SURFACE SEAL PROJECT 7/1/25-8/31/25	\$32,072 00
94362	09/18/2025	Open			Accounts Payable	HASSLER HEAT NG & AIR CONDITIONING	CANCEL PERMIT REFUND BD23-1450	\$209 61

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94363	09/18/2025	Open			Accounts Payable	HASSLER HEAT NG & AIR CONDITIONING	REFUND - DUPLICATE PERMIT	\$504 00
94364	09/18/2025	Open			Accounts Payable	QUEVY, ISABELLE	REFUND- RESTROOM KEY DEPOSIT	\$17 00
94365	09/18/2025	Open			Accounts Payable	USTICK , JARED	ACADEMY PER DIEM 8/18-8/29	\$500 00
94366	09/25/2025	Open			Accounts Payable	TRIEPEI SMITH AND ASSOCIATES, INC.	Communication support	\$3,750 00
94367	09/25/2025	Open			Accounts Payable	CALPERS LONG TERM CARE PROGRAM	PER3 - CALPERS Longterm Care Ins	\$43 62
94368	09/25/2025	Open			Accounts Payable	EL CERRITO F RE DEPT MGMT GRP	MGT1 - FIRE DEPT MGMT GROUP	\$50 00
94369	09/25/2025	Open			Accounts Payable	EL CERRITO PUBLIC SFTY EE MGMT	MGT2 - SAFETY EMPLOYEE MGMT GROUP	\$513 00
94370	09/25/2025	Open			Accounts Payable	FIRE ASSOCIATION	DUE2 - FIRE ASSN DUES	\$525 00
94371	09/25/2025	Open			Accounts Payable	FRANCHISE TAX BOARD	GA159 - FTB_Hood, David_110-15580-17	\$1,509 85
94372	09/25/2025	Open			Accounts Payable	L FE INSURANCE OF NORTH AMERICA	ACCD - Accidental Death & Dismembermt	\$52 50
94373	09/25/2025	Open			Accounts Payable	POLICE ASSN.	DUE1 - POLICE ASSN DUES	\$5,466 99
94374	09/25/2025	Open			Accounts Payable	PRO F REFIIGHTERS ASSN DUES	DUE3 - EC PRO FIREFIGHTERS DUES	\$300 00
94375	09/25/2025	Open			Accounts Payable	SEIU LOCAL 1021	COPE - VOLUNTARY COPE DEDUCTION*	\$1,880 67
94376	09/25/2025	Open			Accounts Payable	U.S. BANK - INSTITUTIONAL TRUST - W REGION	PAR - PARS - ARS 457*	\$3,471 33
94377	09/25/2025	Open			Accounts Payable	24 HOUR FITNESS USA, LLC	GYM MEMBERSHIPS	\$395 89
94378	09/25/2025	Open			Accounts Payable	4LEAF, NC.	FIRE PLAN REVIEW AUG 2025	\$320 00
94379	09/25/2025	Open			Accounts Payable	A PLUS TREE, LLC	PUBLIC TREE MAINTENANCE	\$42,222 29
94380	09/25/2025	Open			Accounts Payable	AMAZON CAPITAL SERVICES, INC.	ANTI-SLIP TAPE FOR RAMP AT RECYCL CENTER	\$49.11
94381	09/25/2025	Open			Accounts Payable	AVILA PROJECT MANAGEMENT	2025 SURFACE SEAL PROJ -CONSTRUCTION PHASE	\$8,385 00
94382	09/25/2025	Open			Accounts Payable	BEND MA L NG	GREENER EL CERRITO NEWSLETTER FALL 2025 VOL	\$938 04
94383	09/25/2025	Open			Accounts Payable	CH LDCARE CAREERS, LLC	FAIRMONT CLUBHOUSE TEMP	\$156 00
94384	09/25/2025	Open			Accounts Payable	Cogent Investigations	BACKGROUND	\$1,500 00
94385	09/25/2025	Open			Accounts Payable	CORODATA SHREDD NG INC.	SHREDDING SVCS AUG 2025	\$239.19
94386	09/25/2025	Open			Accounts Payable	COUNTY OF MARIN/CALSLA	CALSLA FY 2026	\$945 00
94387	09/25/2025	Open			Accounts Payable	E&J TRUCK AND EQUIPMENT REPAIR LLC	RECYCLING TRUCK R1: OPACITY TEST 8/8/25	\$260 00
94388	09/25/2025	Open			Accounts Payable	EHSD-CC SENIOR NUTRITION	CAFE COSTA SENIOR LUNCH PROGRAM CONTRIBUTION	\$881.70
94389	09/25/2025	Open			Accounts Payable	ENGBERG, GERI	WK 8 IMPROV CAMP SUMMER 2025 8/4-8/8/25	\$1,607.40
94390	09/25/2025	Open			Accounts Payable	FLEET MANAGEMENTHOLDINGS, LLC	RECYCLING TRUCK R3: WINDSHIELD, THERMOSTATS	\$6,989.17
94391	09/25/2025	Open			Accounts Payable	FORENSIC SERVICES DIVISION	FORENSICS 7/1/25-7/31/25	\$4,151.40
94392	09/25/2025	Open			Accounts Payable	GHIRARDELLI ASSOCIATES	DEL NORTE TOD JULY 2025	\$108,945.43
94393	09/25/2025	Open			Accounts Payable	GILMAN PRESS	BUSINESS CARDS	\$55 38
94394	09/25/2025	Open			Accounts Payable	Griffin Structures, Inc.	LIBRARY OWNER'S REP SERVICES AUG 2025	\$6,784 68
94395	09/25/2025	Open			Accounts Payable	J & O'S COMMERCIAL TIRE CENTER	TRUCK TIRE SUPPLIES + TAX + SERVICES	\$1,064.12
94396	09/25/2025	Open			Accounts Payable	KNORR SYSTEMS, NC.	QUARTERLY SUPPLIES	\$6,633 63
94397	09/25/2025	Open			Accounts Payable	Lambert, Roland	REFUND -PE LICENSE RENEWAL FEE	\$180 00
94398	09/25/2025	Open			Accounts Payable	LANER ELECTRIC SUPPLY	LIGHT BULBS -CITY HALL	\$521 86
94399	09/25/2025	Open			Accounts Payable	MERCURIO BROS. PRINT NG, NC,	FD FORMS	\$607 00
94400	09/25/2025	Open			Accounts Payable	ODP BUSINESS SOLUTIONS, LLC	SUPPLIES FOR PD	\$322.42
94401	09/25/2025	Open			Accounts Payable	R&S ERECTION OF RICHMOND	STA 51 REPAIR	\$507 50
94402	09/25/2025	Open			Accounts Payable	RAMOS, STEPHANIE, R	ZUMBA AUGUST 2025	\$3,946 50
94403	09/25/2025	Open			Accounts Payable	RUIZ, JOE	XFIT BOOT CAMP AUG 2025	\$514 80
94404	09/25/2025	Open			Accounts Payable	SAGE, ZONA	PAYMENT #3 2025 ECCRU ARTIST IN RESIDENCE	\$500 00
94405	09/25/2025	Open			Accounts Payable	SINGLE CYLINDER REPAIR INC	2 CARBIDE CHAINS	\$905.42
94406	09/25/2025	Open			Accounts Payable	STATE OF CA DEPT OF JUSTICE	FINGERPRINTING AUG 2025	\$1,854 00
94407	09/25/2025	Open			Accounts Payable	SYSTEMS & SPACE, NC.	ROLL UP DOOR FOR EVIDENCE STORAGE	\$5,330 00
94408	09/25/2025	Open			Accounts Payable	Technica Auto, Inc.	2020 FORD R&R HOSE ASSEMBLY	\$4,293.43
94409	09/25/2025	Open			Accounts Payable	Total Industries	H30T FORKLIFT: NEW STARTER	\$3,748 22
94410	09/25/2025	Open			Accounts Payable	U.S. SECURITY SUPPLY, INC.	PAD LOCK	\$101 55
94411	09/25/2025	Open			Accounts Payable	UNIVERSAL BUILDING SERVICE	BUILDING SUPPLIES FIRE DEPT	\$791.45
94412	09/25/2025	Open			Accounts Payable	WATER SAFETY PRODUCTS, INC	RESCUE TUBES	\$3,386.11
94413	09/25/2025	Open			Accounts Payable	ZIMMER-CHU, LISA	PAYMENT #3 2025 ECCRU ARTIST IN RESIDENCE	\$500 00

City of El Cerrito

Payment Register

From Payment Date 9/1/2025 - To Payment Date 9/30/2025

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Description	Transaction Amount
94414	09/25/2025	Open			Accounts Payable	CHOUJIA, PATRICK	PER DIEM WOMEN LEADERS IN LAW ENFORCEME	\$150 00
94415	09/25/2025	Open			Accounts Payable	HERNANDEZ, DAN ELLE	PER DIEM WOMEN LEADERS IN LAW ENFORCEME	\$150 00
94416	09/25/2025	Open			Accounts Payable	MINTZ, MELAN E	REFUND -MISSION SQUARE LOAN PYMT 10/8/21	\$598 01
94417	09/25/2025	Open			Accounts Payable	MIRANDA, LESLY	PER DIEM WOMEN LEADERS IN LAW ENFORCEME	\$150 00
94418	09/25/2025	Open			Accounts Payable	PAUL KEITH	PER DIEM REIMB FOR COMMAND COLLEGE AUG 1	\$300 00
94419	09/25/2025	Open			Accounts Payable	WALNUT CREEK FORD INC	PURCHASE OF NEW DEPARTMENT VEHICLE	\$35,313 96
94420	09/25/2025	Open			Accounts Payable	USTICK , JARED	PER DIEM POLICE ACADEMY 8/18-8/29/25	\$500 00
94421	09/25/2025	Open			Accounts Payable	USTICK , JARED	PER DIEM FOR POLICE ACADEMY 9/2-9/12/25	\$450 00
94422	09/25/2025	Open			Accounts Payable	CABLECOM	RELEASE OF BONDS -SEPT 2025	\$3,392 00
94423	09/25/2025	Open			Accounts Payable	EVEREST PLUMB NG & DRA N	RELEASE OF BONDS -SEPT 2025	\$3,890 00
94424	09/25/2025	Open			Accounts Payable	LARR ETA SANITAIION CONSTRUCTION	RELEASE OF BONDS -SEPT 2025	\$823 00
94425	09/25/2025	Open			Accounts Payable	PG&E	RELEASE OF BONDS -SEPT 2025	\$7,682 31
94426	09/25/2025	Open			Accounts Payable	SEWER CONNECTION INC	RELEASE OF BONDS -SEPT 2025	\$1,730 00
94427	09/25/2025	Open			Accounts Payable	SEWER WORKS, INC	RELEASE OF BONDS -SEPT 2025	\$5,835 00
94428	09/25/2025	Open			Accounts Payable	SONIC TELECOM	RELEASE OF BONDS -SEPT 2025	\$761 65
94429	09/25/2025	Open			Accounts Payable	TOTO'S PLUMBING	RELEASE OF BONDS -SEPT 2025	\$1,945 00
94430	09/25/2025	Open			Accounts Payable	SEWER MASTER ENGINEER NG INC	RELEASE OF BONDS - SEPT 2025	\$3,392 00
94431	09/25/2025	Open			Accounts Payable	WHYTE, ANNE	RELEASE OF BONDS - SEPT 2025	\$823 00
94432	09/25/2025	Open			Accounts Payable	AMAZON CAPITAL SERVICES, INC.	general office supplies	\$218 30
TOTAL CHECKS					221 Transactions			\$1,528,476 83

City of El Cerrito
Payment Register

From Payment Date 9/1/2025 - To Payment Date 9/30/2025

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Description	Transaction Amount
<u>Accounts Payable EFTs</u>								
3415	09/05/2025	Open			Accounts Payable	California State Disbursement Unit	GA161 - ██████████ Child Support	\$96 00
3416	09/05/2025	Open			Accounts Payable	EDD - PAYROLL TAX DEPOSIT	CA - CA Tax	\$51,654.48
3417	09/05/2025	Open			Accounts Payable	RS	FED - Fed Tax*	\$207,021 20
3418	09/05/2025	Open			Accounts Payable	MissionSquare (name chg 03-2021 formerly ICMA)	ICM1 - ICMA-457 #300530 FLAT DOLLAR*	\$60,338.17
3419	09/05/2025	Open			Accounts Payable	P E R S	PE1% - PERS SEIU*	\$213,217.12
3420	09/19/2025	Open			Accounts Payable	RS	Medicare - Medicare*	\$14 84
3421	09/16/2025	Open			Accounts Payable	PG&E	PG&E 7/2/25-8/1/25	\$455 86
3422	09/09/2025	Open			Accounts Payable	CalPERS (CA Public Employees' Retirement System)	CALPERS SOCIAL SECURITY ADMIN FEES	\$200 00
3423	09/05/2025	Open			Accounts Payable	CalPERS (CA Public Employees' Retirement System)	GASB 68 REPORT FEES	\$700 00
3424	09/08/2025	Open			Accounts Payable	PITNEY BOWES PURCHASE POWER	PURCHASE POWER PASTAGE CL PYMT AUG 25	\$2,000 00
3425	09/12/2025	Open			Accounts Payable	RS	FORM 941X, FICA & MEDICARE CORRECTED PAYM	\$1,772.18
3426	09/23/2025	Open			Accounts Payable	PG&E	PG&E 08/02/25-09/02/25	\$23,787.17
3427	09/23/2025	Open			Accounts Payable	PG&E	PG&E 08/08/25-08/25/25	\$32,868 05
3428	09/19/2025	Open			Accounts Payable	California State Disbursement Unit	GA161 - Wotcheu, Romeo_Child Support	\$96 00
3429	09/19/2025	Open			Accounts Payable	EDD - PAYROLL TAX DEPOSIT	CA - CA Tax	\$59,087.79
3430	09/19/2025	Open			Accounts Payable	RS	FED - Fed Tax*	\$231,084 89
3431	09/19/2025	Open			Accounts Payable	MissionSquare (name chg 03-2021 formerly ICMA)	ICM1 - ICMA-457 #300530 FLAT DOLLAR*	\$59,461.46
3432	09/19/2025	Open			Accounts Payable	P E R S	PE CM PEPRA - PERS CM PEPRA*	\$221,974 04
3433	09/29/2025	Open			Accounts Payable	STRYKER CORPORATION	STRYKER EQUIPMENT/ SVC LEASE AGRMNT SEPT 2	\$6,308 59
3434	09/29/2025	Open			Accounts Payable	KS STATEBANK	2023 CHEVROLET TAHOE SPECIAL SERVICE VEHICL	\$4,907.41
3435	09/29/2025	Open			Accounts Payable	U.S. BANK - CORPORATE PAYMENT SYS	CALCARD SEPT 2025 PAYMENT	\$50,694.11
3436	09/29/2025	Open			Accounts Payable	SUTTER HEALTH PLUS	SUTTER HEALTH PLAN - OCT PAYMENT	\$32,703 80
3437	09/29/2025	Open			Accounts Payable	JPMorgan Chase Bank	2012 RECYCLING FACILITY BOND SEPT 2025 PAYM	\$76,434 07
3438	09/29/2025	Open			Accounts Payable	RS	FORM 941X, FICA & MEDICARE TAX PAYMENT FOR	\$167.41
3439	09/30/2025	Open			Accounts Payable	FIRST DATA MERCHANT SERVICES NC	MERCHANT FEE EXPENSE - AUG 2025	\$832 91
3440	09/30/2025	Open			Accounts Payable	FIRST DATA MERCHANT SERVICES NC	MERCHANT FEE EXPENSE - AUG 2025	\$60 26
3441	09/30/2025	Open			Accounts Payable	FIRST DATA MERCHANT SERVICES NC	MERCHANT FEE EXPENSE - AUG 2025	\$2,304 07
3442	09/30/2025	Open			Accounts Payable	FIRST DATA MERCHANT SERVICES NC	MERCHANT FEE EXPENSE - AUG 2025	\$147 81
3443	09/30/2025	Open			Accounts Payable	FIRST DATA MERCHANT SERVICES NC	MERCHANT FEE EXPENSE - AUG 2025	\$492 07
3444	09/30/2025	Open			Accounts Payable	FIRST DATA MERCHANT SERVICES NC	MERCHANT FEE EXPENSE - AUG 2025	\$38 38
3445	09/30/2025	Open			Accounts Payable	FIRST DATA MERCHANT SERVICES NC	MERCHANT FEE EXPENSE - AUG 2025	\$38 37
3446	09/30/2025	Open			Accounts Payable	FIRST DATA MERCHANT SERVICES NC	MERCHANT FEE EXPENSE - AUG 2025	\$38.40
3447	09/30/2025	Open			Accounts Payable	AMEX/AMERICAN EXPRESS	MERCHANT FEE EXPENSE - AUG 2025	\$46 65
3448	09/30/2025	Open			Accounts Payable	CLOVER	MERCHANT FEE EXPENSE - AUG 2025	\$23 90
3449	09/30/2025	Open			Accounts Payable	AUTHORIZE NET	MERCHANT FEE EXPENSE - AUG 2025	\$43 20
3450	09/30/2025	Open			Accounts Payable	AUTHORIZE NET	MERCHANT FEE EXPENSE - AUG 2025	\$20 00
3451	09/30/2025	Open			Accounts Payable	CARDCONNECT	MERCHANT FEE EXPENSE - AUG 2025	\$7,903 34
3452	09/30/2025	Open			Accounts Payable	CARDCONNECT	MERCHANT FEE EXPENSE - AUG 2025	\$4,342 81
3453	09/30/2025	Open			Accounts Payable	CARDCONNECT	MERCHANT FEE EXPENSE - AUG 2025	\$10,336 25
3454	09/30/2025	Open			Accounts Payable	MECHANICS BANK	MERCHANT FEE EXPENSE - AUG 2025	\$626 93
Type EFT Totals					40 Transactions			\$1,364,339.99

City of El Cerrito

Payment Register

From Payment Date 9/1/2025 - To Payment Date 9/30/2025

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Description	Transaction Amount
<u>ACCOUNTS PAYABLE</u>		Checks & EFT's	Status	Count	Transaction Amount			
			Open	261	\$2,892,816.82			
			Voided	0	\$0 00			
			Total	261	\$2,892,816.82			
<u>PAYROLL</u>		All	Status	Count	Transaction Amount			
			Total Checks	102	\$74,456.41			
			Voided Checks	0	\$0 00			
			Total EFT's	543	\$1,230,032.22			
			Total	645	\$1,304,488.63			
<u>GRAND TOTAL</u>				906	\$4,197,305.45			



AGENDA BILL

Agenda Item No. 7.C.

Date: October 21, 2025
To: El Cerrito City Council
From: Crystal Reams, Finance Director/City Treasurer, Finance Department
Subject: FY 2025-26 First Quarter Cash and Investment Report

ACTION PROPOSED

Receive and file the City's Second Quarter Cash and Investment Report for the period July 1, 2025 to September 30, 2025.

BACKGROUND

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

ANALYSIS

The FY 2025-26 First Quarter Cash and Investment Report for July 1, 2025 through September 30, 2025 shows that the City's total cash and investments as of September 30, 2025, had a par value of \$29,776,849.61 in the following accounts.

- \$20,360,038.39 (LAIF) (Excludes investment earnings)
 - \$222,409.43 Investment Earnings Q1 paid Oct 15, 2025
- \$1,524,322.30 (Mechanics Bank) (Includes interest earnings)
 - \$21.59 Interest Earned July 2025
 - \$15.67 Interest Earned August 2025
 - \$14.03 Interest Earned September 2025
- \$4,827,631.11 (Mechanics Bank Money Market) (Includes interest earnings)
 - \$61,322.88 Interest Earned July 2025
 - \$17,389.02 Interest Earned August 2025
 - \$18,072.02 Interest Earned September 2025
- \$3,062,507.81 (Section 115 Trust PARS/US Bank) (Includes investment earnings)
 - \$3,924.31 Investment Earnings July 2025
 - \$48,305.21 Investment Earnings August 2025
 - \$50,033.07 Investment Earnings September 2025
- \$2,350.00 (Petty Cash Funds)

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

STRATEGIC PLAN CONSIDERATIONS

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

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

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

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

The Quarterly Cash and Investment Report complies with the City of El Cerrito Investment Policy and California Government Code Section 53646.

LEGAL CONSIDERATIONS

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

Reviewed by:

A handwritten signature in blue ink, appearing to read 'Karen Pinkos', is written over a light blue grid background.

Karen Pinkos, City Manager

Attachments:

1. FY 26 Q1 Quarterly Cash & Investment Report

City of El Cerrito
Quarterly Cash and Investment Report
for the Quarter Ending September 30, 2025

Attachment A

Category	Trustee/Broker	Month Ending	PAR Value (Actual Value)	Quarter End Interest Rate	Market value
Pooled Investments (LAIF)	California State Treasurer	September 30, 2025	\$ 20,360,038.39	4.21%	\$ 20,360,038.39
Cash with Bank	Mechanics Bank	September 30, 2025	\$ 1,524,322.30	0.01%	\$ 1,524,322.30
Money Market Account	Mechanics Bank	September 30, 2025	\$ 4,827,631.11	4.26%	\$ 4,827,631.11
Section 115	PARS/US Bank	September 30, 2025	\$ 3,062,507.81	N/A	\$ 3,062,507.81
Petty Cash Funds	City Management	September 30, 2025	\$ 2,350.00	N/A	\$ 2,350.00
Total Cash and Investments			\$ 29,776,849.61		\$ 29,776,849.61

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



Crystal Reams, Finance Director/City Treasurer



AGENDA BILL

Agenda Item No. 7.D.

Date: October 21, 2025
To: El Cerrito City Council
From: Eduardo Huizar, Engineering Technician; James Mizutani, Associate Engineer; Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department
Subject: Establish All-Way Stop at the Manila Avenue and Norvell Street Intersection

ACTION PROPOSED

Adopt a resolution establishing an all-way stop at the intersection of Manila Avenue and Norvell Street.

BACKGROUND

The Public Works Department evaluates and implements modifications and enhancements to existing traffic control devices to address operations and safety issues identified by residents, businesses, City staff, and adopted City plans such as the 2016 Active Transportation Plan. Recently, the Department has received requests from residents concerned about safety at and near the intersection of Manila Avenue and Norvell Street, which is located in a residential neighborhood and on a bicycling and walking route to Korematsu Middle School, located one block to the north. Manila Avenue is classified as a collector street and Norvell Street as a local street in the City's General Plan. Additionally, Norvell Street is a Class III bike route and a segment of the East Side Bicycle Boulevard, designated in the Active Transportation Plan.

In 2019, the City implemented an initial set of bicycle boulevard improvements on Norvell Street (from Potrero Avenue to Schmidt Lane) and on Schmidt Lane (to Richmond Street), which were funded by a Transportation Development Act (TDA) Article 3 Pedestrian and Bicycle Project grant. The improvements included new signs, pavement markings, and speed bumps, aimed to improve safety for students biking to Korematsu Middle School, which opened in 2016 and led to increased bicycling in the area.

In response to recent community requests over the last couple of years, City staff evaluated existing conditions near the Manila Avenue and Norvell Street intersection, including sight distance, signs, striping, and pavement and curb markings. Enhanced pedestrian crossing signs were installed in February 2025 and red curb markings will soon be installed to reinforce the California Daylighting Law (AB 413). Effective as of January 2025, the Daylighting Law aims to improve pedestrian safety by prohibiting parking within 20 feet of the approach to any marked or unmarked crosswalk, even if a red curb marking is not present.

ANALYSIS

State Requirements

In order for City staff to recommend installation of stop signs at an intersection, it must meet one or more specific traffic criteria established in the California Manual on Uniform Traffic Control Devices (MUTCD). All-way (also known as multi-way) stop control can be useful as a safety measure at intersections if certain traffic conditions exist. The foremost purpose of an all-way stop is to assign right-of-way. The primary MUTCD criteria indicates that all-way stop control should be installed where the number of vehicles approaching the intersection from all directions is approximately equal or where there is a collision problem as indicated by a specific number and types of incidents. Optional criteria that may be considered in an engineering study include the need to control left-turn conflicts, the need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volume, locations where a road user cannot see conflicting traffic after stopping and is not able to safely negotiate the intersection unless conflicting cross traffic is also required to stop, and an intersection of two residential collector streets of similar design and operating characteristics where all-way stop control would improve traffic operational characteristics of the intersection. City staff requested that our on-call transportation engineering consultant, W-Trans, conduct an engineering study to evaluate these criteria for the intersection of Manila Avenue and Norvell Street.

Engineering Study

The intersection of Manila Avenue and Norvell Street has four legs with stop controls on the two legs of Norvell Street. The stop signs are configured so that northbound and southbound traffic on Norvell Street must stop for eastbound and westbound traffic on Manila Avenue. Manila Avenue has a curb-to-curb street width of 30 feet; Norvell Street is approximately 40 feet in width. The prima facie residential speed limit is 25 miles per hour (mph) on both streets. This intersection currently has two marked crosswalks on the east and west legs across Manila Avenue, which are uncontrolled.

W-Trans collected traffic counts and conducted a site evaluation of the intersection while school was in session in Spring 2025. They evaluated the primary and optional MUTCD criteria described above, which are referred to as warrants. Notably, the vehicle count data showed less than a 10 percent difference between the volumes on Manila Avenue and Norvell Street. The number of pedestrians crossing the uncontrolled Manila Avenue crosswalks was compared to the National Cooperative Highway Research Program (NCHRP) Report 562, applied in the City ATP Crosswalk Policy. Although the primary MUTCD warrants were not met, W-trans found that the optional warrant related to vehicle/pedestrian conflicts near locations that generate high pedestrian volume was satisfied based on the NCHRP analysis. Based on all conditions evaluated as part of their study, W-Trans recommended the installation of an all-way stop. The W-Trans study report, attached, fully describes the engineering study for this intersection.

The installation of stop signs on the Manila Avenue approaches to the intersection would improve pedestrian and bicycle safety for students and neighborhood residents. The stop signs would provide a controlled pedestrian crosswalk across Manila Avenue and further enhance the East Side Bicycle Boulevard by providing a controlled crossing of Manila Avenue for bicyclists traveling along Norvell Street.

To improve traffic safety based on the W-Trans engineering study and resulting recommendation, City staff proposes the establishment of an all-way stop at the intersection of Manila Avenue and Norvell Street by installing new stop signs and associated pavement markings on the eastbound and westbound approaches of Manila Avenue, along with removing signs and markings that would no longer be applicable.

STRATEGIC PLAN CONSIDERATIONS

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

- *Infrastructure and Amenities.*

ENVIRONMENTAL CONSIDERATIONS

The project is categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) because the project is a minor alteration of an existing public facility involving negligible or no expansion of use beyond that presently existing. More specifically, the installation of curb markings and signs will be done on existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities, which is exempt from CEQA.

FINANCIAL CONSIDERATIONS

The cost for the installation of signs and pavement markings is estimated to be approximately \$10,000. Funding is available in the Fiscal Year 2025-26 Adopted Budget under the Traffic Safety and Management Program/Capital Improvement Program in the Street Improvement Fund (211).

LEGAL CONSIDERATIONS

Section 11.36.010 of the El Cerrito Municipal Code requires that the City Council designate entrances to intersections where stop signs are installed.

Reviewed by:



Karen Pinkos, City Manager

Attachments:

1. Resolution
2. W-Trans Engineering Study Report

RESOLUTION 2025-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO
ESTABLISHING AN ALL-WAY STOP AT THE INTERSECTION OF MANILA AVENUE
AND NORVELL STREET

WHEREAS, the Public Works Department evaluates and implements modifications and enhancements to existing traffic control devices, such as stop signs, to address operations and safety issues identified by residents, businesses, City staff, and adopted City plans; and

WHEREAS, the Department has received requests from residents concerned about safety at and near the intersection of Manila Avenue and Norvell Street, which is located in a residential neighborhood and on a bicycling and walking route to Korematsu Middle School, located one block to the north; and

WHEREAS, an engineering study determined that the intersection of Manila Avenue and Norvell Street meets the California Manual on Uniform Traffic Control Devices criteria for all-way stop control based on a combination of factors including pedestrian and bicycle safety and traffic operational characteristics; and

WHEREAS, Section 11.36.010 of the El Cerrito Municipal Code requires that the City Council designate entrances to intersections where stop signs are installed; and

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

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby authorizes the Public Works Director/City Engineer to install stop signs on Manila Avenue at Norvell Street, establishing an all-way stop at this intersection.

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

I CERTIFY that at a regular meeting on October 21, 2025 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_____.

APPROVED:

Carolyn Wysinger, Mayor

Holly M. Charl  ty, City Clerk



October 8, 2025

Mr. James Mizutani
Associate Engineer
Public Works Department
City of El Cerrito
10890 San Pablo Avenue
El Cerrito, CA 94530

Traffic Evaluation for Manila Avenue/Norvell Street

Dear Mr. Mizutani;

As requested, W-Trans has prepared a traffic evaluation for the potential need to change the orientation of existing stop controls or convert to all-way stop controls for the intersection of Manila Avenue/Norvell Street in the City of El Cerrito. A summary of recommendations is provided at the end of this letter.

Existing Conditions

Manila Avenue/Norvell Street is a four-legged intersection with stop controls on Norvell Street. Both streets have one travel lane in each direction with generally straight and level alignments. Manila Avenue has a curb-to-curb street width of 30 feet; Norvell Street is approximately 40 feet in width. The *prima facie* residential speed limit is 25 miles per hour (mph) on both streets. Caltrans' *California Road System Maps* (CRSM), 2023, classifies Manila Avenue as a major collector and Norvell Street as a local road. Manila Avenue is oriented east-west, and Norvell Street runs north to south, parallel to San Pablo Avenue. Marked crosswalks are located on the east and west legs with ramps on each corner. Additionally, Norvell Avenue is signed and striped as a Class III bike route. Street parking is currently allowed on all approaches with some restrictions due to a fire hydrant.

Data Collection and Field Observations

To complete the warrant studies, several types of data are needed including traffic volumes, crash history, sight distances, and basic intersection and street geometric data. Average delay and 85th-percentile speed data only need to be collected if any of the locations have traffic counts sufficient to meet the volume warrant at the 70-percent level.

A site evaluation was conducted on April 10, 2025. During this visit the physical characteristics of the roadways were confirmed, and observations were made of the behavior of all users, including pedestrians, bicyclists, and motorists. The intersection of Manila Avenue/Norvell Street is within 700 feet to the Fred T. Korematsu Middle School which was in session when traffic counts were conducted.

Traffic Volumes

Traffic volumes at the Manila Avenue/Norvell Street intersection were collected on March 25, 2025, on typical weekdays with local schools in session. These volumes include turning movement counts by approach for vehicles, pedestrians, and cyclists during the peak hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. The peak period volumes were then processed into major street traffic, minor street traffic, peak hour volume, etc. as necessary for the various warrants.

Most of the traffic volume warrants are based on the highest eight hours of volumes for which daytime (7:00 a.m. to 8:00 p.m.) or 24-hour volumes are typically collected. However, the four hours selected typically represent the highest volumes, and therefore additional traffic volumes would only be needed for intersections where the four hours sampled were close to or exceeded the warrant thresholds. A copy of the traffic volume data is enclosed.

All-Way Stop Control (AWSC) Warrants

Guidance from the *California Manual on Uniform Traffic Control Devices* (CA-MUTCD) suggests that stop controls shall not be used to control speed, as their primary purpose is to assign right-of-way at intersections. According to W. Martin Bretherton's paper "Multi-way Stops – The Research Shows the MUTCD is Correct!," presented at the 69th Annual Meeting of the Institute of Transportation Engineers in 1999, there are high incidences of intentional violations resulting in decreased safety of pedestrians where stop signs are installed as a deterrent to speeding. Therefore, an engineering study is necessary to confirm whether the installation of stop controls at the study intersection is appropriate.

The CA-MUTCD provides warrant criteria for an intersection to justify application of AWSC. Under the AWSC warrant criteria, at least one of the following four conditions should be satisfied to warrant AWSC installation.

1. Warrants for a traffic signal at the intersection have been met, and the AWSC is an interim measure;
2. Five or more crashes that are susceptible to correction by installing AWSC, such as right-turn, left-turn, and right-angle collisions have occurred in a 12-month period;
3. The major street vehicle volume averages at least 300 vehicles per hour for each of eight hours on a typical day, the combined vehicle, pedestrian, and bicycle volume on the minor street averages at least 200 units per hour during the same eight hours, the minor street vehicular traffic faces an average delay of 30 seconds per vehicle during the peak hour, or 70 percent of the above values if the 85th percentile approach speed on the major street exceeds 40 miles per hour; and/or
4. The above two conditions are both satisfied to 80 percent, meaning four crashes in 12 months, 240 vehicles per hour on the major street, 160 units per hour on the minor street, and 24 seconds of delay.

Collision History

The collision history for the Manila Avenue/Norvell Street intersection was reviewed for any incidents that possibly could have been prevented via the introduction of additional stop controls. Collision records were obtained from the California Highway Patrol's Statewide Integrated Traffic Records System (SWITRS). The collision data for each location was assessed for frequency of occurrence of correctible crashes within a five-year period.

Collision rates for the Manila Avenue/Norvell Street intersection were calculated based on collisions occurring between January 1, 2020, and December 31, 2024, as this is the most current five-year period available via SWITRS. As presented in Table 1, the calculated collision rates for the study intersections were compared to average collision rates for similar facilities statewide, as indicated in *2021 Collision Data on California State Highways*, Caltrans. The collision rate calculations are enclosed.

Table 1 – Collision Rates at the Study Intersections

Study Intersection	Number of Collisions (2020-2024)	Calculated Collision Rate (c/mve)	Statewide Average Collision Rate (c/mve)
1. Manila Ave/Norvell St	0	0.00	0.20

Note: c/mve = collisions per million vehicles entering

The Manila Avenue/Norvell Street intersection had collision rates below the statewide average for similar facilities. The crash history warrant criteria is not met since there were no documented crashes within the study period.

Sight Distances

A field visit was conducted on Thursday, April 10, 2025, to confirm geometric details gathered from aerial imagery as well as to collect sight distance data. Pictures were taken on uncontrolled approaches to each intersection to document visibility between approaching traffic and crossing vehicles or pedestrians.

The recommended sight distance at intersections of public streets is based on corner sight distance and the approach speed on the major street. Per the Caltrans *Highway Design Manual*, 2023, stopping sight distance may be used as an alternative to corner sight distance for constrained locations. The CA-MUTCD optional warrant for installing AWSC is typically only considered when permanent fixtures, such as buildings and fences, block sight lines. Based on a 25-mph design speed for the approaches at all three study intersections, the recommended stopping sight distance is 150 feet.

Traffic Evaluation & Warrant Analysis

The CA-MUTCD AWSC warrants were evaluated for the study intersection. Also, an evaluation of the potential need to change the orientation of existing stop controls at Manila Avenue/Norvell Street was conducted. A summary of all warrants assessed is enclosed.

This study intersection does not meet the CA-MUTCD signal warrant and is not awaiting signalization. There were also no reported collisions at Manila Avenue/Norvell Street during the study period. During the eight observed peak hours there was an average of 39 vehicles per hour entering the intersection from all four approaches, which is below the 300 vehicles per hour required by the CA-MUTCD. Generally, adequate sight lines were observed at the approach legs. Additionally, to satisfy the AWSC warrant a minimum of 200 combined vehicles, pedestrians, and bicycles are required to enter from the minor street per the CA-MUTCD, whereas an average of 58 per hour were counted which includes 55 vehicles, one bicycle and two pedestrians. For these reasons, the primary AWSC warrants were not met.

Street parking is available along the curbs on the approaches and departures of each leg; however, each approach has some parking restrictions needed for fire hydrant access. While adequate sight distance was observed at the time of the field visit, vehicles parked immediately adjacent to the intersection can occasionally block sight lines between conflicting traffic or between drivers and pedestrians. Additionally, some overgrown vegetation may affect driver sight lines. Installation of stop controls would only be considered when permanent fixtures block sight lines, such as buildings or fences. As parked vehicles are mobile and temporary, and overgrown plants may be trimmed or removed, painting the curbs red or installing "NO PARKING (left arrow)" signage (R28 (CA) or R28A (CA)) 20 feet from each intersection may instead be more appropriate countermeasures to ensure adequate sight lines. The American Association of State Highway and Transportation Officials' (AASHTO) *A Policy on Geometric Design of Highways and Streets* and the National Association of City Transportation Officials' (NACTO) *Urban Street Design Guide* both recommend prohibiting parking within at least 20 feet of intersections, as measured from the intersection curb return.

Prohibiting parking at this location would provide for improved driver sight lines and would also be consistent with State law as described in Assembly Bill (AB) 413, the California 'Daylighting' law, which amended California Vehicle Code (CVC) 22500 (n)(1)(A) in 2024, stating that vehicles may not park within 20 feet from the approach to any marked or unmarked crosswalk. The implementation of red curb paint or signage on each leg of Manila Avenue/Norvell Street is recommended to adhere to CVC 22500, placing approaching drivers close enough to the intersection that a legally parked vehicle would not typically restrict sight lines. It is noted that the CVC prohibits parking within these areas 20 feet of crosswalks regardless of whether there are signs or painted curbs present. Further, any trees or foliage obstructing vehicular sight lines should be trimmed to preserve sight lines. The Federal Highway Administration (FHWA) recommends in its guide on *Vegetation Control for Safety*, 2007, that bushes and shrubs in the motorists' line of sight be kept under three feet of height, and that trees and hanging branches be trimmed to a minimum height of seven feet. This provides a gap in vegetation for drivers on a cross street to observe oncoming traffic. These improvements would increase sight lines from each approach leg of the intersection to allow adequate sight distances for drivers.

The potential need to change the existing two-way stop-control (TWSC) orientation at this location was also evaluated. The CA-MUTCD contains warrant criteria for installing stop signs at an intersection with no existing stop controls. Under these criteria, at least one of the following three items must be satisfied to warrant TWSC installation:

1. The major street carries more than 6,000 vehicles on a typical day;

2. Sight distance is restricted such that approaching drivers must stop in order to check for oncoming vehicles; and/or
3. Three or more crashes in a 12-month period, or five or more crashes in a 24-month period have occurred that are susceptible to correction by installing TWSC, such as right-angle crashes caused by drivers on the minor street failing to yield right-of-way to drivers on the through street.

Considering these criteria under a scenario where no stop controls are present, the *prima facie* speed limit would be 15 mph for a blind intersection. As such, the corner sight distance for a 15-mph design speed would be obstructed by existing fences and/or buildings. Therefore, to fulfill the sight distance criterion at least one street would need stop controls. Furthermore, vehicle count data shows there is a less than 10 percent difference between the major and minor street volumes. Therefore, as only the sight distance criteria is satisfied at Manila Avenue/Norvell Street and there is only nominal variation in traffic volumes on each street, there is no substantial reason to change the existing orientation of stop controls at this location.

Optional Warrants

In addition to the primary warrants described above, the MUTCD has four optional warrants. These alone are not enough to warrant installation of AWSC but may be used in conjunction with engineering judgment to alleviate minor shortfalls in fulfilling the above criteria, as well as addressing unusual cases. The four optional warrants are:

1. The need to control left-turn conflicts;
2. The need to control the interaction of pedestrians and vehicles near heavy pedestrian traffic generators;
3. Locations where a driver stopped at the minor street approach is unable to assess conflicting traffic due to poor sight lines; and/or
4. At the intersection of two neighborhood collectors where installing AWSC will improve operations.

Left-Turn Conflicts

There were no collisions reported at the study location during the study period. Therefore, there is not a pattern of left-turn conflicts, and this optional warrant is not met.

Vehicle/Pedestrian Conflicts

According to the second optional warrant, AWSC may be considered if engineering judgment is supported by the need to control the interaction of pedestrians and vehicles near heavy pedestrian traffic generators. To determine whether this condition could be met, pedestrian volumes crossing the uncontrolled intersection approaches were compared to the minimum pedestrian volume to warrant a crosswalk. According to the National Cooperative Highway Research Program's (NCHRP) Report 562, at least 20 pedestrians in an hour must cross the roadway to warrant a crosswalk. The intersection of Manila Avenue/Norvell Street is located within 700 feet to the Fred T. Korematsu Middle School and experienced the highest pedestrian volumes during the a.m. peak hour, in which 35 pedestrians were observed to be using the crosswalks, thereby satisfying the NCHRP warrant and indicating that AWSC may be appropriate.

Visibility

The optional warrant for installing AWSC is typically only considered when permanent fixtures, such as buildings and fences, block sight lines. Vehicles parked on the curb immediately adjacent to the intersection can also block sight lines between conflicting traffic and between drivers and pedestrians; however, as parked vehicles are mobile and temporary, prohibiting parking may be a more appropriate countermeasure to increase sight lines. As fulfillment of the previously discussed changes to on-street parking at the intersection would improve sight lines to acceptable levels without the need to install AWSC, this optional warrant would not be met.

Residential Collector Streets

To meet the four optional warrant, the intersection must be of two residential neighborhood collector (through) streets of similar design that would be improved by all-way stop-controls. It is noted that Norvell Street is classified as a local street, and Manila Avenue is classified as a collector. Therefore, since only one roadway aligns with the classification requirement, this optional warrant is not met.

Finding – With no reported relevant collisions, low volumes entering from both Manila Avenue and Norvell Street, and generally adequate sight lines, the CA-MUTCD AWSC volume and crash warrants are not met for this intersection, however, the installation of AWSC is justified based on the optional warrant, engineering judgment and the nearby presence of a heavy pedestrian traffic generator. Furthermore, because there isn't a substantial variation in traffic volumes on the major and minor streets, changing the existing TWSC orientation at this intersection is not warranted.

Recommendation – Installation of AWSC is also recommended since the optional warrant is satisfied. The temporary installation of additional signs or brightly colored orange flags affixed to the stop signs may be installed to raise driver awareness of the newly installed traffic control devices is also recommended. It is also recommended that street parking be prohibited for 20 feet or more from the intersection on both sides of all streets. This would improve sight lines for drivers and pedestrians, as well as follow the requirements set forth in CVC 22500. Any foliage and trees at the intersection approaches should also be trimmed as to not obstruct sight lines for drivers.

Conclusions and Recommendations

- The CA-MUTCD TWSC sight distance warrant is met for the intersection at Manila Avenue/Norvell Street; however, it is not recommended to change the orientation of existing stop controls.
- To preserve or achieve adequate corner sight distances at the Manila Avenue/Norvell Street intersection, maintenance of the existing vegetation is recommended so no bushes and shrubs exceed three feet of height, and no trees or branches hang below a height of seven feet.
- Parking should be prohibited within 20 feet of the Manila Avenue/Norvell Street intersection; red curb paint or signage may be used to indicate the prohibition and assist with enforcement.

Thank you for giving W-Trans the opportunity to provide these services. Please call with any questions.

Sincerely,



Kenny Jeong, PE (Traffic)
Senior Engineer



Mark Spencer, PE (Traffic)
Senior Principal



MES/kbj/ECE901-5.L2

Enclosures: Traffic Count Data, Collision Rate Worksheets, CA-MUTCD AWSC Warrants, Stop Control Warrant Summary

National Data & Surveying Services

Intersection Turning Movement Count

Location: Norvell St & Manila Ave
City: El Cerrito
Control: 2-Way Stop(NB/SB)

Project ID: 25-080095-001
Date: 3/25/2025

Data - Bikes

NS/EW Streets:	Norvell St				Norvell St				Manila Ave				Manila Ave				
AM	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				TOTAL
	0 NL	0 NT	0 NR	0 NU	0 SL	0 ST	0 SR	0 SU	0 EL	0 ET	0 ER	0 EU	0 WL	0 WT	0 WR	0 WU	
7:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:15 AM	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
7:30 AM	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
7:45 AM	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
8:00 AM	0	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6
8:15 AM	0	2	0	0	0	0	1	0	0	0	0	0	0	1	0	0	4
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1
9:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL VOLUMES:	0	11	0	0	0	0	2	0	0	0	0	0	0	2	0	0	15
APPROACH %'s:	0.00%	100.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	
PEAK HR:	08:00 AM - 09:00 AM																TOTAL
PEAK HR VOL:	0	8	0	0	0	0	1	0	0	0	0	0	0	2	0	0	11
PEAK HR FACTOR:	0.000	0.333	0.000	0.000	0.000	0.000	0.250	0.000	0.000	0.000	0.000	0.000	0.000	0.500	0.000	0.000	0.458
							0.250										

NOON	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				TOTAL
	0 NL	0 NT	0 NR	0 NU	0 SL	0 ST	0 SR	0 SU	0 EL	0 ET	0 ER	0 EU	0 WL	0 WT	0 WR	0 WU	
10:00 AM	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	2
10:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:15 AM	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
11:30 AM	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	2
11:45 AM	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	2
12:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL VOLUMES:	0	2	0	0	0	3	1	0	1	0	0	0	0	0	0	0	7
APPROACH %'s:	0.00%	100.00%	0.00%	0.00%	0.00%	75.00%	25.00%	0.00%	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
PEAK HR:	12:45 PM - 01:45 PM																TOTAL
PEAK HR VOL:	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PEAK HR FACTOR:	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	

PM	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				TOTAL
	0 NL	0 NT	0 NR	0 NU	0 SL	0 ST	0 SR	0 SU	0 EL	0 ET	0 ER	0 EU	0 WL	0 WT	0 WR	0 WU	
2:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2:30 PM	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
2:45 PM	0	0	0	0	0	9	0	0	1	0	0	0	0	0	0	0	10
3:00 PM	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	2
3:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:00 PM	0	0	0	0	0	1	0	0	0	1	0	0	0	0	0	0	2
4:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
5:00 PM	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1
5:15 PM	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1
5:30 PM	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	2
5:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6:00 PM	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
6:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL VOLUMES:	0	2	0	0	0	12	0	0	4	1	1	0	1	0	0	0	21
APPROACH %'s:	0.00%	100.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	66.67%	16.67%	16.67%	0.00%	100.00%	0.00%	0.00%	0.00%	
PEAK HR:	02:30 PM - 03:30 PM																TOTAL
PEAK HR VOL:	0	1	0	0	0	11	0	0	1	0	0	0	0	0	0	0	13
PEAK HR FACTOR:	0.000	0.250	0.000	0.000	0.000	0.306	0.000	0.000	0.250	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.325
							0.306										

National Data & Surveying Services
Intersection Turning Movement Count

Location: Norvell St & Manila Ave
City: El Cerrito

Project ID: 25-080095-001
Date: 3/25/2025

Data - Pedestrians (Crosswalks)

NS/EW Streets:	Norvell St		Norvell St		Manila Ave		Manila Ave		
AM	NORTH LEG		SOUTH LEG		EAST LEG		WEST LEG		TOTAL
	EB	WB	EB	WB	NB	SB	NB	SB	
7:00 AM	1	0	0	1	0	0	0	0	2
7:15 AM	1	0	0	0	0	2	0	1	4
7:30 AM	0	0	1	0	0	1	0	0	2
7:45 AM	1	3	1	0	5	0	1	2	13
8:00 AM	4	0	2	1	3	2	2	1	15
8:15 AM	4	2	1	0	4	0	4	0	15
8:30 AM	1	0	3	0	0	1	0	0	5
8:45 AM	0	0	0	0	0	0	0	0	0
9:00 AM	0	1	2	3	0	0	1	0	7
9:15 AM	2	1	0	0	2	1	0	0	6
9:30 AM	0	1	1	0	0	1	0	0	3
9:45 AM	1	0	0	0	0	0	0	0	1
TOTAL VOLUMES :	EB 15	WB 8	EB 11	WB 5	NB 14	SB 8	NB 8	SB 4	TOTAL 73
APPROACH %'s :	65.22%	34.78%	68.75%	31.25%	63.64%	36.36%	66.67%	33.33%	
PEAK HR :	08:00 AM - 09:00 AM								TOTAL
PEAK HR VOL :	9	2	6	1	7	3	6	1	35
PEAK HR FACTOR :	0.563	0.250	0.500	0.250	0.438	0.375	0.375	0.250	0.583
	0.458		0.583		0.500		0.438		

NOON	NORTH LEG		SOUTH LEG		EAST LEG		WEST LEG		TOTAL
	EB	WB	EB	WB	NB	SB	NB	SB	
10:00 AM	0	2	0	0	0	1	0	0	3
10:15 AM	0	0	0	0	0	0	2	0	2
10:30 AM	1	1	0	0	0	0	0	0	2
10:45 AM	1	0	1	2	0	0	0	2	6
11:00 AM	2	0	0	0	0	1	0	0	3
11:15 AM	0	0	0	0	0	0	0	0	0
11:30 AM	0	1	0	0	3	0	0	2	6
11:45 AM	0	0	1	1	1	0	2	0	5
12:00 PM	0	2	0	0	0	0	0	1	3
12:15 PM	0	0	1	0	1	1	0	0	3
12:30 PM	0	0	1	1	0	0	1	0	3
12:45 PM	1	0	0	0	1	0	0	0	2
1:00 PM	0	1	0	0	0	0	0	0	1
1:15 PM	0	0	0	0	1	0	0	0	1
1:30 PM	0	2	0	0	0	0	1	0	3
1:45 PM	0	1	0	0	0	0	0	0	1
TOTAL VOLUMES :	EB 5	WB 10	EB 4	WB 4	NB 7	SB 3	NB 6	SB 5	TOTAL 44
APPROACH %'s :	33.33%	66.67%	50.00%	50.00%	70.00%	30.00%	54.55%	45.45%	
PEAK HR :	12:45 PM - 01:45 PM								TOTAL
PEAK HR VOL :	1	3	0	0	2	0	1	0	7
PEAK HR FACTOR :	0.250	0.375			0.500		0.250	0.250	0.583
	0.500				0.500		0.250		

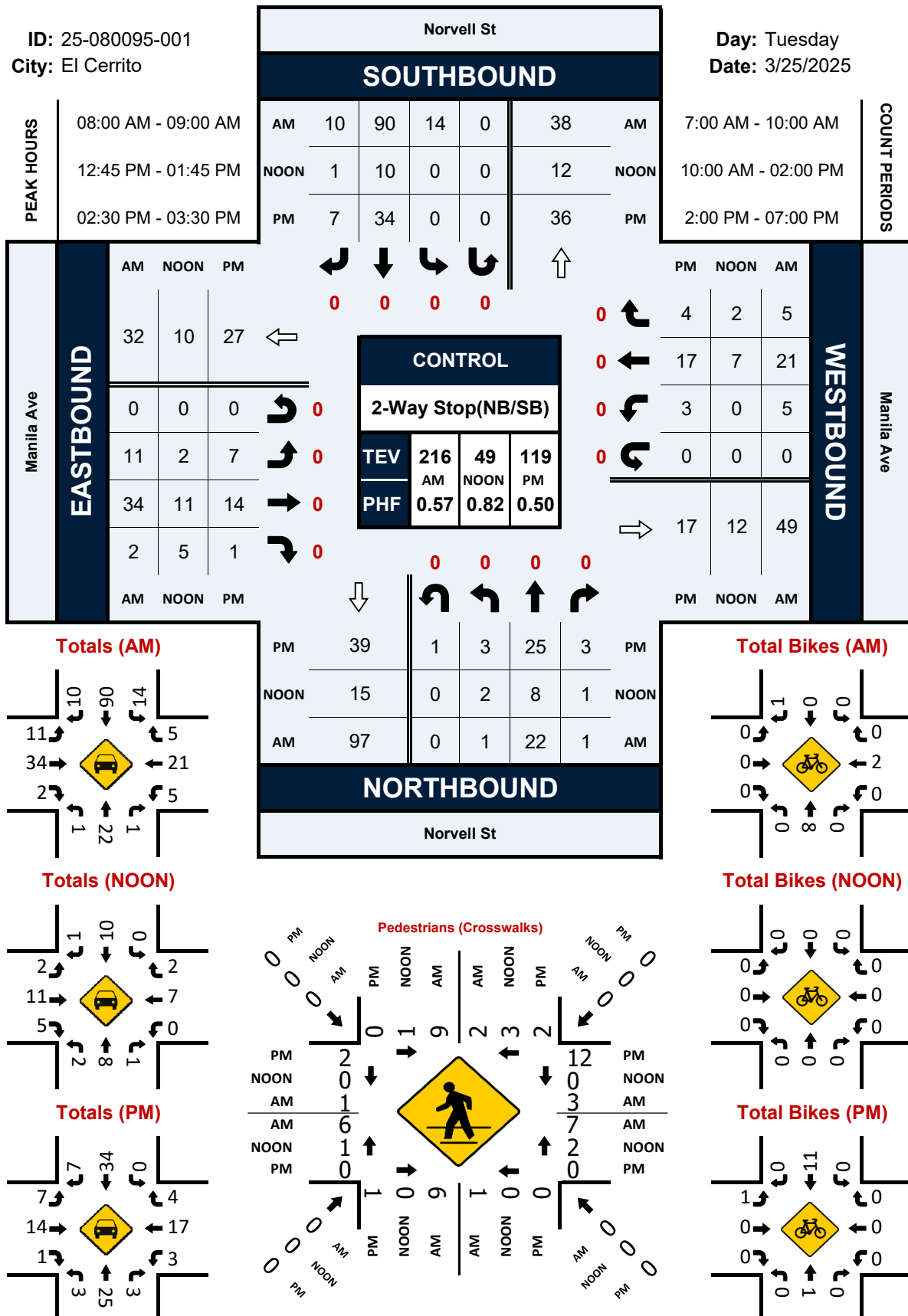
PM	NORTH LEG		SOUTH LEG		EAST LEG		WEST LEG		TOTAL
	EB	WB	EB	WB	NB	SB	NB	SB	
2:00 PM	0	0	0	0	1	0	0	0	1
2:15 PM	0	0	0	0	0	0	0	0	0
2:30 PM	0	0	0	0	0	0	0	0	0
2:45 PM	0	2	0	0	0	12	0	2	16
3:00 PM	0	0	1	0	0	0	0	0	1
3:15 PM	0	0	0	0	0	0	0	0	0
3:30 PM	1	0	0	0	0	1	0	0	2
3:45 PM	1	0	1	1	0	0	0	0	3
4:00 PM	0	0	0	0	1	0	0	0	1
4:15 PM	0	1	0	0	0	0	1	2	4
4:30 PM	0	0	0	1	0	0	1	0	2
4:45 PM	0	0	0	0	0	1	0	0	1
5:00 PM	0	0	0	0	0	0	2	1	3
5:15 PM	0	1	0	0	0	1	1	0	3
5:30 PM	2	2	4	0	0	0	0	3	11
5:45 PM	1	1	2	1	0	0	2	1	8
6:00 PM	2	2	3	0	0	0	0	0	7
6:15 PM	1	0	3	0	1	0	1	1	7
6:30 PM	3	4	0	1	3	0	1	1	13
6:45 PM	3	0	0	2	0	2	1	2	10
TOTAL VOLUMES :	EB 14	WB 13	EB 14	WB 6	NB 6	SB 17	NB 10	SB 13	TOTAL 93
APPROACH %'s :	51.85%	48.15%	70.00%	30.00%	26.09%	73.91%	43.48%	56.52%	
PEAK HR :	02:30 PM - 03:30 PM								TOTAL
PEAK HR VOL :	0	2	1	0	0	12	0	2	17
PEAK HR FACTOR :	0.250	0.250	0.250		0.250	0.250	0.250	0.250	0.266
	0.250		0.250		0.250		0.250		

Norvell St & Manila Ave

Peak Hour Turning Movement Count

ID: 25-080095-001
City: El Cerrito

Day: Tuesday
Date: 3/25/2025



Intersection Collision Rate Worksheet

ECE901-5 Traffic Evaluation for Multiple Locations

Intersection # 1: Manila Avenue & Norvell Street

Date of Count: Tuesday, March 25, 2025

Number of Collisions: 0

Number of Injuries: 0

Number of Fatalities: 0

Average Daily Traffic (ADT): 2700

Start Date: January 1, 2020

End Date: December 31, 2024

Number of Years: 5

Intersection Type: Four-Legged

Control Type: Stop & Yield Controls

Area: Urban

$$\text{Collision Rate} = \frac{\text{Number of Collisions} \times 1 \text{ Million}}{\text{ADT} \times \text{Days per Year} \times \text{Number of Years}}$$

$$\text{Collision Rate} = \frac{0}{2,700} \times \frac{1,000,000}{365 \times 5}$$

	Collision Rate	Fatality Rate	Injury Rate
Study Intersection	0.00 c/mve	0.0%	0.0%
Statewide Average*	0.20 c/mve	1.1%	47.5%

Notes

ADT = average daily total vehicles entering intersection

c/mve = collisions per million vehicles entering intersection

* 2021 Collision Data on California State Highways, Caltrans

California Manual on Uniform Traffic Control Devices (CaMUTCD)
All-Way Stop Control (AWSC) Warrant Worksheet



Intersection #: 1
Major Street: Manila Avenue
Minor Street: Norvell Street
Existing Control: Two-Way Stop
Volume Count Date: 3/25/2025
Speed Count Date: 4/15/2025
Field Visit Date: 4/10/2025

Calc: JFP
Date: 4/30/2025
Check: KBJ
Date: 4/30/2025

At least one warrant satisfied? **No**
Optional Warrants Satisfied? **1**

WARRANT A - Interim Measure

Satisfied? No

CaMUTCD Language

Condition A: Where traffic control signals are justified, the multi-way stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the installation of the traffic control signal.

Are traffic control signals justified at this location? **No**

WARRANT B - Crash History

Satisfied? No

CaMUTCD Language

Condition B: Five or more reported crashes in a 12-month period that are susceptible to correction by a multi-way stop installation. Such crashes include right-turn and left-turn collisions as well as right-angle collisions.

	Crashes	Minimum
Total in a 12-month period	0	-
Total in a 12-month period susceptible to correction by AWSC	0	5

WARRANT C - Eight Hour Volume

C.1+C.2 or C.3 Satisfied? No

CaMUTCD Language

Condition C.1: The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour for any 8 hours of an average day; and

Condition C.2: The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same 8 hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour.

Hour	C.1 Volume	C.2 Volume
8:00 - 9:00	78	164
12:00 - 13:00	28	25
13:00 - 14:00	22	25
14:00 - 15:00	43	88
15:00 - 16:00	27	40
16:00 - 17:00	39	31
17:00 - 18:00	42	46
18:00 - 19:00	29	46

	Average Volume	Minimum	Satisfied?
C.1	39	300	No
C.2	58	200	No

	Peak Hour Delay	Minimum	Satisfied?
C.2	N/A	30	No

Peak Hour
8:00 - 9:00

California Manual on Uniform Traffic Control Devices (CaMUTCD)
All-Way Stop Control (AWSC) Warrant Worksheet



Intersection #: 1
Major Street: Manila Avenue
Minor Street: Norvell Street

CaMUTCD Language

Condition C.3: If the 85th-percentile approach speed of the major-street traffic exceeds 40 mph, the minimum vehicular volume warrants are 70 percent of the values provided in Items 1 and 2.

	Value	Minimum	Satisfied?
C.1. Major Street Entering Vehicles (Both Approaches)	39	210	No
C.2. Minor Street Entering Vehicles, Pedestrians, and Bicycles (Both Approaches)	58	140	No
C.2. Minor Street Peak Hour Vehicle Delay (Seconds)	N/A	21	No
C.3. Major Street 85th-percentile Speed	N/A	41	No

WARRANT D - Combination of Above

Satisfied? No

CaMUTCD Language

Condition D: Where no single criterion is satisfied, but where Criteria B, C.1, and C.2 are all satisfied to 80 percent of the minimum values. Criterion C.3 is excluded from this condition.

	Value	Minimum	Satisfied?
B. Crashes in 12-month period susceptible to correction by AWSC	0	4	No
C.1. Major Street Entering Vehicles (Both Approaches)	39	240	No
C.2. Minor Street Entering Vehicles, Pedestrians, and Bicycles (Both Approaches)	58	160	No
C.2. Minor Street Peak Hour Vehicular Delay (Seconds)	N/A	24	No

OPTIONAL WARRANTS

1 Optional Warrant Satisfied

- | | | | |
|---|--|------------|-----|
| A | The need to control left-turn conflicts | Satisfied? | No |
| B | The need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes | Satisfied? | Yes |
| C | Locations where a road user, after stopping, cannot see conflicting traffic and is not able to negotiate the intersection unless conflicting cross traffic is also required to stop | Satisfied? | No |
| D | An intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multi-way stop control would improve traffic operational characteristics of the intersection | Satisfied? | No |

Warrant Summary



All-Way Stop Control Warrants

Intersection #	1
Major Street	Manila Avenue
Minor Street	Norvell Street
MUTCD AWSC Warrants - At least one must be satisfied	No
Traffic signal warrant satisfied, AWSC would be an interim step	No
Crash history:	No
5+ crashes in 12 month period correctable by AWSC	0
Minimum volumes:	No
300 vehicles per hour entering from major street	39
200 combined vehicles, bikes, and pedestrians per hour entering from the minor street	58
Average Delay of at least 30 seconds to minor street vehicles during peak hour ¹	-
If 85th percentile speed is greater than 40 MPH, use 70% of above ²	-
Criteria B, C1, and C2 satisfied to 80% of min values	No

¹ Only calculated if both volume conditions are met at 100%

² Only calculated if both volume conditions are met between 70% and 100%



AGENDA BILL

Agenda Item No. 8.A.

Date: October 21, 2025
To: El Cerrito City Council
From: Claire Coleman, Budget/Financial Services Manager, Finance Department
Subject: Revisions to the Adopted Fiscal Year 2025-26 Master Fee Schedule

ACTION PROPOSED

Conduct a public hearing and, upon conclusion, adopt a Resolution approving revisions to the Fiscal Year 2025-26 Master Fee Schedule.

BACKGROUND

The Master Fee Schedule, which includes all City user fees, charges for services, Planning and Building fees, and business license tax rates, is revised annually as required by El Cerrito Municipal Code §4.01.010. In early 2025, the City hired consulting firm Willdan to develop a comprehensive Cost Allocation Plan and conduct an update and overhaul of the City's Master Fee Schedule to ensure that it meets current City operational needs and adheres to state and local law.

Per state law, most user fees in the Master Fee Schedule are limited to cost recovery basis, with some exceptions. During the recent fee study and adoption, the City Council directed staff to recommend fees at full cost recovery in most areas. As a result of this direction and the study, the updated Master Fee Schedule adopted on May 20, 2025, set most fees at full cost recovery, meaning that the cost of the fee matches the cost of providing the specific service.

Since adoption of the Schedule for Fiscal Year 2025-26 on May 20, 2025, certain modifications have been identified and are recommended for adoption by the City Council. Several of the recommended fees are due to new statewide legislation that requires different types of fee options be provided. Several recommend adjustments would change the cost-recovery levels in order to support local business needs. Finally, several fees need adjustment due to accidental omissions from the fee schedule, identified errors in calculation, or typos in the name of the fee.

ANALYSIS

The following fee modifications are recommended for consideration and approval, and are detailed in Attachment 2/Exhibit A to the Resolution.

Recycling and Environmental Services Fees

Solid Waste Event Stands: The current rental fees for Solid Waste Event Stands are \$225, an increase from the \$57 fee in FY 2024-25. The significant increase in cost has been found to be a financial burden for many non-profit community organizations (such as schools and churches) who frequently rent waste stands for events in El Cerrito.

Subsidizing these fees would assist in meeting the City's diversion requirements as well as provide a means for the community to properly sort and divert waste from the landfill for small private events. It is in the City's interest to provide these services at an affordable rate to meet our diversion requirements as well as encourage proper sorting of waste by the community. The rate for full cost-recovery includes staff time to deliver and/or pick up the event stands; however the renter will often pick up and drop off the stands themselves. To address this and keep costs down, staff is proposing an individually priced system to better address the needs of the renter as well as cost-recovery. The proposed fee structure is a base price for the first set of waste event stands, a separate fee for each additional set (additional stands have a minimal impact on staff time), and separate pickup and delivery fees to allow those who want to save money to pick up the event stands themselves. The proposed fee for the initial set of event stands reflects a 5% increase above those set in Fiscal Year 2024-25 and a proposed fee subsidy of 54%. However, additional fees will be collected if the renter requests delivery or pickup, reflecting 50% cost recovery and 50% subsidy.

Other Recycling and Environmental Services Fees: Historically, fees for Compact Fluorescent Bulb (CFL) and LED Bulb Recycling, Fluorescent Tube Recycling, CFL & Tube Large Quantity Recycling, Sharps Disposal, Pharmaceutical Disposal, and bulk recycling (for amounts greater than 1 cubic yard of Cardboard, Paper, Books, Magazines, and Newspaper) for non-residents have been adopted as whole numbers to keep cash handling simple. The recently updated fees of \$4.12, \$0.74, \$8.24 etc. increased the amount of change that staff needs to provide to customers and has been a challenge for staff to manage. The proposed fees are rounded up to the nearest \$0.25 to improve the cash handling process for staff.

Public Works Encroachment Fees

The current encroachment permit bonds are a minimum of \$3,372 for concrete work and a minimum of \$4,674 for street cuts. The significant increase from the previous Fee Schedule has become a financial burden for small, private contractors who frequently perform work in El Cerrito. The increase in these bonds has discouraged some contractors from performing work within the City due to the high upfront costs. While concrete work bonds are returned to the permit holder after the final inspection is completed and passed, street cut bonds are retained for one year after the work is completed, which can strain contractors' cash flow. Reducing the minimum amount of these bonds would promote the sustainability of small businesses and maintain equitable access to permit services for contractors and residents. As noted in the Master Fee Schedule, the City Engineer will continue to have the discretion to increase this amount based on the value of the work being performed. Staff proposes reducing the current bond minimums to levels that are 3% above FY 2024–25 amounts, to alleviate burdens while maintaining modest escalation. There is no expected fiscal impact from this change given the City Engineer's discretion to increase the amount.

Fire Department Fees

The Fire Department is recommending two revisions to correct errors in the current Fee Schedule. The fee for annual inspections of small hotels and apartment complexes with fewer than 15 units contained an error in calculation. The corrected, lower fee of \$276 will take effect retroactive to July 1, 2025, and the City will issue refunds to any businesses that have already paid the higher amount of \$578. The Fire Department is also proposing to fix a typographical error in the FY 2025–26 Schedule, where the “SB 38 Inspection Fee” should correctly reference “AB 38,” aligning the fee title with the applicable state legislation.

Building/Code Enforcement Fees

Pursuant to AB 2533, owners of unpermitted Accessory Dwelling Units (ADU) built before January 1, 2020 are allowed to obtain permits to permanently legalize their ADU provided they meet requirements of Health and Safety Code 17920.3. The proposed new fees of \$237.45 allow the City to administer this program by creating an application process to establish eligibility and a Certification of Compliance for owners who complete the process and fulfill the requirements.

Nonresidential Use Permit Fees

Staff recommends reinstating three Nonresidential Use Permit fee categories that were inadvertently omitted from the most recent Master Fee Schedule update. These fees are aligned with comparable Residential Use Permit categories, reflecting the similar staff effort required for processing. These fees are based on square footage and range from \$5,495 to \$6,967. Restoring these fees maintains consistency with prior schedules and ensures cost recovery for the processing of Nonresidential Use Permits.

Transportation Impact Fee and Subregional Transportation Mitigation Program Fee

AB 3177 (2024) modifies a section of the Mitigation Fee Act to reduce transportation impact fees for housing developments that satisfy all of the following characteristics:

1. The housing development is located within a transit priority area around an existing or planned major transit stop and the major transit stop, if planned, is programmed to be completed before or within one year of the scheduled completion and occupancy of the housing development.
2. Convenience retail uses, including a store that sells food, are located within one half mile of the housing development.
3. The housing development provides either the minimum number of parking spaces required by local ordinance, or no more than one onsite parking space for zero to two bedroom units and two onsite parking spaces for three or more bedroom units, whichever is less.

In making these changes, the legislature finds that housing developments with these characteristics generate fewer vehicle trips and should therefore pay a reduced transportation impact fee. However, AB 3177 does not prescribe a reduction methodology, leaving it to local agencies to determine the amount.

The City of El Cerrito Fee Schedule currently has two transportation impact fee programs which would be subject to AB 3177 requirements: the West Contra Costa Transportation Commission's (WCCTC) Subregional Transportation Mitigation Program fee and the City's Transportation Impact Fee. City staff recommends that the City Council adopt new fee categories for both programs that incorporate a 13% fee reduction for applicable projects.

- *Subregional Transportation Mitigation Program (STMP)*: At the September 11 WCCTC TAC meeting, following WCCTC staff and legal counsel recommendations, the TAC recommended reducing applicable fees by 13% as an interim strategy, pending the 2026 STMP fee study update. The 13% reduction is based on the County's AB 3177 methodology which is presented in Attachment 4. WCCTC sets the fee rates and disburses funding to participating WCCTC agencies for eligible projects listed in the STMP fee study. Since WCCTC member agencies collect the STMP fees, the rates must be adopted in each agency's fee schedule.
- *City Transportation Impact Fee (TIF)*: Consistent with the STMP fee reductions and the County's fee reduction methodology described above, City staff recommend reducing applicable City TIF program fees by 13%. City staff have reviewed the County's reduction methodology and found that it is generally applicable to the City's land use and transportation characteristics.

STRATEGIC PLAN CONSIDERATIONS

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

- *High Performing Organization* by allowing the City to ensure that revenue meets the cost of providing services, and by ensuring that the City meets new state mandates; and
- *Livability and Belonging* by supporting local businesses and residents through reasonable, equitable fees; and
- *Environmental Sustainability* by promoting the use of event stands for separating recycling and composting.

ENVIRONMENTAL CONSIDERATIONS

Subsidizing the Event Stand rental fees promotes proper waste sorting and recycling at community events, thereby reducing landfill waste and supporting the City's environmental sustainability and diversion goals. All other proposed fee changes do not apply to this section.

FINANCIAL CONSIDERATIONS

The estimated revenue generated by fees, charges for service, and business license taxes was included in the City's FY 2024-25/FY 2025-26 Adopted Budget based on the Master Fee Schedule approved by the City Council. The proposed changes do not warrant changes to current revenue amounts adopted in the FY 2025-26 budget.

LEGAL CONSIDERATIONS

If approved, any Development fees will become effective 60 days from the date of adoption. The Fire Department fee changes will become effective immediately but be retroactive to July 1, 2025. All other fee adjustments will become effective upon adoption.

As required by California Government Code §66018(a), the City is required to conduct a public hearing prior to adopting Planning, Building, and some other new fees or fee increases. Notification of this public hearing was completed in accordance with State law and the El Cerrito Municipal Code. Notice was emailed to individual/entities that have previously requested to be notified regarding development fees on October 7, 2025 and published in the West County Times, a subsidiary of East Bay Times Newspaper Group, on October 11, 2025 and October 17, 2025.

Reviewed by:

A handwritten signature in blue ink, appearing to read 'Karen Pinkos', is written over a light blue rectangular background.

Karen Pinkos, City Manager

Attachments:

1. Resolution
2. Exhibit A to Resolution
3. WCCTC Methodology - AB3177

RESOLUTION 2025-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO ADOPTING REVISIONS TO THE MASTER FEE SCHEDULE FOR FISCAL YEAR 2025-26

WHEREAS, El Cerrito Municipal Code Section 4.01.010 requires that prior to July 1st of each year, the City Council shall consider and adopt the schedule of all general and special fees and charges to be known as the Master Fee Schedule; and

WHEREAS, the City Council desires to update currently established fees to cover City costs, including inflation, which form the basis for the majority of the changes in keeping with City Council policy direction. After proposed adjustments, the fee amounts will not exceed the City's costs of providing the services for which the fees are charged; and

WHEREAS, utilizing a rounding factor provides ease to our customers and our staff in the payment of these fees; and

WHEREAS, adjustments to market-driven fees and service charges consider factors to keep those fees and charges comparable to those charged by entities providing similar services; and

WHEREAS, the City Council adopted the current Master Fee Schedule in May 2025 for FY 2025-26; and

WHEREAS, staff have identified fees that need adjustment due to new statewide legislation and errors identified in the schedule; and

WHEREAS, a public hearing has been noticed and held in accordance with Government Code Sections 6062a, 66016, 66017 and 66018.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby adopts the amended fees and services charges in the Master Fee Schedule for the City of El Cerrito, attached hereto as Exhibit A, for FY 2025-26.

BE IT FURTHER RESOLVED that the amended fees, charges, and taxes in shall become effective upon adoption, except that development fees will become effective 60 days after approval, and fire fees will be retroactively effective on July 1, 2025.

BE IT FURTHER RESOLVED that the City Council hereby authorizes the City Manager to make further administrative corrections to the Master Fee Schedule for Fiscal Year 2025-26 without further action by the City Council.

I CERTIFY that at a regular meeting on October 21, 2025 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:

Carolyn Wysinger, Mayor

Exhibit A to Resolution

Item	Current Fee (FY25-26)	Proposed Fee	Reason for Change
West Contra Costa Transportation Commission, Subregional Transportation Mitigation Program			
Single Family Residential	\$6,908.00	\$6,908.00	
Single Family Residential (AB 3177 Eligible)	New	\$6,010.00	To comply with new state legislation. Applies to projects that demonstrate AB 3177 eligibility.
Multifamily Residential	\$3,404.00	\$3,404.00	
Multifamily Residential (AB 3177 Eligible)	New	\$2,961.00	To comply with new state legislation. Applies to projects that demonstrate AB 3177 eligibility.
Senior Housing	\$1,866.00	\$1,866.00	
Senior Housing (AB 3177 Eligible)	New	\$1,623.00	To comply with new state legislation. Applies to projects that demonstrate AB 3177 eligibility.
Transportation Impact Fee (TIF)			
Single Family Residential	\$4,172.00	\$4,172.00	
Single Family Residential (AB 3177 Eligible)	New	\$3,630.00	To comply with new state legislation. Applies to projects that demonstrate AB 3177 eligibility.
Multifamily Residential	\$2,920.30	\$2,920.30	
Multifamily Residential (AB 3177 Eligible)	New	\$2,540.00	To comply with new state legislation. Applies to projects that demonstrate AB 3177 eligibility.
Planning Fees			
Use Permit Nonresidential - 1-2,500 s.f.	N/A	\$5,495.00	Omitted in Error
Use Permit Nonresidential - 2,501-10,000 s.f.	N/A	\$5,981.00	Omitted in Error
Use Permit Nonresidential - 10,000+ s.f.	N/A	\$6,967.00	Omitted in Error
ADU Amnesty (AB2533) Application	New	\$237.45	To comply with new state legislation
ADU Amnesty (AB2533) Certificate of Compliance	New	\$237.45	To comply with new state legislation
Public Works Encroachment Fees			
One-year maintenance bond for 25 sf street cuts for the amount of the value of the work or as determined by City Engineer.	\$4,674.00	\$2,003.00	Proposed City subsidy to ensure equitable access to permit services.
Bond for concrete work, including curb, gutter and sidewalk drains. Deposit is equal to the value of the work for up to 40 sf or as determined by City Engineer. Deposit is returned upon passing final inspection for concrete work.	\$3,392.00	\$847.00	Proposed City subsidy to ensure equitable access to permit services.
Recycling + Environmental Services			
Solid Waste Event Stands Rental (set of three - Recycling, Compost, and Garbage) - First Set	\$225.00	\$60.00	Change in fee structure and proposed City subsidy to promote use of event stands.
Additional Set of Solid Waste Event Stands	New	\$25.00	Change in fee structure and proposed City subsidy to promote use of event stands.
Solid Waste Event Stand Delivery by City	New	\$50.00	Change in fee structure and proposed City subsidy to promote use of event stands.
Solid Waste Event Stand Pick-up by City	New	\$50.00	Change in fee structure and proposed City subsidy to promote use of event stands.
Compact Fluorescent Bulb (CFL) and LED Bulb Recycling *	\$4.12	\$4.25	Rounding recommended for cash management purposes
Fluorescent Tube Recycling *	\$0.74	\$0.75	Rounding recommended for cash management purposes
CFL & Tube Large Quantity (over 15 CFLs and/or 30 feet) Recycling	\$14.42	\$14.50	Rounding recommended for cash management purposes
Sharps Disposal *	\$4.12	\$4.25	Rounding recommended for cash management purposes
Pharms Disposal*	\$4.12	\$4.25	Rounding recommended for cash management purposes
Cardboard, Paper, Books, Magazines, and Newspaper Recycling Drop-off - for amounts greater than 1 cubic yard (~26 bankers boxes) ** (minimum charge \$8)	\$8.24	\$8.25	Rounding recommended for cash management purposes
Fire Department Fees			
Hotels & Apartments (Group R-1): < 15 Units Annual Inspection plus one (1) re-inspection	\$578.00	\$276.00	Error in adopted fee schedule
AB 38 Inspection	\$304.00	\$304.00	Fix for a typo - previous title incorrectly said "SB 38"

MEETING DATE: September 11, 2025
TO: West Contra Costa Transportation Commission TAC
FROM: Leah Greenblat, Transportation Planning Manager
SUBJECT: **Applying AB 3177 Changes to STMP Fee Calculations**

REQUESTED ACTION

Discuss interim and long-term options for calculating STMP fee reductions in response to legislative changes to California's Fee Mitigation Act under AB3177. Seek to create a consensus among fee-collecting agencies on how to implement these changes.

BACKGROUND AND DISCUSSION

Legislative Context

In September 2024, California enacted AB 3177, amending the Mitigation Fee Act. The new law requires that transportation impact fees be reduced for certain residential developments located within Transit Priority Areas (TPAs), defined as areas within ½ mile of a major transit stop. These stops include:

- Rail or bus rapid transit stations
- Ferry terminals served by bus or rail
- Intersections of two or more major bus routes with service every 20 minutes or less during peak commute periods

In order to apply a reduced fee, the housing development must also:

- Be located within one-half mile of convenience retail uses, including a store that sells food, and
- Provide either the minimum number of parking spaces required by the local ordinance, or no more than one onsite parking space for zero to two-bedroom units, and two-onsite parking spaces for three or more-bedroom units, whichever is less.

The legislation acknowledges that residential developments in TPAs typically generate fewer vehicle trips and therefore should pay a reduced transportation impact fee. However, AB 3177 does not prescribe a methodology for calculating this reduction, leaving it to local agencies to determine the amount.

Local Implications

Significant portions of West Contra Costa County fall within TPAs, according to the Metropolitan Transportation Commission's (MTC) 2021 Transit Priority Map (see

Attachment A). As a result, local jurisdictions must now adjust how they calculate fees under the West County Subregional Transportation Mitigation Program (STMP) for qualifying residential developments.

Earlier this year, Contra Costa County Public Works staff contacted WCCTC to discuss a potential approach and shared a technical memo by Fehr & Peers (Attachment B), outlining a methodology the County is using. The County has adopted a 13% fee reduction for qualifying residential developments within TPAs for its own transportation impact fee program.

Although the memo is based on analysis of PM peak hour trip generation at one location in West County (while the STMP uses AM peak hour trips), the 13% reduction could serve as a reasonable interim approach for applying AB 3177 across West County. WCCTC's legal counsel has reviewed the issue and recommends that an interim method be adopted until the 2026 STMP Update process—already scoped to address AB 3177—can provide a refined, subregion-wide methodology.

WCCTC staff conferred with its legal counsel to discuss an interim and long-term approach for calculating STMP fee reductions. As the change in state law is relatively new, there is limited guidance on how the required reduction should be calculated.

Interim Options

Until WCCTC's 2026 STMP Update refines the methodology, staff proposes the following options for consideration.

1. Uniform Interim Approach: Local jurisdictions determine if a project qualifies as being within a TPA and meets the additional state criteria and then apply a 13% fee reduction to the residential portions of the STMP project fees.
2. Jurisdiction Specific Reductions: Each jurisdiction develops and applies its own fee reduction percentage, with supporting documentation provided to WCCTC.
3. Consultant-Supported Methodology: WCCTC or its member jurisdictions hire a consultant to develop an interim methodology specific to STMP and West County.

Discussion Questions

- A. Have any West County cities already developed their own AB 3177 fee reduction methodologies?
- B. Should STMP use one percentage for the entire sub-region or permit individual jurisdictions to apply their own percentages?
- C. Is using a 13% interim reduction satisfactory until the 2026 STMP Update is completed?
- D. What guidance should WCCTC provide to consultants during the 2026 STMP Update to ensure AB 3177 compliance?

Staff Recommendation

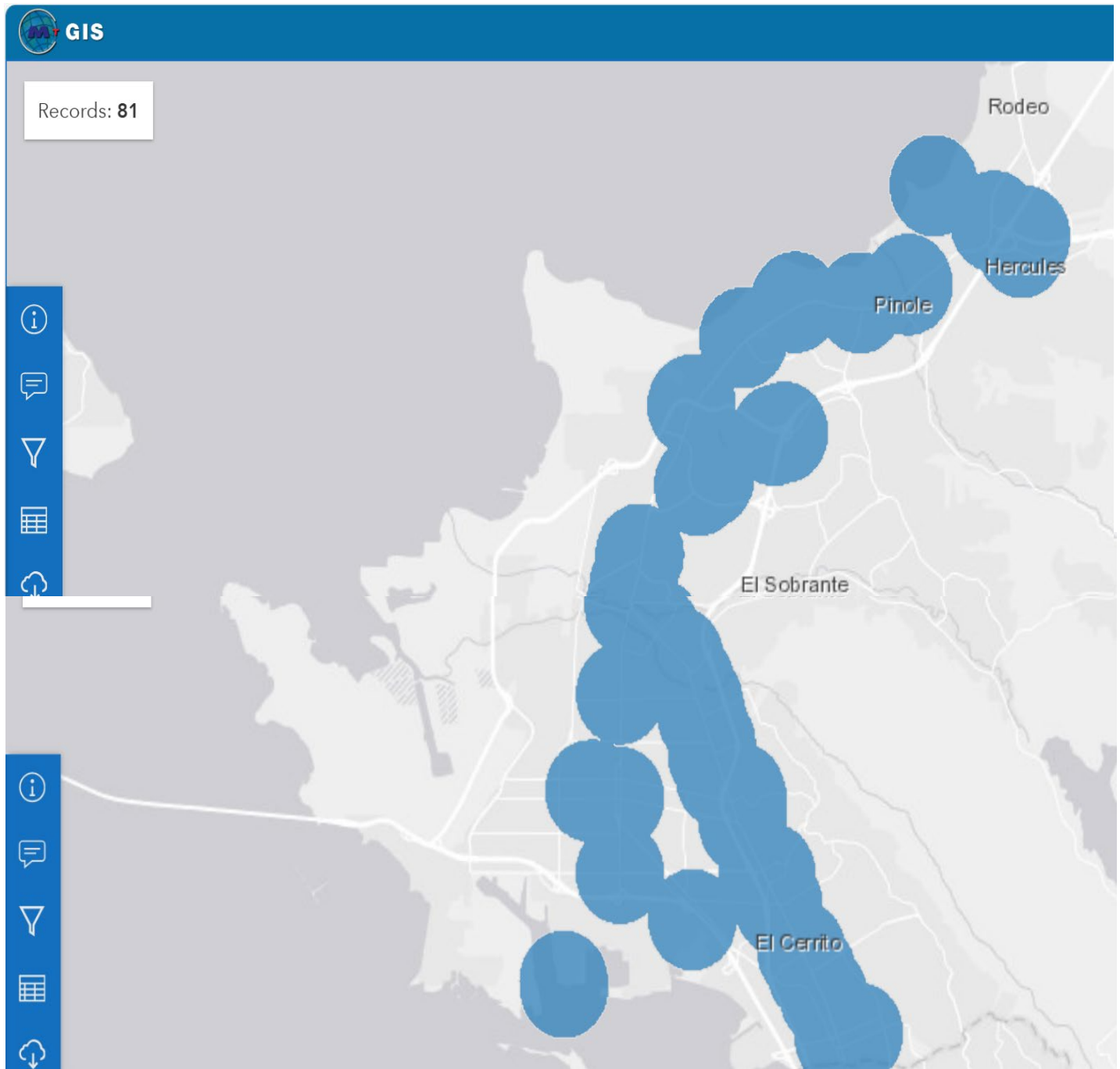
Given the limited guidance from the state and the need for consistency in fee collection across jurisdictions, WCCTC staff recommends that all West County jurisdictions utilize the Uniform Interim Approach and apply a 13% STMP fee reduction for qualifying residential

developments in TPAs, as an interim measure, until the 2026 STMP Update refines the methodology.

ATTACHMENTS:

- A. West County Transit Priority Map (MTC 2021)
- B. January 31, 2025 Technical Memo from Fehr and Peers

West Contra Costa County Transit Priority Areas (MTC, 2021)



Technical Memorandum

Date: January 31, 2025

To: Joe Smithonic, Program Manager, Contra Costa Public Works Department

From: Julie Morgan, Nahal Hakim and Bruno Lertora, Fehr & Peers

Subject: Technical Support for Contra Costa County Fee Reduction Policy Analysis

WC24-4140

Background

State legislation known as AB 3177, adopted in September 2024, modifies a section of the Mitigation Fee Act (Government Code section 66005.1) to specify that transportation impact fees should be reduced for residential developments located within transit priority areas that meet certain requirements. A “transit priority area” is defined as an area within one-half mile of a major transit stop; a “major transit stop” would include a rail or bus rapid transit station, a ferry terminal served by either bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 20 minutes or less during the morning and afternoon peak commute periods.

Specifically, residential developments that satisfy all of the following characteristics should be charged a lower transportation impact fee to reflect that the development is likely to have lower trip generation rates compared to housing developments without these characteristics; the agency imposing the fee has discretion to determine the amount of the reduction.

- The housing development is located within a transit priority area (TPA) around an existing or planned major transit stop, and the major transit stop, if planned, is programmed to be completed before or within one year of the scheduled completion and occupancy of the housing development.
- Convenience retail uses, including a store that sells food, are located within one-half mile of the housing development.

- The housing development provides either the minimum number of parking spaces required by the local ordinance, or no more than one onsite parking space for zero to two bedroom units, and two onsite parking spaces for three or more bedroom units, whichever is less.

Contra Costa County staff have asked Fehr & Peers for assistance in determining how this provision of the Mitigation Fee Act would apply to the County's transportation impact fee programs, which are generally referred to as Area of Benefit or AOB programs.

Identifying Affected Locations

Understanding whether a proposed residential development would be affected by this Mitigation Fee Act requirement would involve first identifying the TPA locations within unincorporated Contra Costa County, and then determining whether a proposed residential development is located within one of those TPAs and also meets the other criteria outlined above (related to the presence of nearby convenience retail uses and the development's parking supply). It should be noted that the definition of TPA and the eligibility criteria for getting a reduced transportation impact fee are currently set in state law and may change over time with future legislative actions. As of now, a current source of information about the locations of TPAs in the Bay Area is the "Transit Priority Areas (2021)" map available at <https://opendata.mtc.ca.gov/datasets/MTC::transit-priority-areas-2021-1>. The County's GIS team may also have maps showing TPAs within Contra Costa County. The determination about whether a proposed residential development meets the other criteria would depend on the specific characteristics of the proposed development and would be determined during the review of the development application.

Estimating Fee Reduction

The purpose of the analysis presented in this memo is to help the County estimate a percentage reduction in transportation impact fees that could be applied to proposed residential developments that meet the criteria presented above. For the purposes of this exercise, County staff and Fehr & Peers identified several transit-oriented locations that definitely or are likely to meet the definition of a TPA and where there is unincorporated land within the TPA. These locations included the Richmond Parkway Transit Center and the BART stations at Orinda, Pittsburg/Bay Point, Pleasant Hill/Contra Costa Center, and Walnut Creek. The El Cerrito Plaza BART station was also identified as a potential location, but it was excluded from the analysis due to the very small overlap between land within the TPA and unincorporated land, and the existing land use of the unincorporated land.

The legislative intent of the new Mitigation Fee Act requirements is to offer a reduced transportation impact fee to reflect the reduced automobile trip generation associated with transit-proximate housing developments. To estimate the effects of transit-oriented development characteristics on vehicular trip generation, the Fehr and Peers' MXD+ tool has been used. This

tool was selected because the traditional ITE *Trip Generation* methodologies are primarily based on data collected at single-use, freestanding sites located in suburban areas where there is limited accessibility by transit. These defining characteristics limit the data's applicability to development projects located in more pedestrian-friendly and transit-accessible places and with a mix of uses available in close proximity.

Background on MXD+ Method

The development of the MXD+ technique began in response to the limitations in the ITE *Trip Generation* methodology. With the goal of providing a straightforward and empirically validated method of estimating vehicle trip generation at mixed-use developments, the U.S. Environmental Protection Agency (EPA) sponsored a national study of the trip generation characteristics of mixed-use sites. Travel survey data was gathered from 239 mixed-use developments (called MXDs) in six major metropolitan regions and correlated with the characteristics of the sites and their surroundings. The findings indicated that the amount of traffic generated by each site is affected by a wide variety of factors including the mix of jobs and residents at the site, the overall size and density of the development, the availability of convenient internal connections for walking or driving between nearby uses, the availability of transit service to the site, and the surrounding trip destinations within the immediate area. None of these factors is explicitly accounted for in the traditional application of the ITE *Trip Generation* manual method. These characteristics were statistically related to trip behavior observed at the development sites and the resulting equations predict how the trip generation from a particular mixed-use site would be reduced as compared to the traditional ITE methods. Applying these vehicle trip reduction percentages to the "raw trips" predicted by the ITE methods produces an estimate for the number of vehicle trips traveling in or out of a site.

Application of MXD+ Method to Selected Locations

To estimate how automobile trip generation might be affected for new housing developments covered by the provisions of Section 66005.1, the MXD+ methodology was applied to a hypothetical multi-family residential development that was assumed to be located within each of the transit-oriented locations selected for this analysis. It was also assumed that the hypothetical residential development exhibited all of the other characteristics required under Section 66005.1 to qualify for a reduced fee (that is, it met the criteria related to proximity of convenience retail uses and parking supply). Each test case, one for each of the five selected locations, is described in the following tables, with the average results presented in **Table 6**.

As shown, the MXD+ model estimates that residential developments that exhibit the characteristics specified in Section 66005.1 would have, on average, PM peak hour trip generation rates that are approximately 13% lower than the standard ITE methods. The County's AOB fee programs typically calculate fees based on PM peak hour trip generation characteristics. Therefore, based on the analysis presented here, a residential project that meets the criteria in

Section 66005.1 could be granted a fee reduction of 13% compared to the standard residential fee for that project.

Please contact us with any questions.

Table 1: Vehicle Trip Generation - Hypothetical Project near Richmond Parkway Transit Center

Land Use	ITE Code	Quantity ¹	Daily	PM Peak Hour		
				In	Out	Total
Multifamily Housing (Low-rise)	220	150 du	1,011	49	28	77
MXD+ Trip Reductions ²			-82	-7	-5	-11
Net New Project Trips			929	42	23	66
Trip Reduction (%)			-8%	-13%	-17%	-14%

Note:

- 1 du = 1 dwelling unit
- MXD+ Trip Reductions include travel within project or to nearby uses and trips made by non-automobile modes

Source: Fehr & Peers, 2024.

Table 2: Vehicle Trip Generation - Hypothetical Project near Orinda BART

Land Use	ITE Code	Quantity ¹	Daily	PM Peak Hour		
				In	Out	Total
Multifamily Housing (Low-rise)	220	150 du	1,011	49	28	77
MXD+ Trip Reductions ²			-31	-5	-2	-8
Net New Project Trips			980	44	26	69
Trip Reduction (%)			-3%	-11%	-9%	-10%

Note:

- 1 du = 1 dwelling unit
- MXD+ Trip Reductions include travel within project or to nearby uses and trips made by non-automobile modes

Source: Fehr & Peers, 2024.

Table 3: Vehicle Trip Generation - Hypothetical Project near Pittsburg/Bay Point BART

Land Use	ITE Code	Quantity ¹	Daily	PM Peak Hour		
				In	Out	Total
Multifamily Housing (Low-rise)	220	150 du	1,011	49	28	77
MXD+ Trip Reductions ²			-53	-6	-2	-9
Net New Project Trips			958	43	26	68
Trip Reduction (%)			-5%	-13%	-9%	-11%

Note:

- 1 du = 1 dwelling unit
- MXD+ Trip Reductions include travel within project or to nearby uses and trips made by non-automobile modes

Source: Fehr & Peers, 2024.

Table 4: Vehicle Trip Generation - Hypothetical Project near Pleasant Hill/Contra Costa Center BART

Land Use	ITE Code	Quantity ¹	Daily	PM Peak Hour		
				In	Out	Total
Multifamily Housing (Low-rise)	220	150 du	1,011	49	28	77
MXD+ Trip Reductions ²			-95	-8	-4	-12
Net New Project Trips			916	41	24	65
Trip Reduction (%)			-9%	-16%	-14%	-15%

Note:

- 1 du = 1 dwelling unit
- MXD+ Trip Reductions include travel within project or to nearby uses and trips made by non-automobile modes

Source: Fehr & Peers, 2024.

Table 5: Vehicle Trip Generation - Hypothetical Project near Walnut Creek BART

Land Use	ITE Code	Quantity ¹	Daily	PM Peak Hour		
				In	Out	Total
Multifamily Housing (Low-rise)	220	150 du	1,011	49	28	77
MXD+ Trip Reductions ²			-65	-7	-3	-10
Net New Project Trips			946	42	25	67
Trip Reduction (%)			-6%	-14%	-10%	-13%

Note:

- 1 du = 1 dwelling unit
- MXD+ Trip Reductions include travel within project or to nearby uses and trips made by non-automobile modes

Source: Fehr & Peers, 2024.

Table 6: Vehicle Trip Generation - Average of all Hypothetical Projects

Land Use	ITE Code	Quantity ¹	Daily	PM Peak Hour		
				In	Out	Total
Multifamily Housing (Low-rise)	220	150 du	1,011	49	28	77
MXD+ Trip Reductions ²			-65	-7	-3	-10
Net New Project Trips			946	42	25	67
Trip Reduction (%)			-6%	-13%	-12%	-13%

Note:

- 1 du = 1 dwelling unit
- MXD+ Trip Reductions include travel within project or to nearby uses and trips made by non-automobile modes

Source: Fehr & Peers, 2024.



AGENDA BILL

Agenda Item No. 8.B.

Date: October 21, 2025
To: El Cerrito City Council
From: Cindy Lucas, Interim Building Official; Melanie Mintz, Community Development Director, Community Development Department
Subject: 2nd Reading and Adoption of Building and Fire Code Ordinance

ACTION PROPOSED

Conduct a public hearing, and upon conclusion, waive the second reading and adopt Ordinance 2025-03 which adopts the 2025 California Green Code, Administrative, Building, Fire, Plumbing, Mechanical, Electrical, Energy, Residential, Existing Building Code, 2021 International Property Maintenance Code, and Related Construction Codes as applicable to all construction within the City of El Cerrito, with local modifications as outlined in the Ordinance.

BACKGROUND

On October 7, 2025, the City Council approved Resolution 2025-66 and held the first reading of the attached Ordinance. No substantial changes have been made to the draft ordinance since that time. This hearing serves as the second reading for the local adoption and modification of the new California Building Standards Codes, as required by the Government Code.

Every three years, the International Code Council (ICC) publishes model building codes for building, fire protection, and other related standards. From these model codes, the California Building Standards Commission, along with the State Fire Marshal and other state agencies, amend and adopt these model codes to create the California Code of Regulations Title 24 (Title 24). Title 24 contains several parts, such as: the California Administrative Code (Part 1), the California Building Code (Part 2, Volumes 1 and 2), the California Residential Code (Part 2.5), the California Electrical Code (Part 3), the California Mechanical Code (Part 4), the California Plumbing Code (Part 5), the California Energy Code (Part 6), the Wildland-Urban Interface Code (Part 7), the California Historical Building Code (Part 8), the California Fire Code (Part 9), the California Existing Building Code (Part 10), the California Green Building Standards Code (Part 11), the California Referenced Standards Code (Part 12) and the International Property Maintenance Code.

The City of El Cerrito is currently enforcing the latest editions of the 2022 California building codes. The most recent State-mandated adoption of the California Building Standards Code (CBSC) was on January 1, 2023. The CSBC for 2025 is to be enforced at the local level and thus must be adopted by January 1, 2026. The 2025 CBSC includes the Fire Code, and for the first time includes the Wildland Urban Interface Code.

The California Health and Safety Code requires local agencies to adopt the building standards contained in these uniform statewide codes but allows local jurisdictions to adopt additional amendments to the CBSC as necessitated by local climatic, geographical, or topographical conditions. As a general rule, any authorized amendments by the City must be at least as stringent as those outlined in Title 24.

However, with the passage of AB 130 on June 30, 2025, which went into effect immediately as a part of the state budget bill, the state created a six-year moratorium (i.e. prohibition for two building code update cycles) on local amendments to building codes that apply to residential units, unless such amendments meet the limited exceptions explicitly stated within the bill. One of the exceptions is that local jurisdictions may still maintain changes or modifications that were previously adopted and are in effect before September 30, 2025. This essentially means that local building code amendments applicable to residential units from the 2022 adoption cycle may continue to be adopted by the City.

ANALYSIS

A city may establish more restrictive standards in their Building Codes because of local climatic, geological, or topographical conditions. The findings for the local modifications for El Cerrito were adopted by [Resolution No. 2025-66](#) and include the following local environmental conditions:

1. Climate Conditions
 - a. Precipitation and Relative Humidity
 - b. Temperature
 - c. Winds
2. Geologic Conditions
 - a. Seismic
3. Topographic
 - a. Soils
 - b. Vegetation
 - c. Surface Features Buildings and Landscaping

The attached ordinance adopting the 2025 CBSC generally represents a continuation of existing City practice with regard to local modifications. It revalidates and readopts the City's current local amendments and includes El Cerrito's minor modifications due to local climatic, geologic, and topographic conditions.

The ordinance also adds the 2025 California Wildland-Urban Interface Code for adoption as a new Chapter 16.27 into the City's Municipal Code. It should be noted that the City recently amended Chapter 8.30 of the City's Municipal Code to designate Fire Hazard Severity zones pursuant to Government Code Section 51179 and to establish procedures for defensible space and home hardening inspections within those zones.

There are minor changes to the reference numbering in the new California Codes, and the proposed ordinance reflects these new reference numbers to ensure that the Municipal Code continues to relate accurately to the California Building Standards

Code. Other construction-related California Codes are not included in this ordinance as City staff is not recommending that they be amended. Instead, those Codes will be automatically adopted and enforced as published by the state on January 1, 2026.

STRATEGIC PLAN CONSIDERATIONS

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

- *High-Performing Organization; and*
- *Community Safety.*

ENVIRONMENTAL CONSIDERATIONS

This project is exempt from environmental review under the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3), Review for Exemptions – General Rule, in that it can be seen with certainty that there is no possibility for these actions to have a significant effect on the environment. The adoption of Building Codes do not create any physical changes to the environment or approve any projects, but are instead regulatory actions taken by the City.

FINANCIAL CONSIDERATIONS

The cost of implementing the code is included in the City of El Cerrito's FY 2025-26 Budget. No additional funding is necessary.

LEGAL CONSIDERATIONS

State law requires that the local agency adopt findings for any local modifications to the building standards contained in the CBSC. These findings were adopted on October 7, 2025 in Resolution 2025-66. The City of El Cerrito is following the general process for adopting a code by reference, pursuant to Government Code section 50022.3. Notice of this public hearing was published in the West County Times, a subsidiary of East Bay Times Newspaper Group, on October 11, 2025. The City Clerk is required to keep on file a copy of the codes to be adopted by reference for at least 15 days before the public hearing as well as after its adoption pursuant to Government Code section 6066. The City Attorney has reviewed and approved the resolution making findings and the proposed ordinance and hearing notice.

Reviewed by:



Karen Pinkos, City Manager

Attachments:

1. Ordinance

ORDINANCE NO. 2025-03

AN ORDINANCE OF THE CITY OF EL CERRITO AMENDING TITLE 16 OF THE EL CERRITO MUNICIPAL CODE TO ADOPT, WITH MODIFICATIONS TO ADDRESS UNIQUE LOCAL CONDITIONS, THE 2025 EDITION OF THE CALIFORNIA GREEN BUILDING CODE, THE 2025 EDITION OF THE CALIFORNIA BUILDING CODE (BASED ON THE 2024 INTERNATIONAL BUILDING CODE), VOLUMES 1 AND 2, INCLUDING SEVERAL APPENDICES THERETO, THE 2025 CALIFORNIA FIRE CODE (BASED ON THE 2024 INTERNATIONAL FIRE CODE), INCLUDING ALL APPENDICES THERETO, THE 2025 EDITION OF THE CALIFORNIA ADMINISTRATIVE CODE, THE 2025 EDITION OF THE CALIFORNIA RESIDENTIAL CODE (BASED ON THE 2024 INTERNATIONAL RESIDENTIAL CODE) WITH SOME APPENDICES, THE 2025 EDITION OF THE CALIFORNIA EXISTING BUILDING CODE (BASED ON THE 2024 INTERNATIONAL EXISTING BUILDING CODE) INCLUDING SOME APPENDICES, THE 2025 CALIFORNIA PLUMBING CODE (BASED ON THE 2024 UNIFORM PLUMBING CODE), THE 2025 CALIFORNIA MECHANICAL CODE (BASED ON THE 2024 UNIFORM MECHANICAL CODE), THE 2025 CALIFORNIA ELECTRICAL CODE (BASED ON THE 2023 NATIONAL ELECTRICAL CODE), THE 2025 WILDLAND URBAN INTERFACE CODE, (BASED ON THE 2024 INTERNATIONAL WILDLAND URBAN INTERFACE CODE) AND THE 2024 INTERNATIONAL PROPERTY MAINTENANCE CODE .

The City Council of the City of El Cerrito does hereby ordain as follows:

DIVISION I. That certain documents, copies of which are on file and are open for inspection by the public in the office of the Building Official of the City of El Cerrito, being marked and designated as the California Building Standards Code, 2025 Edition, comprising Title 24, Parts 1, 2 (Vol. 1 and 2), 2.5, 3, 4, 5, 6,7, 9,10, 11, and 12 California Code of Regulations, together with all appendices thereto and the California Housing Law Regulations, are hereby adopted, with certain modifications to reflect unique local conditions, as contained in the Municipal Code of the City of El Cerrito for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the City of El Cerrito. Each and all of the regulations, provisions, conditions, and terms of such California Building Standards Code, California Housing Law Regulations, all of which are on file in the office of the Building Official are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance. The application and use of the Appendices in the California Building Standards Codes and California Fire Code are adopted individually and are subject to approval of the Building Official and Fire Chief respectively.

The City Council of the City of El Cerrito further ordains as follows:

DIVISION II. TITLE 16, CHAPTER 16.02., ORDINANCE NO. 2022-03, (CALIFORNIA BUILDING CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.02, TITLED “CALIFORNIA BUILDING CODE”:

Chapter 16.02

CALIFORNIA BUILDING CODE

Sections:

16.02.010	California Building Code - Adoption
16.02.020	Chapter 1 Subsection 105.2 (4) Amended - Exempted Work
16.02.030	Chapter 1 Section 107.6 Added - Garage, Carport and Driveway Grades
16.02.040	Chapter 1 Subsection 107.3 Amended - Examination of Documents
16.02.050	Chapter 1 Section 114.1.1 Added - Littering of Streets
16.02.060	Chapter 1 Section 117 Added - General Regulation of Construction
16.02.070	Chapter 5 Section 501.2 Amended – Address Identification
16.02.080	Chapter 9 Subsection 903.2 Amended - Automatic Fire-Extinguishing Systems
16.02.100	Chapter 9 Subsection 905.3.1 Amended - Standpipe Requirements
16.02.110	Chapter 17 Subsection 1705.3 Amended – Required Special Inspections and Tests
16.02.120	Chapter 19 Subsection 1905.1.8 Amended - Modifications to ACI 318
16.02.130	Chapter 23 Subsections 2308.10.4 and 2308.10.5 and tables 2308.10.1 and 2308.10.3(1) Amended – Wood
16.02.140	Chapter 23 Subsection 2304.11.2.6 Amended – Wood Siding
16.02.150	Chapter 25 Section 2505 Deleted – Shear Wall Construction
16.02.160	Chapter 1, Section 110.7 Added - Storm Water Control
16.02.170	Appendix G Subsection G102.3 Added – Flood Resistant Construction
16.02.180	Chapter 12, Section 1202.7 Added – Ventilation of weather exposed assemblies
16.02.190	Chapter 14, Section 1403.15 Added – Projections exposed to weather.
16.02.200	Appendix G Subsection G102.3 Added – Flood Resistant Construction
16.02.210	Chapter 23, Section 2304.12.2.4 Amended – Laminated timbers
16.02.220	Chapter 23, Section–2304.12.2.4 Amended – Supporting members for permeable floors and roofs.

16.02.010 California Building Code - Adoption.

The Building Code for the City, sometimes referred to as “the CBC,” is the 2025 California Building Code, incorporating Volumes 1 and 2, (based on the International Building Code, 2021 Edition), including Appendix chapters G, and J, as approved by the California Building Standards Commission, and as published in Title 24, Part 2, Volumes 1 and 2 of the California Code of Regulations.

16.02.020 Chapter 1 Subsection 105.2 (4) Amended - Exempted Work

Subsection 105.2(4) of the CBC is amended to read:

4. Retaining walls which do not retain more than thirty (30) inches of earth when the earth retained is level and where there is no surcharge load and retaining walls which do not retain more than two (2) feet of earth when the earth retained is sloping not greater than 2h:1v and there is no surcharge load. The above does not apply to retaining walls impounding Class I, II, or IIIA Liquids. See CBC Section 2304.12.5 for treatment of wood used for retaining walls.

16.02.030 Chapter 1 Section 107.6 Added -Garage, Carport & Driveway Grades Section

107.6 is added to the CBC, to read as follows:

Section 107.6 Garage, Carport and Driveway Grade Requirements.

- (a) Garage and carport floors shall be concrete.
- (b) Any person to whom a building permit has been issued shall, where established, obtain official line and grade information as required in Section 13.20.150 of the City Code prior to the construction of foundations or footings for carports and garages.
- (c) When official line and grade has not been established, it shall be the responsibility of that person to provide such information as required by City Engineer to establish lines and grades.
- (d) Any person to whom a building permit has been issued shall construct the finish floor of carports and garages to an elevation which shall conform to the official driveway data as set forth on plan LL-1031 on file with the City Engineer.

16.02.040 Chapter 1 Subsection 107.3 Amended - Examination of Documents

Subsection 107.3.1.1 is added to the CBC, to read as follows:

Review by Fire Chief. Whenever application is made for a building permit, as required by the CBC, the Building Official shall withhold issuance of the building permit until notification from the Fire Chief that all plans required by the California Fire Code (chapter 16.26 of this title) have been reviewed and approved, and that the requirements specified in Section 16.26 have been met.

16.02.050 Chapter 1 Section 114.1.1 Added - Littering of Streets

Section 114.1.1 is added to the CBC, to read as follows:

Section 114.1.1 - Littering of Streets

It shall be unlawful for any person to excavate, dig or move dirt, rock, or other substances so as to allow fragments thereof from being thrown or dropped against or upon lots or buildings, or upon any public right-of-way. Any person dropping such material or tracking dirt, mud, or rocks from private property upon any public right-of-way shall immediately cause the same to be removed. Transportation of dirt and rock requires a permit obtained pursuant to chapter 13.24 of the El Cerrito Municipal Code.

16.02.060 Chapter 1 Section 117 Added - General Regulation of Construction

Section 117 is added to the CBC, to read as follows:

Section 117 - General Regulation of Construction

- (a) Work may be prohibited during inclement weather upon the order of the City Building Official.
- (b) The hours of work shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturday.

Work shall be prohibited on Sundays and Holidays. Work hours in the public right-of-way shall be regulated by Public Works Department.

- (c) Work must be controlled to prevent causing a public nuisance such as dust, noise, vibrations, uncontrolled storm water runoff, and traffic congestion.

16.02.070 Chapter 5 Section 501.2 Amended – Address Identification

Section 502.1 of the CBC is amended to read as follows:

Section 502.1 – Address Identification.

- a) The city shall keep on file a description of the method to be used in the assignment of street address identification numbers. This method shall be approved by Council resolution and shall be available for inspection by any member of the public.
- b) Every main structure or building constructed, altered, repaired, or moved into the city shall be assigned a street identification number by the Building Official.
- c) Numbers identifying the street address shall be placed on the street side of the building or structure in such manner as to be plainly visible from the street or public way. Identification numbers shall be a minimum of four (4) inches in height with minimum ½" stroke width for residential, and six (6) inches in height with minimum 1" stroke width for commercial buildings, and of a color to contrast with the surrounding color. Numbers shall be installed prior to final inspection and occupancy of the building or structure.
- d) The premises street address shall be internally or externally illuminated to the satisfaction of the Building Official.
- e) Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response.
- f) Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole, or other approved sign or means shall be used to identify the structure.
- g) The owner shall be responsible for the maintenance of identification numbers.

- h) Any change of the assigned street identification number must be approved by the Building Official.
- i) Every owner or occupant of any building or structure not numbered in accordance with the provisions of this section shall, within ten (10) days after notice given by the City change the number of such building or structure to the number specified in the notice.

16.02.080 Subsections 903.2 Amended - Automatic Fire-Extinguishing Systems

Subsection 903.2 of the CBC is amended to add:

- a) In every building where the total floor area exceeds 5,000 square feet.
- b) In every building having three (3) or more stories.

16.02.100 Subsection 905.3 Amended - Standpipe Requirements

Subsection 905.3 is amended by adding the following:

Standpipes shall be required in all buildings three (3) stories in height in addition to other requirements in this section, or when required by the Fire Chief.

16.02.110 Subsection 1705A.3 Amended – Required Special Inspections and Tests

CBC Subsection 1705A.3, Concrete Construction is amended to read as follows:

1705.3 Concrete Construction. Special inspections and tests for concrete construction shall be performed in accordance with this section and TABLE 1705A.3.

Exceptions: Special inspections and tests shall not be required for:

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength, f'_c , no greater than 2,500 pound per square inch (psi) (17.2 Mpa).

16.02.120 Subsection 1905.1.7 Amended – Modifications to ACI 318

Section 1905.1.7 ACI 318, section 14.1.4 Delete ACI 318, section 14.1.4, and replace with the following:

14.1.4 - Plain concrete in structures assigned to seismic design category C, D, E or F.

14.1.4.1 - Structures assigned to Seismic Design Category C, D, E or F shall not have elements of structural plain concrete, except as follows:

(a) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.

Exception: In detached one and two-family dwelling three stories or less in height, the projection of the footing beyond the face of the supported member is permitted to exceed the footing thickness.

(b) Plain concrete footing supporting walls are permitted, provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. A minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

Exception: In detached one and two-family dwellings three stores or less in height and constructed with stud bearing walls, plain concrete footings with at least two continuous longitudinal reinforcing bars not smaller than No. 4 are permitted to have a total area of less than 0.002 times the gross cross –sectional area of the footing.

16.02.130 Chapter 23 Amended – Wood

The following tables 2308.10.1 and 2308.10.3(1) and sections 2308.10.4 and 2308.10.5 are amended to read as follows:

Table 2308.10.1- Wall Bracing Requirements

Remove “PCP” and “GB” from the table column under the heading of “Bracing method” and remove footnotes “c” and “d” and any other references to “Portland Cement Plaster” and/or “Gypsum board”.

Table 2308.10.3(1)- Bracing Methods

Under column “Methods, Material”, remove rows “GB Gypsum board (double sided)” and “PCP Portland cement plaster” from table.

Section 2308.10.4 - Braced wall panel construction

Remove reference to “PCP” from text.

Section 2308.10.5 – Alternative bracing is deleted and replaced with the following:

2308.10.5 Alternate Bracing

An alternate braced wall (ABW) or a portal frame with hold-downs (PFH) described in this section is permitted to substitute for a 48-inch (1219 mm) braced wall panel of Method DWB, WSP, SFB, PBS, or HPS.

16.02.140 Subsection 2304.12.1.5 Amended – Wood Siding

Subsection 2304.12.1.5 of the CBC is amended to add the following sentence at the end thereof:

Siding Materials: Wood shingles or shakes shall be Class B or better which comply with ASTM E108 or UL 790, except that in very high fire hazard severity zones, no wood shake or shingle siding shall be permitted regardless of class designation. See section 8.30.030 of the El Cerrito Municipal Code for roofing standards in very high fire hazard severity zones.

16.02.150 Section 2505 Deleted – Shear Wall Construction

Section 2505 of the CBC on the use of gypsum or lath and plaster for shear wall construction is deleted in its entirety.

16.02.160 Chapter 1, Section 110.7 Added - Storm Water Pollution Control Measures

Chapter 1 Section 110.7 is added to the CBC to read as follows:

Storm water pollution control measures shall be implemented during all construction phases of development to prevent pollution from entering waterways. Specific practices of the California Stormwater Quality Association (CASQA) Construction Best Management Practices Handbook shall be incorporated herein.

16.02.170 Appendix G Subsection G102.3 Added – Flood Resistant Construction

Section G102.3 is added to the CBC, to read as follows:

Section G102.3 - Construction in Special Flood Hazard Area

Construction within special Flood Hazard Areas must comply with chapter 13.40 of the El Cerrito Municipal Code.

16.02.180 Chapter 12, Section 1202.7 Added – Ventilation of weather exposed assemblies

Chapter 12, Section 1202.7 is added to the CBC to read as follows:

Balconies, landings, decks, stairs, and similar exterior projecting elements and appurtenances exposed to the weather and sealed underneath shall have cross ventilation for each separate enclosed space by ventilation openings protected against the entrance of rain or snow. Blocking and bridging shall be arranged so as not to interfere with the movement of air. The net free ventilation area shall not be less than 1/150th of the area of the space ventilated. Ventilation openings shall comply with Section 1203.2.1. An access panel of sufficient size shall be provided on the underside of the enclosed space to allow periodic inspection.

Exceptions:

1. An access panel is not required where the exterior coverings applied to the underside of the joists are easily removable using ordinary tools.
2. Removable soffit vents 4 inches minimum in width may be used to satisfy both ventilation and access panel requirements.

16.02.190 Chapter 14, Section 1403.15 Added – Projections exposed to weather.

Chapter 14, Section 1403.15 is added to the CBC to read as follows:

Balconies, landings, decks, stairs and similar floor projections exposed to the weather shall be constructed of naturally durable wood, preservative-treated wood, corrosion resistant (e.g. galvanized) steel, or similar approved materials.

16.02.200 Chapter 23, Section 2304.12.2.3 Amended – Supporting members for permanent appurtenances.

Chapter 23, Section 2303.12.2.3 of the CBC is amended to read as follows:

Naturally durable or preservative-treated wood shall be utilized for those portions of wood members that form the structural supports of buildings, balconies, porches, or similar appurtenances where such members are exposed to the weather.

16.02.210 Chapter 23, Section 2304.12.2.4 Amended – Laminated timbers

Chapter 23, Section 2304.12.2.4 of the CBC is amended to read as follows:

The portions of glued-laminated timbers that form the structural supports of a building or other structure, projecting element, or appurtenance and are exposed to weather shall be pressure treated with preservative or be manufactured from naturally durable or preservative-treated wood.

16.02.220 Chapter 23, Section–2304.12.2.4 Amended – Supporting members for permeable floors and roofs.

Chapter 23, Section-2304.12.2.4 of the CBC is amended to read as follows:

Wood structural members that support moisture-permeable floors and roofs that are exposed to the weather, such as concrete or masonry slabs, shall be of naturally durable or preservative wood and shall be separated from such floors or roofs by an impervious moisture barrier. The impervious moisture barrier system protecting the structure supporting floors shall provide positive drainage of water that infiltrates the moisture-permeable floor topping.

DIVISION III. TITLE 16, CHAPTER 16.03., ORDINANCE NO. 2022-03, (CALIFORNIA RESIDENTIAL CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.03, TITLED “CALIFORNIA RESIDENTIAL CODE”:

Chapter 16.03

CALIFORNIA RESIDENTIAL CODE

Sections:

- 16.03.010 California Residential Code - Adoption
- 16.03.020 Chapter 1 Subsection R105.2 (3) Amended - Exempted Work
- 16.03.030 Chapter 1 Section R106.2.1 Added - Garage, Carport and Driveway Grades
- 16.03.040 Chapter 1 Subsection R106.3.1 Amended - Examination of Documents
- 16.03.050 Chapter 1 Section R103.5 Added - Littering of Streets
- 16.03.060 Chapter 1 Section R115 Added - General Regulation of Construction
- 16.03.065 Chapter 1 Section 116 Added - Small Residential Rooftop Solar Energy System Review Process
- 16.03.068 Chapter 3 Section R319.1 Amended – Emergency escape and rescue opening required
- 16. 03.070 Chapter 3 Section R308.1 Amended - Premises Identification Numbering
- 16.03.080 Chapter 3 Section R306 of the CRC Amended-Flood-Resistant Construction
- 16.03.090 Section R402.1 of the CRC Deleted – Wood Foundations
- 16.03.100 Chapter 6 Section R602.10.2 and Table R602.10.3(3) of the CRC Amended – Seismic Reinforcing
- 16.03.110 Chapter 7 Subsection R703.6 Amended – Wood Shakes and Shingles
- 16.03.120 Chapter 9 Subsection R902.1 Amended Roof Covering Material
- 16.03.130 Chapter 9 Subsection R902.1.2 Amended Roof Covering in All Areas

16.03.010 California Residential Code - Adoption.

The Residential Code for the City, sometimes referred to as “the CRC,” is the 2025 California Residential Code, (based on the International Building Code, 2021 Edition), including Appendix chapters H and Q, as approved by the California Building Standards Commission, and as published in Title 24, Part 2.5 of the California Code of Regulations.

16.03.020 Chapter 1 Subsection 105.2(Building)(3) Amended - Exempted Work

Subsection 105.2(Building)(3) of the CRC is amended to read:

3. Retaining walls which do not retain more than thirty (30) inches of earth when the earth retained is level and where there is no surcharge load, and retaining walls which do not retain more than two (2) feet of earth when the earth retained is sloping not greater than 2h:1v and there is no surcharge load. The above does not apply to retaining walls impounding Class I, II, or IIIA Liquids. See CBC Section 2304.12.5 for treatment of wood used for retaining walls.

16.03.030 Chapter 1 Section 106.2.1 Added -Garage, Carport & Driveway Grades

Section 106.2.1 is added to the CBC, to read as follows:

Section 106.2.1 Garage, Carport and Driveway Grade Requirements.

- (a) Garage and carport floors shall be concrete.
- (b) Any person to whom a building permit has been issued shall, where established, obtain official line and grade information as required in Section 13.20.150 of the City Code prior to the construction of foundations or footings for carports and garages.
- (c) When official line and grade has not been established, it shall be the responsibility of that person to provide such information as required by City Engineer to establish lines and grades.
- (d) Any person to whom a building permit has been issued shall construct the finish floor of carports and garages to an elevation which shall conform to the official driveway data as set forth on plan LL-1031 on file with the City Engineer.

16.03.040 Chapter 1 Subsection R106.3.1 Amended - Examination of Documents

Subsection R106.3.1 is amended by adding a second paragraph to the CRC, to read as follows:

Review by Fire Chief. Whenever application is made for a building permit, as required by the CRC, the Building Official shall withhold issuance of the building permit until notification from the Fire Chief that all plans required by the California Fire Code (chapter 16.26 of this title) have been reviewed and approved, and that the requirements specified in Section 16.26 have been met.

16.03.050 Chapter 1 Section R113.5 Added - Littering of Streets

Section R113.5 is added to the CRC, to read as follows:

Section R113.5 - Littering of Streets

It shall be unlawful for any person to excavate, dig or move dirt, rock, or other substances so as to allow fragments thereof from being thrown or dropped against or upon lots or buildings, or upon any public right-of-way. Any person dropping such material or tracking dirt, mud or rocks from private property upon any public right-of-way shall immediately cause the same to be removed. Transportation of dirt and rock requires a permit obtained pursuant to chapter 13.24 of the El Cerrito Municipal Code.

16.03.060 Chapter 1 Section R115 Added - General Regulation of Construction

Section R115 is added to the CRC, to read as follows:

Section R115 - General Regulation of Construction

- (a) Work may be prohibited during inclement weather upon the order of the City Building Official.

- (b) The hours of work shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturday. Work shall be prohibited on Sundays and Holidays.
- (c) Work hours in the public right-of-way shall be regulated by Public Works Department.
- (e) Work must be controlled to prevent causing a public nuisance such as dust, noise, vibrations, uncontrolled storm water runoff, and traffic congestion.

16.03.065 Chapter 1, Section R116 added—Small Residential Rooftop Solar Energy System Review Process.

Section R116 is added to the CRC to read as follows:

Section 116 – Small Residential Rooftop Solar Energy System Review Process

- A. The following words and phrases as used in this section are defined as follows: “Electronic submittal” means the utilization of one or more of the following:
 - 1. e-mail,
 - 2. the internet,
 - 3. facsimile.

“Small residential rooftop solar energy system” means all of the following:

- 1. A solar energy system that is no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal.
- 2. A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the City and paragraph (iii) of subdivision (c) of Section 714 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.
- 3. A solar energy system that is installed on a single or duplex family dwelling.
- 4. A solar panel or module array that does not exceed the maximum legal building height as defined by the authority having jurisdiction.

“Solar energy system” has the same meaning set forth in paragraphs (1) and (2) of subdivision (a) of Section 801.5 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.

- B. Section 65850.5 of the California Government Code provides that, on or before September 30, 2015, every city, county, or city and county shall adopt an ordinance that creates an expedited, streamlined permitting process for small residential rooftop solar energy systems.

- C. Section 65850.5 of the California Government Code provides that in developing an expedited permitting process, the city, county, or city and county shall adopt a checklist of all requirements with which small rooftop solar energy systems shall comply to be eligible for expedited review. The building official is hereby authorized and directed to develop a modified version of the eligibility checklist from the 2020 California Solar Permitting Guidebook to conform to the City of El Cerrito's unique climactic, geological, seismological, or topographical conditions and adopt such checklist.
- D. The checklist shall be published on the city's internet website. The applicant may submit the permit application and associated documentation to the City's building division by personal, mailed, or electronic (when developed and available) submittal together with any required permit processing and inspection fees.
- E. Prior to submitting an application, the applicant shall:
 - 1. Verify to the applicant's reasonable satisfaction through the use of standard engineering evaluation techniques that the support structure for the small residential rooftop solar energy system is stable and adequate to transfer all wind, seismic, and dead and live loads associated with the system to the building foundation; and
 - 2. At the applicant's cost, verify to the applicant's reasonable satisfaction using standard electrical inspection techniques that the existing electrical system, the main panel make and type, including existing line, load, ground and bonding wiring as well as main panel and subpanel sizes are adequately sized, based on the existing electrical system's current use, to carry all new photovoltaic electrical loads and accept new electrical connections.
- F. For a small residential rooftop solar energy system eligible for expedited review, only one inspection shall be required, which shall be done in a timely manner and may include a consolidated inspection by the building official and fire chief. If a small residential rooftop solar energy system fails inspection, a subsequent inspection is authorized; however, the subsequent inspection need not conform to the requirements of this subsection.
- G. An application that satisfies the information requirements in the checklist, as determined by the building official, shall be deemed complete. Upon receipt of an incomplete application, the building official shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.
- H. Upon confirmation by the building official of the application and supporting documentation being complete and meeting the requirements of the checklist, the building official shall administratively approve the application and issue all required permits or authorizations. Such approval does not authorize an applicant to connect the small residential rooftop energy system to the local utility provider's electricity grid. The applicant is responsible for obtaining such approval or permission from the local utility provider.

16.03.068 Section R319.1 Amended – Emergency escape and rescue opening required

Section R319.1 of the CRC is amended as follows:

Exception 2 is deleted in its entirety.

16.03.070 Section R308.1 Amended - Premises Identification Numbering

Section R308.1 of the CRC is amended to read as follows:

Section R308.1 - Premises Identification Numbering.

Address Identification.

- a) The city shall keep on file a description of the method to be used in the assignment of street address identification numbers. This method shall be approved by Council resolution and shall be available for inspection by any member of the public.
- b) Every main structure or building constructed, altered, repaired or moved into the city shall be assigned a street identification number by the Building Official.
- c) Numbers identifying the street address shall be placed on the street side of the building or structure in such manner as to be plainly visible from the street or public way. Identification numbers shall be a minimum of four (4) inches in height with minimum ½" stroke width for residential, and six (6) inches in height with minimum 1" stroke width for commercial buildings, and of a color to contrast with the surrounding color. Numbers shall be installed prior to final inspection and occupancy of the building or structure.
- d) The premises street address shall be internally or externally illuminated to the satisfaction of the Building Official.
- e) Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response.
- f) Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other approved sign or means shall be used to identify the structure.
- g) The owner shall be responsible for the maintenance of identification numbers.
- h) Any change of the assigned street identification number must be approved by the Building Official.
- i) Every owner or occupant of any building or structure not numbered in accordance with the provisions of this section shall, within ten
- j) (10) days after notice given by the City change the number of such building or structure to the number specified in the notice.

16.03.080 Section R306 of the CRC Amended-Flood-Resistant Construction Section

R322.1 of the CRC is amended by adding the following sentence:

Construction within special Flood Hazard Areas must comply with Chapter 13.40 of the El Cerrito Municipal Code.

16.03.090 Section R402.1 of the CRC Deleted – Wood Foundations

Section R402.1 of the CRC concerning the use of wood foundations is deleted in its entirety.

16.03.100 Section R602.10 and Table R602.10.3(3) of the CRC Amended – Wall Bracing

Section R602.10.4 containing Table R602.10.3(3) of the CRC is amended as follows:

Footnote “e” at the end of CRC Table R602.10.3(3), is amended to read:

e. In Seismic Design Categories D0, D1, and D2, Methods GB, PFG, and CS-SFB are not permitted and the use of Method PCP is limited to one-story single family dwellings and accessory structures.

16.03.110 Subsection R703.6 Amended – Wood Shakes and Shingles

Subsection R703.6 of the CRC is amended to add the following sentence:

Wood shingles or shakes shall conform to CSSB and be fire resistance Class B or better which comply with ASTM E108 or UL 790, except that in very high fire hazard severity zones, no wood shake or shingle siding shall be permitted regardless of class designation. See section 8.30.030 of the El Cerrito Municipal Code for roofing standards in very high fire hazard severity zones.

16.03.120 Subsection R 902.1 Amended – Roofing Covering Materials

Subsection R902.1 of the CRC is amended to read as follows:

Roofs shall be covered with materials as set forth in Sections R904 and R905. A minimum Class A roofing shall be installed in areas designated by this section including where the edge of the roof is less than 3 feet (914 mm) from a lot line. Class A roofing required by this section to be listed shall be tested in accordance with ASTM E108 or UL 790.

Exceptions:

1. Class A roof assemblies include those with coverings of brick, masonry and exposed concrete roof deck.
2. Class A roof assemblies include ferrous or copper shingles or sheets, metal sheets and shingles, clay or concrete roof tile, or slate installed on noncombustible decks.

3. Class A roof assemblies include minimum 16 ounces per square foot copper sheets installed over combustible decks.
4. Class A roof assemblies include slate installed over underlayment over combustible decks.

16.03.130 Subsection Section R 902.1.2 Amended – Roof Coverings in all other Areas

Subsection R902.1.2 of the CRC is amended to read as follows:

The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class A.

DIVISION IV. TITLE 16, CHAPTER 16.04., ORDINANCE NO. 2022-03, (CALIFORNIA PLUMBING CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.04, TITLED “CALIFORNIA PLUMBING CODE”:

Chapter 16.04

CALIFORNIA PLUMBING CODE

Sections:

16.04.010 California Plumbing Code - Adoption

The Plumbing Code for the City, sometimes referred to as “the CPC,” is the California Plumbing Code, 2025 Edition, (based on the Uniform Plumbing Code, 2024 Edition), as approved by the California Building Standards Commission, and as published in Title 24, Part 5, of the California Code of Regulations.

DIVISION V. TITLE 16, CHAPTER 16.06., ORDINANCE NO. 2022-03, (CALIFORNIA MECHANICAL CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.06 TITLED “CALIFORNIA MECHANICAL CODE”:

Chapter 16.06

CALIFORNIA MECHANICAL CODE

Sections:

16.06.010 California Mechanical Code - Adoption.

The Mechanical Code for the City, sometimes referred to as “the CMC,” is the California Mechanical Code, 2025 Edition, (based on the Uniform Mechanical Code, 2024 Edition), as approved by the California Building Standards Commission, and as published in Title 24, Part 4, of the California Code of Regulations

DIVISION VI. TITLE 16, CHAPTER 16.08., ORDINANCE NO. 2022-03, (CALIFORNIA ELECTRICAL CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.08, TITLED “CALIFORNIA ELECTRICAL CODE”:

Chapter 16.08

CALIFORNIA ELECTRICAL CODE

Sections:

16.08.010 California Electrical Code - Adoption.

16.08.040 Article 230.70 (A) (1) Amended - Readily Accessible Location

16.08.010 California Electrical Code - Adoption

The Electrical Code for the City sometimes referred to as “the CEC,” is the California Electrical Code, 2025 Edition, (based on the National Electrical Code, 2023 Edition), as approved by the California Building Standards Commission, and as published in Title 24, Part 3, of the California Code of Regulations, except as amended and supplemented in the manner set forth in this chapter.

16.08.040 Article 230.70 (A) (1) Amended - Readily Accessible Location

Article 230.70 (A) (1) of the National Electric Code is amended to read as follows:

The service disconnecting means shall be installed at a readily accessible location outside of a building or structure near the point of entrance of the service conductors for single family dwellings. For other occupancies where direct access from the exterior does not occur, a remote control (shunt trip) activating the disconnect shall be located on the exterior of the building in a location and manner acceptable to the Fire and Building Officials.

DIVISION VII. TITLE 16, CHAPTER 16.09., ORDINANCE NO. 2022-03, (CALIFORNIA EXISTING BUILDING CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.09 TITLED “CALIFORNIA EXISTING BUILDING CODE”:

Chapter 16.09

California Existing Building Code

Sections:

16.09.010 California Existing Building Code – Adoption

16.09.030 Section 405 Added - Repairs including all subsections associated

16.09.010 California Existing Building Code - Adoption.

The Existing Building Code for the City, sometimes referred to as “the CEBC,” is the 2025 California Existing Building Code, (based on the International Existing Building Code, 2024 Edition), including Appendix chapters A3 and A4, as approved by the California Building Standards Commission, and as published in Title 24, Part 10 of the California Code of Regulations.

16.09.030 Chapter 4, Section 405 Added - Repairs including all subsections associated

The following repair requirements are hereby added as a new Subsection 405.2.3.1.1 to Chapter 4, Section 405 “Repairs” of the CBC to read as follows:

405.2.3.1.1 Seismic evaluation and design. Seismic evaluation and design of an existing building and its components shall be based on the following criteria.

405.2.3.1.2 Evaluation and design procedures. The seismic evaluation and design shall be based on the procedures specified in the building code, ASCE 31 Seismic Evaluation of Existing Buildings (for evaluation only) or ASCE 41 Seismic Rehabilitation of Existing Buildings. The procedures contained in Appendix A of the International Existing Building Code shall be permitted to be used as specified in Section 405.2.3.1.4.

405.2.3.1.3 CBC level seismic forces. When seismic forces are required to meet the building code level, they shall be one of the following:

1. 100 percent of the values in the building code. The R factor used for analysis in accordance with Chapter 16 of the building code shall be the R factor specified for structural systems classified as “Ordinary” unless it can be demonstrated that the structural system satisfies the proportioning and detailing requirements for systems classified as “Intermediate” or “Special”.
2. Forces corresponding to BSE-1 and BSE-2 Earthquake Hazard Levels defined in ASCE 41. Where ASCE 41 is used, the corresponding performance levels shall be those shown in Table 405.2.3.1.3.

TABLE 405.2.3.1.3

ASCE 41 and ASCE 31 PERFORMANCE LEVELS

OCCUPANCY CATEGORY (BASED ON IBC TABLE 1604.5)	PERFORMANCE LEVEL FOR USE WITH ASCE 31 AND WITH ASCE 41 BSE-1 EARTHQUAKE HAZARD LEVEL	PERFORMANCE LEVEL FOR USE WITH ASCE 41 BSE-2 EARTHQUAKE HAZARD LEVEL
I	Life Safety (LS)	Collapse Prevention (CP)
II	Life Safety (LS)	Collapse Prevention (CP)
III	Note (a)	Note (a)
IV	Immediate Occupancy (IO)	Life Safety (LS)

- a. Performance levels for Occupancy Category III shall be taken as halfway between the performance levels specified for occupancy Category II and Occupancy Category IV.

405.2.3.1.4 Reduced CBC level seismic forces. When seismic forces are permitted to meet reduced building code levels, they shall be one of the following:

1. 75 percent of the forces prescribed in the building code. The R factor used for analysis in accordance with Chapter 16 of the California Building Code shall be the R factor as specified in Section 405.2.3.1.3.

2. In accordance with the applicable chapters in Appendix A of the *International Existing Building Code* as specified in Items 2.1 through 2.5 below. Structures or portions of structures that comply with the requirements of the applicable chapter in Appendix A shall be deemed to comply with the requirements for reduced building code force levels.

- 2.1. The seismic evaluation and design of unreinforced masonry bearing wall buildings in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A1.

- 2.2. Seismic evaluation and design of the wall anchorage system in reinforced concrete and reinforced masonry wall buildings with flexible diaphragms in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A2.

- 2.3. Seismic evaluation and design of cripple walls and sill plate anchorage in residential buildings of light-frame wood construction in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A3.

- 2.4. Seismic evaluation and design of soft, weak, or open-front wall conditions in multiunit residential buildings of wood construction in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A4.

3. In accordance with ASCE 31 based on the applicable performance level as shown in Table 405.2.3.1.3.

4. Those associated with the BSE-1 Earthquake Hazard Level defined in ASCE 41 and the performance level as shown in Table 405.2.3.1.3. Where ASCE 41 is used, the design spectral response acceleration parameters S_x and S_{x1} shall not be taken less than 75 percent of the respective design spectral response acceleration parameters S_{DS} and S_{D1} defined by the International Building Code and its reference standards.

405.2.3.1.5 Wind Design. Wind design of existing buildings shall be based on the procedures specified in the building code.

405.2.3.1.6 Repairs to damaged buildings. Repairs to damaged buildings shall comply with this section.

405.2.3.1.7 Unsafe conditions. Regardless of the extent of structural damage, unsafe conditions shall be eliminated.

DIVISION VIII. TITLE 16, CHAPTER 16.20., ORDINANCE NO. 2022-03, (HOUSING AND PROPERTY MAINTENANCE CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.20, TITLED "HOUSING AND PROPERTY MAINTENANCE CODE":

Chapter 16.20

HOUSING AND PROPERTY MAINTENANCE CODE

16.20.010 - Housing and Property Maintenance Code—Adoption

The housing code for the city is the California Housing Law Regulations combined with the 2024 International Property Maintenance Code (IPMC) except as amended and supplemented in the manner set forth in this chapter.

16.20.011 - IPMC 101.1 amended—Title.

Section 101.1 of the IPMC is amended as follows:

That portion of the sentence reading "Name of Jurisdiction" is deleted and replaced with "City of El Cerrito."

16.20.012- IPMC 103.1 amended—Creation of Agency.

Section 103.1 of the IPMC is amended as follows:

That portion of the sentence reading "Insert Name of Jurisdiction" is deleted and replaced with "Community Development Department."

16.20.020 - IPMC 102.3 amended—Application of other codes.

Section 102.3 of the IPMC is amended as follows:

The International Codes are not adopted by the City, and where referenced in this code, shall be replaced with the California Codes.

16.20.030 - IPMC 106 amended—Means of appeal.

Section 106 of the IPMC is amended as follows:

Section 106 is deleted in its entirety and replaced with ECMC sections 1.14.080, 1.14.090, 1.14.100, and 1.14.110

16.20.035- IPMC 302.4 amended—Weeds.

Section 302.4 of the IPMC is amended as follows:

That portion of the sentence reading "jurisdiction to insert height in inches" is deleted and replaced with "twelve inches."

16.20.040 - IPMC 304.14 amended—Insect screens.

Section 304.14 of the IPMC is amended as follows:

That portion of the sentence reading "During the period from [date] to [date]," is deleted and replaced with "During the entire year,"

16.20.050 - IPMC 308.3.1 amended—Disposal of garbage.

Section 308.3.1 of the IPMC is amended as follows:

That portion of the sentence reading "an approved incinerator unit in the structure available to the occupants in each dwelling unit" shall be deleted in its entirety.

16.20.055 - IPMC 602.3 amended—Heat supply.

Section 602.3 of the IPMC is amended as follows:

That portion of the sentence reading "during the period from [date] to [date]" is deleted and replaced with "during the entire year."

16.20.060 - IPMC 602.4 amended—Occupied work spaces.

Section 602.4 of the IPMC is amended as follows:

That portion of the sentence reading "during the period from [date] to [date]" is deleted and replaced with "during the entire year."

DIVISION IX. TITLE 16, CHAPTER 16.24., ORDINANCE NO. 2022-03, (CALIFORNIA GREEN BUILDING CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.24, TITLED "CALIFORNIA GREEN BUILDING CODE":

Chapter 16.24

CALIFORNIA GREEN BUILDING CODE

Sections:

16.24.010 California Green Building Code - Adoption.

The Green Building Code for the City is the California Green Building Standards Code, 2025 Edition, as approved by the California Building Standards Commission, and as published in Title 24, Part 11, of the California Code of Regulations.

DIVISION X. TITLE 16, CHAPTER 16.26., ORDINANCE NO. 2022-03, (CALIFORNIA FIRE CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.26, TITLED “CALIFORNIA FIRE CODE”:

Chapter 16.26

CALIFORNIA FIRE CODE

Sections:

16.26.010	California Fire Code - Adoption.
16.26.020	Chapter 1 Section 1.1.1.2 Added - Title
16.26.030	Chapter 1 Section 1.1.8 Amended - Amendments to the Fire Code
16.26.040	Chapter 1 Section 1.11.1 Amended - Office of the State Fire Marshal
16.26.050	Chapter 1 Section 102.1 Amended - Applicability
16.26.060	Chapter 1 Section 102.9 Amended - Matters Not Provided For
16.26.070	Chapter 1 Section 104.1 Amended - General Authority and Responsibility
16.26.080	Chapter 1 Section 104.1.1A and 104.1.1B Added - General Authority Peace Officer Status
16.26.090	Chapter 1 Section 104.9 Amended - Alternative materials and methods
16.26.100	Chapter 1 Section 105.1.1 Amended - Required permits
16.26.110	16.26.110 Chapter 1 Section 105.5 Amended - Required operational permits
16.26.120	16.26.120 Chapter 1 Section 112 Amended - Board of Appeals
16.26.130	Chapter 2 Section 202 Amended – General Definitions
16.26.140	Chapter 2 Section 202 Amended - Definitions - F
16.26.150	Chapter 2 Section 202 Amended - Definitions - R
16.26.160	Chapter 3 Section 304 Added --Combustible waste material and California Code of regulations, Title 19, Division 1 Section 3.07(b) Clearances.
16.26.170	Chapter 4 Section 401.5 Amended - Making false report
16.26.180	Chapter 5 Sections 504, 505 and 507 Amended -Fire Service Features
16.26.190	Chapter 6 Section 605 Amended - Fuel Fired Appliances
16.26.200	Chapter 9 Section 903.2 Amended – Automatic Sprinkler Systems
16.26.210	Chapter 9 Section 903.2 Amended - Automatic Fire Sprinkler Systems
16.26.220	Chapter 9 Section 905.3.1 Amended - Standpipe Systems
16.26.230	Chapter 9 Section 907.2 Amended - Fire Alarm and Detection Systems
16.26.240	Chapter 9 Section 907.7.2 Amended - Record of completion
16.26.260	Chapter 10 Section 1028.5 Amended - Exit and pathways
16.26.270	Chapter 50 Section 5004 Added - Hazardous Materials
16.26.280	Chapter 50 Section 5004.1 Amended - General Provisions
16.26.290	Chapter 53 Section 5304,2S Added - Compressed Gasses
16.26.300	Chapter 56 Section 5601.1.1A Added - Explosives and Fireworks
16.26.310	Chapter 57 Section 5704.2.11.5 Added - Flammable and Combustible Liquids – Below Ground Tanks
16.26.320	Chapter 57 Section 5704 Amended - Flammable and Combustible Liquids - Above Ground Tanks
16.26.330	Chapter 58 Section 5803A Added - Flammable Gases and Flammable Cryogenic Fluids

16.26.010 California Fire Code - Adoption.

It is hereby adopted by the city council of the city of El Cerrito for the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion, that certain codes and standards known as the 2025 California Building Standards Code, Title 24, California Code of Regulations (CCR), Part 9 (California Fire Code), and by reference the 2018 International Fire Code published by the International Code Council, Inc. (ICC), (including Appendix Chapters A, B, C, D, E, F, and G) save and except such portions as are deleted, modified or amended by this chapter, of which not less than one copy each have been and are now filed in the office of the Fire Chief and the Building Official of the City of El Cerrito and the same is hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this chapter shall take effect, the provisions thereof shall be controlling within the limits of the City of El Cerrito.

16.26.020 Chapter 1 Section 1.1.1.2 Added - Title

Section 1.1.1.2 Title is added as follows:

Section 1.1.1.2 These regulations shall be known as the Fire Code of the City of El Cerrito, hereinafter referred to as "this code." The California Fire Code and the International Fire Code adopted by reference in Section 1, amendments thereto, additions, and deletions as set forth in this Section shall become effective as set forth in Section 1.1.8 Division and Appendix numbers used are those of the California Fire Code.

16.26.030 Chapter 1 Section 1.1.8 Amended - Amendments to the Fire Code

Section 1.1.8 is amended by adding the following:

The limits referred to in Section 1.1.8.1 of the California Fire Code and International Fire Code adopted by reference in Section 1, amendments thereto, additions, and deletions and appendices as set forth in this section shall become effective as set forth in Section 1.1.9 Article, Section, Division, and Appendix numbers used are those of the California Fire Code.

16.26.040 Chapter 1 Section 1.11.1 Amended - Office of the State Fire Marshal

Section 1.11.1 is amended by adding 1.11.1 A, B and C

- A. The California Fire Code as adopted and amended herein shall be enforced by the city fire prevention division, which is hereby established, and which shall be operated under the supervision of the fire marshal.
- B. The fire marshal in charge of the fire prevention division shall be appointed by the fire chief of the city of El Cerrito on the basis of examination to determine his or her qualifications for the position.
- C. The chief of the fire department shall recommend to the city council the employment of technical staff members, who, when such authorization is made, shall be selected on the basis of examination to determine their qualifications for

the position.

16.26.050 Chapter 1 Section 102.1 Amended – Applicability

Section 102.1 is amended by adding Section 102.1.1

Section 102.1.1 Buildings in existence at the time of the adoption of this code may have their existing use or occupancy continued, if such use or occupancy was legal at the time of the adoption of this code, provided such continued use is not dangerous to life.

Section 102.2 is amended by adding section 102.2.1

Section 102.2.1 Plans for compliance. Upon written notice to the responsible property owner, plans for compliance shall be submitted and approved, and within 18 months or earlier depending on the life-safety significance of the hazard work shall be completed or the building shall be vacated until made to conform.

16.26.060 Chapter 1 Section 102.9 Amended - Matters Not Provided For

Section 102.9 is amended by adding subsection 102.9.1A

102.9.1A Unless otherwise limited by law, the applicable provisions of this code shall apply to vehicles, ships, boats, and mobile vehicles and other facilities when fixed in a specific location within the boundaries of this jurisdiction.

16.26.070 Chapter 1 Section 104.1 Amended - General Authority and Responsibility

Section 104.1 is amended by adding the following:

The Fire Chief or the Fire Code Official is authorized to render interpretations of this code and to make and enforce rules and supplemental regulations in order to carry out the application of its provisions. The Chief may be guided by the previous, current and future Fire Codes. Such interpretations, rules and regulations, and supplements shall be in conformance with the intent and purpose of this code and shall be available to the public during normal business hours.

16.26.080 Chapter 1 Section 104.1.1A and 104.1.1B Added - General Authority Peace Officer Status

Section 104.1.1A and 104.1.1B are added in their entirety to read as follows:

Section 104.1.1A The Fire Chief and their designated representatives shall have the powers of peace officers while engaged in the performance of their duties with respect to the prevention, investigation, and suppression of fires and the protection and preservation of life and property against the hazards of fire and conflagration.

Section 104.1.1B The Chief, or their duly authorized agents, may issue citations for violations of this ordinance in accordance with Chapter 5C (commencing with Section 853.5), Title 4, Part 2, of the Penal Code.

16.26.090 Chapter 1 Section 104.9 Amended - Alternative materials and methods

Section 104.9 is amended by adding 104.9.2

Section 104.9.2- The city council, the fire chief and the fire marshal shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies for which permits are required in addition to those now enumerated in the California Fire Code. The fire marshal shall post such list in a conspicuous place at the offices of the fire prevention division and distribute copies thereof to interested persons.

16.26.100 Chapter 1 Section 105.1.1 Amended - Required permits

Section 105.1.1 is amended by adding Section 105.1.1A:

Section 105.1.1A Fee for Plan Review, Inspection and Permits. Fees required by the City shall be established in the City's master fee schedule, to defray: the cost of plan review required by this code; requested or required inspection services; administrative costs; issuance of permits and all other direct costs incurred by the city.

Section 105.4.1.1 is amended by adding Section 105.4.1.2 (1 to 6):

Section 105.4.1.2 Review of Plans. Whenever required by this Code, plans shall be submitted to the Fire Chief or designated representative for review and approval prior to construction. Whenever application is made for a building permit, as required by the Building Code, the Building Official shall withhold issuance of the building permit until notification from the Fire Department that plans required by this code have been reviewed and approved and that the requirements set forth in section 105 have been met. In addition to plan submittals required by other sections of this Code, plans shall be submitted whenever any of the following land developments and/or improvements are proposed:

1. Subdivision of land.
2. Construction, alteration, or renovation of a building.
3. Demolition of a building.
4. Provision of a water supply for fire protection.
5. Provision of access for fire apparatus.
6. An occupancy for the storage, use, or handling of any hazardous substance, hazardous material process, or hazardous device

16.26.110 Chapter 1 Section ~~105.6~~ 105.5 Amended - Required operational permits

Section 105.6 is amended by adding 105.6.52 thru 105.6.55.

52. Christmas tree sales. To use a property for the purpose of selling cut Christmas trees. See applicable provisions of Chapter 3 General Precautions against fire.

53. Pumpkin patches/lots. To use a property for the purpose of selling pumpkins and seasonal items. See applicable provisions of Chapter 3 General Precautions against fire.

54. Liquefied petroleum gases. To store, use, or handle liquefied petroleum gas inside buildings. See Chapter 38.

55. Rockets. To launch model rockets. See California Code of Regulations Title 19, Division 1, Article 17.

16.26.120 Chapter 1-Section 112 Amended - Board of Appeals

Section 112 is amended by adding 112.2.1

Section 112.2.1 Whenever the fire chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code has been misconstrued or wrongly interpreted, the applicant may appeal within thirty days the chief's decision to the city council.

16.26.130 Chapter 2 Section 202 Amended – General Definitions

Section 202 - General Definitions is amended as follows: by changing the definition of Jurisdiction and adding the definition for Fire Marshal by adding Sections 202. A and 202.B.

- A. Wherever the word "jurisdiction" is used in the California Fire Code, it shall be held to mean the City of El Cerrito.
- B. Where the party responsible for the enforcement of the California Fire Code is given the title of "Fire Marshal," add the following definition: Fire Marshal is the chief of the bureau of fire prevention.

16.26.140 Chapter 2 Section 202 Amended - Definitions – F

Section 202 -F - is amended by adding:

Fair - a temporary enterprise principally devoted to the exhibit or sale of products of commerce, agriculture or industry, or to entertainment and amusement and may include the operation of amusement rides or devices, or concession booths.

Firebreak - a continuous strip of land upon and from which all rubbish, weeds, grass or other growth that could be expected to burn when dry has been abated or otherwise removed in order to prevent the surface extension of fire from one area to another.

Fire trail - a graded firebreak of sufficient width, surface, and design to provide access for fire personnel and equipment to suppress and to assist in preventing a surface extension of fires.

Fuel break - a specified width, strip, or block of land on which the vegetation has been permanently modified to a low volume fuel type so that fires burning on it can be more readily controlled.

16.26.150 Chapter 2 Section 202 Amended - Definitions – R

Section 202 - R is amended by adding:

Response Time - the calculated time difference between receiving a report of an alarm and the application of extinguishing agent.

Running Time - the calculated time difference between leaving the first due fire station and arriving on the emergency scene.

Rural Area - that area generally designated for agricultural or open space uses with parcels over 10 acres in size.

Rural Residential Area - that area generally designated for single family residential use with parcels between 3 and 10 acres in size.

16.26.160 Chapter 3 Section 304 Added Combustible waste material and California Code of regulations, Title 19, Division 1 Section 3.07(b) Clearances.

Chapter 3 Section 304 is added in its entirety.

Section 302.2 Definitions, as used in this article

1. Weed," as used in this part, means all weeds growing upon streets or private property in this jurisdiction and includes any of the following:
2. Weeds that bear seeds of a downy nature or are subject to flight.
3. Sagebrush, chaparral and any other brush or weeds which obtain such large growth as to become, when dry, a fire menace to adjacent improved property or to streets.
4. Weeds that are otherwise noxious or dangerous.
5. Poison oak and poison ivy when the conditions of growth are such as to constitute a menace to the public health.
6. Dry grass, stubble, brush, litter or other flammable materials that endanger the public safety by creating a fire hazard.
7. "Rubbish" means waste matter, litter, trash, refuse, debris and dirt on streets, or private property in the jurisdiction that is, or when dry may become a fire hazard.
8. "Streets" include alleys, parkways, driveways, sidewalks and areas between sidewalks and curbs.
9. "Person" includes individuals, firms, partnerships and corporations.
10. "Cost of Abatement" shall include all expenses incurred by jurisdiction, including administrative costs, in its work of abatement undertaken pursuant Section 318 of this ordinance.
11. "Superintendent" shall mean the City Manager or designee.

Section 304.4 Declaration of Policy.

The City Council, as the supervising, legislative and executive authority of this jurisdiction, hereby declares that the removal of dry grass, stubble, brush, rubbish, litter or other flammable material which creates a fire hazard, a menace to the public health or which is otherwise noxious or dangerous is a matter of extreme municipal importance. The City Council hereby adopts the following Fire Hazard Abatement Program for the purpose of abating fire hazards caused by the presence of dry grass, stubble, brush, rubbish, litter or other flammable material on private properties within the City. This program shall be conducted in accordance with the provisions of Government Code Sections 39560-39588 as those sections presently exist or as may be amended. The City Manager or designee shall be deemed the street superintendent for the purpose of carrying out the provisions of this policy.

Section 304.5 Abatement Procedures

- a. The City Council of El Cerrito shall declare by resolution annually, or as often as may be necessary, those properties which are deemed public nuisances because of the presence of dry grass, stubble, brush, rubbish, litter, or other flammable material which creates a fire hazard, a menace to the public health or which is otherwise noxious or dangerous.
- b. The resolution may also declare that certain identified properties are seasonal and recurrent nuisances as defined by Government Code Section 39562.1
- c. The resolution shall designate a date, time and place for a hearing at which the owners of the properties identified in the resolution may object to the designation of their properties as public nuisances, and object to the abatement actions proposed by the City as authorized by Government Code Sections 39560-39588.
- d. Written notice shall be provided to the owners of the properties identified in the resolution informing them of the date, time, and place of the hearing. This notice shall be in substantially the same form as contained in Government Code Section 39566. Notice to the owners of those properties declared seasonal and recurrent nuisances shall incorporate the provisions contained in Government Code Section 39562.1. The notice shall be served as provided for in Government Code Sections 39564-39567.1.
- e. At the hearing, the City Council shall hear and consider all objections. By resolution, the City Council shall allow or overrule these objections. The City Council shall also order the City Manager or designee to abate the public nuisances' conditions at the properties designated in the initial resolution by having the dry grass, stubble, brush, rubbish, litter or other flammable material which creates a fire hazard, a menace to the public health or which is otherwise noxious or dangerous removed.
- f. The City Manager may abate these public nuisance conditions either through the use of City employees or by private contract. The City Manager is authorized to execute such public contracts as may be necessary to abate these public nuisance conditions.
- g. The City Manager shall keep a report of the cost of abatement for each property subject to the City Council resolution. At such time as the City Manager deems

appropriate, a hearing shall be scheduled before the City Council for confirming the report. Notice shall be mailed to each property owner at least five days before the date of the hearing. The notice shall inform the property owner of the costs of abatement of the public nuisance conditions on the property; date, time and place of the hearing at which the property owner may object to the report; and a statement that if the report is confirmed by the City Council, that the costs of tax bill levied against the parcel for collection at the time and in the manner of ordinary municipal taxes. The report shall also be posted at least three days prior to the hearing date at or near the hearing place as required by Government Code Section 39575.

h. At the time fixed for the hearing, the City Council shall consider the report and hear any objections from the property owners liable to be assessed the costs of abatement. The City Council may modify the report if it is deemed necessary. The City Council may also establish installment payments for the abatement costs as provided for in Government Code Section 39581. At the conclusion of the hearing, the City Council shall confirm the report by resolution.

i. The cost of abatement upon each property and the costs incurred by the City in enforcing the abatement shall constitute a special assessment against the property as provided for in Government Code Section 39577. A lien shall attach to the property upon recordation of the order confirming the assessment by the County Recorder. On or before August 10th of each year, the City Manager shall file a certified copy of the report with the County Auditor. As authorized by Government Code Section 39581, the amount of the assessment shall be collected at the time and in the manner of ordinary municipal taxes, subject to the same penalties and procedure of foreclosure and sale provided for ordinary municipal taxes.

Section 304.6 Alternate Mitigation.

In lieu of ordering abatement of fire hazards as provided in Section 321.4, the Fire Chief may order the preparation of firebreaks/fuel breaks around parcels of property when combustible weeds, crops, or brush is present. In determining the proper width of firebreaks/fuel breaks, the Fire Chief shall consider the height of the growth, weather conditions, topography and accessibility to the property of fire protection equipment. The procedure set forth in Section 321.4 for the abatement of weeds and rubbish shall also apply to the preparation of firebreaks/fuel breaks.

Section 304.7 Alternate Procedures

The procedures provided for by this Article are an alternative to any other procedure adopted by the City Council for the abatement of public nuisances, such as Chapter 8.34 of the El Cerrito Municipal Code, or which may be authorized by the law of the State of California.

Section 304.8 Peat Fire, Penalties Therefore

a. It is the duty of each person, firm, corporation or association not to permit on their property a peat fire in, or a fire involving combustible vegetable materials under the surface of the natural ground. It is hereby declared that it is the duty of any person as herein defined to take all necessary precautions to extinguish any subsurface fire

involving peat or vegetative material at his/her own cost and expense.

b. If there exists upon the lands of any person herein defined, subsurface fire involving the burning or combustion of peat or vegetative matter, and the owner or occupant thereof has not taken reasonable precautions within a reasonable time to extinguish or minimize such fire or combustion, the City of El Cerrito may, in addition to its regular duties to extinguish or minimize such fire or combustion, enter upon the lands of any person as herein defined and extinguish such fire or combustion. Any costs incurred by the Fire Department in fighting the fire and for the cost of providing rescue or emergency medical services shall be a charge against said person. The charge shall constitute a debt of that person and is collectable by the fire department incurring those costs in the same manner as in the case of an obligation under contract, express or implied. (Health & Safety Code 13009.)

16.26.170 Chapter 4 Section 401.5 Amended - Making false report

Section 401.5 is amended by adding an additional sentence:

Section 401.5 A charge may be made for excessive false alarms.

16.26.180 Chapter 5 Sections 504, 505 and 507 Amended -Fire Service Features

Section 504.1 is amended by adding:

504.1.1 Exterior exit pathway surfaces leading from an exit to a public way shall be maintained and suitable for pedestrian use in all weather conditions.

Section 505 is amended by adding 505.1.1

505.1.1 Approved address numbers attached to the building, or the primary address of the building shall be internally or externally illuminated.

Section 507.1.1 is amended by adding a preface sentence to read as follows: The type of water supply provided shall meet the standards approved by the Fire Chief.

16.26.190 Chapter 6 Section 605 Amended - Fuel Fired Appliances

Section 605 is amended by adding subsection 605.1.1:

Section 605.1.1 Spark Arrester. Chimneys used with fireplaces or heating appliances in which solid or liquid fuel is used shall be maintained with a spark arrester as required by the California Building Code 2113.9.2.

16.26.200 Chapter 9 Section 903.2 Amended – Automatic Sprinkler Systems

Section 903.2 is amended by adding 903.2.20:

903.2.20. An automatic fire extinguishing system shall be required in all occupancies of 5000 square feet or greater. This shall include an addition of square footage causing the

building to be greater than 5,000 square feet.

16.26.210 Chapter 9 Section 903.2 Amended - Automatic Fire Sprinkler Systems

Section 903.2 is amended by adding subsections 903.2.21.1 through 903.2.21.10

Section 903.2.21.1 Fire Department Delivery Capability. An automatic fire sprinkler system shall be installed in all new buildings or occupancies or in existing buildings or structures that change occupancy classification or use when the required fire flow exceeds 2,000 GPM, or the total floor area exceeds 5,000 square feet.

For the purpose of this section, buildings separated by area separation walls, as set forth in Section 706 of the California Building Code, shall not be considered to create separate buildings unless such walls are constructed as specified in the California Fire Code.

Section 903.2.21.2 Undetermined Occupancy. When fire sprinkler systems are required in buildings of undetermined occupancy, they shall be designed and installed to have a sprinkler density of not less than that required for an Ordinary Hazard Group 2 use, with a minimum design area of 3,000 square feet. Occupancy is considered undetermined if not classified at the time the building permit is issued. Where a subsequent occupancy requires a fire sprinkler system of greater density than Ordinary Hazard Group 2, the system shall be upgraded to such use.

Section 903.2.21.3 Response Times. An automatic fire sprinkler system shall be installed in all new buildings or occupancies when any of the following requirements is exceeded.

Section 903.2.21.4 Run Times. A maximum running time of 3 minutes or a maximum response time of 5 minutes from the first-due station. Times shall be measured by the most direct route on surface streets.

Section 903.2.21.5 Distance from Fire Apparatus Access. The Fire Chief may require installation of automatic fire sprinkler system when the exterior wall of the 1st story is located more than 150 feet from approved fire apparatus access.

Section 903.2.21.6 Other Codes. An automatic sprinkler system shall be installed in all other occupancies as may be required by the Uniform Building Code or the California Building Code.

Section 903.2.21.7 NFPA 13D fire sprinkler systems installed shall be interconnected to the structure's smoke detection or fire alarm system. The smoke of fire alarm systems need not be monitored by a central monitoring station.

Section 903.2.21.8 Group R-3 Substantial Addition or Expansion. An automatic sprinkler system shall be provided throughout all existing Group R-3 dwellings where a substantial addition or expansion occurs, and the new total fire area of the structure exceeds 3,600 square feet.

Section 903.2.21.9 Number of design sprinklers NFPA Standard 13D/13R. For Group R-3 buildings up to 5000 square feet, the number of design sprinklers shall be in accordance

with NFPA 13D and the listing requirements for individual sprinklers. Group R-3 buildings in excess of 5000 square feet or over three stories tall, shall meet the requirements of NFPA 13R. A 10% safety margin, in pressure, shall be provided in the design at the point of connection to the public main.

Section 903.2.21.10 Additional locations of sprinklers of Group R-3. Additional locations of fire sprinklers shall be as follows:

- Attached garages/carports, shall be provided with sprinkler protection.
- All bathrooms regardless of size shall be provided with sprinkler protection.
- Crawl spaces or areas beneath stairs, accessible or if intended to be used for living or storage purposes and break areas below stairs as a separate entry where over 6 feet in height at any point, shall be provided with sprinkler protection.
- Attics spaces that contain mechanical equipment such as furnaces. All water heater areas shall be provided with sprinklers limited to the protection of the equipment itself. Sprinkler coverage at a minimum shall protect the access opening.

Section 903.2.21.11 Additional NFPA 13D requirements.

Additional NFPA 13D requirements shall be as follows:

- Sprinkler control valves shall be located upstream of the domestic tie in and are indicating valves.
- Hydraulic placards at the riser shall be provided.
- Spare sprinkler box with at least one of each type used shall be provided.

16.26.220 Chapter 9 Section 905.3.1 Amended - Standpipe Systems

Section 905.3.1 Subsection (2) is amended by replacing subsection (2) in its entirety:

Section 905.3.1 Subsection (2). "Three stories" (3) or more in height replaces four stories (4) or more in height.

Section 905.3.1 is amended by adding subsection (6):

6. When standpipes are required and the building is equipped with automatic fire sprinklers, a class one standpipe(s) is required, and the standpipe shall be interconnected with the fire sprinkler system.

16.26.230 Chapter 9 Section 907.2 Amended - Fire Alarm and Detection Systems

Section 907.2 is amended by adding subsection 907.2 A:

Section 907.2 A. At the discretion of the Fire Chief, single-station smoke alarms or multiple-station smoke alarms may be required to be connected to an approved 24-hour monitored fire alarm system.

16.26.240 Chapter 9 Section 907.7.2 Amended - Record of completion

Section 907.7.2 is amended by adding subsection 907.7.2.1

Section 907.7.2.1 Acceptance, maintenance, and testing records. A copy of acceptance, maintenance and testing records shall be maintained on site and shall be available to the city upon request.

16.26.260 Chapter 10 Section 1028.5 Amended – Access to Public Way

Section 1028.5 is amended by adding Subsection 1028.5.1:

Section 1028.5.1. Exterior Exit Pathways. Exterior exit pathway surfaces leading from an exit to a public way shall be maintained and suitable for pedestrian use in all weather conditions.

16.26.270 Chapter 50 Section 5001.2 Added - Hazardous Materials

Section 5001.1 is amended by adding subsection 5001.1.2:

Section 5001.1.2 Coordinated Enforcement. Where the Contra Costa County Health Services Department is enforcing State Health and Safety and/or County health regulations, the Fire Department will coordinate efforts to eliminate duplication of time and resources to comply with hazardous material regulations. When approved by the Fire Chief equivalent documentation and compliance may be accepted in lieu of requirements of Appendix E. Where Contra Costa County Health & Safety regulations and California Fire Code regulations conflict, the more restrictive provisions shall prevail.

Exception: Where state or county regulations specifically limit or pre-empt local regulations to be more restrictive.

16.26.280 Chapter 50 Section 5004.1 Amended - Scope

Section 5004.1 is amended by adding 5004.1. A, and 5004.1. B

A. The limits referred to in Section 5004.1 of the California Fire Code, into which the storage of hazardous materials is restricted are hereby established as follows: All areas within the jurisdiction shall be for retail in group M occupancies.

B. Exception - A permit shall be obtained from the Fire Marshal approving on site Hazardous Materials for retail sales, storage, or commercial/industrial use.

16.26.290 Chapter 53 Section 5304.2A Added - Compressed Gasses

Section 5304.2 is amended by adding 5304.2A

A. The limits referred to in Section 5304.2 (ch 54, 58, 60 through 67) of the California Fire Code, in which the storage of compressed natural gas is restricted, are hereby amended as follows: All areas within the jurisdiction without an approved permit by the Fire Marshal.

16.26.300 Chapter 56 Section 5601.1.1A Added - Explosives and Fireworks

Section 5601.1.1 is amended by adding 5601.1A and Exception:

- A. The limits referred to in Section 5601.1 of the California Fire Code and Title 19 Division
- B. 1 Chapter 6 and 10 subchapter 3, in which the storage of storage of explosives and blasting agents is restricted, are hereby amended as follows: All areas within the jurisdiction.

Exception: The Fire Marshal may authorize limited amount of explosives or blasting agents with permit.

16.26.310 Chapter 57 Section 5704.2.11.6 Added - Flammable and Combustible Liquids – Below Ground Tanks

Section 5704.2.11.5 is added in its entirety to read:

Section 5704.2.11.5. Abandonment and status of tanks. Tanks taken out of service as a result of properties being abandoned or its use being changed shall be removed in accordance with Section 5704.2.14.2

Section 5704.2.13.1.3.1 is amended in its entirety to read:

Section 5704.2.13.1.3.1 Out of Service for More Than 180 Days. Underground tanks that have been out of service for a period greater than 180 days shall be removed from the ground in accordance with Section 5704.2.14 and the site shall be restored in an approved manner. Permit requirements with the Contra Costa County Health Services Department, Environmental Division shall be complied concurrently with the permit requirements of the City.

Section 5704.2.13.2.3.1 Out of Service for More Than 180 Days. Aboveground tanks that have been out of service for a period greater than 180 days shall be removed in accordance with Section 5704.2.14 and the site shall be restored in an approved manner. Permit requirements with the Contra Costa County Health Services Department, Environmental Division shall be complied with concurrently with the permit requirements of the City.

16.26.320 Chapter 57 Section 5704 Amended - Flammable and Combustible Liquids - Above Ground Tanks

Section 5704.2.9.6.1 is amended by adding 5704.2.9.6.1A and 5704.2.9.6.1B establishment of limits of districts in which storage of flammable or combustible liquids in outside aboveground tanks is prohibited or restricted:

A. The limits referred to in Section 5704.2.9.6.1 of the California Fire Code, in which the storage of flammable or combustible liquids in outside above ground tanks is restricted, are hereby amended as follows: All areas within the jurisdiction without an approved permit by the Fire Marshal.

B. The limits referred to in Section 5704.2.9.6.1 in which new bulk plants for flammable

or combustible liquids are prohibited, are hereby amended as follows: Any area which is zoned other than industrial without an approved permit from the Fire Marshal.

16.26.330 Chapter 58 Section 5806 Added - Flammable Gases and Flammable Cryogenic Fluids

Section 5806 is amended by adding 5806.2.1 and Exception:

A. Stationary containers is restricted, are hereby established as follows: All areas within the jurisdiction without an approved permit by the Fire Marshal.

Chapter 16.27

CALIFORNIA WILDLAND URBAN INTERFACE CODE

Section:

16.27.010 California Wildland Urban Interface Code – Adoption.

The Wildland Urban Interface Code for the City is the California Wildland Urban Interface Code.

Code, 2025 Edition, as approved by the California Building Standards Commission, and as published in Title 24, Part 7, of the California Code of Regulations.

DIVISION X. CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City Council finds that adoption of this ordinance is exempt from the California Environmental Quality Act (Public Resources Code §§ 21000 et seq., “CEQA,” and 14 Cal. Code Reg. §§ 15000 et seq., “CEQA Guidelines”) under the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment, and in this case it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment (CEQA Guidelines § 15061(b)(3)).

DIVISION XI. SEVERABILITY CLAUSE

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance. The Council hereby declares that it would have adopted the ordinance, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases be declared invalid.

DIVISION XII. EFFECTIVE DATE

This Ordinance shall take effect and be enforced on January 1, 2026. 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 October 7, 2025 and passed by the following vote:

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

ADOPTED AND ORDERED published at a regular meeting of the City Council held October 21, 2025, and passed by the following vote:

AYES: COUNCILMEMBERS
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS
ABSTAIN: COUNCILMEMBERS

APPROVED:

Carolyn Wysinger, Mayor

ATTEST:

Holly M. Charléty, 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. 2025-03 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 21st of October, 2025; 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, this day of _____.
_____.

Holly M. Charléty, City Clerk



AGENDA BILL

Agenda Item No. 9.A.

Date: October 21, 2025
To: El Cerrito City Council
From: Shannon Bassi, Human Resources Manager
Subject: Approval of a Memorandum of Understanding between the City of El Cerrito and United Professional Firefighters Local 1230

ACTION PROPOSED

Adopt a resolution approving a new Memorandum of Understanding between the City of El Cerrito and United Professional Firefighters Local 1230 modifying language on salaries and benefits, and approving an appropriation of \$120,116 from the General Fund unassigned balance.

BACKGROUND/ANALYSIS

On March 7, 2023 the City Council approved amendments to the Memorandum of Understanding (MOU) with United Professional Firefighters Local 1230 Unit (Resolution [2023-19](#)), extending the agreement through June 30, 2025. Local 1230 represents the classifications of Fire Captain, Fire Engineer, Firefighter, and Fire Prevention Officer I/II within the El Cerrito Fire Department. Since that time, City representatives have met in good faith with Local 1230 representatives in numerous meetings and have successfully negotiated a new MOU.

The following is a summary of the proposed agreement with Local 1230:

- **Term:** The agreement will be effective from July 1, 2025 through June 30, 2028.
- **Salary:** Effective each fiscal year (July 2025, July 2026, and July 2027), the base monthly salaries for all classifications in the bargaining unit will be increased by 3% each year.
- **Market Adjustments:** To align salaries with current market data from comparator agencies, a 1.5% market adjustment will be applied to the base monthly salaries of the Firefighter, Fire Engineer, and Fire Captain classifications effective in January 2026, January 2027, and January 2028.
- **One-Time Payment:** Employees in the bargaining unit who were employed by the City on September 1, 2025, will receive a one-time Payment of \$2,400. Additionally, employees in the bargaining unit who are employed on July 1, 2026, will receive a one-time payment of \$2,500 in July 2026.
- **Career Incentive Program:** Effective July 2026, employees will receive a 3% differential for holding an AA/AS degree and a 5% differential for holding a BA/BS degree. It should be noted these percentages are not compounding.
- **Uniform Allowance:** Effective July 2025, the uniform allowance will increase to \$38.47 per pay period.

- Bilingual Pay: Effective July 2025, eligible employees who pass a bilingual proficiency skill test will receive \$50.00 per payroll.

The City would like to thank Local 1230 and their representatives for their continued leadership during the negotiation process. The City looks forward to maintaining a strong and collaborative relationship with Local 1230.

STRATEGIC PLAN CONSIDERATIONS

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

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

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

The total increase in cost for the contract is \$268,968 in FY 2025-26, \$661,352 in FY 2026-27, and \$964,837 in FY 2027-28. Most of these costs were budgeted for in FY 2025-26, but staff is requesting additional appropriation authority from the General Fund unassigned balance for FY 2025-26 in the amount of \$120,116. The increased cost for FY 2026-27 and 2027-28 will be included during the upcoming Biennial Budget process and formally adopted annually by the City Council in 2026 and 2027.

LEGAL CONSIDERATIONS

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

Reviewed by:



Karen Pinkos, City Manager

Attachments:

1. Resolution
2. Exhibit A to Resolution
3. May 22, 2025 Tentative Agreement
4. June 5, 2025 Tentative Agreement
5. June 26, 2025 Tentative Agreement
6. September 24, 2025 Tentative Agreement

RESOLUTION 2025-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO APPROVING AN AMENDMENT TO THE EXISTING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE UNITED PROFESSIONAL FIREFIGHTERS ASSOCIATION, LOCAL 1230 (LOCAL 1230) TO MODIFY LANGUAGE ON SALARIES AND BENEFITS FROM JULY 1, 2025 THROUGH JUNE 30, 2028.

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

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

WHEREAS, the United Professional Firefighters, Local 1230 is recognized as the majority bargaining unit for firefighters, fire engineers, fire captains, and fire prevention officers I/II; and

WHEREAS, representatives of the City of El Cerrito and the United Professional Firefighters, Local 1230, have met and conferred in good faith; and

WHEREAS, Resolution 2023-19 approved the current Memorandum of Understanding with United Professional Firefighters, Local 1230; and

WHEREAS, during the course of bargaining, four tentative agreements between the City and Local 1230 were signed, dated May 22, June 5, June 26, and September 24, 2025. The tentative agreements have been incorporated into a proposed amended Memorandum of Understanding between the City and Local 1230, attached hereto as Exhibit A; and

WHEREAS, the City of El Cerrito and United Professional Firefighters, Local 1230 representatives have agreed to modify the salaries and benefits through June 30, 2028.

NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby approve the attached Memorandum of Understanding between the City of El Cerrito and United Professional Firefighters, Local 1230 effective through June 30, 2028, and authorizes the City Manager to execute the MOU, including any minor amendments and subject to final review by the City Attorney.

BE IT FURTHER RESOLVED by the City Council of the City of El Cerrito that it hereby approves of additional appropriations authority of \$120,116 for the General Fund for Fiscal Year 2025-26.

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

I CERTIFY that at a regular meeting on October 21, 2025 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:

Carolyn Wysinger, Mayor

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE CITY OF EL CERRITO-

AND

**UNITED PROFESSIONAL
FIREFIGHTERS LOCAL 1230**



July 1, 20252 – June 30, 20285

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF ELCERRITO
AND
UNITED PROFESSIONAL FIREFIGHTERS LOCAL 1230**

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**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF ELCERRITO
AND
UNITED PROFESSIONAL FIREFIGHTERS LOCAL 1230**

**ARTICLE I
Preamble**

This Agreement is entered into by and between the City of El Cerrito, hereinafter referred to as the "City," and the United Professional Firefighters Local 1230, hereinafter referred to as Local 1230.

**ARTICLE II
Nondiscrimination and Affirmative Action**

This agreement applies equally to all members of the bargaining unit regardless of race, sex, age, creed or political or religious affiliation.

Local 1230 and the City will not discriminate in employment relations against any employee because of sex, race, age, national origin, marital status, religion, disability or political affiliation unless based upon a bona fide occupational qualification. Local 1230 will support the City in achieving the goals of the City Council policy on "Equal Employment Opportunity and Affirmative Action" and of the City's Affirmative Action Plan. Local 1230 and the City equally share the responsibility for upholding this provision of the agreement.

**ARTICLE III
Term and Scope of Agreement**

3.1 Duration of this Memorandum

This agreement shall be in full force and effect commencing July 1, 2025, through June 30, 2028. Terms and conditions of this Agreement shall remain in full force until adoption of a successor Agreement.

Nothing herein shall prevent the parties to this Agreement from meeting and conferring and making modifications hereto by mutual consent.

3.2 Procedure for Meet and Confer

A. New Agreement

Upon request of either party, both parties shall meet to begin negotiations for a new agreement prior to the expiration of the existing memorandum.

Local 1230 negotiating committee may be limited to six members.
Representation from the unit may be limited to three employees with

appropriate arrangements made to relieve one of three from duty status for purposes of meeting and conferring. Any additional members shall be approved by the Human Resources Manager of the City.

Both the City and Local 1230 shall notify each other in writing as to the members of their respective negotiating teams. The first order of business between the parties shall be to develop ground rules to govern the conduct of negotiations.

B. Existing Agreement

Nothing herein shall prevent the parties to this Memorandum of Understanding from meeting and conferring and making modifications herein by mutual consent. Should either party wish to discuss policies, procedures or their concerns pertaining to employment conditions and employer-employee relations, it shall notify the other in writing stating: A request to meet and confer; the issue in question, accompanied by a supporting written statement; and a recommended date of meeting.

ARTICLE IV
Local 1230

4.1 Recognition of Local 1230

Pursuant to and in accordance with all applicable provisions of the California Government Code, Sections 3500 through 3510, as amended, the City hereby recognizes Local 1230 as the exclusive representative for the purpose of meet and confer in respect to rates of compensation, hours and other terms and conditions of employment for all Fire personnel, excluding chief officers, and agrees to meet and confer with Local 1230 in all matters relating to wages, hours and other terms and conditions of employment.

4.2 Local 1230 Membership

Membership shall include the following classifications: Fire Captain, Fire Engineer, ~~and Firefighter~~, and Fire Prevention Officer I/II.

4.3 Designated Association Representatives

Local 1230 shall designate representatives to meet with the City. Local unit representatives also shall be designated and shall be available for each duty shift.

4.4 Use of City Facilities

Local 1230 may be granted, at times acceptable to the Fire Chief, the use of City facilities during work hours for meetings of City employees, provided space is available.

4.5 Use of Bulletin Boards

Local 1230 may use portions of City bulletin boards under the following conditions:

- A. All material must be dated and must identify the organization that published it.
- B. Posting will be done by Local 1230. Material shall be removed after the material is no longer relevant to the time or date of issue. Material shall be removed by Local 1230 personnel whenever practical.
- C. The City reserves the right to determine where bulletin boards shall be placed and what portions are to be allocated to Local 1230 material.
- D. Material which the Fire Chief considers objectionable shall be brought to the attention of the local representative. Material which is offensive, unprofessional, disrespectful or inappropriate to the mission of the Department or the values of the City will be removed from the bulletin board immediately. This requirement shall not infringe in any way upon Local 1230's rights to organize or to conduct legitimate Local 1230 business.

Material posted which does not meet the above conditions shall be removed from the bulletin boards.

4.6 Payroll Deduction of Dues

The City agrees to allow Local 1230 dues deduction once each month. Dues and assessments, in an amount certified to be current by Local 1230, will be deducted from the pay of those employees who Local 1230 has identified in writing that such deductions shall be made and those deductions shall be remitted each month to the treasurer of Local 1230. This authorization shall remain in full force and effect during the term of this Agreement.

4.7 Labor Relations Training

The City and Local 1230 recognize the mutual benefit that can be received from the provision of periodic and appropriate labor relations training. With the prior approval of the City, Local 1230 members and management personnel shall be encouraged to attend seminars, classes and other related training in the field of labor relations.

Implementation of these training objectives shall be guided by the goals of the training program adopted by the City and Fire Department. Elements of this program shall include:

- (1) The City intends to cover the costs of course presentations;
- (2) Local 1230 shall provide labor replacement for its members who would be attending on regularly scheduled on-duty times;
- (3) While there may be many training providers and locations available, the City shall reserve the right to approve all courses and training

scheduled; and

- (4) Priority shall be given to courses and training which shall provide mutual benefit to labor and management personnel.

ARTICLE V

Management

Subject to the provisions set forth below, the City retains the right, as provided by state and federal law, to determine the mission of its constituent departments, commissions and boards; set standards of service; determine the procedures and standards of selection for employment; direct its employees; take disciplinary action; relieve its employees from duty because of lack of work or for other legitimate reasons; maintain the efficiency of governmental operations; determine the methods, means and personnel by which government operations are to be conducted; take all necessary actions to carry out its mission in emergencies; and exercise complete control and discretion over its organization and the technology of performing its work. Nothing within this article is intended to, nor shall in any way, supersede or infringe upon the rights of the recognized employee organization or its members, as contained in adopted local ordinances, resolutions, rules and regulations and/or applicable state and federal law, including, but not limited to, California State Government Code Sections 3500 through 3510 inclusive.

ARTICLE VI

Local 1230/Management Advisory Team

(AMAT)

6.1 Formation

The parties have formed a Local 1230-Management Advisory Team (AMAT) to meet to review and develop policies and procedures concerning Fire Department, matters which may be referred to the AMAT by the City, the Department or Local 1230.

6.2 Composition and Meeting Schedule

The work of the AMAT is to be carried out on a continuing basis. The AMAT shall:

- A. Be composed of six members. Local 1230 shall appoint three members and the City shall appoint three members.
- B. Regular meetings will be held at least quarterly to discuss and review policies and procedures concerning departmental matters.
- C. Special meetings may be called as necessary.

6.3 Utilization

AMAT is not a decision-making body and its recommendations are not binding, nor does AMAT replace other existing processes such as the grievance procedure or collective bargaining.

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- A. The AMAT may advise management in matters of departmental operations and management.
- B. The AMAT may develop processes to ensure involvement and participation of appropriate departmental personnel.
- C. The AMAT may be utilized to coordinate and refine agreements reached by both the City and Local 1230 during the meet and confer process.
- D. The AMAT may review grievances if specifically requested by the Fire Chief or Local 1230 President.

6.4 Reporting

Only issues that are mutually agreed to shall be reported out of the AMAT.

ARTICLE VII **Benefits Plan**

7.1 Health Insurance

The City has a Flexible Benefits Plan which is consistent with Section 125 of the Internal Revenue Code.

- A. With the exception of those employees who choose the "no medical plan" option, the City will contribute an amount equivalent to the rate of the lowest cost provider according to dependent status regardless of which medical plan is chosen. "According to dependent status" means that if an employee is single the employee shall receive the equivalent to the lowest cost provider's single premium. If an employee and a dependent are enrolled in a City medical plan, the employee shall receive the equivalent to the lowest cost provider's two-party premium. If an employee and more than one dependent are enrolled in a City medical plan, the employee shall receive the equivalent to the lowest cost provider's family premium.
- B. Employees may select one of the following medical plans within their individual Flexible Benefits Plan:
 - KAISER (S)
 - Alternative HMO
- C. In the event that an employee has alternate comprehensive group medical coverage through a spouse's medical plan or some other group medical plan, the employee may elect to receive "cash in-lieu" of medical coverage after they provide proof of such medical coverage to the Human Resources Department. In this event, the City shall contribute Seven Hundred and Ninety Three dollars and eighteen cents (\$793.18) to the employee's Flexible

Benefits Plan and the employee may receive this amount in cash, in which case the amount is treated as taxable income, or the employee may reallocate it toward the purchase of other benefits in the Plan, or a combination of both. The “cash in-lieu benefit amount shall be \$350 per month for: a) Employees hired after December 31, 2020; or b) existing employees who discontinue the City’s medical coverage and opt for “cash in lieu” of medical coverage at a later date as long as they meet the requirements as described above.

D. Employees may contribute salary up to the maximum allowed by law ~~\$10,000~~ on a pre-tax basis in order to purchase the following benefits:

- Medical Premiums, Co-Payments, and Deductibles;
- Dental Premiums, Co-Payments, and Deductibles;
- Un-reimbursed Medical & Dental Expenses;
- Dependent Care (\$5,000 maximum by law); and

Rules governing the allocation and distribution of such funds shall conform to applicable sections of State and Federal tax codes and the City of El Cerrito's Flexible Benefits Plan.

E. The health benefit programs recognize the participation of domestic partners of eligible employees. Please refer to the City’s Citiflex document for details.

7.2 Dental Plan

The City shall provide a dental plan, including orthodontic coverage, for represented employees and shall contribute the full cost of the premium according to dependent status. Local 1230 agrees that the City may convert carriers or administration of the current dental plan, so long as there is no reduction in benefits, nor cost to the employee.

7.3 Retirement Health Plan

A. Retirees, survivors of retirees and survivors of deceased employees, unless prohibited by the carrier, will be permitted to maintain the current level of health plan benefits available to employees. Retirees, survivors of retirees and survivors of deceased employees may maintain such health plan benefits at their discretion and with no cost to the City.

B. Post Employment Health Plan Retiree Medical:

Prior to July 1, 2008 the City will contract with Nationwide Retirement Solutions to establish a Post Employment Health Plan.

~~Effective July 2008 the City shall contribute \$300.00 per month for each member of the bargaining unit to the member’s Post Employment Health Plan account.~~

~~Effective on ratification of the Tentative Agreement the City shall increase its contribution by \$100 per month for a total City contribution of \$400 per month for each member of the bargaining unit to the member's Post Employment Health Plan account.~~

~~Effective the first full pay roll period in July 2023, the City shall increase its contribution by \$75 per month for a total City contribution of \$475 per month for each member of the bargaining unit to the member's Post Employment Health Plan account.~~

Effective the first full pay roll period in July 2024, the City shall increase its contribution by \$50 per month for a total City contribution of \$525 per month for each member of the bargaining unit to the member's Post Employment Health Plan account.

C. The City will create a Labor/Management committee to explore the IAFF MERP as a retiree health benefit program. The committee will have representatives from Management, Local 1230 and PSMA. Number of representatives from each group will be determined at a later date.

7.4 Retirement Plan for Fire Suppression Personnel

Effective June 30, 2001, the retirement plan for fire suppression personnel shall be the 3.0% @ 50 PERS Plan, including:

- Credit for Unused Sick leave at retirement
- Final Compensation - Single highest year
- 1959 Survivor Benefits Level IV

For fire suppression personnel who are hired after December 31, 2013, and who are not "Classic Employees" as defined by Cal PERS, the following retirement benefits shall be provided:

- Retirement formula commonly known as 2.7% @ 57
- Final Compensation – 3 Year Average
- Credit for Unused Sick Leave at Retirement

The employee contribution shall 50% of the normal cost as defined by PERS.

If CalPERS rules and regulations allow for the implementation of Government Code Section 20516 (Cost Sharing) on a bargaining unit by bargaining unit basis, the City will amend their contract with CalPERS to incorporate Government Code Section 20516 (Cost Sharing) for Fire Suppression Personnel. The City and the Union agree that this provision of Government Code Section 20516 shall apply to the following:

- Classic Employee
 - Effective upon implementation of Government Code Section 20516 – 3.0% of the 12% that a classic employee contributes.
 - Effective the first full pay period in July 2023 – 4.0% of the 13%

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that a classic employee contributes.

7.5 Life Insurance

The City shall provide a term life insurance policy ~~with the for represented employees. The principal sum equivalent to the employee's annual salary rounded up to the nearest \$1,000.00 with a maximum benefit of \$100,000. shall be equal to the annual salary rounded to the nearest \$1,000.00.~~

7.6 Long Term Disability Insurance

A. The City shall provide a long-term disability insurance policy at no cost to represented employees.

B. The City is willing to change its Long-Term Disability provider within 12 months of the ratification of the Tentative Agreement.

7.7 Benefit Status

A. The salary and benefits provisions contained within this Memorandum of Understanding are granted only to employees who are in a current pay status. The City shall incur no cost nor shall benefits accrue for retirees, survivors or employees in a nonpay status. Family Leave and Military Leave, however, shall be granted in accordance with the applicable provisions of State and Federal law.

B. In the event an employee is in a nonpay status because of a disputed workers' compensation claim, benefits under this article shall be continued upon written agreement of the affected employee to repay to the City the amount of any premiums paid by the City during the nonpay status period if the employee's claim is denied by the Workers' Compensation Appeals Board or withdrawn by the employee prior to a decision by the Board.

7.8 Military Service Credit as Public Service

At no cost to the City, the City shall amend its public safety PERS contract to allow fire members to purchase up to four years of service credit for any continuous active military or merchant marine service prior to employment. The employee must contribute an amount equal to the contributions for current and prior service that the employee and employer would have made with respect to that period of service.

ARTICLE VIII

Holidays

8.1 Designated Holidays

The number of designated holidays for Fire suppression personnel shall be fourteen (14). The following days are designated "holidays" and shall be the

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basis for benefits associated with this section:

New Year's Day	Indigenous People Day
Martin Luther King Jr. Day	Veterans' Day
Lincoln's Birthday	Thanksgiving Day
Washington's Birthday	Day after Thanksgiving
Memorial Day	Christmas Day
Juneteenth (June 19)	Employee's birthday
July 4th	Labor Day

8.2 Eligibility

An employee on leave of absence without pay shall not receive any compensation for holidays occurring during such leave.

An employee returning to a pay status from a non-pay status shall be eligible for holiday compensation only if the employee was in a pay status on the workday preceding the holiday.

8.3 Holiday Compensation

Fire Department personnel shall receive compensation equal to one-half of shift salary (i.e., twelve hours at 24-hour rate) for paid holidays.

ARTICLE IX
Sick Leave

9.1 Accrual

During the term of this agreement, for each completed month of service, employees in shift positions shall accrue sick leave credit of twenty-four hours per month. Sick leave for employees with twenty or more years of service shall accrue sick leave credit of thirty-six hours per month.

New employees shall be credited with their first six months accrual after completion of one fifty-six-hour workweek.

Sick leave accrual while an employee is assigned to a 40 hour workweek is at the rate of eight hours per month. Employees with 20 or more years of service shall accrue twelve hours per month.

9.2 Accumulation

There shall be no limit to the number of hours of sick leave accumulation for represented employees.

9.3 Qualifying Use and Charge

The City provides sick leave for its employees in order to provide for the adequate rest and care for an injured or sick employee so that the employee can return to work fully recovered and perform at high efficiency without risking further

debilitation or relapse under normal work conditions due to incomplete recovery. Sick leave may be used for the following or similar purposes: illness, non-job-related disability, emergency dental and medical care, or as otherwise provided in the Memorandum of Understanding. The Fire Chief shall issue departmental orders regarding sick leave usage. Sick leave usage shall be charged to the accrual on an hour-for-hour basis.

9.4 Family and Medical Care Leave

Pursuant to State and Federal law, the City will provide family and medical care leave for eligible employees. The City's Family and Medical Care Leave policy adopted by the City Council sets forth employees' rights and obligations with respect to such leave. Rights and obligations which are not specifically set forth in the City policy are in the Department of Labor regulations implementing the Federal Family and Medical Leave Act of 1993 ("FMLA"), and the regulations of the California Fair Employment and Housing Commission implementing the California Family Rights Act ("CFRA") (Government Code Section 12945.2)

Employees covered under this Memorandum of Understanding may take up to one half (1/2) of the annual accrual of accrued sick leave as family sick leave per calendar year, in accordance with Section 9.8.

9.5 40-Hour Workweek Sick Leave Conversion Factors

For employees who change from a 56-hour workweek to a 40-hour workweek, sick leave previously accrued at the 56-hour workweek rate shall be converted to a 40-hour workweek by dividing accrued sick leave by a factor of 3.0.

Sick Leave accrual for an employee who changes from a 40-hour workweek to a 56-hour workweek shall be multiplied by a factor of 3.0.

9.6 Credit Toward Retirement - PERS Plan

Employees covered under the "3% @ Age 50 and 2.7@57 PERS Plans" shall be eligible for sick leave credit toward service retirement, pursuant to Government Code Section 20862.8. In reporting the number of days of accumulated sick leave to PERS, the City shall multiply the number of 24-hour shifts accumulated by a factor of 2.05 and round to the nearest integer. For example, 122 24-hour shifts shall be converted to 250 days. PERS will multiply 250 by a factor of .004 to credit service by one year.

9.7 Unused Sick Leave Upon Death

The value of accrued sick leave shall be paid (based upon the current hourly rate) to the surviving spouse or designated beneficiary upon the death of a represented employee.

9.8 Family Sick Leave

Under Labor Code Section 233, employees may utilize accrued sick leave to care for an ill or injured child, spouse or parent. The City has extended this provision to include domestic partners and their children if residing in the employee's

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household. There is no requirement that the illness or injury reach the level of seriousness provided for under the Family and Medical Leave Acts (See Section 9.4 Family and Medical Care Leave). However, if the illness or injury qualifies under the Family and Medical Leave Act, it also satisfies the “family sick leave” criteria. The maximum “family sick leave” allowed each calendar year that is subject to this provision is one half (1/2) of the employee’s annual accrual of sick leave.

ARTICLE X

Vacation

10.1 Eligibility

Regular employees shall be eligible for a paid vacation at the current pay rate at the end of the first year of continuous employment and annually thereafter.

For purposes of this agreement, regular employees are defined as those holding a full-time, permanent position with the rank of firefighter, fire engineer and fire captain.

10.2 Accrual Rate

Vacation for employees working in the Fire Department, except as otherwise provided in this agreement, accrues as follows:

<u>Fire Service</u>	<u>Dept. Shifts</u>	<u>Hours</u>	<u>Fire Service</u>	<u>Dept. Shifts</u>	<u>Hour</u>
During 1st	6	144	16 years	12	288
2	6	144	17	12	288
3	6	144	18	12	288
4	6	144	19	12	288
5	6	144	20	12	288
6	9	216	21	12	288
7	9	216	22	12	288
8	9	216	23	12	288
9	9	216	24	12	288
10	9	216	25	12	288
11	9	216	26	13	312
12	9	216	27	13	312
13	9	216	28	13	312
14	9	216	29	13	312
15	9	216	30	13	312

10.3 Vacation Picks

Vacation will be picked by seniority on a shift basis in the following manner: First pick - six shifts; second pick - all or part of the balance earned in the current year; third pick any carryover from the prior year and single shift picks.

10.4 Vacation and Shifts

Each vacation pick in a multiple of two consecutive shifts shall begin on the first duty shift of a tour of duty.

10.5 Vacation Carryover

Employees shall take no more than the equivalent of one annual vacation period in any one calendar year, except when vacation has been deferred. Employees shall be able to carryover no more than 12 shifts of vacation to the following year. Deferral of vacation shall be subject to approval by the Fire Chief.

Effective January 1, 2026 an employee may carry over accrued vacation to the following calendar year in accordance with the following:

The vacation cap shall be two (2) times the employee's annual vacation accrual rate. Thereafter, at any time an employee reaches the maximum accrual limit, the employee will cease accruing vacation hours for that pay period, until such time as the balance falls below the cap, and the accrual of vacation hours will resume on the next available payroll period. No employee will be allowed to accrue vacation hours above the cap.

10.6 40-Hour Workweek Vacation Conversion

Accrued vacation shall be converted such that each three days of "shift" vacation shall be equivalent to 40 hours of vacation for employees covered under this section.

ARTICLE XI
Other Absence

11.1 Bereavement Leave

Employees are entitled to time off with pay when there is a death or anticipated death in the immediate family. Bereavement leave shall not exceed six (6) consecutive calendar days two shifts (or three consecutive work days for 40-hour employees) when death is anticipated. Bereavement leave after death shall not exceed that period of time between death and the day of the funeral, providing the funeral is held within six (6) consecutive calendar days (or five work days for a 40-hour employee) following death. Bereavement leave is not chargeable to sick leave.

Additional time may be granted and charged as sick leave when, in the opinion of the department head, unusual circumstances identify the need for additional time off.

Immediate family is defined as spouse, domestic partner, child, parent, parent-in-law, sister, brother, sister-in-law, brother-in-law, grandparent, spouse's

grandparent, grandchild, son-in-law, daughter-in-law, [aunt](#), [uncle](#), or any other relative of the employee or employee's spouse residing in the same household, or who has resided with the employee in the same household for three or more years. In cases where death has occurred involving someone other than the immediate family, the department head shall make the decision as to qualification for bereavement leave.

11.2 Jury Duty

Time off for jury duty shall be granted to the employee according to the City's "Personnel Rules and Regulations" and Departmental policy.

11.3 Work Substitution

Work substitution agreements between individuals shall be allowed subject to Fire Department policies and procedures.

ARTICLE XII
Work Schedule

12.1 Hours of Workweek

The work schedule for all represented regular personnel assigned to emergency response operations shall consist of twenty-four-hour duty shifts, not to exceed two hundred sixteen hours in a twenty-seven-day period schedule, known as a "48/96" (based on an average fifty-six-hour work week).

Represented regular personnel who are not assigned to emergency response operations shall work forty hours per work week.

12.2 Work Schedule Regularity

It is intended that the work schedule be regular and predictable, where feasible and consistent with the Fire Department's efficient use of personnel resources, and that it be permanent for two calendar years, except as provided for below.

12.3 Modification

A. Bi-Annual

Every two years, a "Station Bid" process will be implemented in the month of November which will give employees the opportunity to change their current shift and station. During this process a member may select their previous assignment if still available. If an employee's previous assignment is not available, they will have to make another selection. The bidding process shall be in accordance to Department policy.

B. Operational Necessity

In addition to the annual schedule modification, the Fire Chief may modify the work schedule for particular operational needs which may occur from time to time during the year.

C. Adding Stations

El Cerrito/L1230 MOU 202[25](#)-202[85](#)

Local 1230 and the City will meet and confer regarding the impact of shift and station assignments upon employees which would result from the City's assignment of employees to work at fire stations additional to the three fire stations currently operated by the El Cerrito Fire Department.

12.4 Notification

The City shall notify an employee as far in advance as is practical of a shift change.

12.5 Emergency Situation

Nothing in the above shall preclude the Fire Chief from modifying the work schedule for any represented employees as, in the Fire Chief's sole discretion, is deemed necessary in response to an "emergency situation." Where a shift change is necessitated by an "emergency situation," the City shall notify the employee of the reason for such change and, upon request, shall discuss the matter with Local 1230, provided that such discussion shall not preclude the change from taking effect.

12.6 Request for Leave for Unanticipated Absence

An employee may request leave for an unanticipated absence prior to the commencement of the employee's work shift. A leave request for an unanticipated absence should be made:

- A. Prior to 2100 Hours of the day preceding the start of the employee's scheduled work shift; or
- B. Between 0615 and 0630 Hours immediately before the start of the employee's scheduled work shift.

If necessary due to an emergency, an employee may make a leave request during the hours of 2100 to 0615 Hours. An employee requesting a leave of absence should be sensitive to the operational needs of the on-duty crew, including their need to maximize sleep opportunities during night-time hours.

ARTICLE XIII
Compensation

13.1 Base Monthly Salaries

The intention of both parties to the MOU is to achieve a median salary level with respect to surrounding response jurisdictions. Both parties recognize that wage adjustments are based partially on projections and that the actual median may differ from the final salary achieved.

~~A. Effective September 18, 2022 the base monthly salary for the classifications listed below shall be increased as follows:~~

~~Fire Captain 3.0%~~

El Cerrito/L1230 MOU 202~~5~~²⁵-202~~8~~⁵

Fire Engineer	4.5%
Firefighter	5.5%

B.A. Effective the first full pay period in July 2023³⁵, the base monthly salary for all classifications in the bargaining unit shall be increased by 3.0⁷⁵%.

B. Effective the first full pay period in July 2024⁷⁶, the base monthly salary for all classifications in the bargaining unit shall be increased by 4.5^{3.0}%.

C. Effective the first full pay period in July 2027, the base monthly salary for all classifications in the bargaining unit shall be increased by 3.0%.

D. Market Adjustments

• Effective the first full pay period in January 2026, the City will increase the salary or wage ranges of the following classifications in accordance with the following:

- Firefighter- 1.5%
- Fire Engineer – 1.5%
- Fire Captain – 1.5%

• Effective the first full pay period in January 2027, the City will increase the salary or wage ranges of the following classifications in accordance with the following:

- Firefighter- 1.5%
- Fire Engineer – 1.5%
- Fire Captain – 1.5%

• Effective the first full pay period in January 2028, the City will increase the salary or wage ranges of the following classifications in accordance with the following:

- Firefighter- 1.5%
- Fire Engineer – 1.5%
- Fire Captain – 1.5%

E. One-Time Payments

Employees in the bargaining unit, who are employed by the City on September 1, 2025, shall receive a one-time payment of \$2,400, which will be paid on the first available payroll period upon adoption of the MOU.

Employees in the bargaining unit, who are employed by the City on July 1, 2026 shall receive a one-time payment of \$2,500, which shall be paid on the second full pay period in July 2026.

All one-time payments are subject to all appropriate withholding(s).

D.F. For the purposes of establishing median total compensation, the City and EI Cerrito/L1230 MOU 202²⁵-202⁸⁵

Local 1230 agree to survey eleven jurisdictions: the eight comparable cities of Alameda, Albany, El Cerrito, Hayward, Livermore, Pinole, Pleasanton, and Richmond; and three comparable fire districts, including the Contra Costa County Fire Protection District, the Rodeo-Hercules Fire Protection District, and the San Ramon Valley Fire Protection District.

E.G. For the purposes of the agreement, “median total compensation” for the survey shall include the following items of compensation for the ranks of Firefighter, Fire Engineer, and Fire Captain: Base Salary (top step); Employee’s Retirement Contribution Paid by Employer; E.M.T. Incentive Pay; Haz-Mat Incentive Pay; Continuing Education Pay; Officer Certification Pay; A.A./B.A. Degree Pay; Acting Incentive Pay; Basic Qualifications Pay; Advanced Skills Pay; Rank Proficiency Pay; Major Emergency Pay; Uniform Allowance. The survey shall also include the maximum City contributions for dental, medical, life insurance, vision care, long term disability, and Medicare.

The City and Local 1230 should establish a Labor/Management Committee to:

- Review the comparable cities and special districts; and
- Review salary components; and
- Review the benefits to be surveyed
 - If the committee fails to reach mutual agreement on comparable agencies and salary/benefits to be surveyed the current survey shall remain.

A salary schedule will be added by addendum when final computations are approved by the City Budget/Financial Services Manager.

13.2 Staff Salary Differential

A. Staff Officer

An employee assigned from a 24-hour shift assignment to a 40-hour work week Staff Officer position shall receive Captain Step E-5 salary plus ten percent (10%). An employee serving in a Staff Officer position shall not receive holiday pay.

An employee, who is receiving a paramedic differential, who is assigned to a Staff Officer shall maintain their paramedic differential.

B. Staff Duty Assignment

Subject to the provisions of Section 16.1 of this Agreement, an employee assigned from a 24-hour shift assignment to a 40-hour work week staff duty assignment shall receive Step E-5 salary of the employee's current rank plus ten percent (10%). An employee serving in a staff duty assignment shall not receive holiday pay.

13.3 Pension Reimbursement

El Cerrito/L1230 MOU 20225-20285

A. A represented regular employee's base monthly salary shall be as stated in Section 13.1, with the employee's P.E.R.S. contribution paid by the City.

- Effective July 15, 2014, employees shall make a 9.0% employee contribution towards PERS.
- Effective the first full pay period in July 2015, employees shall make an additional 1.5% contribution towards PERS, for a total of 10.5% contribution towards PERS.
- Effective the first full pay period in July 2016, employees shall make an additional 1.5% contribution towards PERS, for a total of 12.0% contribution towards PERS.
- Effective the first full pay period in July 2023 classic employees shall make an additional 1.0% contribution towards PERS, for a total of 13% contribution towards PERS.
- Effective the first full pay period in July 2023, members of the bargaining unit shall receive a 1.0% salary increase. This salary increase will assist with offsetting the employee cost of the 1.0% additional retirement contribution.
- Employees hired after December 31, 2012, who are not "Classic Employees" as defined for PERS and are receiving retirement benefits as per the Public Employees' Pension Reform Act (PEPRA), shall pay 50% of the normal costs of their retirements as determined by PERS.

B. An employee's pension contribution shall be tax deferred and made in accordance with IRS Section 414 H(2)

C. The employer-paid employee contribution to PERS shall be reported to PERS as special compensation so that it will be included as compensation for calculation of retirement benefits. Any required additional contribution to PERS on this special compensation shall be the responsibility of the employee.

13.4 Promotion

When a Firefighter is promoted to Engineer or Captain, the employee shall be placed on the lowest step of the promotional salary range that provides a minimum 5% salary increase.

When an Engineer is promoted to Captain, the employee shall be placed on the lowest step of the promotional salary range that provides a minimum 5% salary increase.

13.5 Paramedic Compensation

A Firefighter, Fire Engineer or Fire Captain who is assigned as a department paramedic shall receive a ten (10%) percent salary differential.

ARTICLE XIV

Overtime

14.1 Overtime Policy Definition

It is the policy of the City that

- (a) overtime work should be kept to a minimum,
- (b) overtime assignment is subject to departmental rules and procedures and
- (c) assignment of overtime for shift vacancies or absences should be done in a manner, when possible, to provide an equal opportunity for all regular employees.

This overtime policy will be administered in a manner consistent with the protection of the lives and property of El Cerrito ~~citizens~~ community members and the efficient operation of the Fire Department and the City. Overtime must be authorized by the Fire Chief and is subject to such other rules and procedures as the City Manager may prescribe.

Overtime work for all employees, except as otherwise provided, shall be defined as any time worked beyond the normal working day or shift, or beyond the normal working week. If time is lost during the regular workweek for unexcused absence, overtime pay on a daily basis shall not be allowed. Time worked in excess of the basic workweek because of changes in days off or shifts shall not be considered overtime. Except as otherwise provided herein, overtime shall commence at the time an employee reaches the place where the employee is directed to report and shall continue until the employee is released or the work is completed, whichever is the earlier.

14.2 Minimum Call-Out Compensation

Employees who are called out to perform unscheduled work or emergency duty shall be compensated for a minimum of two hours work at the time-and-one-half rate of the eight-hour daily rate.

14.3 Non-On-Call Overtime

Non-on-call overtime, or that overtime which represents a simple extension of the normal workday, is not subject to any minimum period for pay purposes. Compensation will be based on the nearest one-half hour with increments of time less or more than one-half hour to be rounded off.

14.4 Overtime Calculation

Overtime is calculated in two ways:

- A. The 24-hour shift rate is calculated by multiplying the base salary identified in Section 13.1 by twelve months and dividing by the yearly 56-hour rate of 2,912 hours (56 hours x 52 weeks). Overtime under the 24-hour shift rate shall be paid for all overtime assignments on emergency response operations greater than eight consecutive hours and for all non-on-call overtime.

- B. The eight-hour rate shall be calculated by multiplying the base salary identified in Section 13.1 by twelve months and dividing by the yearly 40-hour rate of 2,080 hours. Overtime under the 8-hour shift rate shall be paid for all overtime assignments of less than eight consecutive hours in duration, except non-on-call overtime.

Overtime in excess of twenty-four consecutive hours shall initiate a second cycle of overtime pay, at time-and-one-half the eight-hour rate for assignments of up to eight consecutive hours and at time-and-one-half the 24-hour rate for assignments greater than eight consecutive hours.

14.5 Overtime Call-in

In the Fire Department, replacement staffing for short engine companies shall be taken from available personnel on duty. If there are no available replacements on duty, the parties agree that overtime call-out will be made in accordance with the Department's overtime policy.

14.6 Compensatory Time Off

Employees shall be allowed to accumulate, at a rate of time and one-half (1- 1/2) for overtime worked, up to ninety-six (96) hours of compensatory time off.

In determining the ability of the Fire Department to permit use of compensatory time off at a given time, consideration will be given to:

- (a) The wishes of the employee;
- (b) the date of application for a specific time off; and
- (c) the seniority of the employee (in the event of multiple requests).
- (d) Preference will be given to an employee using compensatory time off to extend vacation time.

ARTICLE XV

Working In Higher Classification

15.1 Higher Classification Pay Differential

Employees working in a higher classification for more than two consecutive hours shall receive a five percent differential for time worked in the higher class, except firefighters who act as captains for more than two consecutive hours, who shall receive a ten percent differential for time worked.

ARTICLE XVI

Staff Duty Assignment

16.1 Definition/Duties

The Department may assign an employee to "40-hour per week" staff duty positions. The Fire Chief will attempt to fill each staff duty position by selecting a qualified employee from those who offer to serve in that capacity. Staff duty assignments shall be of two types: Staff Officer and Staff Assignment.

El Cerrito/L1230 MOU 20225-20285

A. Staff Officer. Staff Officer shall be of the rank of Fire Captain or above. Duties assigned for a staff officer position shall be commensurate with the training and professional scope of practice for the rank of Fire Captain or above. Staff officer positions may include Fire Prevention Officer I/II, Public Education Officer, Training Officer, Apparatus Officer, Fire Investigator, Hazardous Materials Officer or other duty positions which the Fire Chief in his sole discretion may establish to manage the staff resources of the department.

B. Staff Assignment. Staff assignments to 40-hour per week duty may be given to any employee below the rank of Fire Captain.

Personnel may be assigned to Staff Duty Assignments for the purposes of attendance at schools, seminars or other professional development. Such assignments would normally last two weeks or less.

Staff duty assignments to 40-hour per week duty positions may be organized on a long-term basis; therefore, the employee in a staff duty position may be required to remain in this assignment for one year before requesting reassignment. The Fire Chief will endeavor to make sure that any work schedule change is implemented with as little inconvenience as possible to the employee.

A staff duty assignment must be for a minimum of 90 days in order to be eligible for staff salary differential. The staff salary differential shall be retroactive to the date of the assigned staff duty if the 90-day duration is not anticipated in advance and is subsequently worked by the employee.

16.2 Sick Leave Accrual and Usage

Sick leave accrued at the 24-hour rate prior to an employee's assignment to a 40-hour workweek should be converted as of the assignment date by dividing the existing accrual by 3.0. Sick leave accrual while an employee is assigned to a 40-hour workweek is at the rate of eight hours per month. Employees with 20 or more years' service shall accrue twelve hours per month.

Sick leave usage shall be on an hour-for-hour basis; that is, if the employee is absent for eight hours, then eight hours of sick leave shall be used.

16.3 Overtime

Overtime, which is an extension of the normal 40-hour workweek, shall accrue at a rate of time-and-one-half, to be taken as flexible time off of the 40-hour workweek.

Overtime which is accrued as a result of an emergency response operations assignment shall be paid at a rate of time-and-one-half pursuant to the overtime provisions of this Agreement.

ARTICLE XVII

Education Benefits

17.1 Tuition Refund Plan

~~When an employee enrolls and attends approved courses on employee's own time, the City may reimburse the employee for required school fees, such as tuition, books and registration fees. Mileage and optional fees shall not be refundable. Fire Chief verification of available budgeted funds and approval shall be obtained by the employee before registering for any course in order to be eligible for refund of required fees.~~

When an employee enrolls in approved courses on their own time, the City will pay required school fees, such as tuition and registration fees and books required by the course syllabus subject to the annual reimbursement limit of \$1,000 while pursuing an AA, and \$2,500 while pursuing a BA/BS. ~~Mileage and optional fees shall not be refundable.~~

Approval from the Fire Chief shall be obtained by the employee before registering for any course in order to be eligible for refund on required fees. Reimbursement shall only be made upon satisfactory completion of the course.

Courses taken at any college, university, high school, business or technical school, or courses given by a recognized correspondence school shall be approved when they are:

1. Related to the employee's present position in the City.
2. Related to the employee's potential development with the City.
3. Part of a program leading to a degree relating to the employee's present position or potential for development.
4. Required to obtain a high school diploma.

Any employee may apply for such refund of required fees, pursuant to the rules and procedures established by the City Manager.

In the event an employee receives assistance under federal or state government legislation or other student aid programs for education charges for any approved course, only the difference between such assistance and the education charges an employee actually incurs may be refunded under this plan. It is the employee's responsibility to report any and all financial aid.

~~If an employee fails to satisfactorily complete an approved course, the employee shall not be eligible for a tuition refund for that course.~~

Should an employee receive an advance refund of tuition and required fees and

should that employee fail to complete the course(s) satisfactorily, the employee shall be required to return to the City such ~~refunded~~ tuition and required fees.

17.2 Emergency Medical Technician/Paramedic Training

The City will offer on-the-job continuing education and new skills training for EMT's and Paramedics and shall require all personnel to maintain their level of emergency medical skills.

17.3 Career Incentive Program

Effective the first full pay period in July 2026, employees who are eligible or become eligible for the career incentive program shall receive one of the following:

- An employee who has an AA/AS degree from an accredited college or university shall receive a differential of three percent (3.0%) of base pay.
- An employee who has completed 60 semester units from an accredited college or university and completes six (6) semester units every 24 months shall receive a differential of three percent (3.0%) of base pay.
- An employee who has a BA/BS degree from an accredited college or university shall receive a differential of five percent (5.0%) of base pay.

The incentives are not compounding. An employee can only receive one of the incentives listed above. Pay eligibility is dependent upon submitting proof of completion either through an official transcript or copy of degree certificate. Payment will be effective on the date the proof of completion was submitted to the Department or Human Resources.

17.4 Attendance

Course attendance shall be on an off-duty, no-compensation basis at no expense to the City of El Cerrito.

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**ARTICLE XVIII
Miscellaneous**

18.1 Uniform Allowance

A. The classifications of Fire Captain, Fire Engineer and Firefighter shall receive a uniform allowance paid each pay period in the amount of ~~\$38.47~~\$27.89.

~~B. Effective the first full pay period in January 2023, the allowance shall be increased to \$34.62 per pay period.~~

~~C. Effective the first full pay period in January 2024, the allowance shall be increased to \$38.47 per pay period.~~

18.2 Uniform Repair

El Cerrito/L1230 MOU 202~~25~~-202~~85~~

It is the policy of the City to pay for the cost of repairing uniforms and equipment of uniformed members of the Fire Department which are damaged in the line of duty. If such damage(s) is beyond repair, the City will pay the actual value of the uniform and equipment, to be determined according to a depreciation schedule. Claims shall be submitted to the Fire Chief.

18.3 Bilingual Pay

Effective the first full pay period in July 2025, the City shall pay fifty dollars (\$50.00) per pay period to employees who are in positions designated for bilingual pay by Human Resources based on the operational needs of the City. Individuals eligible to receive bilingual pay will be required to pass an examination establishing their bilingual skill. The examination shall focus on the employee's ability to speak and comprehend the designated language.

48-318.4 Annexations

During the term of this agreement, all proposed fire service annexations and consolidations of services which affect the employment conditions of members represented by Local 1230 shall be subject to the meet and confer process.

48-418.5 Successor to Agreement

In the event that there is a successor to the City in this agreement, the City of El Cerrito shall lend its good offices in an effort to continue affected represented employees' wages and benefits with such successor.

48-518.6 Appendices and Amendments

All appendices and amendments to the agreement shall be numbered, dated and signed by the responsible parties and shall be subject to all provisions of this agreement.

The numbering system will maintain the current City numbering, as well as indicate the source of the content, if it is from Local 1230's adopted Memorandum of Understanding.

48-618.7 Promotional Examinations

A written test administered as part of a promotional examination for the rank of Fire Engineer shall rely and be based upon a reference material list for the rank of Fire Engineer. A written test administered as part of a promotional examination for the rank of Fire Captain shall rely and be based upon a reference material list for the rank of Fire Captain.

The Fire Chief shall publish and maintain all Promotional Examination Reference Material Lists. Additions, deletions or changes to a Promotional Examination Reference Material List may be made at any time by the Fire Chief.

Any written test administered as part of a promotional examination shall rely and
El Cerrito/L1230 MOU 20225-20285

be based upon a Promotional Examination Reference List that was in effect at least four months prior to the written test date.

ARTICLE XIX

Joint Response

Local 1230 and the City acknowledge that the City is party to mutual aid agreements and automatic aid joint response arrangements with surrounding jurisdictions, including the City of Richmond, to ensure adequate fire protection services for each of the participating parties.

ARTICLE XX

Layoff and Demotion

20.1 Personnel Reduction. Lay Off and Notification

Pursuant to the City's "Personnel Rules and Regulations," personnel may be separated from employment by the City due to lack of work, lack of funds or abolition of position(s). It shall be policy to provide at least thirty days written notice to all affected personnel in the event of layoff.

In case of a personnel reduction due to layoff, the employees with the least seniority will be laid off first. Time with the City will be given the utmost consideration. No new employees shall be hired within three years of the layoff date until the laid-off employees have been given the opportunity to return to work.

An employee who is laid off shall remain on a reemployment list for three years after the date of layoff. The City, at its own cost, may require a medical physical to determine fitness for duty prior to offering reemployment.

Prior to any action taken on a proposal to reduce the current staffing levels, the City agrees to meet and confer with Local 1230.

20.2 Demotion

It shall be City policy to provide at least thirty days written notice to all affected personnel in the event of a demotion other than a disciplinary demotion. Any demotion other than a disciplinary demotion shall be based upon seniority in position, that is, the last employee promoted shall be the first employee demoted.

ARTICLE XXI

Existing Practices

This Memorandum of Understanding includes all provisions relative to wages, hours, and other terms and conditions of employment resultant from the meet and confer process. The parties recognize, however, that there may be practices and customs which are within the scope of representation as defined in Government Code Section 3504 (Meyers-Milias-Brown Act), which do not appear in this Memorandum of

El Cerrito/L1230 MOU 20225-20285

Understanding. The City and Local 1230 agree that before undertaking to change any such practices or customs, the other party shall be notified of such a proposal, and the parties shall promptly meet and confer in good faith and endeavor to reach agreement regarding the proposal.

ARTICLE XXII

Disciplinary Action

The City's "Complaint and Grievance Procedure," as contained in Chapter 12 of the "Personnel Rules and Regulations," is incorporated by reference to be a part of this Agreement.

ARTICLE XXIII

Severability

In the event that any provision of this Memorandum of Understanding is declared by a court of competent jurisdiction to be illegal or unenforceable, such provision shall be null and void, but such nullification shall not affect any other provision of this Memorandum of Understanding, all of which other provisions shall remain in full force and effect.

* * * * *

Approved and Accepted:

For the City of El Cerrito

For Local 1230

_____ Karen Pinkos City Manager	_____ Vince Wells Association Labor Representative
_____ Glenn Berkheimer City Negotiator	_____ Ken Martin Dept. Local 1230 Representative
_____ Shannon Bassi Human Resources Manager	_____ Gary Williams Dept. Local 1230 Representative

_____ Will Provost Assistant to the City Manager	_____ Mark Figueira Dept. Local 1230 Representative
	_____ Adam Birdsell Dept. Local 1230 Representative

DRAFT

TENTATIVE AGREEMENTS
Between
City of El Cerrito
And
Local 1230

May 22,, 2025

4.2 Local 1230 Membership

Membership shall include the following classifications: Fire Captain, Fire Engineer, ~~and Firefighter~~ and Fire Prevention Officer I/II.

7.1 Health Insurance

D. Employees may contribute salary up to the maximum allowed by law ~~\$10,000~~ on a pre-tax basis in order to purchase the following benefits:

- Medical Premiums, Co-Payments, and Deductibles;
- Dental Premiums, Co-Payments, and Deductibles;
- Un-reimbursed Medical & Dental Expenses;
- Dependent Care (\$5,000 maximum by law); and

Rules governing the allocation and distribution of such funds shall conform to applicable sections of State and Federal tax codes and the City of El Cerrito's Flexible Benefits Plan.

7.5 Life Insurance

The City shall provide a term life insurance policy with for represented employees. ~~The principal sum~~ equivalent to the employee's shall be equal to the annual salary rounded to the nearest \$1,000.00 with a maximum benefit of \$100,000.

13.1 Staff Salary Differential

A. Staff Officer

An employee assigned from a 24-hour shift assignment to a 40-hour work week Staff Officer position shall receive Captain Step ~~5E~~ salary plus ten percent (10%). An employee serving in a Staff Officer position shall not receive holiday pay.

An employee, who is receiving a paramedic differential, who is assigned to a Staff Officer shall maintain their paramedic differential.

B. Staff Duty Assignment

Subject to the provisions of Section 16.1 of this Agreement, an employee assigned from a 24-hour shift assignment to a 40-hour work week staff duty assignment shall receive Step 5E salary of the employee's current rank plus ten percent (10%). An employee serving in a staff duty assignment shall not receive holiday pay.

14.1 Overtime Policy Definition

It is the policy of the City that

- (a) overtime work should be kept to a minimum,
- (b) overtime assignment is subject to departmental rules and procedures and
- (c) assignment of overtime for shift vacancies or absences should be done in a manner, when possible, to provide an equal opportunity for all regular employees.

This overtime policy will be administered in a manner consistent with the protection of the lives and property of El Cerrito community members~~citizens~~ and the efficient operation of the Fire Department and the City. Overtime must be authorized by the Fire Chief and is subject to such other rules and procedures as the City Manager may prescribe.

Overtime work for all employees, except as otherwise provided, shall be defined as any time worked beyond the normal working day or shift, or beyond the normal working week. If time is lost during the regular workweek for unexcused absence, overtime pay on a daily basis shall not be allowed. Time worked in excess of the basic workweek because of changes in days off or shifts shall not be considered overtime. Except as otherwise provided herein, overtime shall commence at the time an employee reaches the place where the employee is directed to report and shall continue until the employee is released or the work is completed, whichever is the earlier.

16.1 Definition/Duties

The Department may assign an employee to "40-hour per week" staff duty positions. The Fire Chief will attempt to fill each staff duty position by selecting a qualified employee from those who offer to serve in that capacity. Staff duty assignments shall be of two types: Staff Officer and Staff Assignment.

- A. Staff Officer. Staff Officer shall be of the rank of Fire Captain or above. Duties assigned for a staff officer position shall be commensurate with the training and professional scope of practice for the rank of Fire Captain or above. Staff officer positions may include Fire Prevention Officer I/II, Public Education Officer, Training Officer, Apparatus Officer, Fire Investigator, Hazardous Materials Officer or other duty positions which the Fire Chief in his sole discretion may establish to manage the staff resources of the department.

17.1 Tuition Refund Plan

When an employee enrolls and attends approved courses on employee's own time, the City may reimburse the employee for required school fees, such as tuition, books and registration fees. Mileage and optional fees shall not be refundable. Fire Chief verification of available budgeted funds and approval shall be obtained by the employee before registering for any course in order to be eligible for refund of required fees.

Courses taken at any college, university, high school, business or technical school, or courses given by a recognized correspondence school shall be approved when they are:

1. Related to the employee's present position in the City.
2. Related to the employee's potential development with the City.
3. Part of a program leading to a degree relating to the employee's present position or potential for development.
4. Required to obtain a high school diploma.

Any employee may apply for such refund of required fees, pursuant to the rules and procedures established by the City Manager.

In the event an employee receives assistance under federal or state government legislation or other student aid programs for education charges for any approved course, only the difference between such assistance and the education charges an employee actually incurs may be refunded under this plan. It is the employee's responsibility to report any and all financial aid.

If an employee fails to satisfactorily complete an approved course, the employee shall not be eligible for a tuition refund for that course.

Should an employee receive an advance refund of tuition and required fees and should that employee fail to complete the course(s) satisfactorily, the employee shall be required to return to the City such refunded tuition and required fees.

18.1 Uniform Allowance

A. The classifications of Fire Captain, Fire Engineer and Firefighter shall receive an a uniform allowance paid each pay period in the amount of \$38.4727.89.

~~B. Effective the first full pay period in January 2023, the allowance shall be increased to \$34.62 per pay period.~~

~~C. Effective the first full pay period in January 2024, the allowance shall be~~

increased to ~~\$38.47~~ per pay period.

Local 1230 Proposals

UP #7 New Article – Bilingual Pay

Effective the first full pay period in July 2025, the City shall pay fifty dollars (\$50.00) per pay period to employees who are in positions designated for bilingual pay by Human Resources based on the operational needs of the City. Individuals eligible to receive bilingual pay will be required to pass an examination establishing their bilingual skill. The examination shall focus on the employee's ability to speak and comprehend the designated language.

For the City

Glenn Bulchman 5/22/2025
Shannon Busby 5/22/2025
[Signature] 5/22/25

For Local 1230

[Signature]
[Signature]
Adam Bif

TENTATIVE AGREEMENTS
Between
City of El Cerrito
And
Local 1230

June 5, 2025

UP #1 Article 7.3 Retirement Health Plan – The City will create a Labor/Management committee to explore the IAFF MERP as a retiree health benefit program. The committee will have representatives from Management, Local 1230 and PSMA. Number of representatives from each group will be determined at a later date.

UP #2 Article 7.6 Long Term Disability Insurance – The City is willing to change its -Long Term Disability provider within 12 months of the ratification of the Tentative Agreement.

UP #6 Article 17.1 Tuition Refund Plan

When an employee enrolls and attends approved courses on employee's own time, the City may reimburse the employee for required school fees, such as tuition, books and registration fees. Mileage and optional fees shall not be refundable. Fire Chief verification of available budgeted funds and approval shall be obtained by the employee before registering for any course in order to be eligible for refund of required fees.

Employees are eligible for educational cost reimbursement up to a maximum of \$1,000 per year for work-related studies at a recognized college, university or professional school. Management employees are eligible for education reimbursement up to a maximum of \$3,500 per year while pursuing a master's degree. These reimbursements limits are not compounding.

When an employee enrolls in approved courses on their own time, the City will pay required school fees, such as tuition and registration fees and books required by the course syllabus subject to the annual reimbursement limit of \$1,000 while pursuing an AA, \$2,500 while pursuing a BA/BS. Mileage and optional fees shall not be refundable.

Approval from the Fire Chief shall be obtained by the employee before registering for any course in order to be eligible for refund on required fees. Reimbursement shall only be made upon satisfactory completion of the course.

Courses taken at any college, university, high school, business or technical school, or courses given by a recognized correspondence school shall be approved when they are:

1. Related to the employee's present position in the City.
2. Related to the employee's potential development with the City.
3. Part of a program leading to a degree relating to the employee's present position or potential for development.
4. Required to obtain a high school diploma.

Any employee may apply for such refund of required fees, pursuant to the rules and procedures established by the City Manager.

In the event an employee receives assistance under federal or state government legislation or other student aid programs for education charges for any approved course, only the difference between such assistance and the education charges an employee actually incurs may be refunded under this plan. It is the employee's responsibility to report any and all financial aid. (T/A on 5/22/2025)

~~If an employee fails to satisfactorily complete an approved course, the employee shall not be eligible for a tuition refund for that course.~~

Should an employee receive an advance refund of tuition and required fees and should that employee fail to complete the course(s) satisfactorily, the employee shall be required to return to the City such ~~refunded~~ tuition and required fees.

10.5 Vacation Carryover

Employees shall take no more than the equivalent of one annual vacation period in any one calendar year, except when vacation has been deferred. Employees shall be able to carryover no more than 12 shifts of vacation to the following year. Deferral of vacation shall be subject to approval by the Fire Chief.

Effective January 1, 2026 an employee may carry over accrued vacation to the following calendar year in accordance with the following:

The vacation cap shall be two (2) times the employee's annual vacation accrual rate. Thereafter, at any time an employee reaches the maximum accrual limit, the employee will cease accruing vacation hours for that pay period, until such time as the balance falls below the cap, and the accrual of vacation hours will resume on the next available payroll period. No employee will be allowed to accrue vacation hours above the cap.

11.1 Bereavement Leave

Employees are entitled to time off with pay when there is a death or anticipated death in the immediate family. Bereavement leave shall not exceed six (6)

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consecutive calendar days~~two shifts~~ (or three consecutive work days for 40-hour employees) when death is anticipated. Bereavement leave after death shall not exceed that period of time between death and the day of the funeral, providing the funeral is held within six (6) consecutive calendar days (or five workdays for a 40-hour employees) following death. Bereavement leave is not chargeable to sick leave.

Additional time may be granted and charged as sick leave when, in the opinion of the department head, unusual circumstances identify the need for additional time off.

Immediate family is defined as spouse, domestic partner, child, parent, parent-in-law, sister, brother, sister-in-law, brother-in-law, grandparent, spouse's grandparent, grandchild, son-in-law, daughter-in-law, aunt, uncle or any other relative of the employee or employee's spouse residing in the same household, or who has resided with the employee in the same household for three or more years. In cases where death has occurred involving someone other than the immediate family, the department head shall make the decision as to qualification for bereavement leave.

For the City

Shannon Bassi
Adam Butler

For Local 1230

Adam Bassi
Adam Bassi
Adam Bassi
Adam Bassi

TENTATIVE AGREEMENTS
Between
City of El Cerrito
And
Local 1230

June 26, 2025

7.3 Retirement Health Plan

- A. Retirees, survivors of retirees and survivors of deceased employees, unless prohibited by the carrier, will be permitted to maintain the current level of health plan benefits available to employees. Retirees, survivors of retirees and survivors of deceased employees may maintain such health plan benefits at their discretion and with no cost to the City.
- B. Post Employment Health Plan Retiree Medical:
Prior to July 1, 2008 the City will contract with Nationwide Retirement Solutions to establish a Post Employment Health Plan.

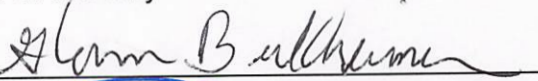
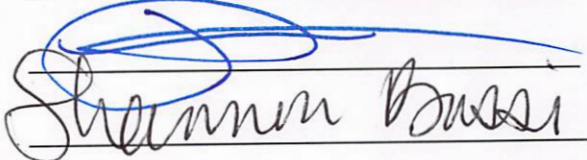
~~Effective July 2008 the City shall contribute \$300.00 per month for each member of the bargaining unit to the member's Post Employment Health Plan account.~~

~~Effective on ratification of the Tentative Agreement the City shall increase its contribution by \$100 per month for a total City contribution of \$400 per month for each member of the bargaining unit to the member's Post Employment Health Plan account.~~

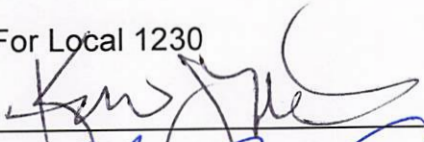
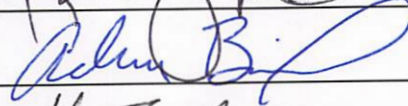
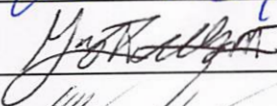
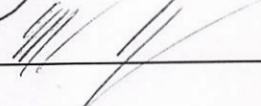
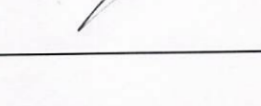
~~Effective the first full pay roll period in July 2023, the City shall increase its contribution by \$75 per month for a total City contribution of \$475 per month for each member of the bargaining unit to the member's Post Employment Health Plan account.~~

Effective the first full pay roll period in July 2024, the City shall increase its contribution by \$50 per month for a total City contribution of \$525 per month for each member of the bargaining unit to the member's Post Employment Health Plan account.

For the City

For Local 1230

POTENTIAL TENTATIVE AGREEMENT
Between
City of El Cerrito
And
United Professional Firefighters Local 1230

September 24,, 2025

UP #6A Article 17.3 Career Incentive Program

Effective the first full pay period in July 2026, Employees who are eligible or become eligible for the career incentive program shall receive one of the following:

- An employee who has an AA/AS degree from an accredited college or university shall receive a differential of three percent (3.0%) of base pay.
- An employee who has completed 60 semester units from an accredited college or university and completes six (6) semester units every 24 months shall receive a differential of three percent (3.0%) of base pay.
- An employee who has a BA/BS degree from an accredited college or university shall receive a differential of five percent (5.0%) of base pay.

The incentives are not compounding. An employee can only receive one of the incentives listed above. Pay eligibility is dependent upon submitting proof of completion either through an official transcript or copy of degree certificate. Payment will be effective on the date the proof of completion was submitted to the Department or Human Resources.

17.4 ATTENDANCE

Course attendance shall be on an off-duty, no-compensation basis at no expense to the City of El Cerrito.

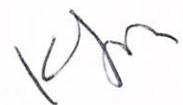
UP #8 Article 13.1 Base Monthly Salary

The intention of both parties to the MOU is to achieve a median salary level with respect to surrounding response jurisdictions. Both parties recognize that wage adjustments are based partially on projections and that the actual median may differ from the final salary achieved.

~~A. Effective September 18, 2022 the base monthly salary for the classifications listed below shall be increased as follows:~~

Fire Captain	3.0%
Fire Engineer	4.5%
Firefighter	5.5%

~~B.A.~~ Effective the first full pay period ~~in July 2025~~ ~~in July 2023~~, the base monthly salary for all classifications in the bargaining unit shall be increased by ~~3.0%~~ ~~3.75%~~.



G.B. Effective the first full pay period in July ~~2026~~2024, the base monthly salary for all classifications in the bargaining unit shall be increased by ~~3.04~~5%.

C. Effective the first full pay period in July 2027, the base monthly salary for all classifications in the bargaining unit shall be increased by 3.0%.

D. Market Adjustments

- Effective the first full pay period in January 2026, the City will increase the salary or wage ranges for the following classifications in accordance with the following:
 - Firefighter -1.5%
 - Engineer – 1.5%
 - Captain – 1.5%
- Effective the first full pay period in January 2027, the City will increase the salary or wage ranges for the following classifications in accordance with the following:
 - Firefighter -1.5%
 - Engineer – 1.5%
 - Captain – 1.5%
- Effective the first full pay period in January 2028, the City will increase the salary or wage ranges for the following classifications in accordance with the following:
 - Firefighter -1.5%
 - Engineer – 1.5%
 - Captain – 1.5%

One-Time Payments

Employees in the bargaining unit, who are employed by the City on September 1, 2025 shall receive a one-time payment of \$2,400, which will be paid on the first available payroll period upon adoption of the MOU.XXXX, 2025.

Employees in the bargaining unit, who are employed by the City on July~~ne~~ 1, 2026 shall receive a one-time payment of \$2,500, which shall be paid ~~within~~ the ~~second~~first full pay period in July 2026.

All one-time payments are subject to all appropriate withholding(s).

D.E. For the purposes of establishing median total compensation, the City and Local 1230 agree to survey eleven jurisdictions: the eight comparable cities of Alameda, Albany, El Cerrito, Hayward, Livermore, Pinole, Pleasanton, and Richmond; and three comparable fire districts, including the Contra Costa County Fire Protection District, the Rodeo-Hercules Fire Protection District, and the San Ramon Valley Fire Protection District.

KM

E.F. For the purposes of the agreement, "median total compensation" for the survey shall include the following items of compensation for the ranks of Firefighter, Fire Engineer and Fire Captain: Base Salary (top step); Employee's Retirement Contribution Paid by Employer; E.M.T. Incentive Pay; Haz-Mat Incentive Pay; Continuing Education Pay; Officer Certification Pay; A.A./B.A. Degree Pay; Acting Incentive Pay; Basic Qualifications Pay; Advanced Skills Pay; Rank Proficiency Pay; Major Emergency Pay; Uniform Allowance. The survey shall also include the maximum City contributions for dental, medical, life insurance, vision care, long term disability, and Medicare.

The City and Local 1230 should establish a Labor/Management Committee to

- review the comparable cities and special districts; and
- review salary components; and
- review the benefits to be surveyed
 - If the committee fails to reach mutual agreement on comparable agencies and salary/benefits to be surveyed the current survey shall remain.

A salary schedule will be added by addendum when final computations are approved by the City's Budget-Financial Services Manager.

3.1 Duration of this Memorandum

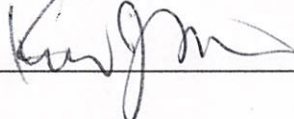
This agreement shall be in full force and effect commencing July 1, ~~2025~~2022, through June 30, ~~2028~~2025. Terms and conditions of this Agreement shall remain in full force until adoption of a successor Agreement.

Nothing herein shall prevent the parties to this Agreement from meeting and conferring and making modifications hereto by mutual consent.

For the City


Shannon Bausi


For Local 1230





AGENDA BILL

Agenda Item No. 9.B.

Date: October 21, 2025
To: El Cerrito City Council
From: Chris Jones, Recreation Director, Recreation Department; Crystal Reams, Finance Director/City Treasurer, Claire Coleman, Budget/Financial Services Manager, Finance Department
Subject: Study Session - Update on Swim Center Lap Pool Renovation Options and Discussion of Capital Expenditures

ACTION PROPOSED

Conduct a study session to receive updated report on Swim Center options and provide direction to City staff regarding use of General Fund balance for FY 2025–26.

BACKGROUND

Over the past six months ([May 20, 2025](#), [June 17, 2025](#), and [August 19, 2025](#)), the City Council has been discussing options to address failures and required modifications at the Swim Center's Emery G. Weed, III Lap Pool (Lap Pool). On [August 19, 2025](#), the City Council was presented with several options for addressing the full scope of immediate and regulatory modification needs:

- **Option 1:** Lap Pool Replaster only (\$970,000)
- **Option 2:** Replaster plus Parking Lot ADA & Path of Travel, Stormwater Bioretention & EVSE Charging (\$2,311,000)
- **Option 3:** Phased full scope – Option 2 work in FY 2025-26 plus Architectural Updates, In-Kind Deck Replacement, Locker Rooms, Egress & Waterslide in FY 2026-27 (\$4,356,000)
- **Option 4:** Full scope with hybrid deck in FY 2026-27 (\$4,752,000)

The City Council directed staff to proceed with Option 2: Lap Pool replaster and parking lot portions of the project scope. Staff were also directed to return in October with more variations on Option 3: deck replacement scope and more detailed information about funding options.

The City has since applied for and received approved permits from the County Health Department and City Building Division for the pool replaster project and construction bidding documents are being prepared. Permit approvals for the parking lot project are forthcoming. Attachment 1 shows the details of this Council-approved scope of work and cost estimates.

To better understand the budget implications of consideration of the remaining scope of the Swim Center project at this time, staff feels that it is necessary to also provide information regarding time-sensitive one-time capital expenditures that require City Council consideration and direction. As was previously reported to the City Council in May and June, the City has several capital and equipment replacement needs that must be addressed. Among the highest priorities is the need to replace a 15-year-old fire engine for safety and reliability purposes. Additionally, since the August meeting, the audiovisual equipment in the City's Emergency Operations Center/Council Chambers has experienced significant technological failures that could adversely affect the City's response during emergencies, as well as the ability to provide transparent, accessible, and reliable public meetings.

Due to the impact that these items will have on the City's General Fund reserves, staff requests that the City Council discuss the Swim Center scenarios and provide direction on use of General Fund balance for this project, as well as a discussion of time-sensitive capital expenditures including the purchase of a new fire engine and upgrading the audiovisual equipment for the Emergency Operations Center/Council Chambers.

ANALYSIS

Swim Center

The next phase of the Swim Center project includes deck replacement, architectural updates, locker rooms, egress, & waterslide installation. The cost for this scope of work, as reported at the August 19, 2025 meeting, totals \$2,045,000. City Staff, working with pool design and engineering firm Rogers, Stringer and McClelland (RS+M) and project management firm Swinerton Management & Consulting and their various sub-consultants, have identified two scope variations which will result in cost savings for the remaining Swim Center work that are described below. Attachment 2 shows the additional details on the probable construction costs for the full scope of the Lap Pool project.

- *Architectural Scope Reductions: \$122,000*

Cost reductions include using existing finishes and lockers to meet ADA requirements (rather than purchasing new ones) and relocating an egress exit to a location that requires less engineering and construction than what was previously designed. The cost savings of \$122,000 includes permitting, construction contract, construction management, and contingency costs. Staff has included these savings in the scope for a revised cost estimate of \$1,923,000.

- *Removal of Water Slide Installation from Scope: \$409,000*

The City initially anticipated that the waterslide could be installed using the existing columns, which would have resulted in significant cost savings. However, testing revealed that the columns' structural integrity is failing and will not meet CalOSHA standards among other safety requirements.

As a result, the scope was expanded to include the removal and replacement of the columns, as well as required piping and electrical connections for the slide. This increased the estimated cost to \$409,000 including permitting, construction contract, construction management, and contingency costs. Since this item does not impact the activity pool's functionality or regulatory compliance, removing it from the construction scope provides substantial savings. It should be noted, however, that the City has already purchased the water slide, and it has been manufactured specifically to suit the site conditions.

The tables below show the impact of these savings on the Pool Deck Replacement and Interior Work, with and without the waterslide:

Pool Deck Replacement, Interior Work, and Waterslide

Item	Cost
Original Estimated Cost	\$ 2,045,000
Architectural Scope Savings	\$ (122,000)
Revised Cost	\$ 1,923,000

Pool Deck Replacement, Interior Work, WITHOUT Waterslide

Item	Cost
Original Estimated Cost	\$ 2,045,000
Variation A: Architectural Savings	\$ (122,000)
Variation B: Additionally Remove Waterslide	\$ (409,000)
Revised Cost	\$ 1,514,000

The tables below show the full scope project total budgets for the original August 19, 2025 Estimates:

Full Scope of Work for Swim Center: Original Budget Estimates

Item	Total Cost
Replaster & Parking Lot (Approved/In Progress)	\$ 2,311,000

Original Deck Replacement Scope	\$ 2,045,000
Full Scope Cost: Original August 19, 2025 Estimate	\$ 4,356,000
Previously Approved Funding	\$ (700,000)
Additional Funding Needed	\$ 3,656,000

**Full Scope of Work for
Swim Center - Budget
Estimates with Waterslide**

Item	Total Cost
Replaster & Parking Lot (Approved/In Progress)	\$ 2,311,000
Deck Replacement Scope - With Waterslide	\$ 1,923,000
Revised Full Scope Cost with Waterslide	\$ 4,234,000
Previously Approved Funding	\$ (700,000)
Additional Funding Needed	\$ 3,534,000

**Full Scope of Work for
Swim Center - Budget
Estimates without
Waterslide**

Item	Total Cost
Replaster & Parking Lot (Approved/In Progress)	\$ 2,311,000
Deck Replacement Scope - Without Waterslide	\$ 1,514,000
Revised Full Scope Cost Without Waterslide	\$ 3,825,000

Previously Approved Funding	\$ (700,000)
Additional Funding Needed	\$ 3,125,000

The City Council's approval of the first phase of the Swim Center project allows the City to address the most urgent maintenance needs and deferred capital improvements, brings the City into compliance with long-standing accessibility obligations. While staff has explored and identified cost savings, staff's recommendation remains that the City should not move forward with the deck replacement and other interior work at this time and instead include this phase of the project within the Capital Improvement Program (CIP) in the next biennial budget. The City's consultants believe that the Lap Pool's existing deck might have at most two or three years left before safety issues develop that would prompt the County Health Department to require its eventual replacement or Lap Pool closure. City staff will present a plan to set aside funds in the CIP, along with seeking any available grant opportunities, for the City Council's consideration during the upcoming Fiscal Years 2026-27 & 2027-28 Biennial Budget process.

Time Sensitive Capital Expenditures for City Council Consideration

The Swim Center project relies on funding that would be appropriated from the General Fund balance. As shown in the Financial Considerations section, the estimated discretionary amount of unassigned General Fund balance is \$4.4 million. As the City Council considers the Swim Center project, it is necessary to take a holistic view of the use of General Fund balance in light of the City's many capital needs. City staff is working to update the Capital Improvement Program for the next Biennial Budget to include all planned and future capital expenditures, both funded and unfunded. Staff have identified two one-time capital expenditures that are time-sensitive, in that the urgency for these expenditures has increased and the costs for both items will escalate over time.

Fire Engine

As reported earlier this year, the City's Type 1 fire engine, housed at Station 52, is beyond its expected useful life of 15 years. The City currently has an estimate from our vendor, Hi-Tech Fire Equipment, for \$1,611,598. The City has \$427,998 currently reserved for this fire engine purchase. Funding would be drawn from the City's Equipment Replacement Fund and General Fund in two payments: the first payment of \$729,059 would be due in FY 2026-27 and the second payment of \$882,539 would be due in FY 2027-28. In summary, if the City orders the fire engine in 2025, the engine should be completed in 2027 with two payments in 2026 and 2027. These totals are based on the most current quote received by the City, which is valid for 30 days. Staff estimates that the next quote will increase by 15% with fluctuations depending on the current cost of steel and tariffs.

Emergency Operations Center/Council Chambers Audiovisual Infrastructure

The City Council Chambers at City Hall operates as the official Emergency Operations Center (EOC) as well as the primary meeting space for City Council meetings. The room is also used for all Board, Commission, and Committee meetings, and serves as the primary location for classroom-style training and meetings for staff. The current audiovisual (AV) infrastructure in the Council Chambers is the same equipment that was installed with the construction of City Hall in 2007. As the equipment has aged, it has slowly become less reliable and efficient with current technology. The system primarily runs on analog technology, rather than digital, which also puts limitations on the AV quality of meetings held in the Chambers.

In 2024, staff engaged a consultant, Pacific Coast AV, to create a design for AV upgrades that would improve reliability and align equipment with today's technology. The design would be critical for the EOC to operate as efficiently as possible during emergency response, and create infrastructure that would support seamless hybrid meetings and tailor equipment for easy operation by all users regardless of their level of AV expertise. Staff completed the design and scope of work with the consultant in late 2024. In May 2025, the City Council discussed potential Fiscal Year 2024-25 one-time expenditures. At the meeting, the Council was provided with the estimated cost to complete an upgrade to the EOC/Council Chamber AV system. While the need is significant, at the time of discussion the urgency was not significant enough for staff to recommend an appropriation of funds.

Since then, the AV system has continued to deteriorate, and some significant failures have occurred. The ongoing challenges with system microphones losing connectivity with the system or having poor quality have continued to occur both at the dais and at the public lectern. Overflow monitors in the Foyer and Main Lobby have also lost functionality. In September 2025, the touch screen control panel located at the dais failed. This panel is the primary source of controlling the full audio and video system. There is only one backup panel, that is also at risk of failure due to its age. In October 2025, the primary camera used for the meeting broadcast failed. Both the panel and the camera cannot be repaired as the equipment is so outdated that parts are no longer available to repair or replace them. Further, in addition to the equipment itself, on October 3, 2025, Senate Bill 707 (SB 707) was signed into law which will go into effect on July 1, 2026. This bill makes several modifications to the Brown Act, which governs how City Council meetings are held. Among other requirements, the new regulations include a requirement for eligible legislative bodies to hold all open and public meetings with an opportunity for members of the public to participate and attend via a 2-way telephonic service or 2-way audiovisual platform.

The estimated costs for the AV system upgrade are \$314,041 for the design scope of work that was created in 2024 and updated to reflect current equipment costs. Costs are estimated to increase 1-2% for every month delayed in the purchase of the equipment. Staff would recommend funding as a one-time expense drawn from the City's General Fund and the Integrated Waste Management (IWM) Fund in FY 2025-26, allocating \$285,215 (91%) from the General Fund and \$28,209 (9%) from the IWM

Fund. The IWM Fund contribution reflects its proportionate use of the Council Chambers and overall Citywide expenditures. The project would be anticipated to be completed by the end of the fiscal year.

RECOMMENDATION

City staff recommends that the Deck Replacement phase of the Swim Center project be included within the Capital Improvement Program (CIP) and identify additional funding in the next Biennial Budget. Staff further requests direction to come back to the City Council with up-to-date price quotes for authorization to order the Fire Engine and move forward with the project to upgrade the EOC/Council Chambers AV system, with the intention of funding both items from the unassigned General Fund balance.

STRATEGIC PLAN CONSIDERATIONS

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

- *High Performing Organization; and*
- *Community Safety; and*
- *Livability and Belonging; and*
- *Infrastructure and Amenities; and*
- *Environmental Sustainability.*

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

The projected ending General Fund balance total for FY 2024-25 is \$24.1 million, pending final audited actual results. This represents a 39% fund balance ratio not including the Section 115 Trust, and 44.5% when including the Section 115 Trust. For FY 2025-26, the General Fund expenditure budget is proposed to total \$54.06 million, including the proposed labor agreement with Local 1230 presented to the City Council for approval on October 21, 2025. Per the Comprehensive Financial Policy adopted in 2023, the City's General Fund reserve ratio requirement totals 30%: this includes a minimum 17% of unassigned fund balance (\$9.19 million), with the Emergency and Disaster Recovery Fund (EDRF) minimum reserve requirement at 13% (\$7 million). Currently, the EDRF is funded at \$7.5 million. The projected fund balance is shown in Table 1 below:

Table 1: Projected General Fund Balance - Unaudited Actuals

Fund Balance Projection			
FY24 General Fund - Total Fund Balance (actual)		\$	22,893,338
EDRF	(9,000,000)		
Section 115	(1,372,890)		
Non-Spendable	(126,751)		
FY25 Projected Revenue	54,017,152		
FY25 Projected Expenditures	(52,816,296)		
Change in fund balance			1,200,856
Projected Total Ending FY25 Fund Balance			24,094,194
EDRF (Internally Restricted)	(7,500,000)		
Section 115 (Restricted)	(2,872,890)		
Non-Spendable	(126,751)		(10,499,641)
Projected FY25 Unrestricted Fund Balance			13,594,553
FY26 Expenditure Proposed Budget	54,055,713		
FY26 17% Reserve Goal			(9,189,471)
Projected discretionary as of June 30, 2025			4,405,082
FY 25 Projected Ending Total Fund Balance			24,094,194
Projected unassigned (less Section 115)			21,221,304
Projected unassigned percent as of June 30, 2025			39%

With a projected General Fund balance that exceeds the minimum requirements, staff has identified a discretionary total of \$4.4 million. Staff recommend using a portion of this discretionary total to fund the proposed time-sensitive projects from the General Fund.

Measure H is a special parcel tax first approved by voters in 2000 and renewed in 2019. The tax is dedicated to supporting parks and recreation facilities, and in the FY 2025-26 budget all Measure H revenues are allocated to infrastructure, landscape maintenance, and related improvements. While the City could direct Measure H funds toward the pool improvements, doing so would require shifting the current Measure H-funded expenditures to the General Fund or another funding source.

City staff do not recommend pursuing debt financing for pool infrastructure improvements. At an estimated borrowing rate of 6.25%, financing would substantially increase the overall cost of the project, with a significant portion of taxpayer dollars directed toward interest rather than improvements. Avoiding debt preserves long-term financial flexibility, reduces fiscal risk, and ensures that available resources are invested directly into the facility rather than to lenders. While debt financing is an important tool often used for very large capital projects and improvements, it is more fiscally prudent to avoid debt financing for these projects under consideration due to the availability of City funds and the high costs of borrowing.

Funding Scenarios

Staff is presenting three scenarios for City Council discussion that address these capital and infrastructure needs. All three scenarios recommend the use of General Fund balance and assume conservative revenue growth. Attachment 3 provides an overview of each scenario and the costs across fiscal years. The tables below include the total project cost and the total additional General Fund support needed for each scenario. The graphs show the impact of the use of fund balance in each scenario on the City's long-range forecast. The forecast includes the Local 1230 MOU and assumes use of the City's Section 115 Pension Trust to smooth pension costs during their peak, as recommended by the City's financial advisors at the May 20, 2025 Council meeting.

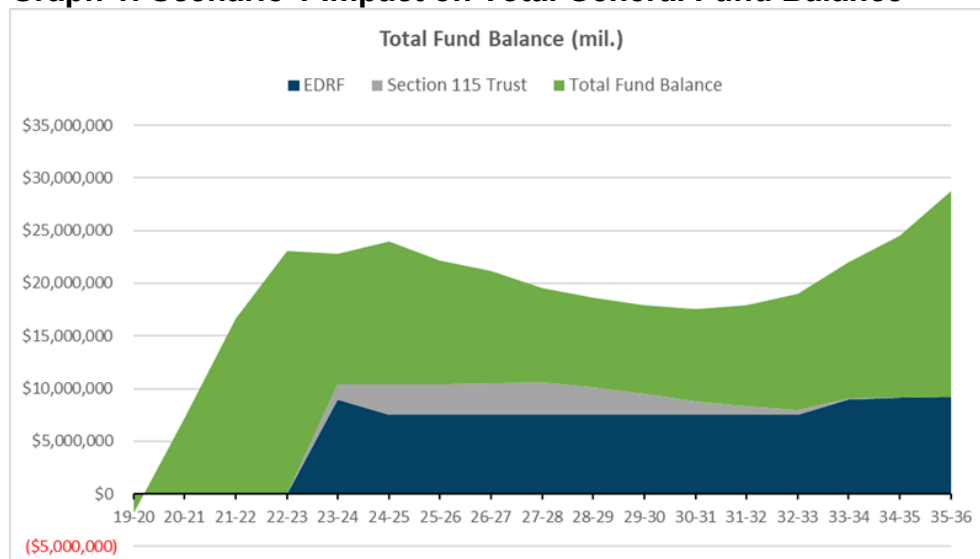
Scenario 1

The table below shows scenario 1, which includes the Council-approved Swim Center capital improvements, the fire engine, and the EOC/Council Chambers AV system. Graphs 1 and 2 show the impact of the use of General Fund balance on the City's long-term forecast. The proposed use of fund balance for Scenario 1 would maintain City total General Fund balance above \$17.7 million. Unrestricted General Fund Balance would drop below the 17% recommended policy level beginning in FY 2027-28 and return to the 17% policy level in FY 2033-34.

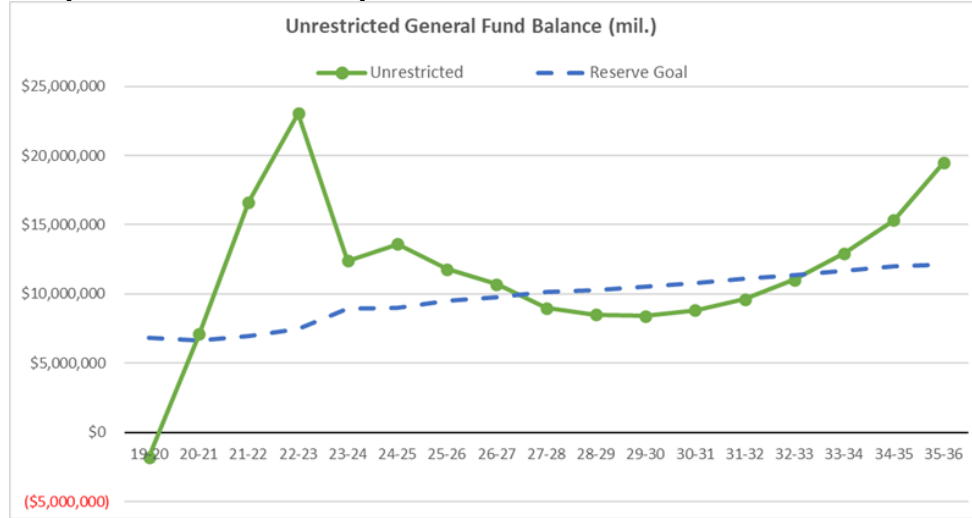
Table 2: Scenario 1 Project Cost and Additional General Fund Support Needed

Description	Total Project Cost	Total Additional Funds Needed
Scenario 1		
Emergency Operations Center/Council Chambers Audio-Visual	\$ 285,777	\$ 285,777
Fire Engine	1,611,598	\$ 1,183,600
Swim Center Capital Improvements - Option 2 Only	2,311,000	\$ 1,611,000
Total Cost	\$ 4,208,375	\$ 3,080,377

Graph 1: Scenario 1 Impact on Total General Fund Balance



Graph 2: Scenario 1 Impact on Unrestricted General Fund Balance



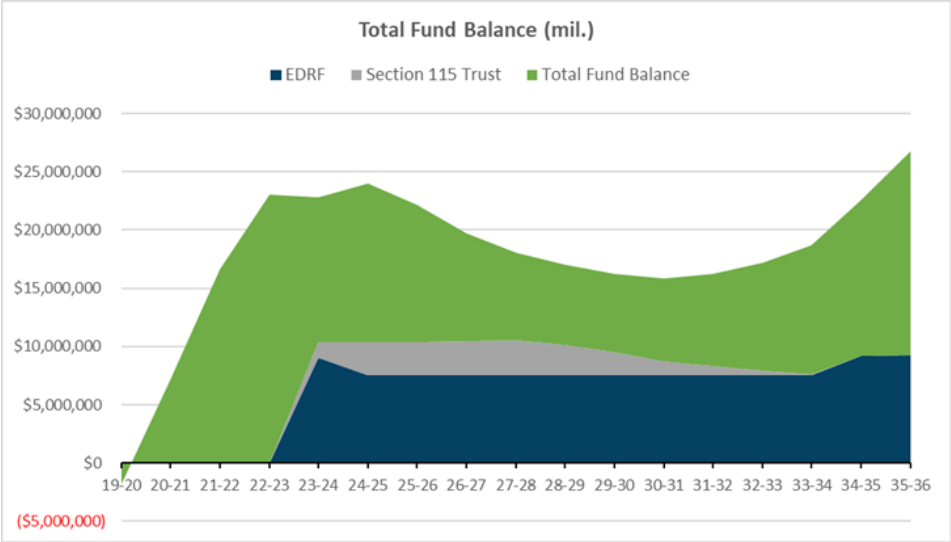
Scenario 2

Table 3 below shows scenario 2, which includes the full scope of Swim Center capital improvements **without the waterslide**, the fire engine, and EOC/Council Chambers AV system. Graphs 3 and 4 show the impact of the use of General Fund balance on the City's long-term forecast. The proposed use of fund balance for Scenario 2 would maintain City total General Fund balance above \$16.1 million. Unrestricted General Fund Balance would drop below the 17% recommended policy level beginning in FY 2026-27 and return to the 17% policy level in FY 2034-35.

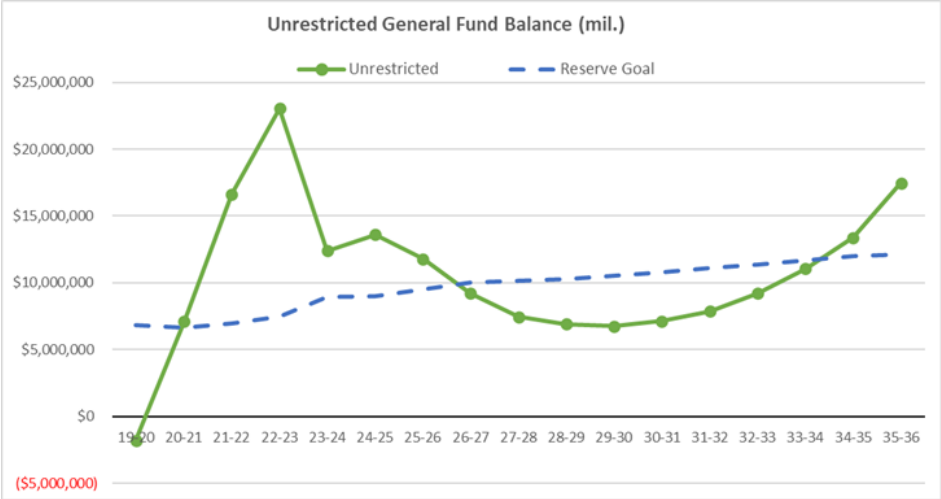
Table 3: Scenario 2 Project Cost and Additional General Fund Support Needed - Without Waterslide

Description	Total Project Cost	Total Additional Funds Needed
Scenario 2		
Emergency Operations Center/Council Chambers Audio-Visual	\$ 285,777	\$ 285,777
Fire Engine	1,611,598	\$ 1,183,600
Swim Center Capital Improvements - Options 2 and 3, Variation B	3,825,000	\$ 3,125,000
Total Cost - Scenario 2	\$ 5,722,375	\$ 4,594,377

Graph 3: Scenario 2 Impact on Total General Fund Balance



Graph 4: Scenario 2 Impact on Unrestricted General Fund Balance



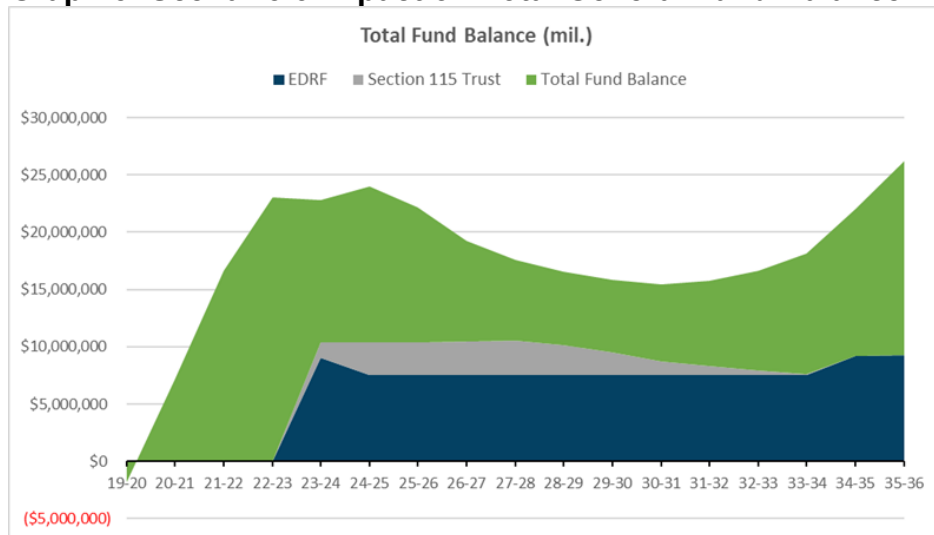
Scenario 3

Table 4 below shows scenario 3, which includes the full scope of Swim Center capital improvements **with the waterslide**, the fire engine, and EOC/Council Chambers AV system. Graphs 5 and 6 show the impact of the use of General Fund balance on the City's long-term forecast. The proposed use of fund balance for Scenario 2 would maintain City total General Fund balance above \$15.5 million. Unrestricted General Fund Balance would drop below the 17% recommended policy level beginning in FY 2026-27 and return to the 17% policy level in FY 2034-35.

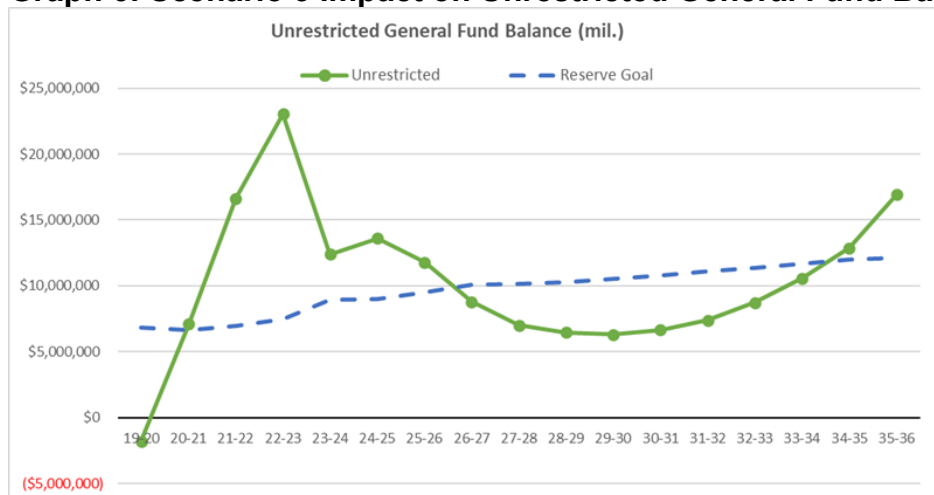
Table 4: Scenario 3 Project Cost and Additional General Fund Support Needed - With Waterslide

Description	Total Project Cost	Total Additional Funds Needed
Scenario 3		
Emergency Operations Center/Council Chambers Audio-Visual	\$ 285,777	\$ 285,777
Fire Engine	1,611,598	\$ 1,183,600
Swim Center Capital Improvements - Options 2 and 3, Variation A	4,234,000	\$ 3,534,000
Total Cost - Scenario 3	\$ 6,131,375	\$ 5,003,377

Graph 5: Scenario 3 Impact on Total General Fund Balance



Graph 6: Scenario 3 Impact on Unrestricted General Fund Balance



LEGAL CONSIDERATIONS

This section is not applicable to this agenda item.

Reviewed by:

A handwritten signature in blue ink, appearing to read "Karen Pinkos", is written over a light blue rectangular background.

Karen Pinkos, City Manager

Attachments:

1. Swim Center Estimates - Approved by City Council
2. Swim Center Estimates - Requested by City Council
3. Funding Scenarios

OPINION OF PROBABLE CONSTRUCTION COSTS

Approved by City Council 8/19/25

PROJECT NAME		
Lap Pool Replaster		
TRADE / ITEM		TOTAL
CONSTRUCTION - LAP POOL REPLASTER		
Competition Pool Demolition - Plaster & Tile Finish Removal		\$ 69,600
Competition Pool Repair - Plaster & Tile Finish		\$ 348,000
		\$ 417,600
CONTRACTOR COSTS		
General Conditions	12%	\$ 50,112
Insurance	2%	\$ 8,352
Overhead and Profit	15%	\$ 62,640
	SUBTOTAL CONTRACTOR FEES	\$ 121,104
		\$ 538,704
SOFT COSTS (Percentages based on Subtotal Hard Costs)		
Permitting Fees		\$ 15,951
Pre-Construction Project Management		\$ 29,540
Testing and Inspection		\$ 3,000
Construction Project Management		\$ 65,000
	SUBTOTAL SOFT COSTS	\$ 113,491
	TOTAL HARD & SOFT COSTS	\$ 652,195
	TOTAL INCL. 15% CONTINGENCY	\$ 750,024
	FULL SCOPE DESIGN FEE	\$ 220,000
	GRAND TOTAL	\$ 970,024

OPINION OF PROBABLE CONSTRUCTION COSTS
Approved by City Council 8/19/25

PROJECT NAME		
ADA Parking Lot and Related Amenities		
TRADE / ITEM		TOTAL
CONSTRUCTION - PARKING LOT		
Accessible Parking - Path of Travel, Stormwater Bioretention		\$ 561,400
EV Charging - trenching, conduit, equipment		\$ 73,000
Parking Lot Rehabilitation - Grind and Overlay, Striping		\$ 114,900
SUBTOTAL CONTRACTOR FEES		\$ 749,300
CONTRACTOR COSTS (Percentages based on Renovation Subtotal Costs)		
General Conditions	12%	\$ 89,916
Insurance	2%	\$ 14,986
Overhead and Profit	15%	\$ 112,395
SUBTOTAL CONTRACTOR FEES		\$ 217,297
		\$ 966,597
SOFT COSTS (Percentages based on Subtotal Hard Costs)		
Design Fee		\$ 5,000
Permitting Fees		\$ 17,356
Pre-Construction Project Management		\$ 29,540
Testing and Inspection		\$ 27,500
Construction Project Management		\$ 120,186
SUBTOTAL SOFT COSTS		\$ 199,582
TOTAL HARD & SOFT COSTS		\$ 1,166,179
TOTAL INCL. 15% CONTINGENCY		\$ 1,341,106

OPINION OF PROBABLE CONSTRUCTION COSTS

City Council Requested Variations

PROJECT NAME		
Pool Deck Replacement and Interior Work		
TRADE / ITEM		TOTAL
CONSTRUCTION - VARIATION B (No Waterslide + Architectural Savings)		
Deck Demolition		\$ 36,000
Competition Pool Repair (Accessible Lift)		\$ 20,000
Deck Repair		\$ 315,000
Architectural Accessibility and Egress Upgrades		\$ 150,000
Pool Access/Path of Travel - inside pool fence line		\$ 282,200
SUBTOTAL CONTRACTOR FEES		\$ 803,200
5% ESCALATION CONTINGENCY (FY 26/27)		\$ 843,360
CONTRACTOR COSTS (Percentages based on Renovation Subtotal Costs)		
General Conditions	12%	\$ 101,203
Insurance	2%	\$ 16,867
Overhead and Profit	15%	\$ 126,504
SUBTOTAL CONTRACTOR FEES		\$ 244,574
SUBTOTAL HARD COSTS		\$ 1,087,934
SOFT COSTS (Percentages based on Subtotal Hard Costs)		
Permitting Fees	2%	\$ 21,759
Project Management	7%	\$ 76,155
Testing and Inspection	2%	\$ 21,759
Construction Project Management	10%	\$ 108,793
SUBTOTAL SOFT COSTS		\$ 228,466
TOTAL HARD & SOFT COSTS		\$ 1,316,401
TOTAL INCL. 15% CONTINGENCY VARIATION B		\$ 1,513,861
Add Alternate 1: Waterslide (add to above for Variation A)		\$ 409,000
Waterslide Foundations & Columns, Electrical and Pipe Connections		

Description of General Fund Expenses	Already Approved by Council	FY 2025-26 Cost	FY 2026-27 Cost	FY 2027-28 Cost	Total Project Cost	Notes
Scenario 1						
Emergency Operations Center/Council Chambers Audio-Visual		\$ 285,777			\$ 285,777	General Fund portion only. 9%, or \$28,264, will be allocated to the Integrated Waste Management Fund
Fire Engine	427,998		301,061	882,539	1,611,598	\$380,000 approved by Council plus remaining balance in Fund 601 - Equipment Replacement
Swim Center Capital Improvements - Prior Council Approved Scope Only*	700,000	1,611,000			2,311,000	Replaster plus Parking Lot ADA & Path of Travel, Stormwater Bioretention & EVSE Charging. *\$200k of the initial approved funds are from the Measure H Fund.
Total Cost	\$ 1,127,998	\$ 1,896,777	\$ 301,061	\$ 882,539	\$ 4,208,375	
Scenario 2						
Emergency Operations Center/Council Chambers Audio-Visual		\$ 285,777			\$ 285,777	General Fund portion only. 9%, or \$28,264, will be allocated to the Integrated Waste Management Fund
Fire Engine	427,998		301,061	882,539	1,611,598	\$380,000 approved by Council plus remaining balance in Fund 601 - Equipment Replacement
Swim Center Capital Improvements - Include Pool Deck Replacement, Interior Work WITHOUT Waterslide	700,000	1,611,000	1,514,000		3,825,000	Phased full scope – Prior Council Approved work in FY 2025-26 plus Pool Deck Replacement and Interior Work, in FY 2026-27. Water slide not included. * \$200k of the initial approved funds are from the Measure H Fund.
Total Cost - Scenario 2	\$ 1,127,998	\$ 1,896,777	\$ 1,815,061	\$ 882,539	\$ 5,722,375	
Scenario 3						
Emergency Operations Center/Council Chambers Audio-Visual		\$ 285,777			\$ 285,777	General Fund portion only. 9%, or \$28,264, will be allocated to the Integrated Waste Management Fund
Fire Engine	427,998		301,061	882,539	1,611,598	\$380,000 approved by Council plus remaining balance in Fund 601 - Equipment Replacement
Swim Center Capital Improvements - Include Pool Deck Replacement, Interior Work, and Waterslide*	700,000	1,611,000	1,923,000		4,234,000	Phased full scope – Prior Council approved work in FY 2025-26 plus Pool Deck Replacement, Interior Work, and Waterslide in FY 2026-27. *\$200k of the initial approved funds are from the Measure H Fund.
Total Cost - Scenario 3	\$ 1,127,998	\$ 1,896,777	\$ 2,224,061	\$ 882,539	\$ 6,131,375	



**SUPPLEMENTAL AGENDA MATERIALS
CITY COUNCIL MEETING
October 21, 2025
(revised October 23, 2025)**

REGULAR CITY COUNCIL MEETING (6:00 PM)

Public Comments (Not on the Agenda and Consent Calendar)
Received at Meeting

**Agenda Item No. 6.B. – Presentation on Transit Oriented Communities (TOC) Policy
and Housing Element Implementation**
Revised Presentation

**Agenda Item No. 9.B. – Study Session - Update on Swim Center Lap Pool Renovation
Options and Discussion of Capital Expenditures**
Presentation

From: [Mollie Breger](#)
To: [City Clerk](#)
Cc: [Gil Breger](#)
Subject: Public Comments - Re: Support for Happy Day Montessori Preschool – 556 Richmond St.
Date: Monday, October 13, 2025 7:15:50 PM

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Want to make sure this is counted as a Public Comment.

Thank you!

Mollie

On Mon, Oct 13, 2025 at 7:12 PM Mollie Breger [REDACTED] > wrote:

Dear City Clerk and Members of the El Cerrito City Council,

We are writing as parents and community members in strong support of Happy Day Montessori School's proposed preschool at 556 Richmond Street in El Cerrito.

Our family has had a wonderful experience with Happy Day Montessori. Our daughter was part of the very first cohort in 2021, and our son, who is now in kindergarten, just recently completed the program. We have seen firsthand how this school provides a nurturing, structured, and high-quality educational environment for young children.

Happy Day Montessori is an American Montessori Society (AMS)–affiliated preschool, not a home daycare. Its approach is thoughtful, well-organized, and deeply rooted in Montessori philosophy. The program fosters independence, curiosity, and respect — qualities we have seen blossom in our children thanks to their time there.

There is a real need for more high-quality Montessori options in El Cerrito. Many local families currently have to enroll their children in preschools outside the city due to limited availability here. Having another Happy Day Montessori campus in El Cerrito would be a tremendous benefit to families and to our community as a whole.

We strongly urge the City Council to uphold the Planning Commission's approval of the Conditional Use Permit for Happy Day Montessori at 556 Richmond Street. We believe this school will be an asset to El Cerrito and will continue to serve local families with care and excellence.

Thank you very much for your time and consideration. Please feel free to contact us if you'd like to hear more about our family's experience at Happy Day Montessori.

Warm regards,

Mollie and Gil Breger
El Cerrito, CA

--

Mollie Spevack Breger

From: [Cordell Hindler](#)
To: [City Clerk](#)
Subject: Public Comments
Date: Thursday, October 16, 2025 4:15:08 PM

Caution! This message was sent from outside your organization.

Hello Mayor Wysinger, Council Members and Staff,

I am submitting the Following Comments into the Record:

1. for a future Agenda, the Council Should Consider revisiting allowing the Public to Participate remotely
2. Also I wanted to thank the City of EL Cerrito hosting the Mayors Conference last Month

Sincerely
Cordell

From: [Yuki Akira TSUJI](#)
To: [City Clerk](#)
Subject: A Public Comment on the CUP for the preschool at 556 Richmond Street
Date: Tuesday, October 21, 2025 6:45:38 AM

Caution! This message was sent from outside your organization.

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Dear El Cerrito City Council Members,

As parents, we are writing to express our strong support for the establishment of the Happyday Montessori School in El Cerrito.

Several years ago, we sent our son to the school as residents and parents. The teachers were enthusiastic about providing children with various experiences, including educational activities, exercise, and building relationships with each other. The school had a diverse student body that fostered respect and an understanding of different cultures. Our son developed excellent communication skills at Happyday Montessori School, and he can now communicate with anyone without hesitation. We are thankful to the teachers there.

If Happyday Montessori School opens in El Cerrito, more children in your area will gain the knowledge, passion, and mindset necessary to understand diversity.

I strongly urge the City Council to uphold the Planning Commission's approval of the Conditional Use Permit for the school at 556 Richmond Street. We believe that this school would be a valuable addition to the El Cerrito community.

Thank you for your consideration and for taking the time to read this email.
Yuki & Akira Tsuji

OCT 21 2025

CITY OF EL CERRITO
CITY CLERK

El Cerrito Trail Trekkers

The Paths, Trails and Steps of El Cerrito, CA

www.ectralltrekkers.org



Saturday, Sunday, November 1 and 2, 2025. Free First Annual El Cerrito Public Paths Festival



The Shevlin-Arlington Path is one of the city's best. Photos by Dave Weinstein

Please attend El Cerrito Trail Trekkers' first non-Hillside Trail Festival. Locations throughout El Cerrito – but not in the Hillside Natural Area.

In addition to the wonderful trails that wind through El Cerrito's Hillside Natural Area, many public pathways and stairs wind through our neighborhoods and other parks.

Let's explore them, visiting hidden creeks, neighborhoods of fine homes, riparian habitats and historic spots. We will visit several trails that are impassable and will learn what Trekkers is doing to restore them. *Note: All of these hikes except the Cerrito Creek Stroll are strenuous in part with steep sections.*

Saturday November 1:

Hike One: Fine Homes and Lost Trails. Visit two of the city's loveliest parks, traipse well maintained public paths, and discover paths that have been blocked but await reclamation – all the while passing wonderful 1920s and midcentury modern homes and lovely gardens. Leader, Dave Weinstein **10 a.m. to noon, Saturday November 1, Meet at the bottom of Poinsett Park, corner of Poinsett and Harris avenues.**

Hike two: Restoring public paths. Meet with Janet Byron and other members of the Trekker's Public Paths Committee as we visit five impassable paths that need restoration, and several paths whose charms we can enjoy. **1 to 3 p.m. Saturday November 1. Meet at the north fare gates at El Cerrito del Norte BART.**



Trekker path builders plan improvements to a trail in Tassajara Park.

Hike Three. The Joaquin Murietta Memorial Hike. Hear tales about the legendary bandit who was said to have used a famous rock outcrop in the El Cerrito hills as his lookout. We will also visit a rock outcrop marked by Native Americans, a restored wetlands, and pass through some of our city's more picturesque neighborhoods. Leader, Dave Weinstein. **4 p.m. to 6 p.m. Saturday November 1. Meet at Baxter Creek Park, Ohlone Greenway at Conlon Avenue.**

Sunday November 2:

Hike Four. The William Huber Hike. Let's recall one of the founders of our city with a walk through some of El Cerrito's most beautiful neighborhood paths and stairs, while also seeing some long-barricaded pathways and enjoying attractive parks. Leader Brian Richmond. **11 a.m. to 1 p.m. Sunday November 2. Meet at the Huber Park clubhouse, 7711 Terrace Drive.**

Hike Five. Cerrito Creek Stroll. Enjoy this peaceful creek as it winds through El Cerrito's Creekside Park and portions of Richmond and Albany at the foot of Albany Hill, on this easy walk. Observe a Native American site and learn how Friends of Five Creeks worked over many years to restore habitat along this creek. Visit a relatively newly reopened section of the creek by El Cerrito Plaza. Leaders are Barbara Lass and Wade Huntley. **2 p.m. to 4 p.m. Sunday November 2. Meet at Creekside Park, 3499 Santa Clara Ave.**





TRANSIT-ORIENTED COMMUNITIES (TOC) POLICY AND HOUSING ELEMENT IMPLEMENTATION

EL CERRITO CITY COUNCIL

Agenda Item No. 6.B.

October 21, 2025



Four goals guide TOC policy and advance [Plan Bay Area 2050 \(PBA 2050\)](#) implementation

Increase affordable housing supply in transit areas

Increase density for commercial office development

Prioritize transit and active transportation near stations

Create equitable transit-oriented communities

- Areas within **1/2 mile** of major transit stations.
- [MTC Administrative Guidance: TOC Policy](#) (May 2025)
- Compliance required to receive One Bay Area Grant (OBAG)
 - Scoring criteria TBD
 - City has received \$9.78 million in prior rounds

More information: mtc.ca.gov/toc



TOC POLICY ELEMENTS



DENSITY

Increasing residential and commercial densities around station areas



AFFORDABLE HOUSING

Adopting housing policies from the 3Ps framework (**production, preservation and protection**)



PARKING MANAGEMENT

Adjusting minimum and maximum parking ratios as well as transportation demand management policies



TRANSIT STATION ACCESS AND CIRCULATION

Planning for station access that includes active transportation uses and mobility hub infrastructure



DENSITY

Compliance requirements:

- Adopt minimum and maximum density/intensity that exceeds thresholds for **new** residential and commercial office development.

Transit Tier 2 Average Density and Intensity Requirements	
Residential development thresholds	
Average minimum density	75 units/net acre
Average maximum density	100 units/net acre or higher
Commercial office development thresholds	
Average minimum FAR	3 or higher
Average maximum FAR	6 or higher



PARKING MANAGEMENT

Transit Tier 2 Parking Requirements		Existing San Pablo Avenue Specific Plan Standards
New Residential Developments		
Parking Minimum	Not Allowed	None (per AB 2097)
Parking Maximum	0.5 spaces per unit or lower	1.0 space/unit
Bicycle Parking Minimum	1 secure bicycle parking space per dwelling unit	1.5 long-term spaces/unit
New Commercial Development		
Parking Minimum	Not Allowed	None (per AB 2097)
Parking Maximum	1.6 spaces per 1,000 square feet or lower	1.0 space/1,000 square feet
Bicycle Parking Minimum	1 secure bicycle parking space per 5,000 square feet	1.5 long-term spaces/5,000 square feet



AFFORDABLE HOUSING & COMMERCIAL STABILIZATION

- **Menu of 28 policy options** to fulfill the Affordable Housing and Commercial Stabilization components
- **At least two policies** for each of the 3Ps
 - Underway in El Cerrito
 - **Production**
 - Inclusionary Housing
 - Development Certainty and Streamlined Entitlement Process
 - **Preservation**
 - TBD
 - **Protection**
 - Rental Assistance Program
 - Legal Assistance for Tenants
- **At least one policy** for
 - **Commercial stabilization**
 - Small Business Advocate Office
- **Required funding commitment** over a four-year period (2026-2030) for certain **policy options**



Elora (AKA Mayfair Affordable), 11690 San Pablo Ave
69 affordable units

Under Construction, Estimated Completion Spring 2026



POTENTIAL TOC POLICIES FOR FUTURE DISCUSSION

AFFORDABLE HOUSING PRODUCTION POLICY	AFFORDABLE HOUSING PRESERVATION POLICY	AFFORDABLE HOUSING PROTECTION & ANTI-DISPLACEMENT POLICY	COMMERICAL STABLIZATION POLICY
*\$1.4M Total 4-Year Funding (\$350k Annually)	**\$600,000 Total 4-Year Funding (\$150k Annually)	***\$200,000 Total 4-Year Funding (\$50k Annually)	
Select at least 2 policies <i>Underline = Underway</i>	Select at least 2 policies <i>Underline = Underway</i>	Select at least 2 policies <i>Underline = Underway</i>	Select at least 1 policy <i>Underline = Underway</i>
<u>Inclusionary Zoning</u>	Mobile Home Preservation	Just Cause Eviction	Small Business and Non-Profit Overlay Zone
<u>Development Certainty & Streamlined Entitlement Process</u>	Tenant/Community Opportunity to Purchase	Tenant Anti-Harassment Protections	Small Business and Non-Profit Preference Policy
Affordable Housing Overlay Zones	Single-Room Occupancy (SRO) Preservation	Tenant Relocation Assistance	Small Business and Non-Profit Financial Assistance Program
Public Land for Affordable Housing	Condominium Conversion Restrictions	Rent Stabilization	<u>Small Business Advocate Office</u>
		Mobile Home Rent Stabilization	
Ministerial Approval	**Funding to Preserve Unsubsidized Affordable Housing (Local)	No Net Loss and Right to Return to Demolished Homes	
*Affordable Housing Funding (Local)	**Funding to Support Preservation Capacity	***Foreclosure Assistance	
*Public/Community Land Trusts (Local)	**Public/Community Land Trusts (Local)	***Preventing Displacement from Substandard Conditions and Associated Code Enforcement Activities	
	Preventing Displacement from Substandard Conditions & Associated Code Enforcement Activities	* <u>Legal Assistance for Tenants</u>	
		*** <u>Rental Assistance Program</u>	
		*** <u>Fair Housing Enforcement</u>	



TRANSIT STATION ACCESS AND CIRCULATION

- **Adopt a jurisdiction-wide** Complete Streets Policy
- **Prioritize implementation** of Active Transportation Plan and/or relevant Community Based Transportation Plans within TOC station area.
- **Complete an access gap analysis** and accompanying capital and/or service improvement program.
- **Identify opportunities** for Mobility Hub planning and implementation.



- State-required plan to meet current and future housing needs of all community members
- 2023-2031 Regional Housing Need Allocation (RHNA)
 - El Cerrito: 1,391 new housing units
 - 334 Very Low; 192 Low; 241 Moderate; 624 Above Moderate
- Identifies Opportunity Sites that can accommodate development sufficient to satisfy RHNA
 - TOC Policies can support development of opportunity sites
- Requires review and certification from Department of Housing and Community Development (HCD)
- Progress Report on the Housing Element prepared annually by April and provided to City Council and HCD



AUGUST 2023
Final Housing Element



**2023-2031
HOUSING ELEMENT**



HOUSING ELEMENT GOALS

GOAL H1

Accelerate
Housing
Production

GOAL H2

Support Affordable
and Special Needs
Housing

GOAL H3

Conserve Existing
Housing and
Prevent
Displacement

GOAL H4

Affirmatively
Further Fair
Housing

GOAL H5

Energy
Conservation and
Sustainable
Development

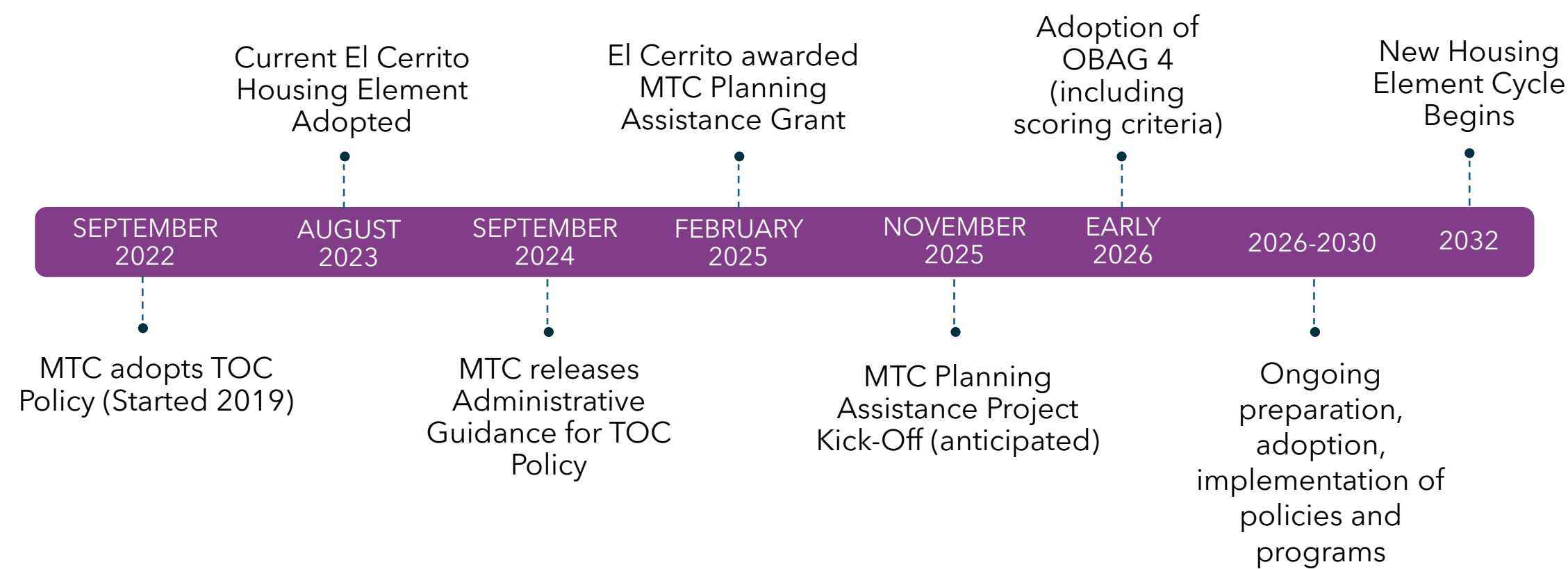
NEAR-TERM (2024-2026) HOUSING ELEMENT PROGRAM EXAMPLES

-  **o Program H-2.A: Inclusionary Zoning Ordinance Modifications**
 - Staff is currently working with Strategic Economics to evaluate and determine if modifications are needed
-  **o Program H-3.C: Tenant Protections**
 - Staff is currently working with Strategic Economics to evaluate the Rent Registry and other tenant protection policies including AB 1482
- o Program H-2.I: Density Bonus Ordinance**
 - o Update of Density Bonus Ordinance currently being drafted.
- o Program H-4.B: Reasonable Accommodation Procedures**
 - o Updated reasonable accommodation procedures currently being drafted.
-  **o Program H-1.D: Objective Design Standards (ODS)**
 - o ODS will be drafted as part of TOC grant.



= Overlap with TOC compliance requirements

TIMELINE



CHALLENGES AND CONSTRAINTS

- Staff capacity
- Timing of TOC and Housing Element Requirements
 - Inconsistent TOC and HE timelines
 - Condensed timelines
- Ongoing Evolution of TOC policy/process
- Existing Conditions
 - Market feasibility
 - Land uses patterns within TOC areas
- Affordable Housing Funding
 - Production, Preservation, Protection
 - TOC Program Requirements

HOUSING ELEMENT

- Required Zoning Amendments (e.g. State density bonus, ADUs, reasonable accommodations)
- Community Engagement and Planning Commission
- City Council: Early 2026

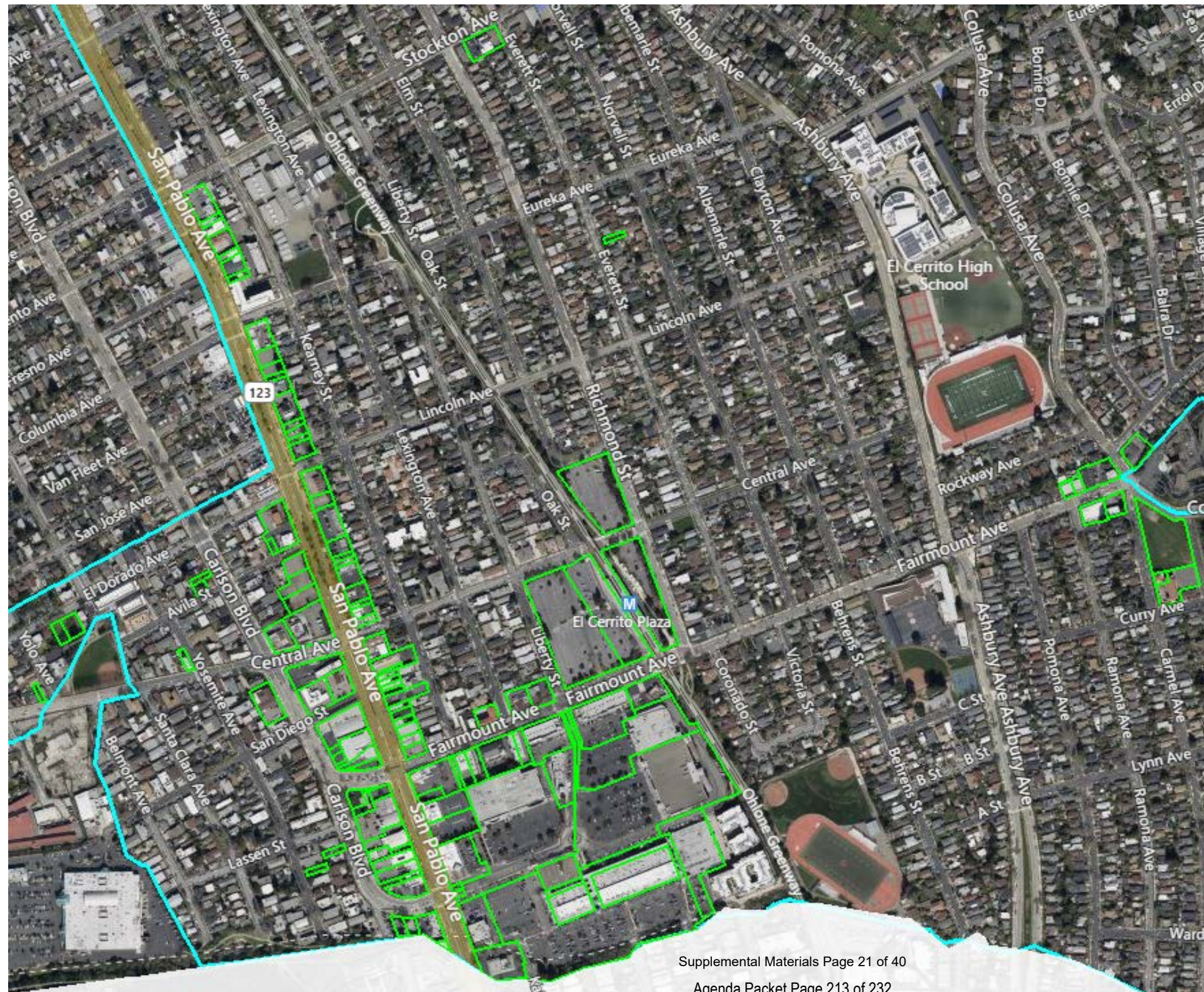
MTC TOC

- Ongoing monitoring and coordination with MTC
- Density, Parking, Objective Design Standards, Affordable Housing
- Commence work: Late 2025
- Planning Commission/City Council (Density, Design Standards, Parking)
- City Council (Affordable Housing)



DENSITY

Applicable Parcels in El Cerrito Plaza TOC Area



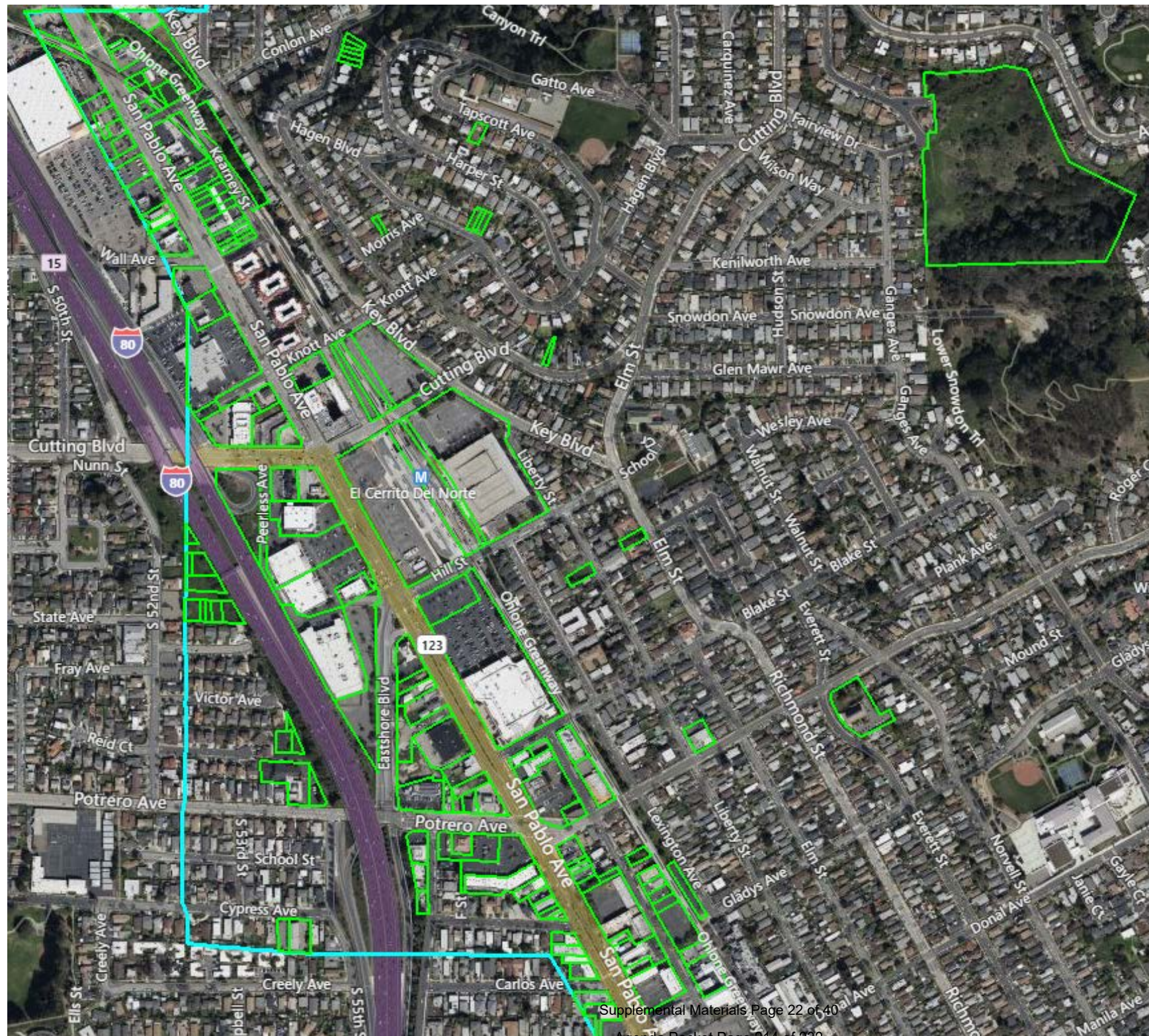
Criteria for applicability:

1. Parcel is within TOC area (1/2 mile from stations)
2. Parcel does not have existing housing unit(s) or parcel is a Housing Element Opportunity Site



DENSITY

Applicable Parcels in El Cerrito del Norte TOC Area



Criteria for applicability:

1. Parcel is within TOC area (1/2 mile from stations)
2. Parcel does not have existing housing unit(s) or parcel is a Housing Element Opportunity Site



DENSITY

Densities of Approved and/or Built El Cerrito Projects

Name	Address	Units	Acreage	Density (Unit/Acre)	Stories
1715 Elm St	1715 Elm St	14	0.42	33	3
El Dorado Townhomes	5822 El Dorado St	29	0.84	35	3
Village at Town Center	10810 San Pablo Ave 6410 & 6415 Schmidt Ln	128	3.15	41	3
Metro 510	510-512 El Cerrito Plaza	128	3.01	43	4
Creedance	10300 San Pablo Ave	32	0.57	56	4
Hana Gardens	10848-10860 San Pablo Ave	63	0.97	65	4
Mayfair - Market Rate	11600 San Pablo Ave	156	1.1	142	6
Mayfair - Affordable	11690 San Pablo Ave	69	0.48	144	5
Cerrito Vista Apartments	10963 San Pablo Ave	50	0.34	147	5
El Cerrito Plaza TOD*	Multiple Addresses	743	6.09	122	5 to 7
Former OSH Site*	1711 Eastshore Blvd	289	1.81	160	6

*Not built yet

Study Session: Swim Center Project Update & Capital Expenditures

El Cerrito City Council

October 21, 2025





Review City Council Requested Swim Center Items



Consider Other Urgent One-Time Needs



Funding Scenarios



Staff Recommendations and City Council Direction

Summary of Lap Pool Project To Date

Project Scope Overview

Options presented on August 19, 2025, to address failures and required upgrades including:

- Lap Pool Replaster and Parking Lot ADA & Related Items (\$2,311,000)
- Replaster, Parking Lot ADA & Related Items + Deck Replacement & Interior Work (\$4,356,000)

City Council Direction

- Approved Lap Pool Replaster and Parking Lot ADA & Related Items
- Requested variations for the Deck Replacement & Interior Work and funding strategies



Lap Pool Replaster & Parking Lot ADA Status

Replaster & Parking Lot Improvements in FY 2024-2026	FY 2024 -2026											
	2025						2026					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
	Task											
Replaster Competition Pool												
SD												
DD												
CD												
Building Department Review												
Health Department Review												
Bid												
Contract Award & Execution												
Construction												
Parking Lot, ADA Upgrades & EV Chargers												
SD												
DD												
CD												
Building Department Review												
Bid												
Contract Award & Execution												
Construction												

- Permits for pool replastering approved
- Parking lot permits pending
- Bid documents are being prepared
- Anticipated Contract Award in December 2025
- December or January Construction Start
- Replaster Completion by March 2026
- Parking Lot Completion by May 2026

Deck Replacement & Interior Work Variations

Original Deck Replacement

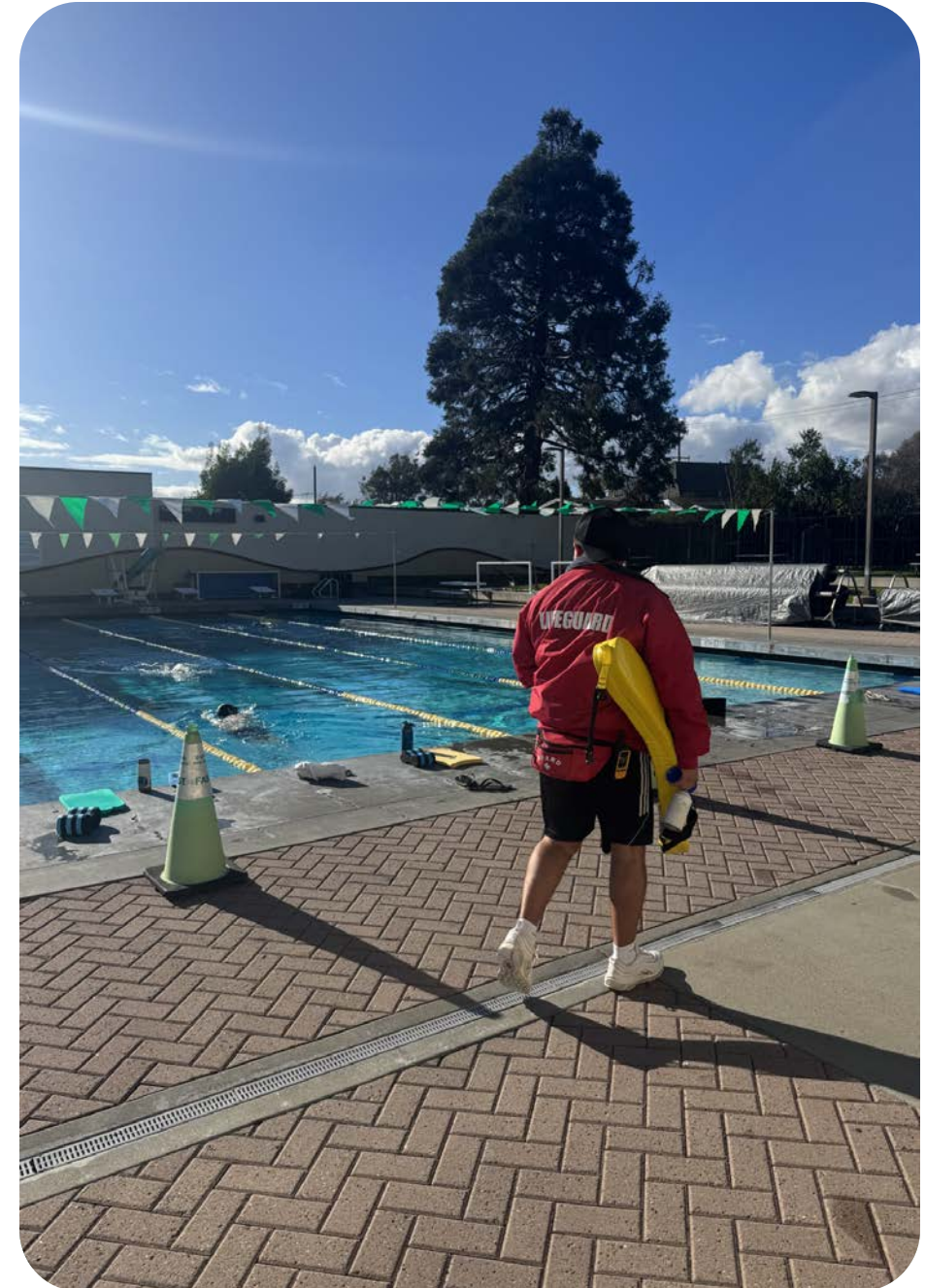
- Deck replacement, locker room renovations, egress upgrades, and new waterslide installation.
- **Total Cost: \$2,045,000**

Architectural Cost Reductions

- Reusing finishes and lockers in locker rooms and relocating an egress exit to reduce engineering costs **(\$122,000)**
- **Revised Cost: \$1,923,000**

Waterslide Removal

- Reduced construction and soft costs **(\$409,000)**
- **Revised Cost Without Waterslide: \$1,514,000**





Financial Analysis of Deck Replacement Scopes

Full Scope of Work for Swim Center – Budget Estimates with Waterslide

Item	Cost
Replaster & Parking Lot (Approved/In Progress)	\$ 2,311,000
Deck Replacement Scope- With Waterslide	\$ 2,045,000
Revised Full Scope Cost with Waterslide	\$ 4,356,000
Previously Approved Funding	\$ (700,000)
Additional Funding Needed	\$ 3,656,000

Full Scope of Work for Swim Center – Budget Estimates WITHOUT Waterslide

Item	Cost
Replaster & Parking Lot (Approved/In Progress)	\$ 2,311,000
Deck Replacement Scope- Without Waterslide	\$ 1,514,000
Revised Full Scope Cost with Waterslide	\$ 3,825,000
Previously Approved Funding	\$ (700,000)
Additional Funding Needed	\$ 3,125,000

Time-Sensitive Capital Expenditures



Station 52 Type 1 Fire Engine Replacement

Replacement Need

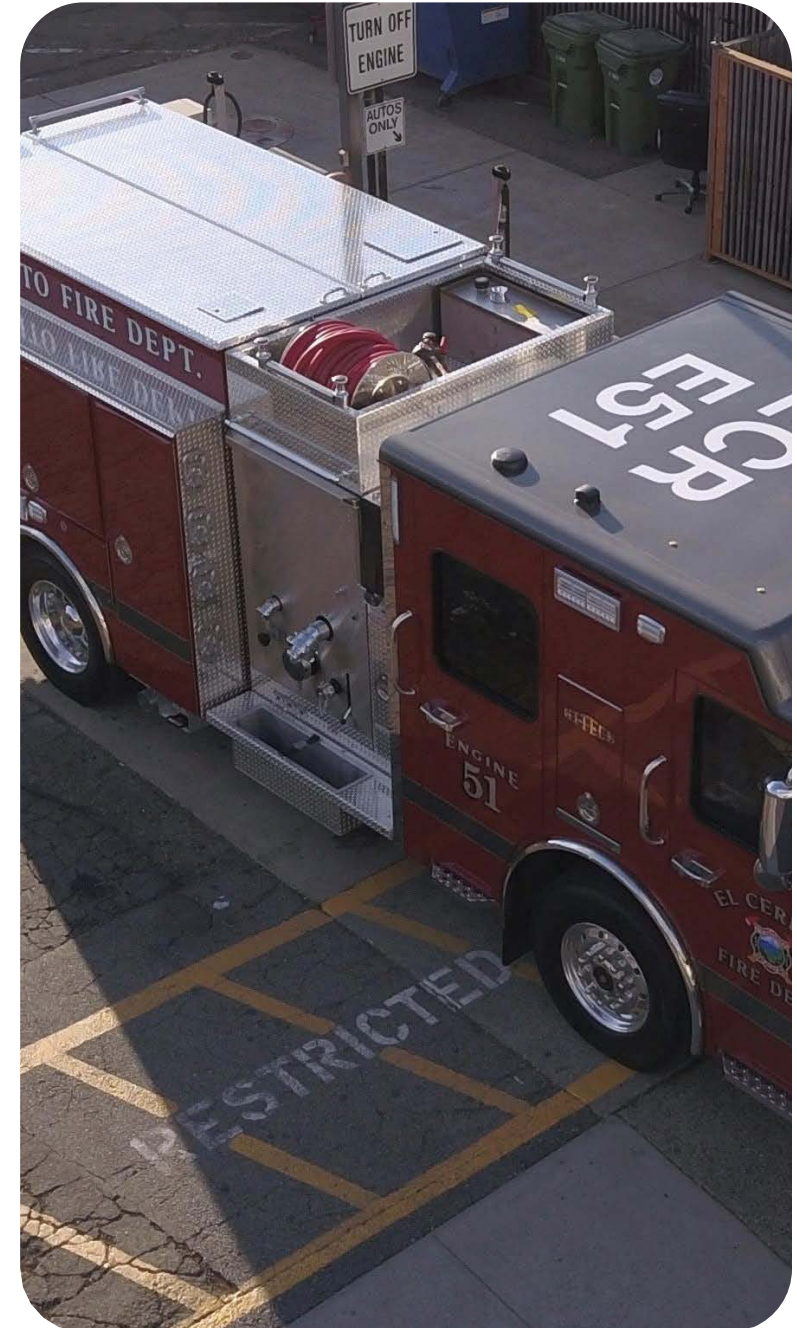
Type 1 fire engine at Station 52 exceeds its 15-year expected lifespan.

Funding and Budget Allocation

- Total current estimated cost is \$1,611,000
 - City Council approved \$308,000
 - \$48,000 available from Fund 601
 - Recommended funds from General Fund over two fiscal years: 2026-27 (\$882,000) and 2027-28 (\$729,000).
- Total additional funding needed is \$1,183,000

Timeline and Procurement

- If ordered after October 2025, expect a 15% price increase.
- If ordered in October 2025, expected delivery in 2027.



Emergency Operations Center (EOC) / Council Chambers Audio-Video(AV) Infrastructure

Replacement Need

- Original infrastructure (2007)
- Equipment age exceeds ability to repair/replace
 - Key components have recently failed
- Failures impact emergency response and functionality
- New legislative mandates (effective June 30, 2026)

Funding and Budget Allocation

- Estimate to upgrade: \$314,041
 - Recommended funding: 91% General Fund, 9% IWM Fund

Timeline

- Expected completion by end of FY 2025-26



Funding Considerations





Deck Replacement & Interior Work Funding Considerations

General Fund Availability

- \$4.4 million in discretionary funds due to projected surplus.
- Staff recommends allocating a portion to time-sensitive projects.

Measure H Constraints

- Currently dedicated to ongoing parks and recreation operations and swim center and other maintenance needs.
- Redirecting funds requires backfilling with General Fund

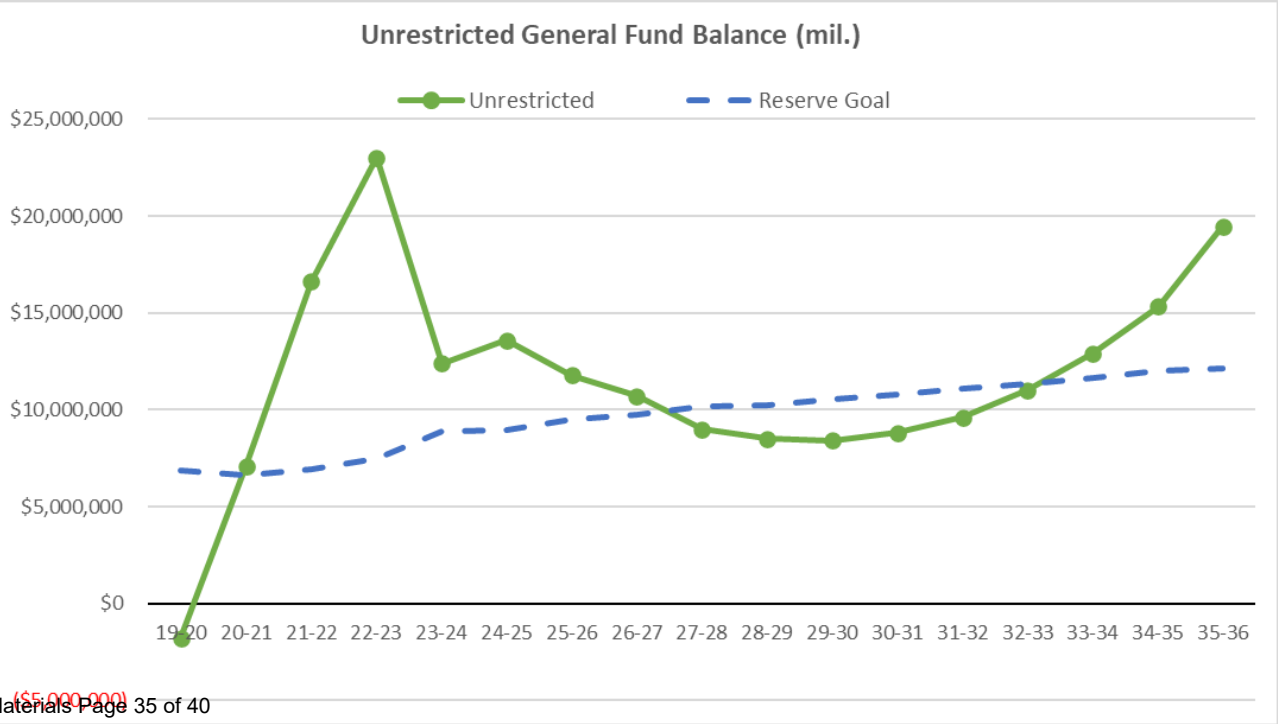
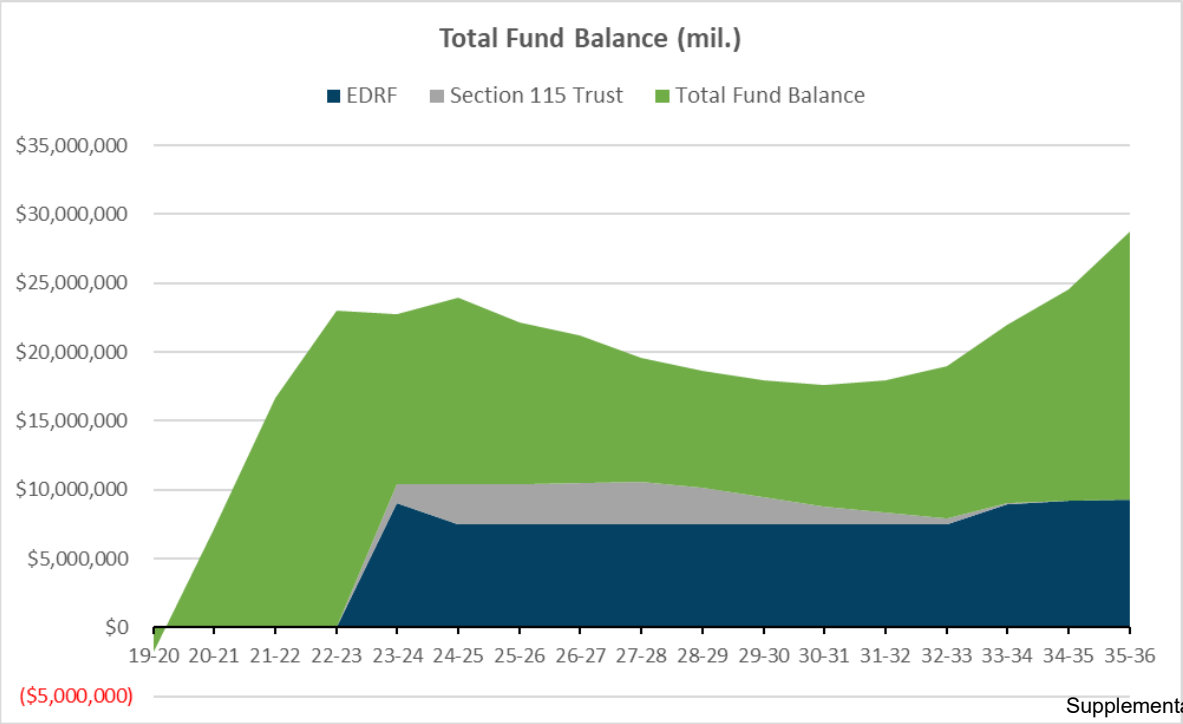
Debt Financing Not Recommended

- Estimated borrow rate of 6.25% significantly increases project costs.
- Avoiding debt preserves financial flexibility and ensures funds go directly to improvements.

Funding Scenario 1

Current Swim Center repairs,
EOC/Chamber AV, Fire Engine

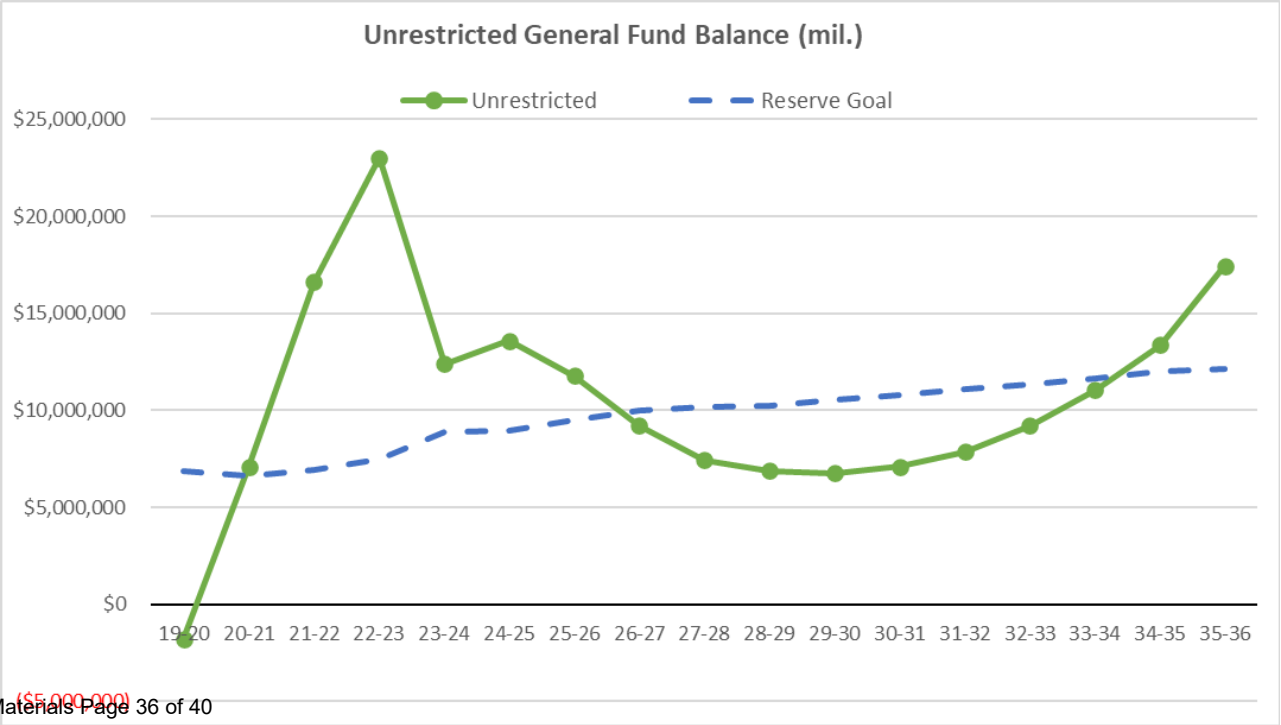
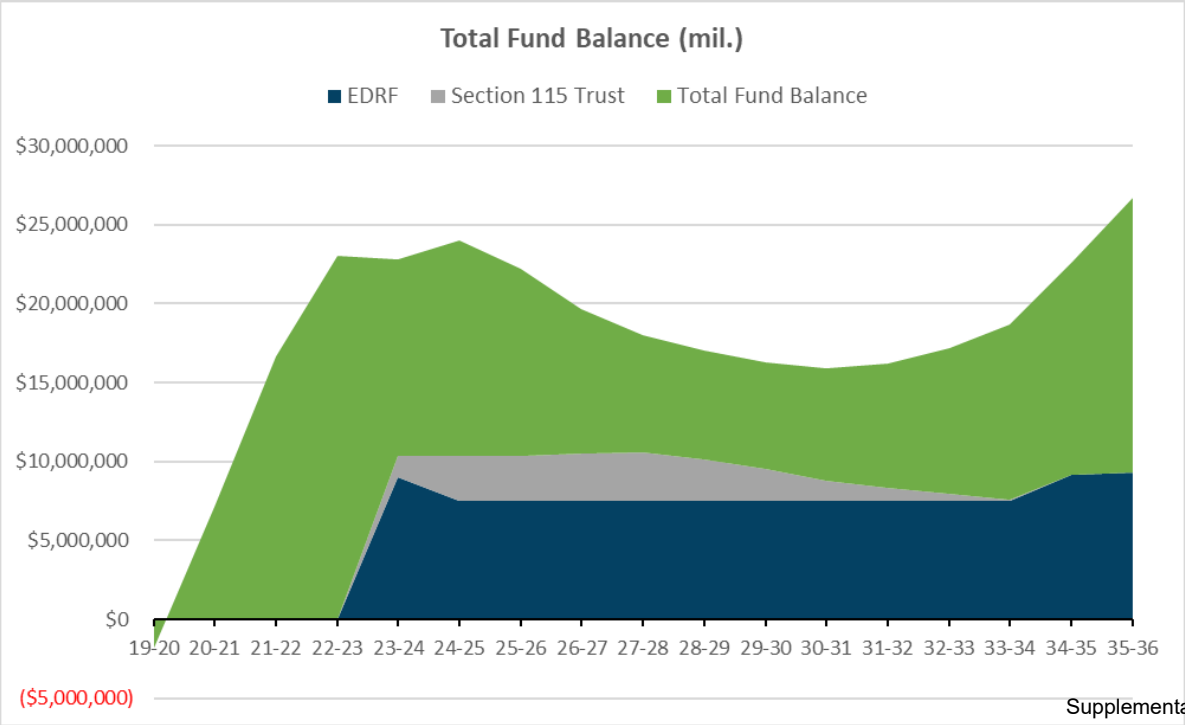
Description	Total Project Cost	Total Additional Funds Needed
Scenario 1		
EOC/Council Chambers Audiovisual	\$285,777	\$285,777
Fire Engine	\$1,611,598	\$1,183,600
Swim Center Capital Improvements – Lap Pool Replaster & Parking Lot ADA Only	\$2,311,000	\$1,611,000
Total Cost	\$4,208,375	\$3,080,377



Funding Scenario 2

Deck Replacement Without Waterslide, EOC/Chambers AV, and Fire Engine

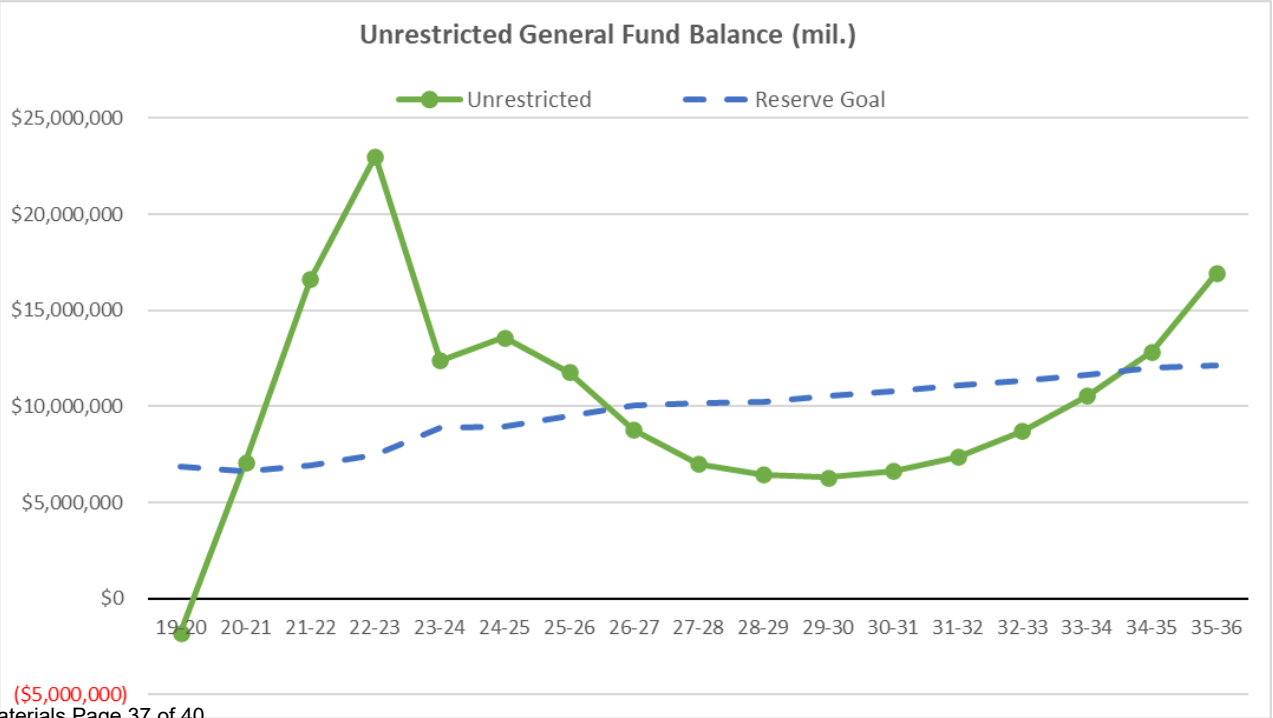
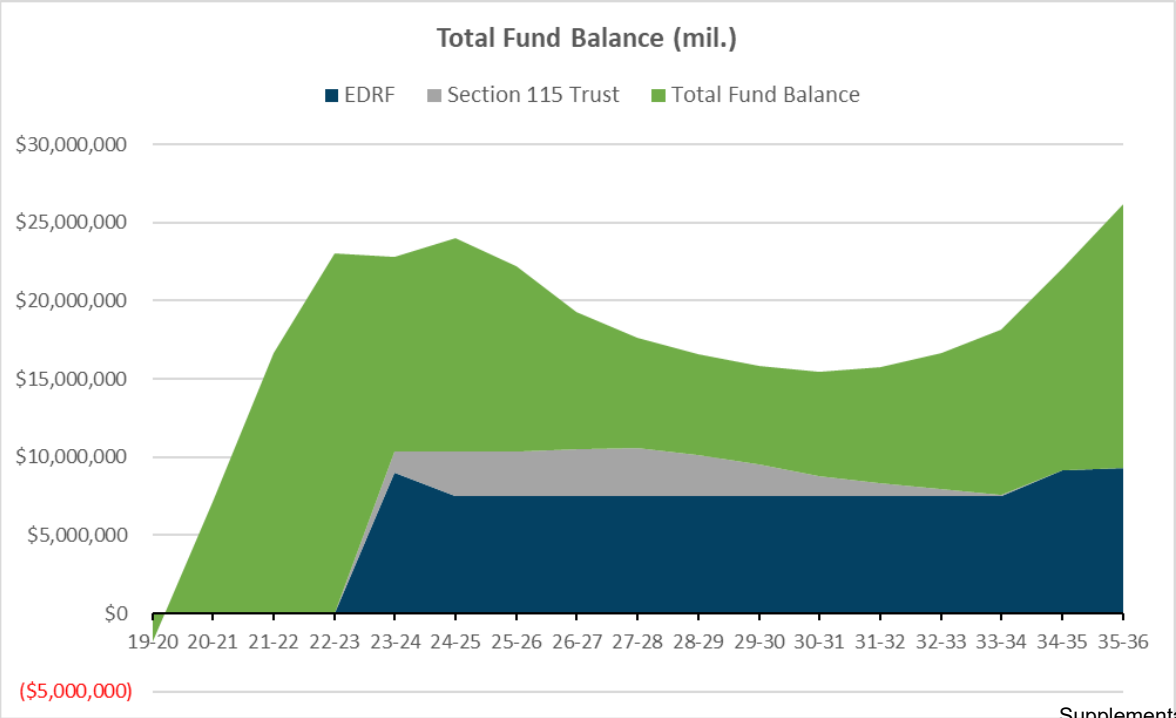
Description	Total Project Cost	Total Additional Funds Needed
Scenario 2		
EOC/Council Chambers Audiovisual	\$285,777	\$285,777
Fire Engine	\$1,611,598	\$1,183,600
Swim Center Capital Improvements – Replaster, Parking Lot ADA WITHOUT Waterslide	\$3,825,000	\$3,125,000
Total Cost	\$5,722,375	\$4,594,377



Funding Scenario 3

Deck Replacement With Waterslide, EOC/Chambers AV, and Fire Engine

Description	Total Project Cost	Total Additional Funds Needed
Scenario 3		
EOC/Council Chambers Audiovisual	\$285,777	\$285,777
Fire Engine	\$1,611,598	\$1,183,600
Swim Center Capital Improvements – Replaster, Parking Lot ADA WITH Waterslide	\$4,234,000	\$3,534,000
Total Cost	\$6,131,375	\$5,003,377





Further Considerations

Urgent Maintenance Compliance

City Council approval of Replaster and ADA Parking Lot Projects meets accessibility and urgent maintenance requirements.

Deck Replacement & Interior Work Need Remains

City consultants estimate the Lap Pool deck may last 2-3 more years before health & safety concerns require replacement or closure.

Staff Recommendations



Defer deck replacement and interior work to the next Biennial Budget cycle, due to impact on the General Fund balance and other capital needs



Include the project in the upcoming Capital Improvement Program for Fiscal Years 2027 through 2029



Provide direction to bring back items to authorize Fire Engine purchase and EOC/Chambers AV project

Questions?

