

Mayor

Gabe Quinto
Mayor Pro Tem
 Rebecca Saltzman

**AGENDA****Councilmembers**

William Ktsanes
 Lisa Motoyama
 Carolyn Wysinger

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TUESDAY, APRIL 7, 2026

REGULAR CITY COUNCIL MEETING (6:00 PM)

Council Chambers - 10890 San Pablo Ave, El Cerrito

Join Via Zoom:

<https://us06web.zoom.us/j/83882312364?pwd=AN33FvFvsVslkIZfnrYKt1ulbeZMla.1>

Meeting ID: 838 8231 2364 **Passcode:** 813859 **Dial in:** 1-408-638-0968

Please note that due to a delay in hardware modifications to Council Chambers audio-visual equipment, this meeting will not be broadcast or livestreamed online.

Public Comments:

1. In-person, by submitting a request to speak to the City Clerk.
2. Via Zoom, using the "[Raise Hand](#)" feature to request to speak.
3. By phone, dialing *9 to "raise your hand", and *6 to unmute.
4. Online, using the "[Submit Comments](#)" feature on the [meeting event](#).
5. Via email to cityclerk@elcerrito.gov indicating **Public Comments – Agenda Item #**.

Written comments received by **2:00 PM** 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 posted after the meeting.

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 are available via zoom.

Conduct: This meeting is held pursuant to City Council [Rules of Order and Procedure](#).

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

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

2. TELECONFERENCE AND PUBLIC COMMENT INSTRUCTIONS

3. 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.

4. ORAL COMMUNICATIONS FROM THE PUBLIC

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5. PRESENTATIONS

6. 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. Approval of Minutes

Action Proposed: Approve the City Council Meeting minutes from March 3 and 17, 2026.

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

B. Adopt an Ordinance for Permanent Outdoor Dining and Retail Sales Regulations

Introduced on 3/17/2026. Exempt from CEQA pursuant to sections 15060(c)(2) and 15061(b)(3).

Action Proposed: Adopt the ordinance titled:

An Ordinance of the City of El Cerrito to Amend Title 19 of the El Cerrito Municipal Code by Amending Section 19.20.150 and Repealing Section 19.20.160

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Councilmembers
William Ktsanes
Lisa Motoyama
Carolyn Wysinger

Contact: Diego Romero, Associate Planner; Sean Moss, Planning Manager, Community Development Department

C. Authorize Annual Report for Landscaping and Lighting Assessment District for Fiscal Year 2026-27

Action Proposed: Adopt a resolution directing NBS Local Government Solutions (NBS), as the designated Engineer of Work, to prepare and file the annual Landscaping and Lighting Assessment District No. 1988-1 report for Fiscal Year (FY) 2026-27.

Contact: Crystal Reams, Finance Director/City Treasurer, Finance Department; Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department

D. Earth Day Proclamation

Action Proposed: Pass a motion to approve a proclamation declaring April 25, 2026 as “Earth Day” in the City of El Cerrito and encouraging all residents and businesses to help make El Cerrito a greener, healthier, more sustainable place for all.

Contact: Christina Leard, Acting Senior Management Analyst, Public Works Department

E. Economic Development Committee Appointment

Action Proposed: Approve an Economic Development Committee recommendation to appoint Julia Salinas, effective April 1, 2026.

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

7. PUBLIC HEARINGS

8. POLICY MATTERS

A. Local Road Safety Plan Study Session

Action Proposed: Conduct a study session on key policy areas in the proposed Local Road Safety Plan and provide possible direction to City staff regarding these policies.

Contact: Jarrett Mullen, Sustainable Transportation Program Manager, Community Development Department; Yvetteh Ortiz, Public Works

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Director/City Engineer, Public Works Department

B. Library Tax Exemption Study Session

Action Proposed: Conduct a study session on proposed and alternative potential exemptions for the proposed Library Tax Initiative (Measure C) and, if changes are desired, provide direction regarding actions to expand exemptions.

Contact: Sky Woodruff, City Attorney

9. CITY COUNCIL LOCAL & REGIONAL LIAISON ASSIGNMENTS

Mayor and City Council communications regarding local and regional liaison assignments, committee reports, and any required reporting under AB 1234 for meetings (as defined by the Brown Act) attended at the public's expense.

10. ADJOURN REGULAR CITY COUNCIL MEETING

The next regularly scheduled City Council meeting is Tuesday, April 21, 2026 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.

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DRAFT MINUTES TUESDAY, MARCH 3, 2026

SPECIAL CITY COUNCIL MEETING (5:45 PM) Hillside Conference Room - 10890 San Pablo Ave, El Cerrito Join Via Zoom: https://us06web.zoom.us/j/85954964745?pwd=e4WplQXdgAX8gLnYVLZWwklqugsLOE.1 Meeting ID: 859 5496 4745 Passcode: 548282 Dial in: 1-408-638-0968
SPECIAL CITY COUNCIL MEETING (6:00 PM) Hana Gardens - 10870 San Pablo Ave, El Cerrito Join Via Zoom: https://us06web.zoom.us/j/87652376150?pwd=5ai9G1PN8bqhwdYulJibaUZxfXlvXy.1 Meeting ID: 876 5237 6150 Passcode: 767745 Dial in: 1-408-638-0968 Please note that due to the temporary meeting location, this meeting will not be broadcast or livestreamed online.

Public Comments:

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Conduct: This meeting is held pursuant to City Council [Rules of Order and Procedure](#).

5:45 PM ROLL CALL - CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Quinto called the meeting to order at 5:45 PM

Present: Mayor Quinto, Mayor Pro Tem Saltzman, Councilmember Ktsanes, Councilmember Motoyama, Councilmember Wysinger **Absent:** None

1. ORAL COMMUNICATIONS FROM THE PUBLIC

All persons wishing to speak should sign up with the City Clerk. Remarks are typically limited to 3 minutes per person and to items on the special meeting agenda only.

2. COMMISSION INTERVIEWS, STATUS AND APPOINTMENTS

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

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

The City Council conducted one interview and made the following appointments:

Moved/Seconded: Councilmember Motoyama/Councilmember Wysinger **Action:** For the Citizen Streets Oversight Committee, appointed Janet Byron to a partial term ending 3/1/2028; and appointed Benedicto Vega to a partial term ending on 31/2027.

Ayes: Mayor Quinto, Mayor Pro Tem Saltzman, Councilmember Ktsanes, Councilmember Motoyama, Councilmember Wysinger **Noes:** None

3. ADJOURN SPECIAL CITY COUNCIL MEETING

The special meeting adjourned at 5:58 PM

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

Mayor Quinto called the meeting to order at 6:06 PM

Present: Mayor Quinto, Mayor Pro Tem Saltzman, Councilmember Ktsanes, Councilmember Motoyama, Councilmember Wysinger **Absent:** None

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

2. TELECONFERENCE AND PUBLIC COMMENT INSTRUCTIONS

3. COUNCIL/STAFF COMMUNICATIONS

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

City Manager Pinkos - announced upcoming community budget workshop on 4/7.

Police Chief Keith - provided an overview of the recent audit conducted on, and use of the City's License Plate Readers.

Mayor Quinto - announced signed letter of support for BART's BUILD Grant application, and issuance of Mayoral Proclamation in Recognition of March 10, 2026 as Tibetan National Uprising Day.

4. ORAL COMMUNICATIONS FROM THE PUBLIC

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Public Comments:

Michael Coan - commented regarding concerns on the wording used for the ballot question language for the library tax measure.

Gerald Figone - spoke regarding traffic concerns on Fairmont Ave. and Liberty St. and avoiding a library location at areas with traffic concerns.

Bill Barish - commented on ownership of a new library and terms of the initiative related to leasing the property.

Brian Richmond - provided an update on meetings with City staff regarding desired public path improvements.

Laurie Schrey - commented on concerns related to terms for senior exemptions for the proposed library tax.

Stuart Sonatina - spoke regarding hazards from traffic to bikers and pedestrians.

Zylvanio Sonatina - spoke regarding traffic and need to slow down traffic.

Gaia Sonatina - commented on need to support change for youth, lack of safe public spaces, and traffic hazard concerns.

Janet Byron - commented on public path improvements, need for traffic calming, results on traffic survey conducted, and support for a new library.

Betsy Bashor - spoke regarding the funding change on the Richmond Street project.

Kimberly White - spoke regarding concerns on the city's financial status and suggested modifications.

5. PRESENTATIONS

A. Presentation from Senator Arreguín

Action Proposed: Receive and file a presentation from Senator Arreguín regarding current legislative priorities, recent accomplishments, and opportunities for collaboration with the City of El Cerrito

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

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding housing mandates and funding for infrastructure, real property transfer tax legislation, additional funding mechanisms for pending transit-oriented development projects.

Action: Received and filed

(Heard Out of Order)

G. American Red Cross Month Proclamation

Action Proposed: Pass a motion to approve a proclamation declaring March 2026 as American Red Cross Month in the City of El Cerrito and encouraging all Americans to support this organization and its noble humanitarian mission.

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

Moved/Seconded: Mayor Pro Tem Saltzman/Councilmember Motoyama **Action:** Approved proclamation. **Ayes:** Mayor Quinto, Mayor Pro Tem Saltzman, Councilmember Ktsanes, Councilmember Motoyama, Councilmember Wysinger **Noes:** None

6. ADOPTION OF THE CONSENT CALENDAR

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

Moved/Seconded: Councilmember Wysinger/Mayor Pro Tem Saltzman **Action:** Approved consent items D-F as indicated below. **Ayes:** Mayor Quinto, Mayor Pro Tem Saltzman, Councilmember Ktsanes, Councilmember Motoyama, Councilmember Wysinger **Noes:** None

Moved/Seconded: Councilmember Motoyama/Councilmember Ktsanes **Action:** Approved consent items A-C and H on the consent calendar as indicated below. **Ayes:** Mayor Quinto, Mayor Pro Tem Saltzman, Councilmember Ktsanes, Councilmember Motoyama, Councilmember Wysinger **Noes:** None

A. Financial Advisory Board Recommendation

Action Proposed: Receive and file a recommendation from the Financial Advisory Board.

Contact: David Carvel, Chair, Financial Advisory Board; Crystal Reams, Finance Director/Staff Liaison, Finance Department

Pulled from Consent by Mayor Pro Tem Saltzman.

Action: Received and filed

B. Environmental Quality Committee Recommendation

Action Proposed: Receive and file a recommendation from the Environmental Quality Committee.

Contact: Fred Bialy, EQC Chair, Environmental Quality Committee; Christina Leard, Management Analyst III/Staff Liaison, Public Works Department

Pulled from consent by Councilmember Ktsanes.

Action: Received and filed

C. Monthly Disbursement and Check Register Report for January 2026

Action Proposed: Receive and file the Monthly Disbursement and Check Register Report for the month of January 2026.

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

Pulled from consent by Councilmember Ktsanes.

Action: Received and filed

D. Economic Development Committee Appointment

Action Proposed: Approve an Economic Development Committee recommendation to reappoint Sandra Mayithara, effective March 1, 2026.

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

Action: Approved appointment

E. Arbor Week Proclamation

Action Proposed: Consider a motion to approve a proclamation declaring March 7 through March 14, 2026, as El Cerrito Arbor Week, urging all community members to observe and to celebrate by planting and caring for trees and by participating in City Arbor Week activities for the benefit of all, and for the benefit of future generations.

Contact: Stephen Prée, Program Manager, Public Works Department; Yvetteh Ortiz, Public Works Director/ City Engineer

Action: Approved proclamation

F. Women's History Month Proclamation

Action Proposed: Pass a motion to approve a proclamation designating March as "Women's History Month" and March 8, 2026 as "International Women's Day" in the City of El Cerrito.

Contact: Shannon Bassi, Human Resources Manager, City Management

Action: Approved proclamation

H. Amendment to Cooperative Agreement with Contra Costa Transportation Authority for Richmond Street Complete Streets Improvement Project

Action Proposed: Adopt a resolution authorizing the City Manager to execute Amendment No. 1 to the Cooperative Agreement with the Contra Costa Transportation Authority (CCTA) for the Richmond Street Complete Streets Improvement Project (Project) to incorporate additional funding identified for the Project.

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

Pulled from consent by Councilmember Motoyama.

Action: Approved Resolution No. 2026-13

7. PUBLIC HEARINGS

8. POLICY MATTERS

A. Municipal Pooling Authority Joint Exercise of Powers Agreement

Action Proposed: Receive and file a presentation on Municipal Pooling Authority (MPA) services and adopt a resolution approving the Amended and Restated MPA Joint Exercise of Powers Agreement

Contact: Alexandra Orologas, Assistant City Manager, City Management

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding structure of a self-ensured entity, and ability to mitigate increasing costs.

Moved/Seconded: Councilmember Motoyama/Mayor Pro Tem Saltzman

Action: Approved Resolution No. 2026-14. **Ayes:** Mayor Quinto, Mayor Pro Tem Saltzman, Councilmember Ktsanes, Councilmember Motoyama, Councilmember Wysinger **Noes:** None

B. Discussion on Library Task Force

Action Proposed: Provide staff direction on an El Cerrito Library Task Force mission statement, application, and selection process.

Contact: Karen Pinkos, City Manager; Holly M. Charl  y, City Clerk, City Management

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding application and interview questions, and options for interview and selection processes.

Public Comments:

Michael Fischer - commented on senior exemptions, and importance of the selection process for task force members.

Betsy Bashor - commented on the makeup of the task force and timeline for moving forward.

Linda Cain - spoke on forming a balanced task force, reporting mechanism for the task force.

City Council provided general direction on the Task Force mission statement, application structure, selection process, interview questions, and Mayor Pro Tem Saltzman was identified as the assigned Council Liaison

Moved/Seconded: Councilmember Motoyama/Councilmember Ktsanes

Action: Directed staff to agendize a study session at a future meeting to discuss senior exemptions related to the potential library tax. **Ayes:** Mayor Quinto, Councilmember Ktsanes, Councilmember Motoyama, Councilmember Wysinger

Noes: None **Abstain:** Mayor Pro Tem Saltzman

9. CITY COUNCIL LOCAL & REGIONAL LIAISON ASSIGNMENTS

Mayor and City Council communications regarding local and regional liaison assignments, committee reports, and any required reporting under AB 1234 for meetings (as defined by the Brown Act) attended at the public's expense.

Councilmember Ktsanes - reported on attendance at the Community Safety Committee meeting, upcoming UFC meeting, meeting with resident's 1st and 3rd Saturdays.

Councilmember Wysinger - reported on attendance at East Bay Division meeting of Cal Cities.

Councilmember Motoyama - reported on attendance at the Police Department swearing in ceremony, and Cal Cities dinner reception.

Mayor Pro Tem Saltzman - reported on attendance at the East Bay Cal Cities Division meeting, Cal Cities dinner reception, the El Cerrito Police Department Swearing in event, and West Contra Costa Transportation Advisory Committee meeting and election as the primary alternate for the Contra Costa Transportation Authority.

Mayor Quinto - reported on participation in gubernatorial candidate interviews.

10. ADJOURN SPECIAL CITY COUNCIL MEETING

The next regularly scheduled City Council meeting is Tuesday, March 17, 2026 at 6:00 p.m. at Hana Gardens

The special meeting adjourned at 9:27 PM

Gabe Quinto, Mayor

This is to certify that the foregoing is a true and correct copy of the minutes of the City Council meeting of March 3, 2026 as approved by the El Cerrito City Council.

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

Mayor
Gabe Quinto
Mayor Pro Tem
Rebecca Saltzman



Councilmembers
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Lisa Motoyama
Carolyn Wysinger

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DRAFT MINUTES

TUESDAY, MARCH 17, 2026

Public Comments:

SPECIAL CITY COUNCIL MEETING (6:00 PM)
Hana Gardens - 10870 San Pablo Ave, El Cerrito

Join Via Zoom:

<https://us06web.zoom.us/j/86092004213?pwd=gpoaM91sJgKXzC6SfApXVSQcbs7V3k.1>

Meeting ID: 860 9200 4213 **Passcode:** 349753 **Dial in:** 1-408-638-0968

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Conduct: This meeting is held pursuant to City Council [Rules of Order and Procedure](#).

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

Mayor Pro Tem Saltzman called the meeting to order at 6:01 PM. **Present:** Mayor Pro Tem Saltzman, Councilmember Ktsanes, Councilmember Motoyama **Absent:** Mayor Quinto, Councilmember Wysinger

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

2. TELECONFERENCE AND PUBLIC COMMENT INSTRUCTIONS

3. 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.

Assistant City Manager Orologas - announced upcoming Community Budget Workshop on 3/25.

Councilmember Motoyama - announced upcoming East Bay Wildfire Meeting 3/25, and recognized the 5-year anniversary of the COVID-19 lockdown.

Mayor Pro Tem - formally disbanded the City Council Ad-Hoc Committee to recommend Council Policy revisions; reported on 12 letters sent by Mayor Quinto in support of the City's Community Funding Project Requests for Fiscal Year 2027; and announced applications deadline for the Library Task Force of 4/17/2026.

4. ORAL COMMUNICATIONS FROM THE PUBLIC

Remarks are typically limited to 3 minutes per person. The Mayor may reduce the time limit per speaker depending upon the number of speakers and may limit the total time for public comment to facilitate the completion of business on the agenda. Comments regarding non-agenda, presentation and consent calendar items will be heard first.

Comments related to items appearing on the Public Hearing or Policy Matter portions of the Agenda will be heard prior to the City Council taking action on each item.

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

Michael Coan - spoke regarding concerns about senior exemption language in the proposed library tax measure.

Dianne Brenner - spoke in opposition to the proposed library tax measure.

Ira Sharenow - commented on estimated revenues, senior exemptions, and questions regarding financials related to a new library.

5. PRESENTATIONS

6. ADOPTION OF THE CONSENT CALENDAR

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

Moved/Seconded: Councilmember Motoyama/Councilmember Ktsanes **Action:** Approved the consent calendar as indicated below. **Ayes:** Mayor Pro Tem Saltzman, Councilmember Ktsanes, Councilmember Motoyama **Noes:** None **Absent:** Mayor Quinto, Councilmember Wysinger

A. Approval of Minutes

Action Proposed: Approve the City Council Meeting minutes from February 10, February 17, February 19, and February 24, 2026.

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

Action: Approved minutes

B. Transgender Day of Visibility Proclamation

Action Proposed: Approve a proclamation recognizing March 31, 2026 as Transgender Day of Visibility.

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

Action: Approved proclamation

C. Monthly Disbursement and Check Register Report for February 2026

Action Proposed: Receive and file the Monthly Disbursement and Check Register Report for the month of February 2026.

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

Action: Received and filed

D. General Plan Annual Progress Report

Action Proposed: Receive and file the 2025 Annual Progress Report on the General Plan and Housing Element.

Contact: Diego Romero, Associate Planner; Sean Moss, Planning Manager, Community Development Department

Action: Received and filed

E. A Resolution Authorizing a Prohousing Incentive Program Application

Action Proposed: Adopt a resolution authorizing the City Manager to apply for the Prohousing Incentive Program.

Contact: Aissia Ashoori, Housing-Economic Development Program Manager

Action: Approved Resolution No. 2026-15

F. Annual Parcel Assessment for the National Pollutant Discharge Elimination System (NPDES) Program and Drainage Maintenance Activities for Fiscal Year 2026-27

Action Proposed: Adopt a resolution establishing the annual parcel assessment for the National Pollutant Discharge Elimination System (NPDES) program and Drainage Maintenance activities at the current rate of \$38.00 per Equivalent Runoff Unit (ERU) and authorizing the Contra Costa County Flood Control & Water Conservation District to adopt Stormwater Utility Area (SUA) levies based on said amount for Fiscal Year (FY) 2026-27.
Contact: Christina Leard, Management Analyst III/Acting Operations & Environmental Services Manager and Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department
Action: Approved Resolution No. 2026-16

7. PUBLIC HEARINGS

A. Introduce an Ordinance to Adopt Permanent Outdoor Dining and Retail Sales Regulations

Published on 3/7/2026. Exempt from CEQA pursuant to sections 15060(c)(2) and 15061(b)(3)).

Action Proposed: Conduct a public hearing and introduce the ordinance titled:

An Ordinance of the City of El Cerrito to Amend Title 19 of the El Cerrito Municipal Code by Amending Section 19.20.150 and Repealing Section 19.20.160

Contact: Diego Romero, Associate Planner; Sean Moss, Planning Manager, Community Development Department

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding the number of participating businesses, utilization of the public right of way permitting process, electrical generator prohibitions, information regarding policies for generators in the city in general, and food truck permitting processes.

Public Hearing: Mayor Pro Tem Saltzman opened the public hearing.

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

Howdy Goudey - commented on electric and fossil fuel generator regulations.

Moved/Seconded: Councilmember Motoyama/Councilmember Ktsanes

Action: Closed the public hearing. **Ayes:** Mayor Pro Tem Saltzman, Councilmember Ktsanes, Councilmember Motoyama **Noes:** None **Absent:** Mayor Quinto, Councilmember Wysinger

Moved/Seconded: Councilmember Motoyama/Mayor Pro Tem Saltzman
Action: Introduced the ordinance, correcting section 19.47.020 Definitions - Outdoor Retail to read "outside area"; and modify section 19.20.150 A. and B.2. to delete "adopted by the City Council and" with regard to the program guidelines. **Ayes:** Mayor Pro Tem Saltzman, Councilmember Ktsanes, Councilmember Motoyama **Noes:** None **Absent:** Mayor Quinto, Councilmember Wysinger

8. POLICY MATTERS

A. Fiscal Year 2026-27 and 2027-28 Budget Study Session

Action Proposed: Receive a presentation from City Departments and conduct a study session on the FY 2026-27 and 2027-28 Proposed Budget, including:

- Department Overview and Staffing
- Review of FY 2025-26 Department Highlights and Accomplishments
- FY 2026-27 and 2027-28 Department Focus and Workplan/Operations

Contact: Karen Pinkos, City Manager, City Management

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding vehicle pursuit ordinance, DUI data points, surveillance measures, artificial intelligence in police reports, project kick-start deadlines, regulations surrounding condos, and safety and traffic calming efforts.

Public Comments:

Michael McDougall - commented on avoiding strictly additive budgeting and the need to prioritize through the budget process.

Ira Sharenow - spoke regarding the need to address risks related to library tax, interest rates, and tax revenues.

Action: Received and filed.

B. Amendments to the City Comprehensive Financial Policies Action

Proposed: Consider the Financial Advisory Board's recommended changes to the City of El Cerrito Comprehensive Financial Policies and adopt a resolution to revise the Policies to include grammatical and minor language edits.

Contact: Crystal Reams, Finance Director/City Treasurer

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding notification in advance of issuance of a Tax and Revenue Anticipation Note (TRAN) and intent of reserves.

Public Comments:

David Carvel - Financial Advisory Board (FAB) Chair, clarified the intention of the recommendation made.

Michael McDougall - FAB Vice Chair, spoke in support of the City's position on the recommendation.

Kimberly White - FAB member, commented on concerns regarding the staff recommendation against the modification.

Ira Sharenow - commented regarding financial concerns and referenced prior events related to prior ballot measures.

Moved/Seconded: Councilmember Motoyama/Councilmember Ktsanes
Action: Approved. **Ayes:** Mayor Pro Tem Saltzman, Councilmember Ktsanes, Councilmember Motoyama **Noes:** None **Absent:** Mayor Quinto, Councilmember Wysinger

9. CITY COUNCIL LOCAL & REGIONAL LIAISON ASSIGNMENTS

Mayor and City Council communications regarding local and regional liaison assignments, committee reports, and any required reporting under AB 1234 for meetings (as defined by the Brown Act) attended at the public's expense.

Councilmember Ktsanes - reported on attendance at Community Budget Workshop, Urban Forest Committee meeting, Police community meeting regarding Flock Cameras, Marin Clean Energy meeting, resident meeting regarding street safety, RecycleMore meeting, and Economic Development Committee meeting.

Councilmember Motoyama - reported on attendance at Groundbreaking event at El Cerrito Plaza BART station, City Lobbying Day in Sacramento, Association of Bay Area Governments Housing Committee meeting, and 25th Elks Club Law Enforcement Dinner event.

Mayor Pro Tem Saltzman - reported on attendance at the Community Budget workshop, City Lobbying Day in Sacramento, Groundbreaking event at El Cerrito Plaza BART station, and Planning Commission meeting.

10. ADJOURN SPECIAL CITY COUNCIL MEETING

*The next regularly scheduled City Council meeting is Tuesday, April 7, 2026 at 6:00 p.m.
The special meeting adjourned at 9:54 PM.*

Gabe Quinto, Mayor

This is to certify that the foregoing is a true and correct copy of the minutes of the City Council meeting of March 17, 2026 as approved by the El Cerrito City Council.

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

ORDINANCE NO. 2026-01

AN ORDINANCE OF THE CITY OF EL CERRITO TO AMEND TITLE 19 OF THE EL CERRITO MUNICIPAL CODE BY AMENDING SECTION 19.20.150 AND REPEALING SECTION 19.20.160

WHEREAS, the California Constitution, Article XI, Section 7, provides cities and counties with the authority to enact ordinances to protect the health, safety, and general welfare, of their citizens; and

WHEREAS, on March 13, 2020 and July 31, 2020, respectively, the City Council of the City of El Cerrito proclaimed the existence of a Local Emergency related to COVID-19 and adopted Resolution No. 2020-42 to approve a Temporary Outdoor Dining and Retail Program including temporary land use regulations and administrative guidelines and permit procedures (the "Program") in the City to enhance business recovery during the COVID-19 pandemic; and

WHEREAS, on December 6, 2022, the City Council made requisite findings and adopted Ordinance No. 2022-04 pursuant to a duly noticed public hearing as an interim urgency measure for an initial forty-five (45) day period pursuant to Government Code section 65858 to continue the Program, in order to protect public health, safety and welfare as set forth more specifically in that ordinance and hearing records; and

WHEREAS, on January 17, 2023, the City Council made requisite findings and adopted Ordinance No. 2023-01 pursuant to a duly noticed public hearing to extend the interim urgency measure and continue the Program for a period of twenty-two (22) months and fifteen (15) days, in order to continue protecting public health, safety and welfare as set forth more specifically in that ordinance and hearing records; and

WHEREAS, on November 19, 2024, the City Council adopted Ordinance No. 2024-04 enacting an urgency ordinance to maintain a temporary outdoor dining and retail program to enhance business recovery pursuant to government code section 36937; and

WHEREAS, in the fall of 2023 City Staff commenced an effort to create a permanent Outdoor Dining and Retail ordinance to replace the interim ordinance in order to continue the benefits of the program which supports numerous city goals; and

WHEREAS, Community Development staff coordinated an internal working group including representatives from the Planning Division, Building Division, Engineering Division, Operations and Environmental Services Division, and Fire Department in order to evaluate the regulations currently in place as part of the Temporary Program; and

WHEREAS, in the summer and fall of 2024, City staff sought feedback from community stakeholders, including the business community, to ensure that the permanent regulations met the needs of local businesses, while implementing the City Council's vision for a vibrant public realm in our City; and

WHEREAS, On December 4, 2024, the Planning Commission and the Economic Development Committee reviewed the draft ordinance in a special joint meeting and provided feedback to staff; and

WHEREAS, the existing Program has been used by businesses to utilize outdoor private property and public right-of-way for outdoor commercial activities; such uses have fostered economic growth and promoted dining and retail activities in the El Cerrito community in support of businesses and customer experience and convenience; and

WHEREAS, additionally, this Ordinance establishes a permanent Outdoor Dining and Retail Program which serves the public interest and preserves the public peace, health and safety by maintaining the orderly utilization of public and private properties by restaurants, retail businesses, and consumers; and by continuing to promote economic vitality; and

WHEREAS, on February 18, 2026, the Planning Commission of El Cerrito adopted a Resolution recommending that the City Council amend title 19 of the El Cerrito Municipal Code by amending section 19.20.150 and repealing section 19.20.160; and

WHEREAS, on March 17, 2026, the City Council held a duly noticed public hearing to consider the proposed Ordinance and the presentation, testimony, documents, and other evidence presented to it during the hearing and as a part of the record.

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

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

Section 2: Amendment of the El Cerrito Municipal Code. The terms Outdoor Dining, Outdoor Retail, and Readily Removeable and their corresponding definitions shall be added to Sections 19.47.010 and 19.47.020 of the El Cerrito Municipal Code as follows:

Section 19.47.010 List of Terms

Outdoor Dining

Outdoor Retail

Readily Removable

Section 19.47.020 Definitions

Outdoor Dining. The use of an outside area for eating, drinking, and food preparation activities, including those in conjunction with an existing business with a storefront. This definition does not include Outdoor Retail, or a sidewalk vendor as defined in Government Code Section 51036.

Outdoor Retail. The use of an outside area in which goods are placed for display or sale purposes in conjunction with an existing business with a storefront.

Readily Removable. Fixtures which are not leaded, cemented, nailed, bolted, power riveted, screwed in or affixed to a location on the ground by weight or in any other manner, and that can be relocated and stored without the use of heavy equipment when not in use.

Section 3: Amendment of the El Cerrito Municipal Code. Section 19.20.150 of the El Cerrito Municipal Code is amended to read in full as follows:

Section 19.20.150 Outdoor Dining and Retail sales

Outdoor Dining Uses and Outdoor Retail Sales shall be located, developed, and operated in compliance with the following standards:

A. Applicability. No person may establish an Outdoor Dining or Outdoor Retail Use on private property or in the public right-of-way without obtaining an Outdoor Dining and Retail Permit from the City in accordance with the requirements of this section. Outdoor Dining and retail uses shall be consistent with the standards in Sections C and D below, and the measures set forth in the Outdoor Dining & Retail Program Guidelines most recently in effect as may be amended. As used in this section, the term “applicant” shall include property owners, business owners, individuals or entities that submit an application to the City, and/or any other project sponsors applying to the City for an Outdoor Dining and Retail Permit and establishing or operating an Outdoor Dining or Outdoor Retail Use thereunder.

B. All Outdoor Dining and Outdoor Retail Uses. All Outdoor Dining or Outdoor Retail Use shall obtain an Outdoor Dining and Retail Permit issued by the City. Issuance of an Outdoor Dining and Retail Permit shall be subject to compliance with the following requirements:

1. Location.

- a. Outdoor Dining and Outdoor Retail uses permitted pursuant to this Chapter shall be located on properties containing an existing business, excluding Home Occupations, and adjacent pedestrian areas of public right-of-way. Outdoor Dining and Outdoor Retail uses must be operated in conjunction with an existing business. Outdoor Dining and Outdoor Retail uses must be located within the frontage of the existing business. The definition of “frontage” shall be as defined in the San Pablo Avenue Specific Plan (“SPASP”). Exceptions to the foregoing requirements shall be allowed with approval of an Administrative Use Permit.
- b. Notwithstanding any provisions of the Zoning Ordinance and the SPASP, the use of outdoor private sidewalks, other private pedestrian areas, and private parking areas for outdoor dining and outdoor retail uses shall be permitted consistent with this Chapter. The applicant must provide evidence to the City demonstrating valid authorization from the property owner for such use, including the size and location of the use, at the time of filing an application.

- 2. Compliance with the Outdoor Dining & Retail Program Guidelines.** The establishment, operation, and maintenance of an Outdoor Dining or

Outdoor Retail use shall comply with all requirements and regulations contained in the Outdoor Dining & Retail Program Guidelines most recently in effect.

3. **Temporary Signs.** In addition to any signage permitted for the associated business by the Zoning Ordinance and the SPASP, and notwithstanding any provisions of the Zoning Ordinance and SPASP to the contrary, a maximum of one (1) free-standing menu or merchandizing board may be displayed, as set forth in the Outdoor Dining & Retail Program Guidelines. Free-standing signs must not encroach on the pedestrian right-of-way or the accessible path as required in Section 19.20.150.B.1
4. **Compliance with Applicable Laws.** Outdoor Dining or Outdoor Retail uses shall comply with all applicable federal, state, and local laws at all times, including but not limited to all applicable Fire and Building Standards Code provisions.
5. **County and State Requirements.** Prior to establishing an Outdoor Dining or Retail Use, the applicant shall secure all applicable approvals and permits from the Contra Costa County Department of Environmental Health and/or the California Department of Alcohol Beverage Control (ABC) or other applicable approvals.
6. **Requirements for Use in the Public Right-of-Way.** Outdoor Dining or Retail Use occupying any portion of the Public Right-of-Way, including but not limited to public sidewalks, shall comply with the following requirements:
 - a. **Hold Harmless Waiver.** The applicant shall execute and provide to the City a written agreement, in a form approved by the City Attorney, that the applicant will indemnify, defend and hold harmless the City and designated City Indemnitees for any and all liabilities, claims, damages and expenses for any injuries or property damages in the Right-of-Way arising from the presence of such Outdoor Dining or Retail area in the Right-of-Way.
 - b. **Certificates of Insurance.** The applicant shall provide General Liability insurance, as approved by the City Attorney and the City's Risk Manager, in an amount not less than \$1,000,000 naming the City and City Indemnitees as additional insureds; such policy shall remain in force at all times that the permit is in effect and the applicant shall provide verification of this policy to the City annually.

C. Permit Application Review and Approval.

1. **Application.** An application for Outdoor Dining or Retail Uses shall be filed with the City and shall be accompanied by copies, in a quantity as required on the City's published application checklist, of site plans, ownership information, activity descriptions, photographs, or other presentation material as may be necessary for complete review and consideration of the

proposed outdoor dining activities. The applicant shall pay all applicable fees or deposits as set forth in the City's Master Fee Schedule most recently adopted by the City Council.

2. **Review and Approval.** Except as provided for in Subsection (D) below, the City shall administratively process and review an application for Outdoor Dining or Retail Uses. The application will be reviewed against this Section and the Outdoor Dining & Retail Program Guidelines most currently in effect. The application may be approved and an Outdoor Dining and Retail Permit may be issued if the City determines that the proposed Outdoor Dining and/or Outdoor Retail activities and design are consistent with all applicable requirements. Upon approval, the applicant shall execute all required agreements, pay all applicable outstanding fees or deposits as reflected herein and in the City's Master Fee Schedule, and obtain any required insurance, pursuant to the requirements herein.

D. Non-Removable Outdoor Dining. In addition to the requirements of Subsection (B) above, an applicant seeking to install Non-Removable Outdoor Dining furnishing structures that are not readily removable shall be subject to the following additional requirements.

1. **Design Review.** Notwithstanding subsection (B)(7) above, the installation of furnishings and structures shall be subject to Tier I Design Review within the SPASP area or Administrative Design Review in all other areas.
2. **Public Right-of-Way.** For any use of the Public Right-of-Way such as public sidewalks, the following additional requirement shall apply:
 - a. **Encroachment Permit.** Applicants for an Outdoor Dining use in the public right-of-way with non-removable features shall obtain an Encroachment Permit from the City.
 - b. **Removal of Fixtures Upon Termination.** The applicant is required to remove all Outdoor Dining and Retail installations within 90 days upon termination of the Permit pursuant to Subsection (E) below, or if the use has ceased for a duration of more than 180 days.

E. Termination of Outdoor Dining and Retail Permit.

1. **Revocation Based on Complaints Received.**
 - a. Any interested party observing a violation of this Section or the Outdoor Dining & Retail Program Guidelines may submit a complaint to the City in accordance with the procedures set forth in the Guidelines.
 - b. The City will review all complaints received and determine if a complaint has been validly filed and can be substantiated. If the

City determines that there is sufficient evidence to substantiate a validly filed complaint, the City will first provide a notice of violation to the party committing the violation in accordance with the procedures set forth in the Outdoor Dining & Retail Program Guidelines.

- c. If the violation is not corrected as provided for in the Guidelines, the Zoning Administrator may take the following actions or refer the matter to Planning Commission to take the following action: (1) review an Outdoor Dining or Outdoor Retail Permit at a noticed public hearing and impose Conditions on said Outdoor Dining or Retail use under the permit; or (2) may initiate revocation of the applicable permit for the Outdoor Dining or Outdoor Retail use in accordance with the procedures outlined in Chapter 19.32, Common Procedures of this Zoning Ordinance.

2. **Cessation of Use.** The applicant is required to remove the installation if not in use for a duration of more than 180 days.

F. Appeals. Decisions on Outdoor Dining & Retail Use application submissions and permit decisions may be appealed by the applicant to the City Manager or their designee within 10 days of an action on the application. Design Review actions for non-removable Outdoor Dining may be appealed pursuant to Chapter 19.39: Appeals.

G. Violation—Penalty. Any person who violates, or causes or permits another person or entity to violate, any provision of this chapter shall be subject to administrative citations and fines as set forth under Chapter 1.14: Administrative Penalties

Section 4: Amendment of the El Cerrito Municipal Code. Section 19.20.160 of the El Cerrito Municipal Code is repealed in its entirety.

Section 5: Severability. If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. The city council hereby declares that it would have passed the ordinance codified in this chapter, and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to whether any portion of this chapter would be subsequently declared invalid or unconstitutional.

Section 6: Effective Date. This Ordinance shall take effect and be enforced thirty days after the date of its adoption. Prior to the expiration of fifteen days from the passage thereof, the ordinance or a summary thereof shall be posted or published as may be required by law, and thereafter the same shall be in full force and effect.

THE FOREGOING ORDINANCE was introduced at a special meeting of the City Council on March 17, 2026 and passed by the following vote:

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

ADOPTED AND ORDERED published at a regular meeting of the City Council held on April 7, 2026 and passed by the following vote:

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

APPROVED:

Gabe Quinto, 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. 2026-01 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 7 day of April, 2026; and that said Ordinance has been published and/or posted in the manner required by law.

WITNESS my hand and Official Seal of the City of El Cerrito on_____.

Holly M. Charléty, City Clerk



Outdoor Dining & Retail Program Guidelines

Last Revised: 03/17/2026

If you are a business owner with a storefront or building space and want to use outdoor private and/or public space adjacent to your business the following guidelines apply to all proposed Outdoor Dining and Retail uses.

The City has created a streamlined Outdoor Dining & Retail Permit Application for **Removable Outdoor Dining and Retail Uses**, which are those that use temporary furnishing that can be easily rearranged and removed.

Non-Removable Outdoor Dining Uses, which are those that feature furnishings which are permanently installed and not readily removable as defined in Section 19.20.150 of the Municipal Code, are also subject to Design Review. For information and submittal requirements, please see the [Administrative and Tier I Design Review Checklist](#).

The City has adopted Municipal Code Section 19.20.150 to implement regulations relating to Outdoor Dining and Retail Uses, and created the following guidelines, including general and specific standards, for the Outdoor Dining and Retail Program. Please review the guidelines before submitting a Removable Outdoor Dining & Retail Permit Application.

Standards that apply to ALL Outdoor Dining and Outdoor Retail Uses

(For standards and procedures that apply specifically to removable and non-removable Outdoor Dining and Outdoor Retail Activities, please see those sections of the Guidelines below.)

These general standards apply to all applications for removable and non-removable outdoor dining uses. The use of "Applicant" herein shall be as defined under Section 19.20.150(A) of the Muni Code.

A. Location and Fixture Standards

- 1. Adequate Clearance** – Maintain a permanent minimum 5 feet clear pedestrian clearance between the outdoor dining structure and any physical obstruction in the sidewalk, including but not limited to light poles, news racks, trees, benches or other barriers. Furnishings and merchandise shall not be placed in a manner that obstructs access to the 5-foot pedestrian clearance. In areas where existing physical obstructions are present and unavoidable, the Zoning Administrator may permit reduction of pedestrian clearance to 4 feet. Applicants must clearly show the pedestrian clearance on plans submitted to the City. The proposed pedestrian clearance shall not disrupt any normal function of the sidewalk, street, or surrounding areas, or their circulation and shall not obstruct sight

distances or otherwise create hazards for vehicle or pedestrian traffic.

2. **ADA Compliance** - Outdoor dining and business activity areas must comply with all requirements of the Americans with Disabilities Act (ADA). Outdoor dining and business activity areas shall not utilize parking spaces required by the ADA or interfere with the path of travel for the parking stalls. Outdoor activities must be conducted in a manner that would facilitate immediate removal of any obstruction of an accessible path of travel identified by a member of the public, including but not limited to having staff onsite who can immediately carry out such removals. If barriers or platforms are provided as a part of the seating area, an accessible route to each table shall be maintained at all times.
3. **Temporary Furnishings** – The outdoor dining area shall not have any permanent furnishings or non-removable fixtures (except with approval of a Non-Removable Outdoor Dining & Retail Permit). The outdoor dining and retail area also shall not have any temporary furnishings or fixtures except the following: Tables, seating, umbrellas, space heaters, planters, solid waste receptacles, racks, shelving for merchandise, other temporary furnishings needed to provide business services, platforms or ramps to achieve ADA compliance, and physical barriers to mark the outdoor dining area. These items must be designed to be weighted down so as not to be blown by the wind or easily tipped over and must be removable. Operators shall maintain the furnishing in such a manner that it shall not be deemed a nuisance. Temporary furnishings shall not block visibility of street signs, crosswalks, and intersections. No stacking or storage of furnishings in outdoor areas is permitted. If a tent or other barricade is used, exits must be clearly marked. Temporary furnishings shall not be secured to streetlights, trees or any other public street furniture.
4. **Temporary Signs** - A maximum of one (1) free-standing menu or merchandizing boards may be displayed within the outdoor dining area or directly in front of the building, which shall have no more than two (2) faces. Temporary signs may have a maximum total surface area of six (6) square feet per face and can be up to 42 inches tall by 30 inches wide. Free-standing signs must not encroach into the pedestrian clearance, a pedestrian travel route, or an accessible path.
5. **Driveways** - All active driveways and drive aisles must be kept clear and accessible without obstruction at all times.
6. **Fire Safety and Emergency Access** - All building exits, exit pathways and fire drive aisles must be kept clear. Access to building fire protection equipment and sidewalk fire hydrants must be kept clear. A fire extinguisher inside the building must be quickly accessible and located no more than 75 feet (path of travel) from the furthest point of outside occupancy to the location inside the building with no locked doors. If patio heaters are used, a fire extinguisher must be mounted outside with a sign and be easily accessible.
7. **Compliance with Applicable Laws.** Outdoor Dining or Outdoor Retail uses shall comply with all applicable federal, state, and local laws at all times, including but not limited to all applicable Fire and Building Standards Code provisions.

B. Operation Standards

1. **Outdoor Food Preparation** - Any outdoor food preparation must receive all applicable

approvals and permits from the Contra Costa Department of Environmental Health or other applicable agencies. Outdoor food preparation can be done in any fire rated tent or canopy that can withstand up to a 60-mph wind. Cooking appliances shall be 20 feet from anything combustible.

2. **Outdoor Serving of Alcohol** - Any outdoor alcohol service must receive all applicable approvals and permits from the California Department of Alcohol Beverage Control or other applicable agencies.
3. **Site Maintenance** - The area shall be maintained in a sanitary condition free from litter, debris and infestation from pests, and the storm drain must be kept clear. At the end of each business day, establishments are required to clean (sweep and/or mop) the area in and around the outdoor use area. No debris shall be swept, washed, or blown into the sidewalk, gutter or street. Any discharge other than storm water into the storm water drainage system is prohibited.
4. **Solid Waste Disposal** – All solid waste generated by the operation of the outdoor dining area, including garbage, green waste and recycling, must be properly sorted and disposed of in receptacles provided for and serving the business. City on-street trash and recycling receptacles shall not be used.
5. **Hours of Operation** - The outdoor dining and retail activity areas shall adhere to the same approved hours of operation as the existing business. The Zoning Administrator may establish alternate hours for the Outdoor Dining and Retail use if they determine the use is causing a nuisance or is detrimental to the public health, safety and welfare of the surrounding neighborhood.
6. **Electrical Extension Cords** - Any electrical cord located outside must utilize heavy duty extension cords (minimum 14 gauge wire) plugged into GFCI receptacles. Cords cannot be in an area subject to damage or creating a trip hazard. Any electrical cords that cross drive aisles shall be protected, e.g. by a commercial raceway or 2x4 boards. Any electrical cords that cross pedestrian paths of travel shall be affixed so that they are not a tripping hazard. Cords cannot be hung overhead unless supported by other means (e.g. attached to a cable). Any change in elevation to facilitate electrical cords on the ground must comply with applicable ADA standards.
7. **Electrical Generators.** Use of fossil fuel powered generators is prohibited. Applicants shall make their best effort to use existing sources of permanent power. The Zoning Administrator may grant an exception to the prohibition of fossil fuel powered generators if the Zoning Administrator determines that the use of such generators is infeasible due to financial or technical considerations.. Applicants shall make their best effort to reduce any noise impacts to the surrounding neighborhood and generators shall not cause unnecessary noise as required herein.
8. **Space Heater** - Space heaters are permitted if they are an outdoor approved type, are located in accordance with the manufacturer's recommendations, and are located at least two (2) feet from the edge of any umbrella canvas, any foliage, or any other flammable object or material. Space heaters may be inspected by the Fire Department. Use of fossil fuel powered space heaters is prohibited. The Zoning Administrator may grant an

exception to the prohibition of fossil fuel powered space heaters if the Zoning Administrator determines that the use of such heaters is infeasible due to financial or technical considerations.

9. **Private Property Owner** – For use of outdoor private property such as plazas and privately-owned parking areas, the applicant is responsible to consult and receive authorization of the property owner for the outdoor dining or outdoor retail use, including the size and location of the use. The City will not be a party to discussions or arrangements concerning the leasing or use of outdoor space on private property. City approval of the temporary outdoor use does not replace or supersede any private lease or contractual agreements between your business and the property owner/landlord or property owner's authority for use of their land/site.
10. **Noise** - Outdoor Dining or Outdoor Retail uses shall not generate unnecessary noise. Noise shall be deemed unnecessary if it is so loud or harsh as to occasion physical discomfort to persons of ordinary sensitiveness, and the noise meets the following criteria:
 - a. Noise generated between the hours of 7:00 a.m. and 9:59 p.m.:
 - i. Occurs for 30 continuous minutes or more; or
 - ii. Occurs for 60 minutes off and on during a 24-hour period
 - b. Noise generated between the hours of 10:00 p.m. and 6:59 a.m.:
 - i. Occurs on more than two instances in a single night; or
 - ii. Occurs on three separate nights over a period of 30 days
11. **Smoking** – Smoking shall be prohibited in conjunction with Outdoor Dining and Outdoor Retail uses in compliance with Chapter 8.06 of the El Cerrito Municipal Code.
12. **Business License** – Applicants for outdoor dining area use are required to obtain and maintain an active business license for the primary business/restaurant. Business licenses are renewed annually.

C. Termination and Complaint Process.

1. **Removal and Termination of Permit.** The Applicant is required to remove the installation if not in use for a duration of more than 180 days.
2. **Complaint Process**
 - a. If a person observes a violation of these Guidelines or Section 19.20.150 of the El Cerrito Municipal Code, then that person may make a report to the City. To make a report, the Reporting Party must provide their name, address, and phone number; the address where the violation occurred, the date and time when the violation occurred, and identify the party responsible for the violation. Only one complaint will be accepted per reporting address.
 - b. After a report is submitted, the City shall independently confirm that the report has been filed in compliance with the requirements hereunder and whether the complaint can be substantiated. If the complaint is substantiated as determined by the City, the City will send a warning letter to the address and/or party identified in the initial report and inform the property owner of the complaint. The business has 15 days after receiving the warning letter to correct the violation.
 - c. If the violation is not corrected, the Reporting Party may make a second report. The

second report must be in a notarized affidavit made under penalty of perjury, by completing a form. Upon receiving a substantiated complaint in the form of a notarized affidavit the Zoning Administrator or Planning Commission may review an Outdoor Dining or Outdoor Retail use at a noticed public hearing and impose Conditions on the Outdoor Dining and Retail use or may initiate revocation of the applicable permit.

General Application Requirements:

For Removable Outdoor Dining & Outdoor Retail Permit

You will need to have the following information ready before you complete the application form:

- *ABC Approval (only if you plan to serve alcohol outside)* – If alcohol is sold and served, you will be asked to upload proof of California Department of Alcoholic Beverage Control (ABC) approval.
- *Public Sidewalks - Use of Public Sidewalks require the following:*
 - *Certificates of Insurance* - General Liability insurance is required, in an amount not less than \$1,000,000.
 - *Hold Harmless Waiver* - The applicant shall provide an executed City hold harmless waiver, file a written agreement in a form approved by the City Attorney stating they will indemnify and defend the City in the event that any person is injured in the right-of-way as a result of the presence of such Outdoor Dining area or Outdoor Retail. The applicant shall provide verification of this policy annually
- *Fill out streamlined on-line application* (<https://www.el-cerrito.org/1508/Outdoor-Seating>www.elcerrito.gov/outdoorseating)
 - Submit all materials as outlined in the Outdoor Dining and Retail checklist.
 - Provide payment as defined in the master fee schedule.
 - If you are proposing outdoor food preparation or space heaters, additional review and inspections shall be required by the El Cerrito Fire Department.

For Non-Removable Outdoor Dining & Permit

In order to apply for a **Non-Removable Outdoor Dining & Permit**, in addition to the general application requirements you will need to comply with the following:

- *Design Review Application - The installation of furnishings and structures shall be subject to Tier I Design Review within the SPASP area or Administrative Design Review in all other areas.*
 - *Submit all materials as outlined in the* [Administrative and Tier I Design Review Checklist](#).
- *Public Sidewalks - Use of Public Sidewalks for non-removable fixtures shall also require the following:*
 - *Encroachment Permit.* Applicants for an Outdoor Dining or Outdoor Retail use in the public right-of-way shall obtain an Encroachment Permit from the City. Fees and submittal requirements can be found at <https://www.el-cerrito.org/513/Encroachment-Permit>
 - *Encroachment permits are required to be renewed every 6 months and are subject to renewal fees, as defined in the master fee schedule.*

Note: This Outdoor Dining and Retail program does not permit “parklets.” Parklets are areas for seating and amenities that are contained in parking areas of the public right-of-way. Parklets must be requested through the City’s Encroachment Permit process where they will be considered on a case by case basis.



AGENDA BILL

Agenda Item No. 6.C.

Date: April 7, 2026
To: El Cerrito City Council
From: Crystal Reams, Finance Director/City Treasurer, Finance Department;
Yvetteh Ortiz, Public Works Director/City Engineer, Public Works
Department
Subject: Authorize Annual Report for Landscaping and Lighting Assessment
District for Fiscal Year 2026-27

ACTION PROPOSED

Adopt a resolution directing NBS Local Government Solutions (NBS), as the designated Engineer of Work, to prepare and file the annual Landscaping and Lighting Assessment District No. 1988-1 report for Fiscal Year (FY) 2026-27.

BACKGROUND

In 1988, the City Council established Assessment District No. 1988-1 pursuant to the Landscaping and Lighting Act of 1972. This act requires the preparation and filing of an annual report of the assessment district activities.

In November 1996, the voters of El Cerrito approved by a two-thirds majority the continuation of the Landscaping and Lighting Assessment. Since the voters approved the assessment prior to the passage of Proposition 218, this assessment is exempt from Proposition 218's additional voter requirements. Therefore, the City follows the same annual approval process as in previous years.

California Street and Highway Code §22622 requires the City Council to authorize by resolution the filing of the annual report of the Landscaping and Lighting Assessment District. The annual report includes the various components required to develop the tax roll related to the assessment district. The Council must adopt this report prior to the time that a decision is made about whether or not the assessment will continue in the next fiscal year.

It is expected that NBS, the designated Engineer of Work, will submit the annual report at the April 21, 2026, City Council meeting. At that meeting, the time and place of the public hearing regarding continuation of the assessment district will be set.

ANALYSIS

Without the adoption of the annual report and authorization of the assessment, the City would lose approximately \$792,862 in FY 2026-27 that would be used for landscaping and lighting purposes.

NBS was selected in February 2009 through a Request for Proposal process and the agreement was extended for NBS to continue to prepare and file the report this year.

The cost to prepare and file the report is \$12,207 and is included in the budget for the Landscape and Lighting Assessment District fund.

STRATEGIC PLAN CONSIDERATIONS

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

- *High Performing Organization; 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 FY 2026-27 budget that will be adopted in June 2026 will recognize Landscaping and Lighting Assessment revenue of \$792,862 to pay for budgeted expenses in Fund 203. The assessment revenue is insufficient to cover \$297,010 for personnel costs, \$393,254 for non-personnel costs, and \$163,200 for overhead in connection with administering the program and will result in a use of fund balance of \$41,602. Fund 203 ended FY 2024-25 with \$119,152 in fund balance; FY 2025-26 has a projected ending fund balance of \$92,700. The projected use of \$41,602 in fund balance for FY 2026-27 will leave a projected \$51,098 in fund balance.

LEGAL CONSIDERATIONS

The City Attorney reviewed the proposed action and found that legal considerations have been addressed.

Reviewed by:



Karen Pinkos, City Manager

Attachments:

1. Resolution
2. Budget Estimate FY 2026-27

RESOLUTION NO. 2026-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO DESIGNATING NBS LOCAL GOVERNMENT SOLUTIONS AS THE ENGINEER OF WORK FOR THE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 1988-1 AND DIRECTING NBS TO PREPARE AND FILE THE ANNUAL REPORT FOR FISCAL YEAR 2026-27

WHEREAS, the City of El Cerrito, by Resolution No. 88-53, dated June 6, 1988 adopted Assessment District No. 1988-1 pursuant to the Landscaping and Lighting Act of 1972; and

WHEREAS, said Landscaping and Lighting Act requires the preparation and filing of an annual report defining the charges to the assessment district for Fiscal Year 2026-27; and

WHEREAS, California Street and Highways Code §22622 requires that the filing of the annual report be authorized by resolution of the City Council; and

WHEREAS, the cost to prepare and file the report is included in the budget for the Landscaping and Lighting Assessment District fund.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby directs NBS Local Government Solutions, the firm designated by this Council as the Engineer of Work for Assessment District No. 1988-1, to file an annual report in accordance with the provisions of the Landscaping and Lighting Act of 1972.

BE IT FURTHER RESOLVED that this Resolution is adopted pursuant to California Street and Highways Code §22622.

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

I CERTIFY that at the regular meeting on April 7, 2026, the El Cerrito City Council passed this resolution by the following vote:

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

Gabe Quinto, Mayor

City of El Cerrito
Landscape and Lighting Fund Estimated Budget
For the Fiscal Year Ending June 30, 2027

<u>Revenues</u>	FY 2026-2027
Special Assessments	792,862
Other Local Reimbursements	14,000
Program Fees	5,000
Total Revenues	811,862
<u>Expenditures</u>	
Regular Salaries & Wages	154,999
Overtime Pay	1,700
Straight OT	1,500
Special Pay	3,266
One-Time Payouts	2,500
PARS Contribution	6
PERS Contributions	17,108
PERS UAL	41,093
FICA/Medicare	12,187
Medical Benefits	52,820
Life & LTD Insurance	1,616
Allowances & Other Benefits	1,116
Workers Compensation Premiums	7,099
Utilities-Energy	27,720
Utilities-Water & Sewer	191,934
Utilities-Street Light	5,765
Infrastructure Maint Svc	12,731
Landscape/Park Maint Svcs	134,004
Travel & Training	1,100
Landscape & Park Supplies	20,000
Indirect Xfer-GEN	163,200
Total Expenditures	853,464
Use of Fund Balance	(41,602)

EL CERRITO CITY COUNCIL PROCLAMATION
Designating Saturday, April 25, 2026, as El Cerrito Earth Day

WHEREAS, the first Earth Day was proclaimed over 50 years ago, in 1970, to foster public awareness around the need to protect the environment and conserve resources; and

WHEREAS, at approximately the same time, the City of El Cerrito's Recycling Center was founded by community volunteers; and

WHEREAS, the City of El Cerrito has celebrated Earth Day every year in keeping with the spirit of the initial Earth Day, even during the COVID-19 pandemic; and

WHEREAS, this year, on Saturday, April 25, 2026 at 9:00 am, the City is encouraging community members to participate in work parties to clean up and restore habitats in City parks, greenways, creeks, and schools, pick up litter along streets and in commercial areas, and take other steps to reduce their environmental impact; of which a list of available work parties can be found at elcerrito.gov/earthday; and

WHEREAS, on Saturday, April 25, 2026, from 1:00 p.m. to 4:00 p.m., the City will also host a free Earth Day Repair Workshop at the El Cerrito Community Center, where volunteer repair coaches will generously share their time, tools, and expertise to assist residents in troubleshooting and repairing broken household items; and

WHEREAS, the event will also feature informational tables from local agencies, including RecycleMore and MCE Clean Energy, as well as community organizations such as the El Cerrito Garden Club, El Cerrito/Richmond Annex Walk & Roll, and Sustainable Contra Costa (SCOCO), along with a children's crafting activity provided by the El Cerrito Creative ReUse (ECCRU) Artists in Residence; with more information at elcerrito.gov/earthday; and

WHEREAS, the City is also encouraging residents and businesses to take actions throughout the month of April, and throughout the year, to help the environment by incorporating environmental practices into their day-to-day activities by: planting drought-tolerant plants, eating more plant-based meals, starting a garden that supports pollinators, adjusting thermostats to use less energy, joining the Cleaner Contra Costa Challenge (at cleanercontracosta.org/elcerrito), opting into [MCE's "Deep Green"](http://MCE's%20Deep%20Green) 100% renewable energy option, replacing vehicle trips with biking, walking, or transit, and learning more about the City's environmental programs at el-cerrito.org/Green; and

WHEREAS, the City of El Cerrito seeks to involve all community members in these activities with the goal of improving our local environment, becoming more aware of the global environment, and in addressing adverse environmental impacts that have historically been borne disproportionately by vulnerable neighborhoods in our community and the region.

NOW THEREFORE, the City Council of the City of El Cerrito does hereby proclaim Saturday, April 25, 2026, as "Earth Day" in the City of El Cerrito and encourages all residents and businesses to help make El Cerrito a greener, healthier, more sustainable place for all.

Dated: April 7, 2026

Gabe Quinto, Mayor



AGENDA BILL

Agenda Item No. 6.E.

Date: April 7, 2026
To: El Cerrito City Council
From: Aissia Ashoori, Housing-Economic Development Manager; Community Development Department
Subject: Economic Development Committee Appointment

ACTION PROPOSED

Approve an Economic Development Committee recommendation to appoint Julia Salinas, effective April 1, 2026.

Julia Salinas has been an El Cerrito resident for nearly a decade. She has worked in local government for two decades with a background in public engagement. Julie is interested in collaborating with the EDC and the community to support El Cerrito businesses.

The applicant has demonstrated their commitment to economic prosperity which is aligned with the mission of EDC. The Economic Development Committee voted unanimously to recommend the appointment of Julie Salinas at its special meeting on March 16, 2026. If the City Council approves this recommendation, the number of committee members will be 10 out of a possible membership total of 15, as established by Resolution 2013-66.

STRATEGIC PLAN CONSIDERATIONS

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

- *Livability and Belonging*

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

This section is not applicable to this agenda item.

LEGAL CONSIDERATIONS

This section is not applicable to this agenda item.

Reviewed by:

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

Karen Pinkos, City Manager

Attachments:

Application(s) on file with the City Clerk



AGENDA BILL

Agenda Item No. 8.A.

Date: April 7, 2026
To: El Cerrito City Council
From: Jarrett Mullen, Sustainable Transportation Program Manager, Community Development Department; Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department
Subject: Local Road Safety Plan Study Session

ACTION PROPOSED

Conduct a study session on key policy areas in the proposed Local Road Safety Plan and provide possible direction to City staff regarding these policies.

BACKGROUND/ANALYSIS

Road safety is a growing focus of local, state, and national concern. After decades of improvement, nationwide roadway fatalities have remained stubbornly high for the past ten years. Approximately 40,000 people die on U.S. roads every year, or approximately 115 deaths per million people. In contrast, other wealthy nations have reduced this figure to around 50 deaths per million people by focusing on the safety of people outside of vehicles in addition to those inside vehicles. Seeking to emulate the successes of international programs, state and federal transportation agencies are requiring that local agencies adopt safety plans to remain eligible or competitive for transportation grants.

In July 2023, the City Council authorized the City Manager to enter into a consulting services agreement with Kittelson & Associates, Inc. (Kittelson) to provide transportation planning and engineering services to develop a Local Road Safety Plan (LRSP) for the City. An LRSP is a data-driven planning process that systematically examines crash data and engages safety partners and community stakeholders to help identify high-risk locations and behaviors and develop targeted strategies that can help prevent crashes, particularly serious injury and fatal crashes, before they occur.

City staff are developing the LRSP in coordination with the Contra Costa Transportation Authority (CCTA) and extensive community engagement that began in summer 2023. The City's LRSP builds off the CCTA's efforts to develop a consistent multi-agency [countywide Vision Zero and Safe Systems Approach framework](#) to support safer travel for all residents in Contra Costa. Vision Zero is an international movement dedicated to eliminating traffic fatalities and serious injuries. The Safe System Approach emphasizes proactive, layered, and redundant roadway safety strategies and acknowledges that responsibility for safety is shared by multimodal road users, transportation and public health professionals, decision-makers, and emergency responders (including fire, police, and medical).

The attached presentation provides an overview of the City's LRSP process to date and

key policy areas related to Vision Zero, speed management, and bikeways. These policy areas are for City Council consideration, discussion, and possible direction to City staff.

STRATEGIC PLAN CONSIDERATIONS

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

- *Community Safety; and*
- *Infrastructure and Amenities; and*
- *Environmental Sustainability.*

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

This section is not applicable to this agenda item.

LEGAL CONSIDERATIONS

This section is not applicable to this agenda item.

Reviewed by:

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

Karen Pinkos, City Manager

Attachments:

1. Presentation

Local Road Safety Plan

Study Session

City Council Meeting

April 7, 2026



Outline

- National Backdrop
 - U.S. road safety problem
 - Safe Systems Approach & Vision Zero
- El Cerrito's Local Road Safety Plan
 - Crash Data + Analysis
 - Policy Review
- Next Steps



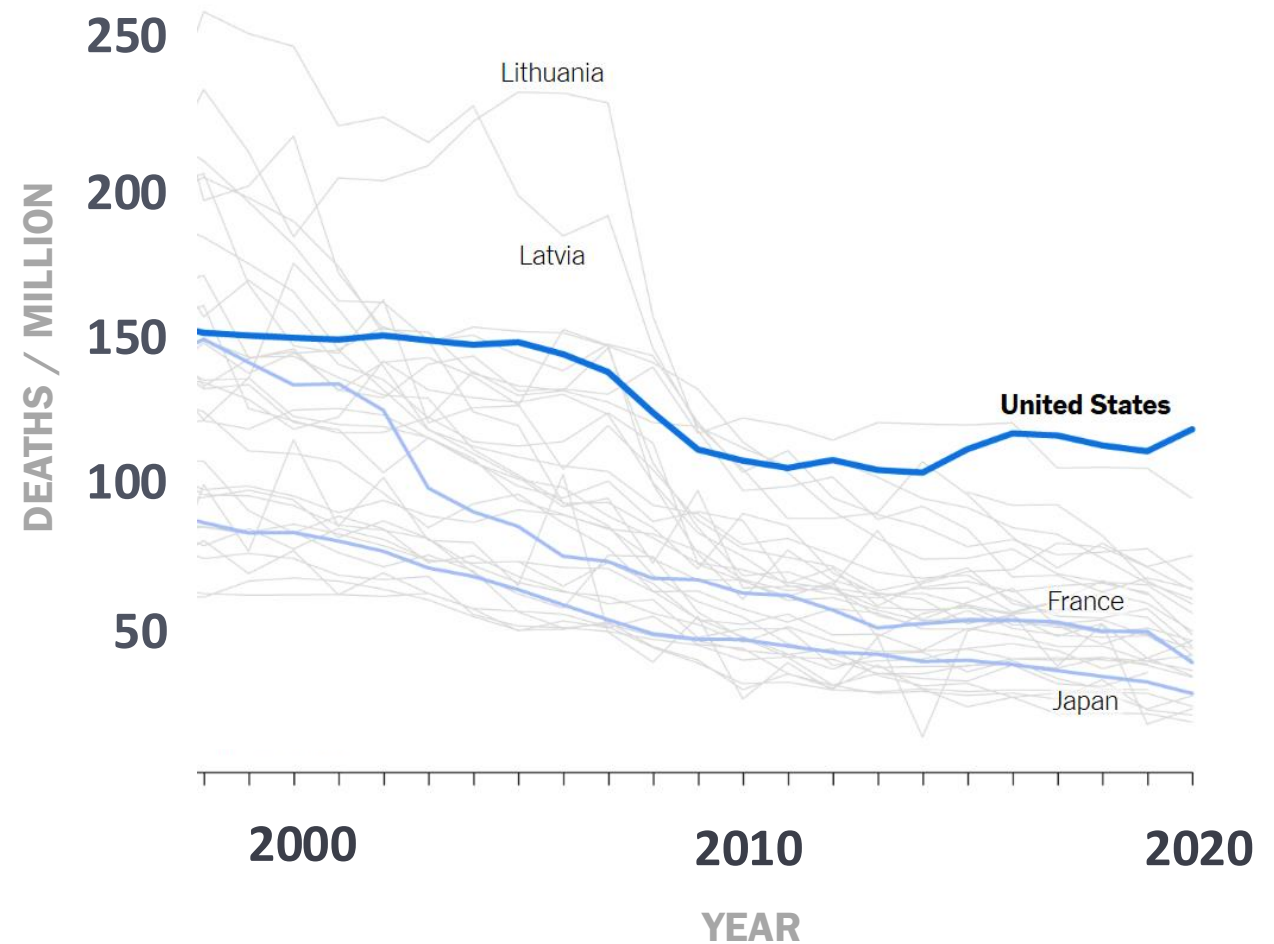
National Backdrop



National Backdrop

- 40,000 annual deaths on U.S. roads
- Fatality reductions have stalled after decades of improvement
- Other rich nations reduced crashes by prioritizing safety for those **outside the vehicle** and for those within

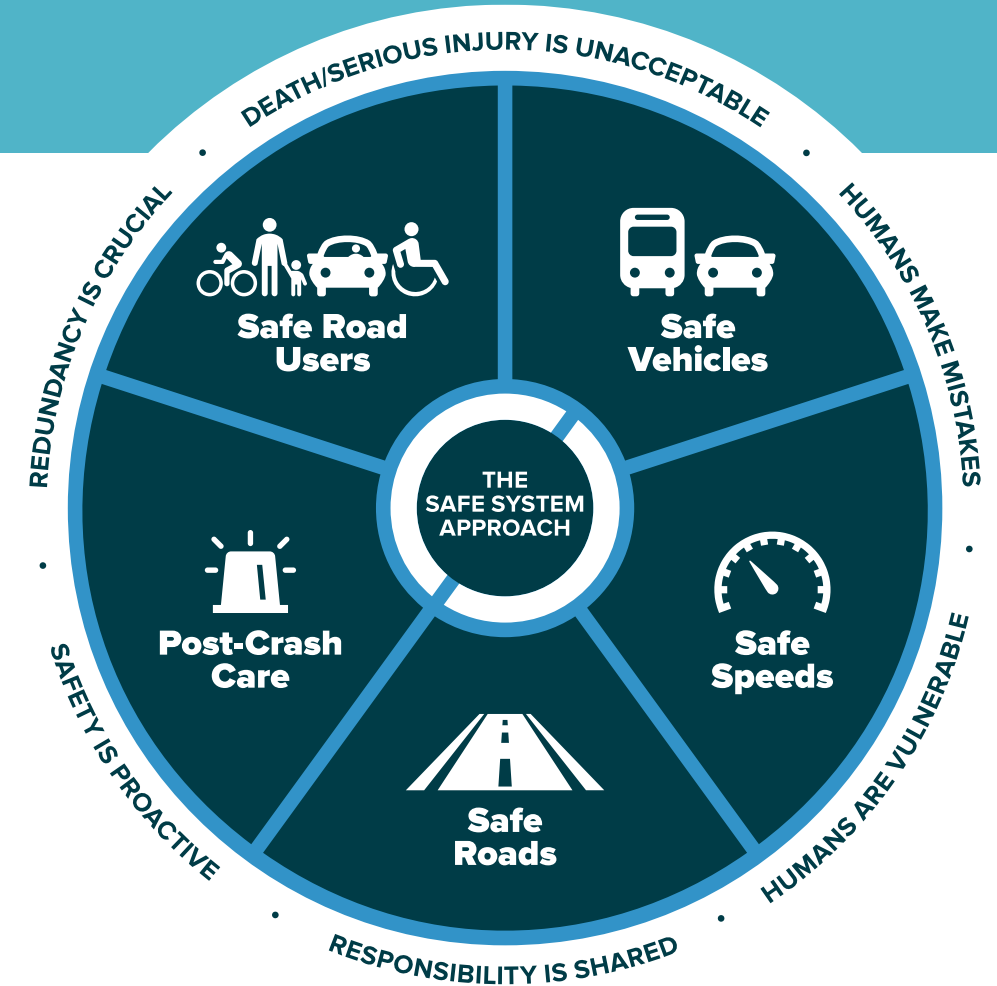
Deaths from road crashes,
per million people



Source: The New York Times, OECD

National Backdrop

- State and Federal Agencies are seeking to emulate international successes
- Local agencies required to adopt road safety plans to remain competitive for transportation grants.
- Emphasis on the **Safe Systems Approach** and **Vision Zero** – eliminating **fatal** and **severe injury** collisions



Source: FHWA

Traditional

Safe System

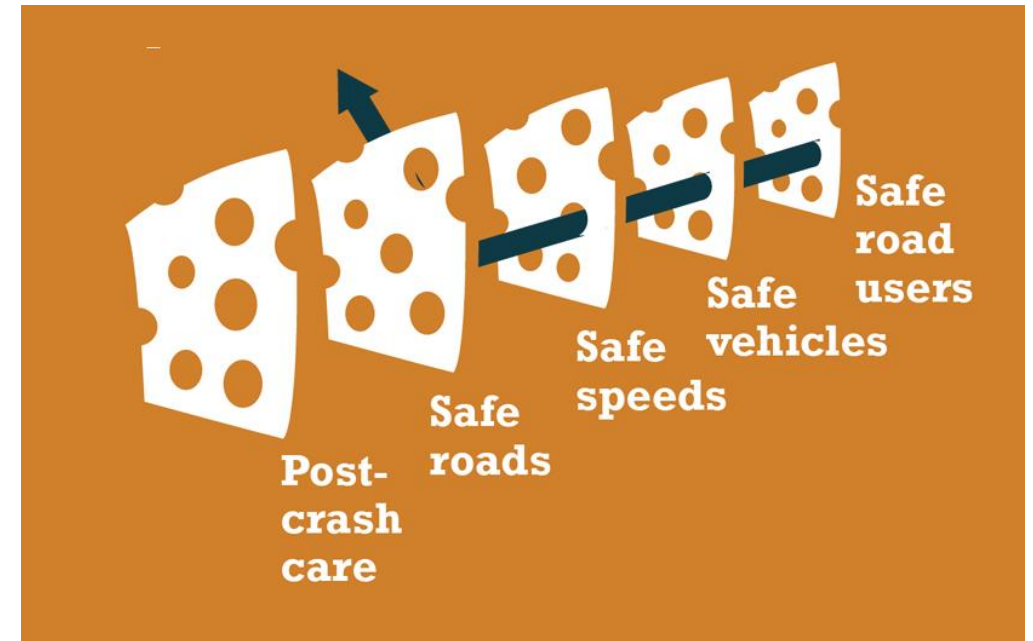
Prevent crashes	→	Prevent deaths and serious injuries
Improve human behavior	→	Design for human mistakes/limitations
Control speeding	→	Reduce system kinetic energy
Individuals are responsible	→	Share responsibility
React based on crash history	→	Proactively identify and address risks

Source: FHWA

National Backdrop

Swiss Cheese Model

Building layers of protection.

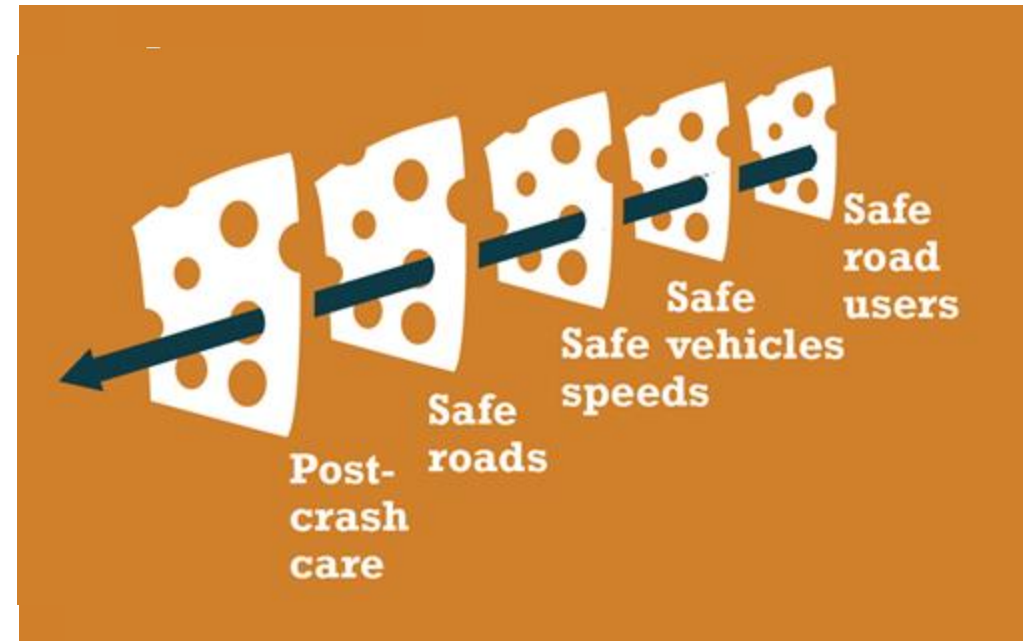


National Backdrop

Swiss Cheese Model

Building layers of protection.

Fatal or serious injury crashes occur only when all layers fail.



National Backdrop

Vision Zero Success Variables

- City Size
- Street Design
- Community and political support

Failed Vision Revamping the Road to Safer Streets



June 17, 2025

METRO Frank Sinatra's NJ hometown sees traffic fatalities vanish thanks to political will, smart design

By Jeanne Erickson

Published Feb. 7, 2026, 4:26 a.m. PT

51 Co

The New Jersey city where Frank Sinatra was born and crooned his first notes is now singing a happy tune – when it comes to traffic safety.

Hoboken hasn't had a single car-crash death — including passengers, drivers, pedestrians or cyclists in nine consecutive years, with the last fatality occurring on Jan. 17, 2017.

The city of 60,000 is proving that with smart design, political leadership and community trust, streets can be built for life — not just for cars.

TOP INVESTIGATION America's plan to protect pedestrians failed. A young woman's death reveals why.

U.S. officials encouraged cities to adopt Vision Zero to save lives. Driver opposition and a lack of money derailed it.



CITY AND COUNTY OF SAN FRANCISCO
2024-2025 CIVIL GRAND JURY



El Cerrito's Local Road Safety Plan



El Cerrito's Local Road Safety Plan

- 2018 – 2022 Crash record analysis and pattern assessment
- Equity analysis of crash effects on disadvantaged populations
- Community outreach and engagement
- Policy, program, and countermeasure development



An LRSP results in an implementable plan with strategies, actions, and projects focused on reducing crashes on City roadways – particularly fatal and serious injury crashes.

El Cerrito's Local Road Safety Plan

- Fall 2023:
 - Data Collection
- 2024 – 2025
 - Public Outreach
 - Crash Countermeasure Development
 - Administrative Draft Plan
- 2026
 - Now: Council Study Session + Feedback
 - May: Release Public Draft – 30 day review
 - June: Public Open House
 - July: Council Adopts final Plan

Identify Stakeholders

Collect & Analyze Data

Identify Crash Patterns
& High-Risk Areas

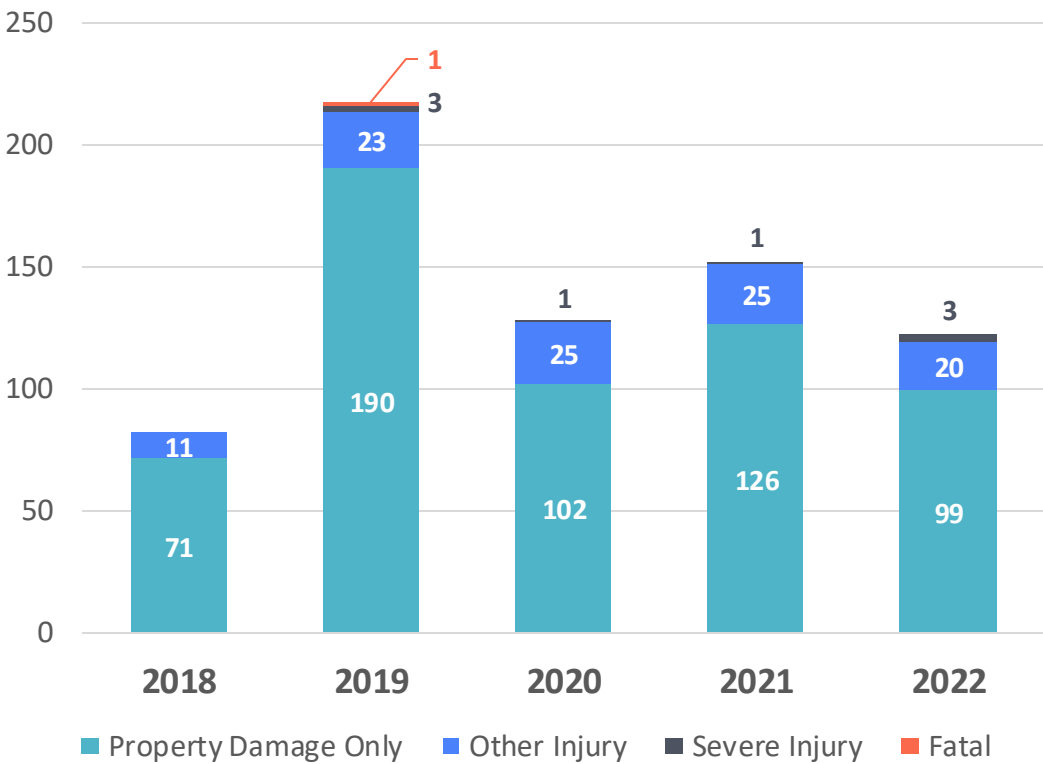
Chose Proven Solutions

Implement Solutions

Crash Data Summary

CRASH ANALYSIS

- Years: 2018-2022
- Source: SWITRS - crash type, location, severity, and involved parties
- Locations: All public roads in El Cerrito except freeways
- 104 minor injury crashes
- One fatal and nine severe injury crashes, referred to as “KSI” crashes
- KSI 2023-2025 Supplemental Analysis



Locations: Key Terms

CRASH ANALYSIS

- Road Hierarchy

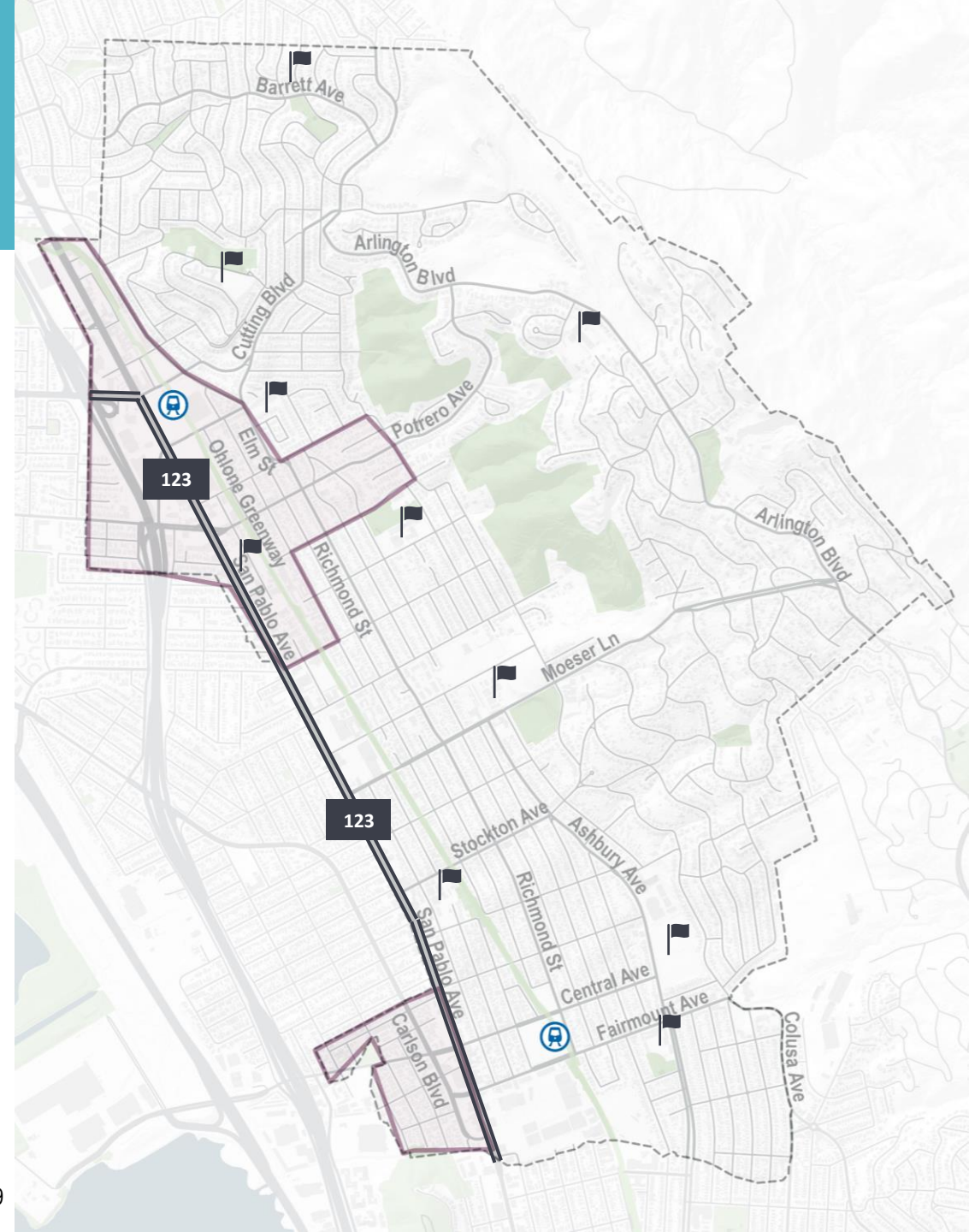
- 123 • State Route 123
 - Arterials

- Destinations & Activity Centers

- Schools, Parks, Community Centers
 - BART Stations and Transit Corridors
 - Commercial Areas and Neighborhoods

- Disadvantaged Communities

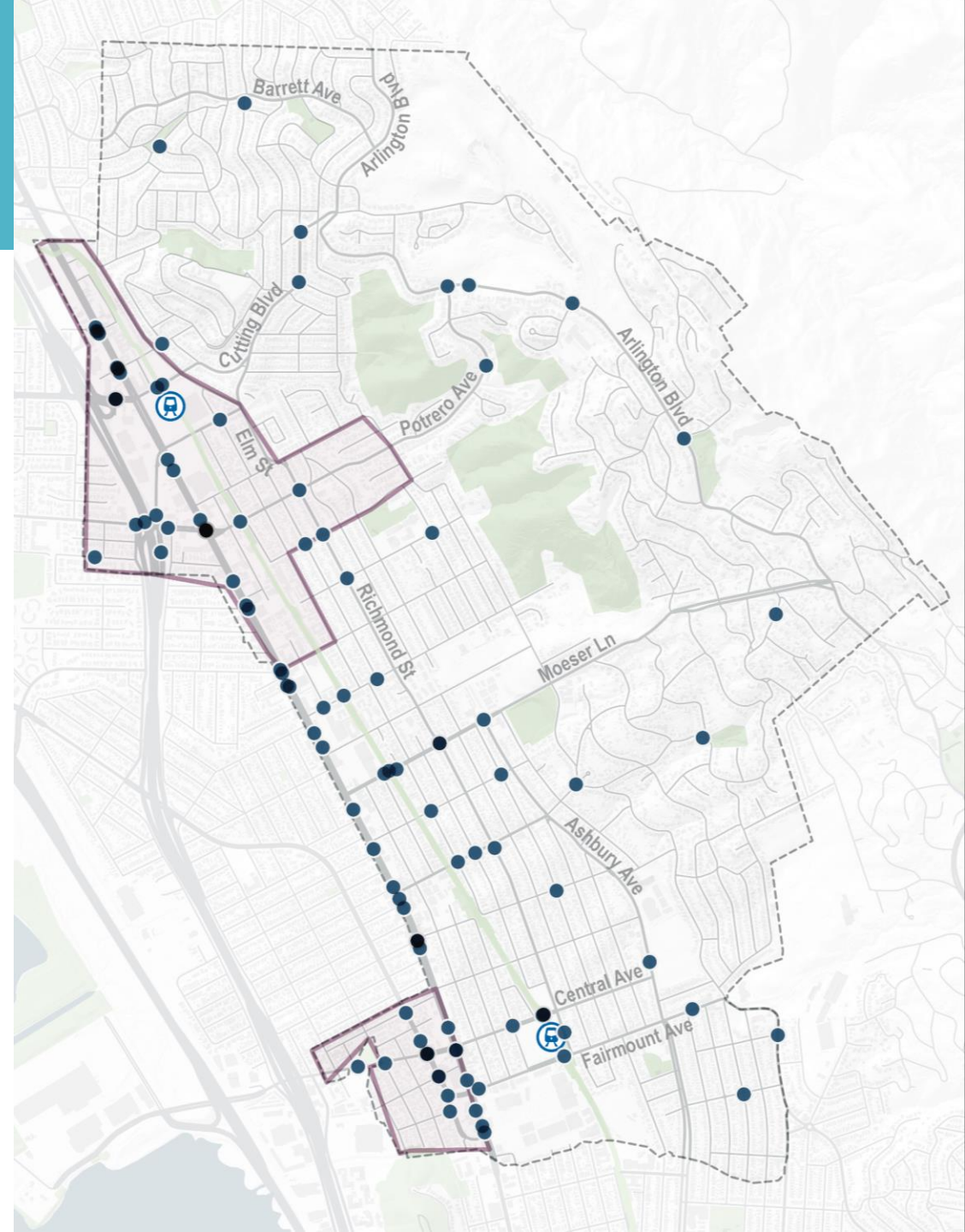
- MTC's Equity Priority Communities
 - U.S. DOT Community Maps



Locations: Injury Crashes

CRASH ANALYSIS

- All Injury Types
 - Fatalities
 - Severe Injuries
 - Minor Injuries
- Nearly all crashes occur at intersections
- Concentrated along arterial roadways with higher traffic volumes
- 30% of crashes occur on San Pablo Avenue, despite only 2% of road miles in El Cerrito

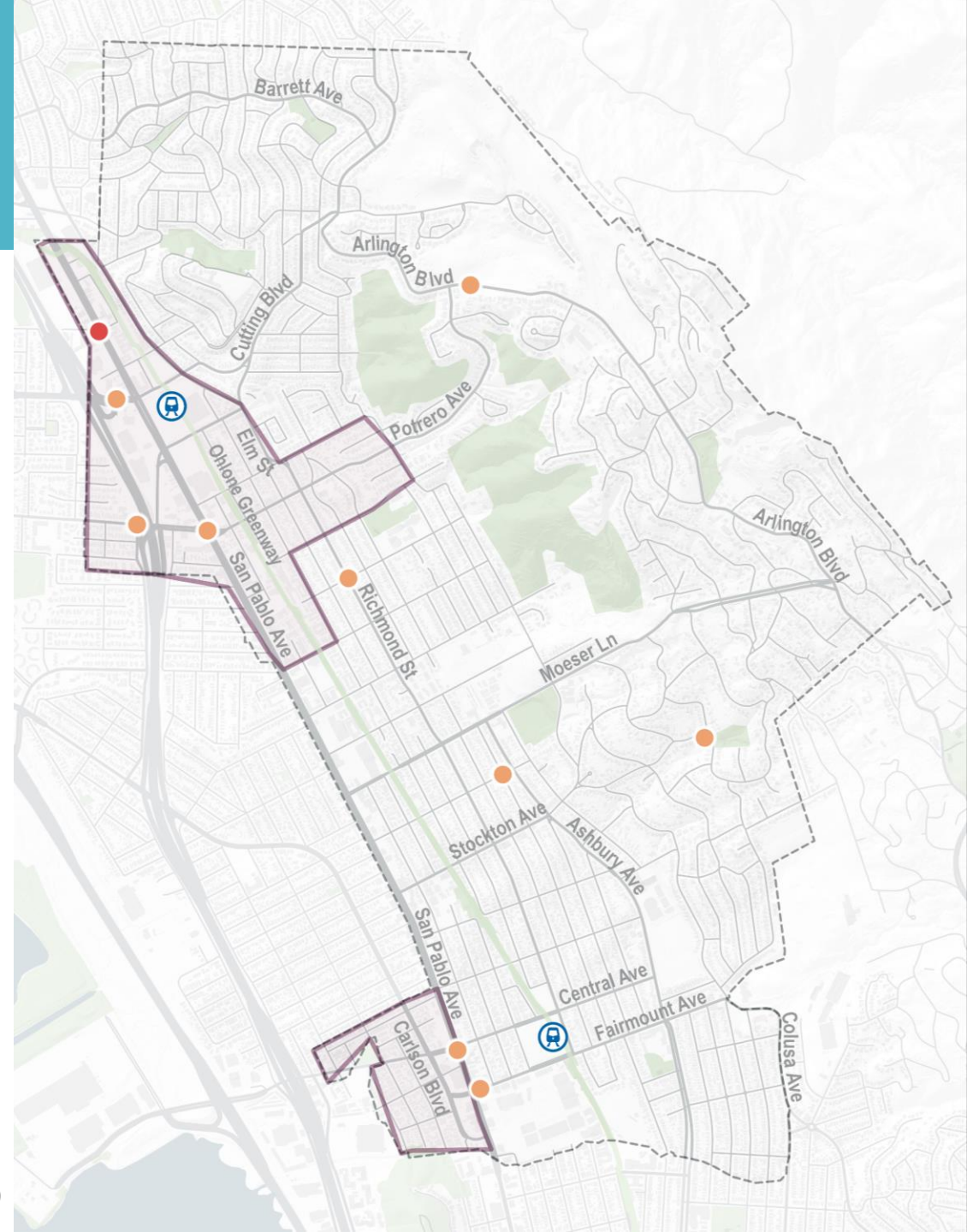


Locations: KSI Crashes

CRASH ANALYSIS

2018 – 2022

- Fatality: 1
- Severe Injury: 9
- 8 of 10: on arterial roadways
- 7 of 10: Bicyclist or pedestrian
- 5 of 10: in disadvantaged communities
- 3 of 10: on San Pablo Avenue



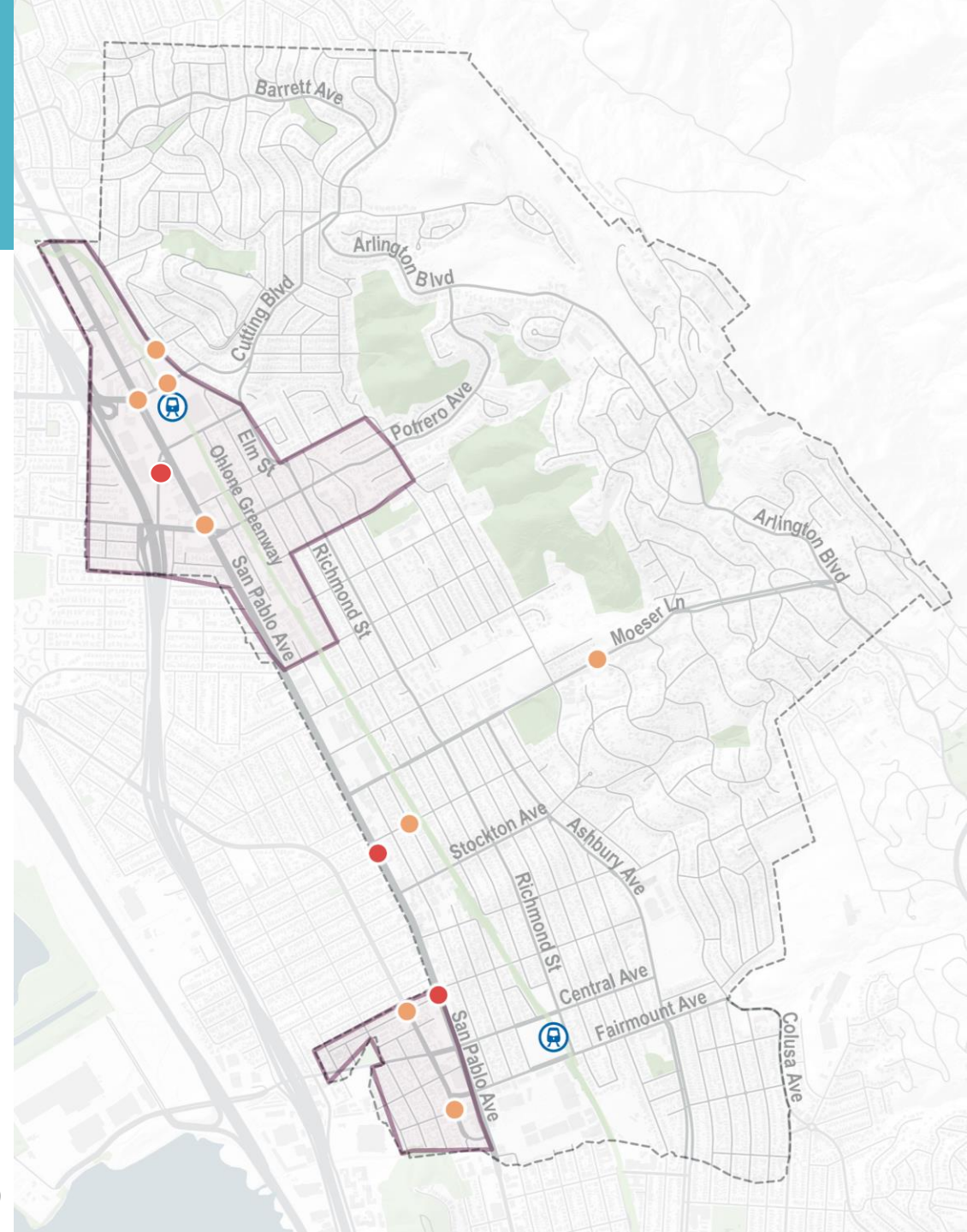
Locations: KSI Crashes

CRASH ANALYSIS

2023 – 2025

- Fatality: 3
- Severe Injury: 8
- 10 of 11: on arterial roadways
- 9 of 11: Bicyclist or pedestrian
- 8 of 11: in disadvantaged communities
- 4 of 11: on San Pablo Avenue

Not shown: In 2024, a pedestrian was killed by a driver on private property at the El Cerrito Plaza Shopping Center

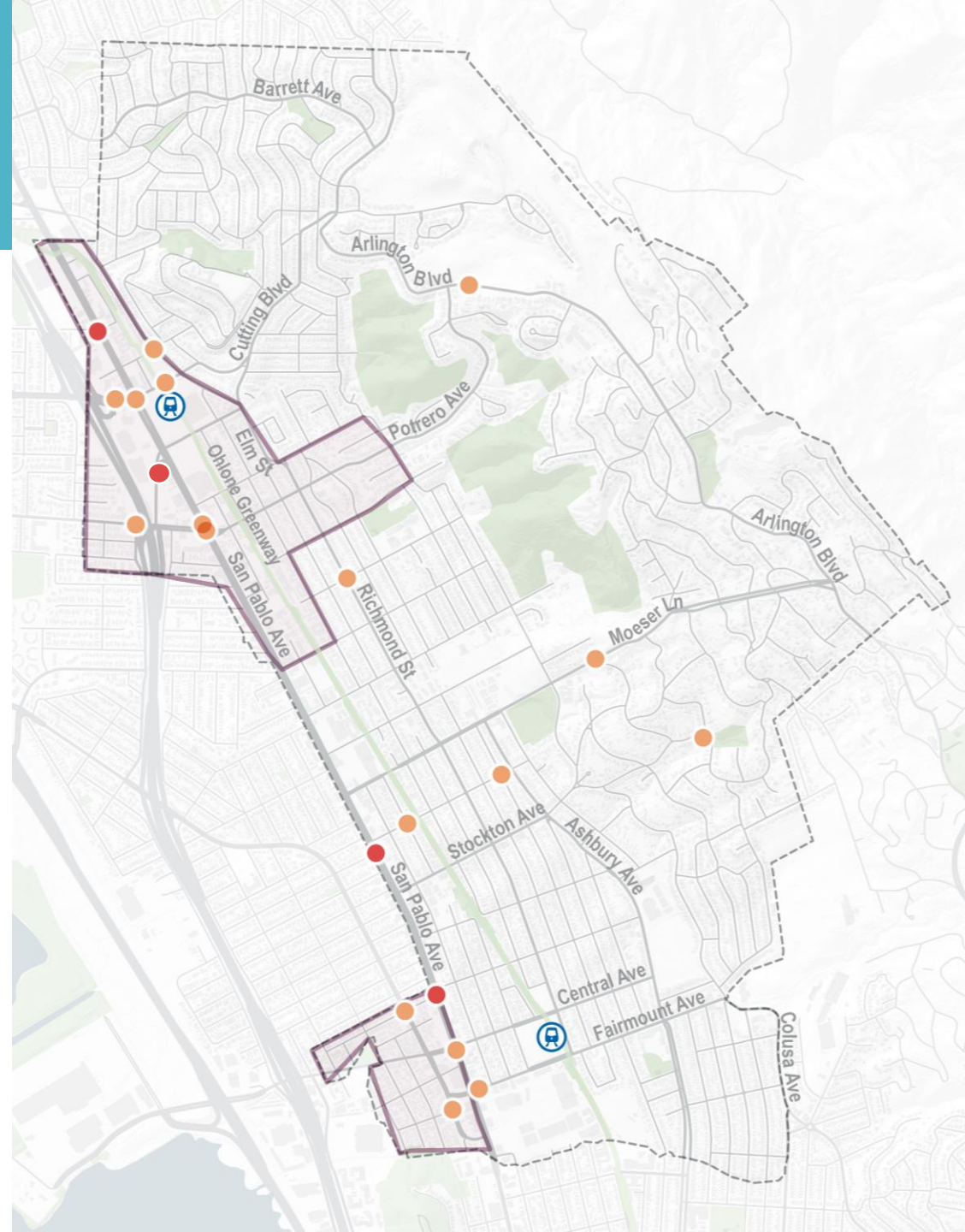


Locations: KSI Crashes

CRASH ANALYSIS

2018 – 2025

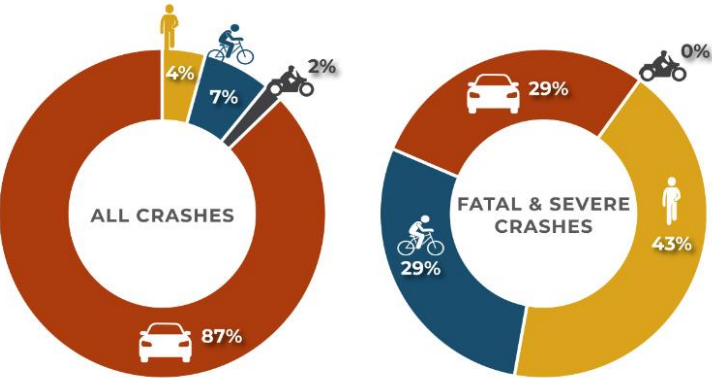
- Fatality: 4
- Severe Injury: 17
- 18 of 21: on arterial roadways
- 16 of 21: Bicyclist or pedestrian
- 13 of 21: in disadvantaged communities
- 7 of 21: on San Pablo Avenue



KSI Crashes: Speed + Vulnerable Users

CRASH ANALYSIS

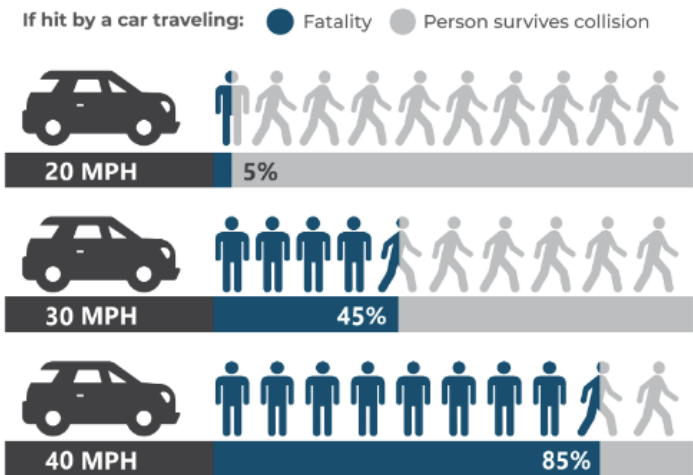
Crashes By Mode 2018-2022



Vulnerable road users, bicyclists and pedestrians, are involved in 11% of all crashes but account for **two-thirds of fatal and severe injury crashes**.

Why?

SPEED IMPACTS



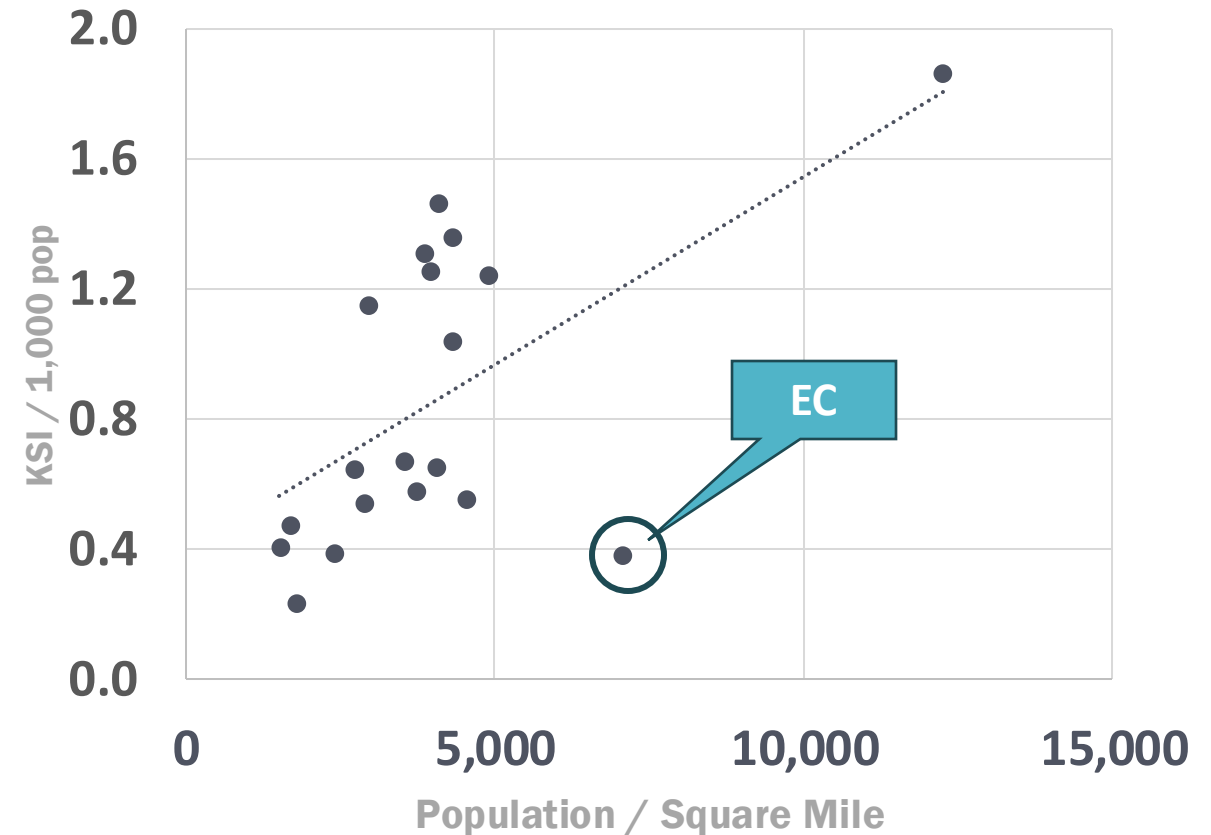
Source: San Francisco MTA Vision Zero Action Plan (2015)

El Cerrito Compared

CRASH ANALYSIS

- El Cerrito is the second densest city in Contra Costa County
- El Cerrito is about 2x denser than the average Contra Costa County City, but has 2x fewer KSI crashes
- Why? Lower speeds, fewer wide high-speed roads with heavy traffic volume

Contra Costa County Cities: 2018-2022 KSI Crashes and Population Density



Source: Transportation Injury Mapping System,
U.S. Census Bureau

Methods

PUBLIC OUTREACH

- LRSP Working Group
- Online Questionnaire: ~1,000 responses
- 3 Pop-Up Events
 - Pumpkin Splash
 - Del Norte Safeway
 - El Cerrito Plaza Farmer's Market
- City Board / Committee Presentations
 - Planning Commission
 - Committee on Aging
 - Environmental Quality Committee

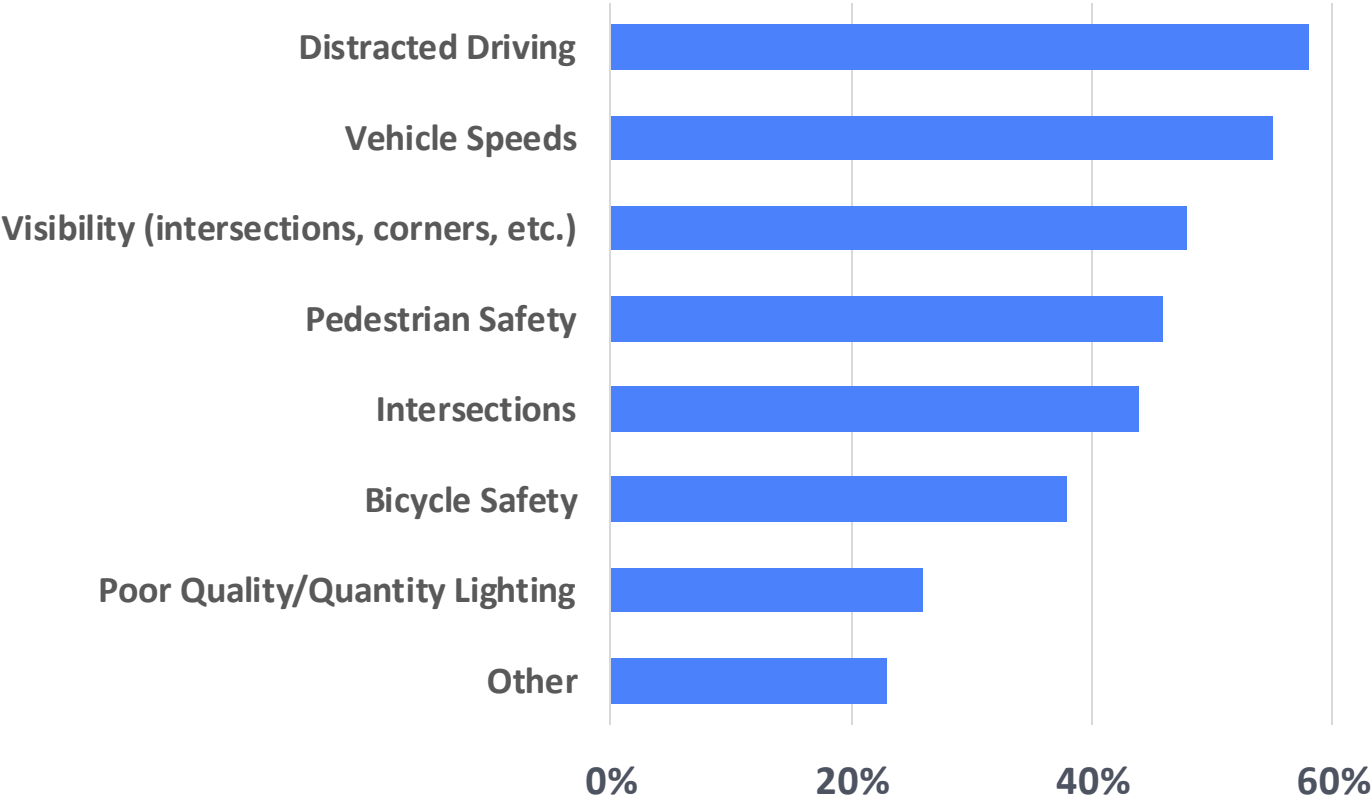


Questionnaire

PUBLIC OUTREACH

Primary road safety issues?

- More than half of respondents selected **distracted driving** and **vehicle speeds** as a top three priority
- **Visibility, pedestrian safety, and intersections** – safety issues which are all interrelated depending on context – are highlighted as a community safety emphasis



Questionnaire

PUBLIC OUTREACH



Strong Support > 75%

- Close sidewalk gaps, improve visibility, increased lighting
- Enforcement by police officers
- Physical changes to road (traffic calming)
- Vision Zero



Support > 66%

- Lower speed limits
- Enforcement by speed cameras
- More space for walking and biking even with some parking removal



Concerns

- Vision Zero is a gimmick and has failed elsewhere
- Enforcing existing traffic laws is sufficient
- We don't have a big enough traffic safety problem

Key Findings

Crash Data

- **Intersections** Most crashes occur at intersections
- **Arterials** KSI crashes concentrated on a few high-speed, high-volume roads
- **Bike / Ped** Pedestrians and bicyclists overrepresented in KSI crashes
- **Disadvantaged Communities** KSI crashes disproportionately concentrated in these areas

Public Feedback

- **> 75% Support** for Vision Zero, reduced driver speeds, police officer enforcement
- **> 66% Support** for creating more space for biking and walking, automated speed enforcement

What We're Considering

Vision Zero

A commitment to eliminating fatal and severe injury crashes citywide by 2035

Emphasis Areas

- Speed Management
- Pedestrians and Bicyclists
- Unsignalized Intersections

Focused Solutions

- Priority Network
- Priority Policies
- Priority Programs



Today's
Focus

Priority Network

FOCUSED SOLUTIONS

Key Areas

- San Pablo Avenue
- Uptown Arterials
- Downtown Arterials
- Waldo Ave

Recommended crash countermeasures for each area will be presented in public draft LRSP.

2018-2025

18 of 21

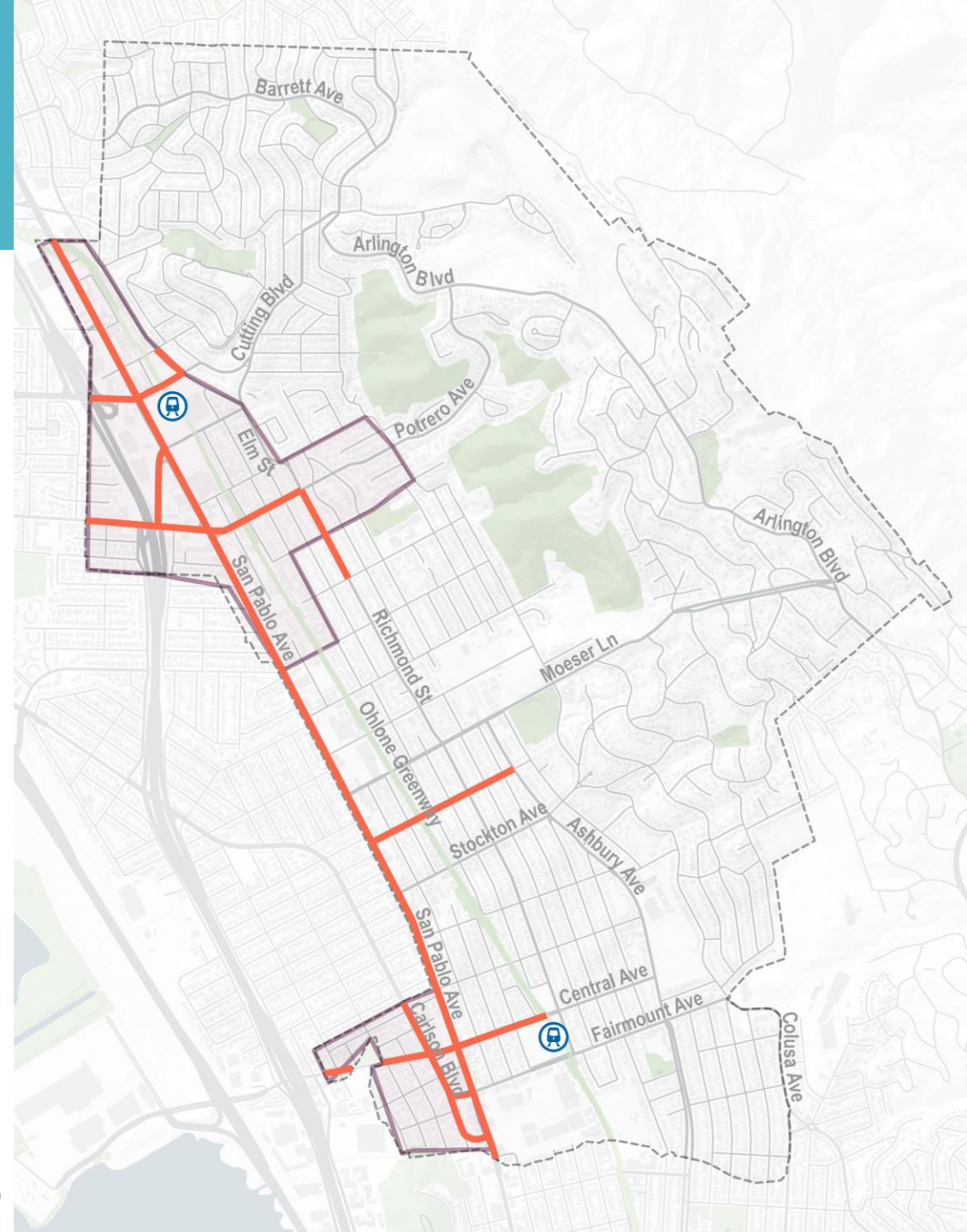
KSI crashes

72%

All injury crashes

5%

Local road network



Priority Policies

FOCUSED SOLUTIONS

Speed

- Contextual Speed Limits
- Target Speeds
- Automated Speed Enforcement

Bikeways

- Provide or expand dedicated space for bicycling on “backbone” bikeways

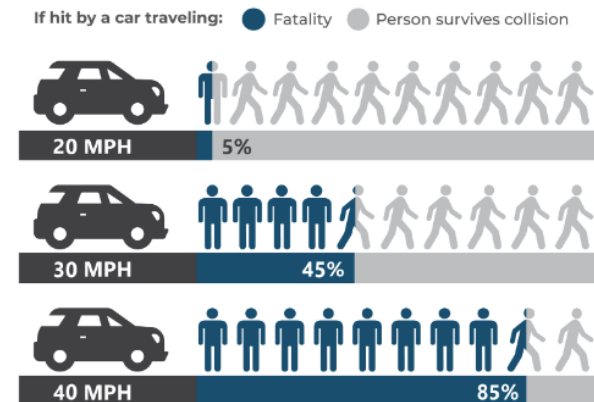


Priority Policies: Speed

Speed is **not the primary factor** in many EC crashes, but is a **contributing factor**, especially for crashes involving **vulnerable road users**. Speed was also a top issue of **public concern**.

How Speed Influences Crash Severity

- 1 More Forceful Crashes
- 2 Narrower Driver Field of Vision
- 3 Longer Stopping Distances



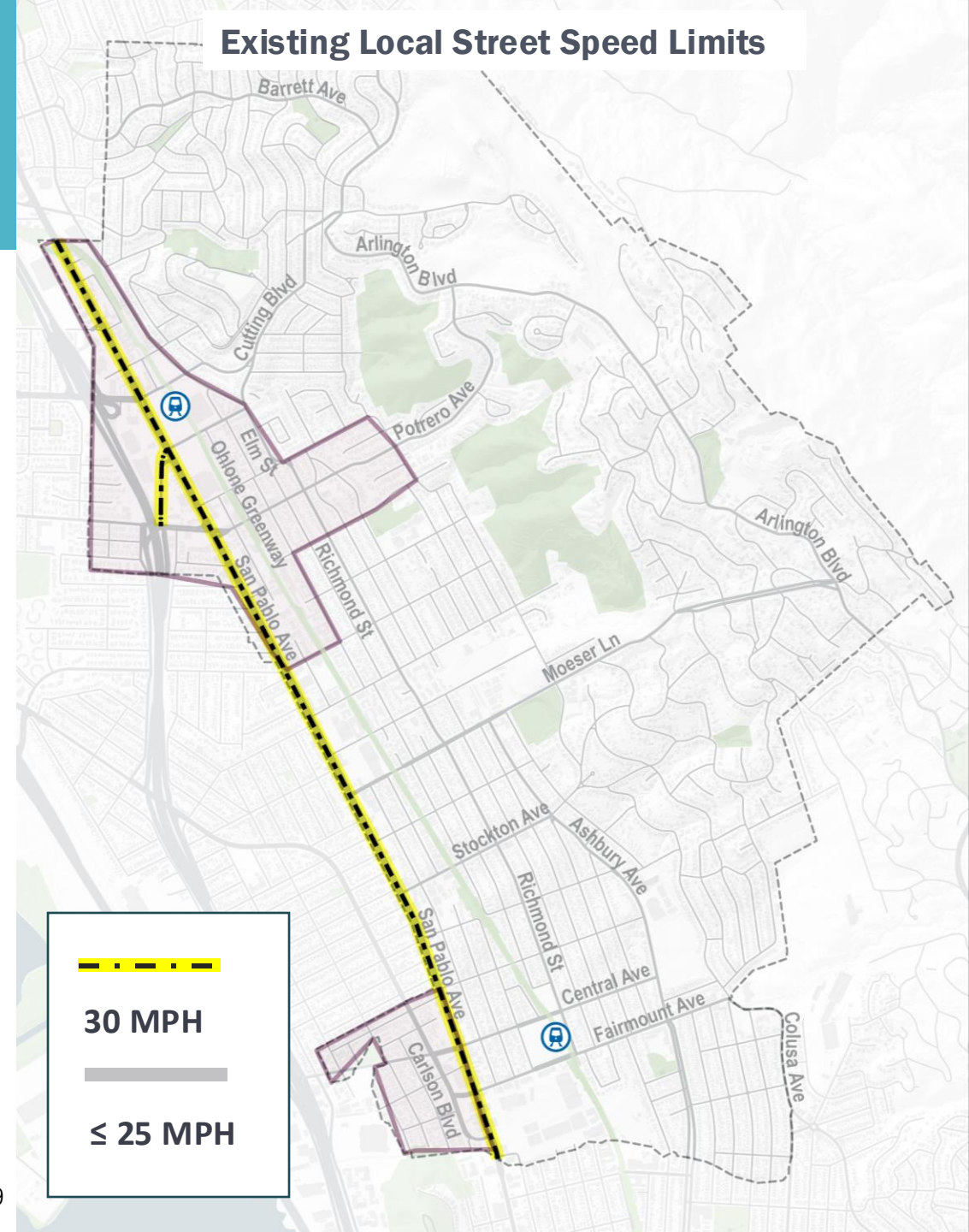
Source: San Francisco MTA Vision Zero Action Plan (2015)

Priority Policies: Speed

FOCUSED SOLUTIONS

Contextual Speed Limits

- Goal: 25 MPH Citywide Maximum Speed Limit.
- Lower depending on land use context (e.g. schools)
- Sets consistent expectations and messages about speed across the City
- Scalable way to quickly improve safety outcomes



Priority Policies: Speed

FOCUSED SOLUTIONS

Target Speeds

- Design streets for the speed we intend drivers to go
- Example: Richmond Street Complete Streets Project
- Treatment choices require close coordination with public safety staff

CONVENTIONAL HIGHWAY DESIGN:

Operating Speed = Design Speed = Posted Speed

PROACTIVE URBAN STREET DESIGN:

Target Speed = Design Speed = Posted Speed

Higher speeds = Higher crash risk = Higher injury severity = Lower safety

Priority Policies: Speed

FOCUSED SOLUTIONS

Automated Speed Enforcement

- Support use of automated speed enforcement (ASE) on key corridors
- ASE not currently allowed in California except for six ASE pilot cities.
- San Francisco: Initial results show 72% reduction in speeding
- Effective on high-traffic multi-lane roads where design controls are less effective or infeasible



Priority Policies: Bikeways

Bicyclists were involved in 4 of the 21 2018-2025 KSI crashes.

Infill development will increase bicycling demand, making bikeways an important **proactive** as well as **reactive** safety strategy.

Provide Dedicated Space for Biking

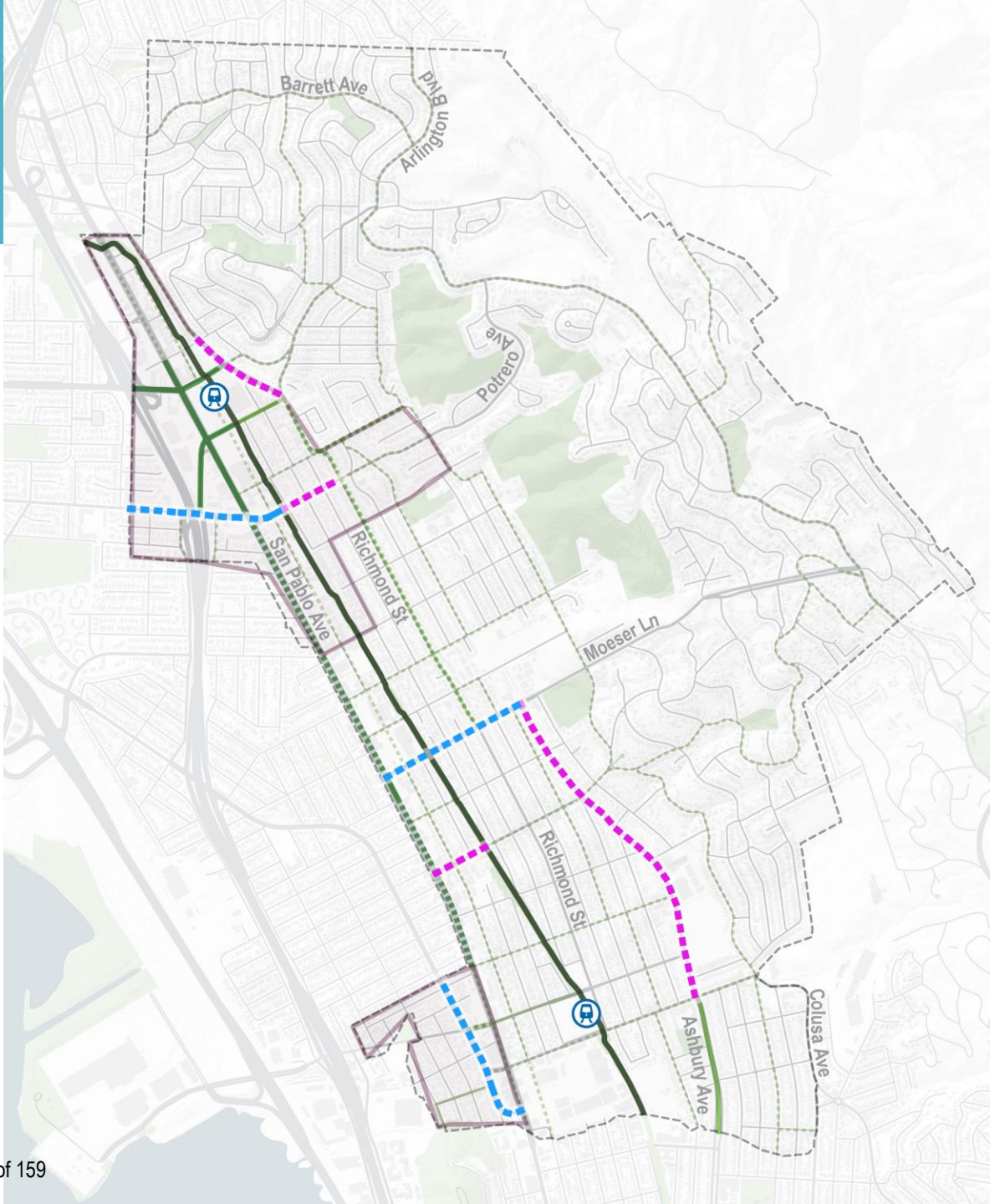
- Bike lanes are a proven safety countermeasure and reduce crashes for all modes
- Affirming Council's direction for implementation of bikeways per adopted plans and policy
- Focused on existing bikeways, which are the “backbone” of the City's on-street bikeway network

Priority Policies: Bikeways

FOCUSED SOLUTIONS

Would remove and repurpose about half of on-street street parking to provide dedicated space for bicyclists following current engineering guidance

BIKEWAY CHANGE	STREETS
 Existing Class III to Class II or IV	Ashbury Ave Stockton Ave Key Blvd Potrero Ave
 Existing Class II to Class IV	Moeser Ln Carlson Blvd Potrero Ave



Vision Zero

A commitment to eliminating fatal and severe injury crashes citywide by 2035.

- El Cerrito is uniquely positioned for VZ success
- A network of mostly small, low-speed, low volume streets
- Funding + Momentum for Street Design Improvements
 - \$14 M Del Norte Complete Streets
 - \$10 M Richmond Street
 - \$10 M East-West Bikeway
 - \$3-5 M San Pablo Ave / SR-123

Next Steps

- Now:
 - Council Study Session + Feedback
- May-June:
 - Release Public Draft LRSP: 30 day review
 - Public Open House
 - Incorporate feedback, publish final LRSP
- July:
 - Council Consider Adoption of Final Plan





AGENDA BILL

Agenda Item No. 8.B.

Date: April 7, 2026
To: El Cerrito City Council
From: Sky Woodruff, City Attorney
Subject: Library Tax Exemption Study Session

ACTION PROPOSED

Conduct a study session on proposed and alternative potential exemptions for the proposed Library Tax Initiative (Measure C) and, if changes are desired, provide direction regarding actions to expand exemptions.

BACKGROUND

Measure C, a qualified citizens initiative petition, was placed on the June 2, 2026, ballot by the City Council on February 19, 2026. If passed, Measure C would fund “the planning, construction, and furnishing” of a library in El Cerrito and “the City’s library operating costs of the new library for up to ten years” by levying an annual parcel tax on all properties in El Cerrito, unless an exemption applies.

The proposed Measure provides some exemptions from the tax, discussed in more detail below.

On March 3, 2026 the City Council was advised by legal counsel that they have the ability to express their intentions regarding potential expansion of exemptions prior to the election, and City Council directed staff to agendize a study session at a future meeting to discuss senior exemptions related to the potential library tax.

ANALYSIS

At its March 3 meeting, City Council expressed interest in understanding the exemptions in Measure C—particularly the exemption for seniors—and options for expanding exemptions by income or other categories. This report first explains the provisions of the Measure that would authorize Council to enact exemptions in addition to those in the Measure itself. Then it explains the senior exemptions in Measure C. Finally, it provides Council with information about homeownership in El Cerrito by income bracket, age bracket, and combined income and age characteristics, as well as options for new or expanded exemptions.

Provisions of Measure C That Authorize Council to Expand Exemptions

Read together, several provisions of the Measure would allow the City Council to expand exemptions.

If approved by voters, the Measure expressly authorizes the City Council to amend the ordinance, with some limits. The voters, if they approve the Measure, will extend to Council the power to enact additional exemptions, but not the power to eliminate the

exemptions expressly included in the Measure. The Measure states that the ordinance "may only be amended by a vote of the people of El Cerrito if the amendment would result in the Special Tax being imposed, extended, or increased in a manner that would require a vote of the people under Article XIII C, section 2, of the California Constitution or if the amendment would substantially alter the purpose of the Special Tax." (Section 4.58.100 (emphasis added).) It goes on to state, "**The City Council may enact any other amendments**, including **but not limited** to amendments necessary to implement or administer the Special Tax." (Section 4.58.100 (emphasis added).)

Additional exemptions would eliminate the tax for additional property owners in El Cerrito. The exemptions would therefore reduce the tax for those owners and would "not impose, extend, or increase" the tax they would otherwise have to pay. Enactment of additional exemptions would therefore be authorized by El Cerrito voters and would not violate the provisions of Article XIII C, section 2 of the California Constitution, which according to case law, limits a city council's power to increase a tax, impose a tax on new categories of taxpayers, or extend the term of a tax beyond what the voters authorize.

The enactment of additional exemptions would be limited by two provisions of the Measure. Council may not eliminate or modify the exemptions expressly stated in the Measure such that qualifying property owners would pay tax or additional tax. Additionally, the Measure states that amendments may not substantially alter the purpose of the Measure. Thus, Council cannot exempt so many properties that it would be unable to fund construction of a new library.

Measure C would also authorize the City Council to levy an annual tax on real property in the City to fund a new library and library services for 10 years. As explained in previous reports to Council, the Measure includes two limits on annual tax rates—a maximum rate that can be increased for inflation and a limit based on "115% of the rate needed (1) to extinguish any indebtedness and (2) to pay for the City's library operating costs during the first ten full years following the completion of library construction." (Sections 4.58.040(A) to (C).) As long as tax rates do not exceed those limits, the Measure states, "The City Council may, by resolution, increase **or decrease the rate** of the Special Tax If for any fiscal year the City Council sets a lower tax rate, it may increase the tax rate in any subsequent year up to the maximum rate. No further voter approval shall be required for any adjustment of a tax rate under the authority granted by this section." (Section 4.58.040(D) (emphasis added).)

An exemption is the equivalent of setting the tax rate to \$0. The Measure expressly authorizes the City Council to set tax rates below the maximum rates by resolution. If the Measure is approved, El Cerrito voters will have granted the City Council the power to create new exemptions as an extension of its power to set rates lower than the maximum rates.

Finally, if voters approve Measure C, they will authorize the City Council to "by resolution interpret [the ordinance] for purposes of clarifying any vagueness or

ambiguity as it relates to the Special Tax rate, the classification of properties, or any definition applicable to the Special Tax." (Section 4.58.090(B).) To the extent there are ambiguities in the exemptions in the Measure, the City Council may use the interpretive power granted by voters to clarify those provisions in ways that would expand the scope of the exemptions.

Exemptions in Measure C

Measure C includes several exemptions, including for property that is exempt under the United States Constitution or California Constitution and for private property designated as open space in the El Cerrito General Plan, unless it is used primarily for residential uses. (Section 4.58.030(C)(1) and (C)(2).)

Additionally, single-family residential parcels and units under private ownership on multi-family residential parcels—e.g. condominiums—will be exempt if one of the owners of the property qualifies for participation in either or both the Gonzales-Deukmejian-Petris Senior Citizen Property Tax Assistance Law (also known as the Senior Citizens Homeowners and Renters Property Tax Assistance Law and the Homeowners and Renters Property Tax Assistance Law ("HRA")) or the Senior Citizen Property Tax Postponement Law. (Section 4.58.030(C)(3).) The HRA program provided a direct grant to individuals over the age of 62 or who are blind or disabled and whose income is below specified levels. The program is not currently funded by the State.

The Senior Citizen Property Tax Postponement Law allows qualifying individuals to postpone payment of current year property taxes on their primary residence. According to the State Controller's Office, for the 2025-26 tax year, to qualify for the program an owner must meet all of the following requirements:

- Be at least 62 years of age, or blind, or disabled;
- Own and occupy the property as their principal place of residence (floating homes and houseboats are not eligible);
- Have a total household income of \$55,181 or less;
- Have at least 40 percent equity in the property; and
- Not have a reverse mortgage on the property.

Property owners who qualify for this exemption must additionally "occupy the property and be at least partially legally responsible for payment of the *ad valorem* tax for the property." (Section 4.58.040(C)(3).)

Crucially, the Measure **does not** require a property owner to actually participate in either of the two State programs described above. The Measure states that a property will be eligible for the exemption if, among other requirements, one of the owners "qualifies for participation in either or both" the programs (Section 4.58.040(C)(3).) It additionally states that an application for the exemption "may require proof that the State Controller's Office or Franchise Tax Board has approve the applicant's participation in either of the programs." (Section 4.58.030(C)(3)(b).)

Qualifying to participate in a program is meaningfully different from actual participation. The Measure does not state that an applicant for the exemption must actually participate.

The Measure states that an application "may" require proof of participation in a program. It does not state that an application for the exemption "shall" require proof that an applicant has been approved to participate in one of the State programs.

Staff have interpreted this to mean that, in evaluating an application for this exemption, they would look only at whether the applicant meets the qualifications of either or both programs, not whether the applicant is actually participating in one or both at the time they apply to be exempt from the tax. To the extent this is ambiguous, as noted above, Council may clarify the scope of the exemption by resolution or by an ordinance amending the Measure after it is enacted, or both.

Information Related to Exemptions

Similar Exemption in the Parks and Recreation Facilities Tax (Measure H)

In 2019, El Cerrito voters approved Measure H, the Parks and Recreation Facilities Maintenance and Enhancement Special Tax (El Cerrito Municipal Code Chapter 4.56). That tax is a continuation of the Measure A Swim Center Tax, which voters approved in 2000. The Measure A Swim Center Tax included an exemption substantially similar to the one in Measure C for income-qualified seniors and individuals with visual and other disabilities. The Measure H Parks and Recreation Facilities Tax continued the exemption.

Staff have reviewed the City's files for any records of applications to be exempted from the Measure A Swim Center Tax or Measure H Parks and Recreation Facilities Tax. They have not found a record of any applications. Consequently, no property has received the exemption, at least based on staff's review of records. That means there are also no records of an application being denied because a property owner did not qualify.

Demographic Information about Homeowners in El Cerrito

To assist the City Council with its consideration of exemption options, staff worked with Strategic Economics to obtain information about homeownership by age and income. In the time available, they were not able to find a source with data included combined homeownership by age and income. They were able to provide data about the number of households by age and income combined, but it includes all households, not just households that own their home.

The most recent data are from 2024 and stated in nominal 2024 dollars, included in the tables and charts below. Summarized, the data show:

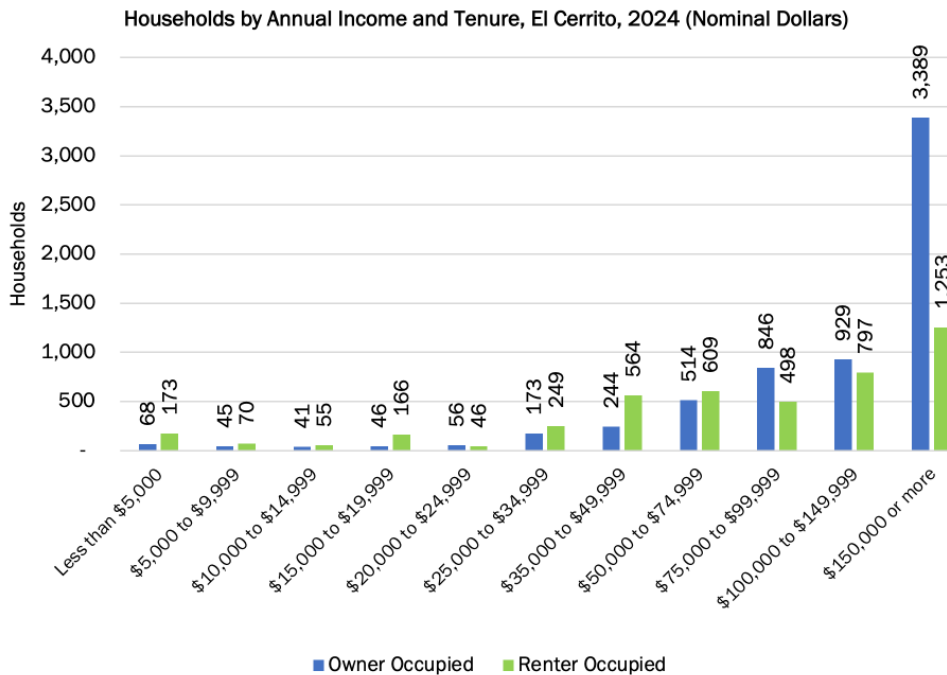
- Of the 6,351 Owner Occupied households, a total of 3,271 an owner between the

ages of 60-85+.

- Of the 6,351 Owner Occupied households, a total of 673 households had an annual income between \$0 - \$49,999. An additional 514 households had an annual income between \$50,000 - \$74,999.
- A total of 818 households include a member aged 65 or older with an income less than \$50,000. An additional 509 households with one member aged 65 or older had an income between \$50,000 and \$74,999. This information is included for additional context.

Households by Income Data		
Households by Annual Income and Tenure, El Cerrito, 2024 (Nominal Dollars)		
	Owner Occupied	Renter Occupied
Total:	6,351	4,480
Less than \$5,000	68	173
\$5,000 to \$9,999	45	70
\$10,000 to \$14,999	41	55
\$15,000 to \$19,999	46	166
\$20,000 to \$24,999	56	46
\$25,000 to \$34,999	173	249
\$35,000 to \$49,999	244	564
\$50,000 to \$74,999	514	609
\$75,000 to \$99,999	846	498
\$100,000 to \$149,999	929	797
\$150,000 or more	3,389	1,253

Sources: Social Explorer, 2026; U.S. Census Bureau (5-Year Estimate), 2020-2024; Strategic Economics, 2026.



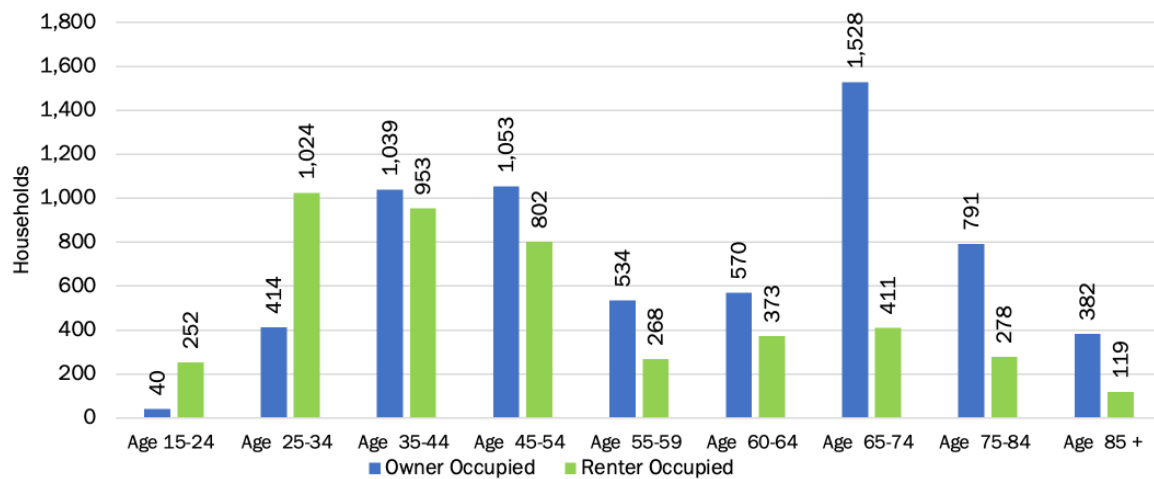
Households by Age Data

Households by Age of Householder and Tenure, El Cerrito, 2024

	Owner Occupied	Renter Occupied	Total Households
Total	6,351	4,480	10,831
Age 15-24	40	252	292
Age 25-34	414	1,024	1,438
Age 35-44	1,039	953	1,992
Age 45-54	1,053	802	1,855
Age 55-59	534	268	802
Age 60-64	570	373	943
Age 65-74	1,528	411	1,939
Age 75-84	791	278	1,069
Age 85 +	382	119	501

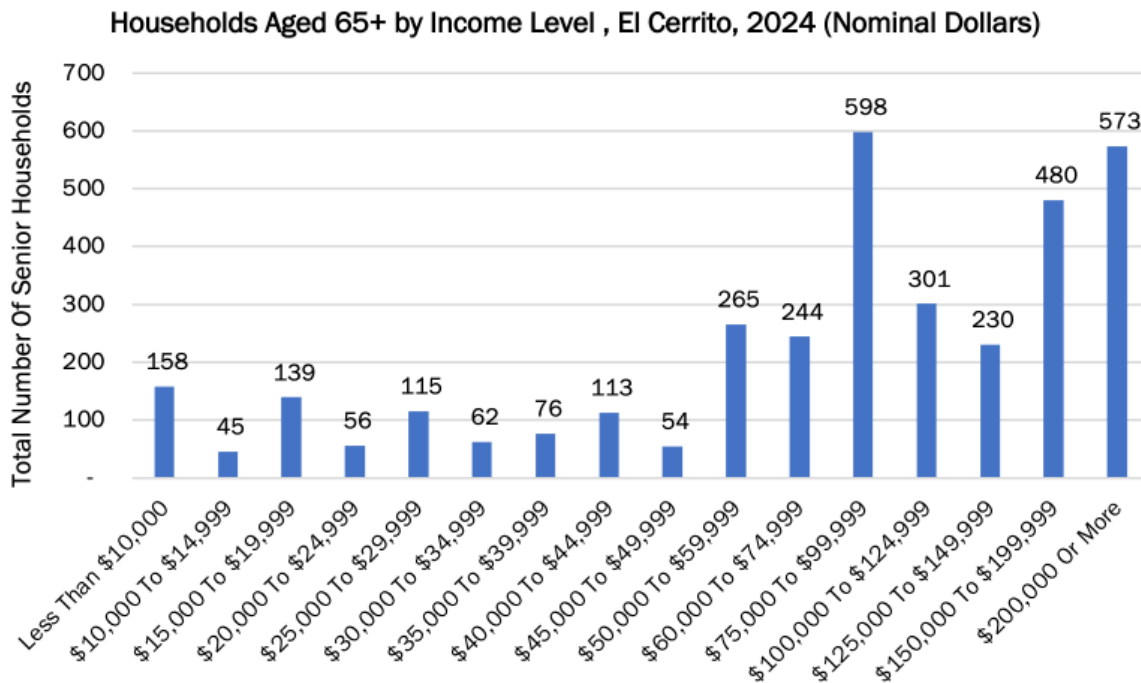
Sources: Social Explorer, 2026; U.S. Census Bureau (5-Year Estimate), 2020-2024; Strategic Economics, 2026.

Households by Age of Householder and Tenure, El Cerrito, 2024



Householder 65 Years And Over:	3,509	100.0%
Less Than \$10,000	158	4.5%
\$10,000 To \$14,999	45	1.3%
\$15,000 To \$19,999	139	4.0%
\$20,000 To \$24,999	56	1.6%
\$25,000 To \$29,999	115	3.3%
\$30,000 To \$34,999	62	1.8%
\$35,000 To \$39,999	76	2.2%
\$40,000 To \$44,999	113	3.2%
\$45,000 To \$49,999	54	1.5%
\$50,000 To \$59,999	265	7.6%
\$60,000 To \$74,999	244	7.0%
\$75,000 To \$99,999	598	17.0%
\$100,000 To \$124,999	301	8.6%
\$125,000 To \$149,999	230	6.6%
\$150,000 To \$199,999	480	13.7%
\$200,000 Or More	573	16.3%

Sources: Social Explorer, 2026; U.S. Census Bureau (5-Year Estimate), 2020-2024; Strategic Economics, 2026.



Options for Exemptions

Exercising the authority that the Measure would grant to the City Council, as discussed above, Council has several options related to exemptions, if it wanted to do so.

- *Clarify Included Exemption Only*

Council could take no action other than to clarify that the exemption in Measure C for income-qualified individuals over 62 or who are blind or disabled is available even if an applicant does not participate in one of the two State programs discussed above.

- *Add an Age-Based Exemption*

Council could adopt an exemption for all homeowners over a specified age, regardless of income. Since almost half of homeowners in El Cerrito would qualify for an exemption that started at age 60, such an exemption could reduce total revenue by half, if all qualifying homeowners opted to apply for the exemption. If all qualified homeowners used the exemption, the exemption would arguably be inconsistent with the provision of the Measure discussed above, which prohibits Council from amending the Measure in a way that frustrates its purpose of building a new library.

- *Add an Income-Based Exemption*

Council could adopt an exemption for homeowners whose income is below a specified level. As noted previously, in 2024, using nominal dollars, 673 households had an annual income between \$0 - \$49,999. According to the Section 9212 Report presented to Council on February 19, 2026, the average homeowner would initially pay \$331 in tax. The revenue loss for an exemption for all homeowners with annual income less than \$50,000 might be approximately \$222,763 in the first year. The 9212 Report stated that initial gross tax revenue would be approximately \$3,156,019. This income-based exemption would potentially reduce first-year tax revenue by approximately 7%.

If Council expanded the exemption to households making less than \$75,000 annually, the total number of eligible households would be 1,187. Using the initial \$331 tax per average household, the revenue loss might be approximately \$392,897 in the first year. That would be approximately 12.4% of gross first-year revenue. That exemption might also be susceptible to an argument that it is contrary to the purpose of Measure C.

- *Add an Exemption Based on Age and Income*

Council could adopt an exemption that uses both age and income as qualifying criteria, which would be in addition to the exemption in Measure C. In 2024, using nominal dollars, 818 households included one member aged 65 or older with an annual income of less than \$50,000. Although this includes both owners and renters, using the 818 number provides information about the maximum number of households that could qualify for an exemption for households with a member over 65 with income less than \$50,000. Using the initial \$331 tax per average household, the maximum revenue loss might be approximately \$291,611 in the first year. That would be approximately 9.2% of gross first-year revenue.

If Council expanded the exemption to households making less than \$75,000 annually, the total number of eligible households would be 1,309. Maximum first-year revenue loss from this exemption might be approximately \$433,279, which would be 13.7% of first-year gross income.

- *Layer Disability into Any of the Other Exemption Options*

As discussed above, the exemption included in Measure C applies not only to seniors but also to individuals who are blind or otherwise disabled and who are income qualified. If Council is interested in expanding the exemptions, it might consider including disability as a factor. Staff do not have data about the number of homeowners who are disabled. Analyzing the revenue impact is therefore not possible at this time.

- *The David Hunter Memorial Scholarship Income Criteria*

The Recreation Department offers a limited number of scholarships supported by donations for its recreational programs to assist families in need of providing safe, high-quality recreation programs for children and seniors. Scholarships are offered in the form of a reduced payment for most recreational camps, classes and programs. The scholarships are offered to households making up to 80% of Area Median Income (AMI) for Contra Costa County. The table below shows the 80% AMI levels for households up to eight members.

Neither the City nor Strategic Economics has data that show homeownership by household size and income. However, as noted above, approximately 3,000 of the homes in El Cerrito are owned by households with annual incomes of less than \$150,000. That is a little less than half of all owner-occupied units. The maximum impact of an exemption using the 80% of AMI standard might be half of revenue from the tax. That would potentially conflict with the provision of Measure C that prohibits Council from adopting amendments that would interfere with the purpose of the Measure.

SCHOLARSHIP INCOME LIMITS - 2025-2026

2025 Area Median Income Limits (AMI) for Contra Costa County

Household Size	Households that earn up to 80% AMI (Qualifying Income Amounts listed Below)	Household Size	Households that earn up to 80% AMI (Qualifying Income Amounts listed Below)
1	\$87,550	5	\$135,100
2	\$100,050	6	\$145,100
3	\$112,050	7	\$155,100
4	\$125,050	8	\$165,100

CONCLUSION

If the City Council is interested in expanding the exemptions in Measure C, staff requests that Council provide direction about what additional exemptions it would like to provide to homeowners subject to the library tax, if approved by voters. Based on direction from Council, staff will prepare a resolution to express Council's intent, which will be on a future agenda. If the direction is best effectuated by an amendment to the Measure, if it is adopted, staff will also return with an ordinance to implement the amendments after the election.

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 report.

FINANCIAL CONSIDERATIONS

Expansion of the exemption included in Measure C for income-qualified seniors and disabled individuals could reduce revenue from the library tax between 7% and 50%, depending on the factors selected and the level of participation in the exemption by qualified households.

LEGAL CONSIDERATIONS

The City Attorney prepared this report with input from other departments.

Reviewed by:



Karen Pinkos, City Manager

Attachments:



**SUPPLEMENTAL AGENDA MATERIALS
CITY COUNCIL MEETING
April 7, 2026**

REGULAR CITY COUNCIL MEETING (6:00 PM)

Public Comments (Not on the Agenda and Consent Calendar)

Agenda Item No. 8.A. – Local Road Safety Plan Study Session
Revised Presentation

Agenda Item No. 8.B. – Library Tax Exemption Study Session
1. Revised Presentation
2. Public Comments

From: [No Reply](#)
To: [City Clerk](#)
Subject: Public Comment Submission
Date: Wednesday, April 1, 2026 7:27:13 AM

This sender is trusted.

Submitted by: Tory Knowles

Email Address: [REDACTED]

Commented on event: <https://elcerritoca.portal.civicclerk.com/event/920/overview>

If you are having trouble viewing the URL above, cut and paste the string into your browser window.

User comment: I would like to submit a resolution to change the permitted construction hours to 8:00AM - 6:00pm Monday - Friday and 9:00 AM - 5:00 PM Saturdays. The current start time of 7:00 AM is unfair to residents and disturbs the peace of neighborhoods, as most people do not begin their commute until 8:00 to 8:30 AM on weekdays. I believe it is within the rights of citizens of El Cerrito to receive adequate sleep and awaken in the morning without the sounds of heavy machinery and equipment (especially referring to the BART TOD which will continue being built in our neighborhoods over the next few years)

CITY OF EL CERRITO

COUNCIL BRIEFING

Flock Safety License Plate Reader Program

A Review of Security Failures, Data Sharing Practices, and Governance Risks

March 2026 | Prepared for City Council Consideration by Brian Fogg

TL;DR — Summary

El Cerrito contracts with Flock Safety for license plate reader cameras that feed into a national database, which until very recently was shared with law enforcement agencies nationwide. Chief Kieth has presented documented wins. This briefing documents why the Council should look harder before taking further action.

Key Problems

- **Security breaches:** Live police camera feeds were publicly exposed on the open internet. Stolen officer passwords sold on criminal forums and used for unauthorized federal surveillance.
- **Unauthorized federal access:** Flock's architecture allowed a single query to reach 845 California agency databases simultaneously, including on behalf of ICE. El Cerrito's prior-period exposure is an open legal question.
- **Flock actively misled the public:** When caught, the company called accurate reporting "misinformation." Court records contradicted Flock's own public statements. Every privacy protection added came only after external pressure — never proactively.
- **Misuse by officers:** Multiple documented cases of officers using Flock to stalk romantic partners. The system logged all searches as "investigation."

What Other Cities Have Done

- 30+ cities have terminated or suspended contracts since early 2025, including Mountain View, Santa Cruz, and Los Altos Hills.
- Richmond shut cameras down in October 2025 after discovering unauthorized access to its data.
- Senator Wyden, after negotiating directly with Flock: **"Abuses of your product are not only likely but inevitable."** His recommendation: remove the cameras.

Questions for the Council

- Has any federal agency ever accessed El Cerrito's Flock data?
- Does our contract contain the clause giving Flock a perpetual license to share agency data regardless of local settings?

- Has the City Attorney reviewed this contract for California ALPR Privacy Act compliance?

Executive Summary

El Cerrito currently contracts with **Flock Safety**, a private Atlanta-based company that operates license plate reader (LPR) cameras throughout the city. Each camera photographs every passing vehicle and feeds that data into a searchable national database accessible to thousands of law enforcement agencies across the country. Chief Kieth has presented documented wins — but the full record warrants careful review before the Council makes any further decisions about this contract.

This briefing presents three categories of documented concern, each supported by named sources:

- **Security failures** — multiple incidents in which Flock's systems were compromised or left sensitive data publicly exposed, including a January 2026 breach that made live police camera feeds accessible to anyone on the internet, and stolen officer passwords sold on criminal forums.
- **Federal data access** — documented cases in which federal agencies (DEA, ICE, Border Patrol) accessed California cities' Flock data without local knowledge or authorization — through the same network architecture that connects El Cerrito's cameras.
- **Deceptive default settings** — Flock's system was designed to automatically enroll agencies in nationwide data sharing in ways many cities, including communities adjacent to El Cerrito, say they did not knowingly authorize. Flock has begun revising these defaults only in response to sustained public pressure, congressional inquiry, and contract terminations.

Bottom Line

Chief Kieth has presented documented wins attributable to this system. This briefing does not dispute that. The harder question is one the Council is uniquely positioned to answer: what are those wins worth, and at what cost — not in dollars, but in civil liberties?

Surveillance infrastructure, once installed, rarely stays within its original purpose. That is not a hypothetical risk with Flock Safety — it is the documented recent history of this specific company, covered in detail in Sections 4 and 5. Cameras of the same type, on the same shared network, have been used elsewhere to investigate a woman for having an abortion, to track participants at lawful political demonstrations, and to grant federal immigration agents access to local data that many cities explicitly prohibited. El Cerrito's cameras are connected to that same national infrastructure.

Civil liberties eroded through normalized surveillance infrastructure are extraordinarily difficult to reclaim. Unlike crime rates, which fluctuate with economic conditions and policing strategies, a permanent citywide movement-tracking grid does not recede when conditions improve. The Council did not vote to give ICE access to El Cerrito residents' driving patterns. That access was granted through a private company's default contract settings. The Council should determine whether that outcome is acceptable — and whether any contract revision can reliably prevent it from recurring.

What Is Flock Safety, and What Does It Collect?

Flock Safety was founded in Atlanta in 2017. As of 2025, it operates cameras in over 5,000 communities across 49 states and **performs over 20 billion vehicle scans per month** nationwide. The company has

raised over \$950 million in venture funding at a reported valuation of \$7.5 billion. El Cerrito is one of hundreds of Bay Area communities with Flock cameras.

What the cameras capture:

- Every vehicle's license plate number
- Date, time, and precise location of each scan
- Vehicle color, make, model, and visible features (bumper stickers, roof racks, damage, etc.)
- Direction of travel

What Does This Data Actually Reveal?

A record of every time a vehicle passes a Flock camera builds a detailed log of where a person goes, how often, and when — doctor's appointments, places of worship, political events, legal consultations, support group meetings. A single scan is not sensitive. Thousands of them, accumulated over months, create a precise portrait of a person's movements and associations. This is what privacy researchers call a 'movement pattern profile,' and it is why courts are increasingly treating this category of data as constitutionally sensitive.

In June 2024, a judge in Norfolk, Virginia ruled that collecting location data from 172 Flock cameras [constituted a Fourth Amendment search](#) — and therefore required a warrant to use as evidence.

Who can access El Cerrito's Flock data?

By default, Flock enables what it calls a **"National Lookup Tool"** — a shared database through which any enrolled Flock law enforcement customer can search the cameras of other enrolled agencies. Flock reported to Congress in August 2025 that **75% of its law enforcement customers** participate in this tool. That means when an officer in Texas, Florida, or any other state searches for a vehicle, they may be querying camera footage collected by El Cerrito's police department.

Section 1: Documented Security Failures

Flock's public marketing states that the company has **"never experienced a data breach."** The incidents below complicate that claim. Each is documented and on the public record.

Incident 1: Live Police Camera Feeds Exposed to the Public (January 2026)

What happened: Flock's Condor cameras — its advanced police model with 360-degree pan-tilt-zoom capability — had their live video feeds inadvertently made publicly accessible over the internet.

Security researcher and technologist Benn Jordan discovered the exposed cameras using Shodan — a public search engine that indexes internet-connected devices — from his home in Atlanta. No credentials or login of any kind were required. He and colleagues could access live feeds, view a full month of archived footage from cameras across the country, and even **delete video from active police systems**. A 404 Media journalist confirmed the exposure independently by driving to a street corner in Bakersfield, California and watching himself live on his phone through the exposed feed.

Flock's explanation: The company attributed the exposure to a "standard testing process" for checking cellular carrier compatibility, and characterized it as an isolated error that was promptly corrected.

Why it matters: The exposed cameras were deployed as law enforcement tools in communities across the country. Anyone with internet access could watch live footage of police-monitored public spaces, track movement patterns at specific locations, and — by deleting footage — interfere with active investigations. Flock framed this as a procedural lapse. Independent security researchers described it as a serious breach of law enforcement infrastructure.

Source: [WFLX News, January 9, 2026](#)

Incident 2: Stolen Police Logins Sold on Criminal Forum (November 2025)

What happened: Senators Ron Wyden (D-OR) and Raja Krishnamoorthi (D-IL) filed a formal complaint with the FTC in November 2025 after discovering that login credentials belonging to Flock law enforcement customers had been stolen by malware and were actively available for purchase on criminal forums.

What Are 'Stolen Credentials' and Why Does It Matter Here?

When a username and password are stolen — typically through malicious software on a police officer's computer — criminals can log in to systems as though they were that officer. In Flock's case, anyone who obtained these logins could query the National Lookup Tool, accessing billions of vehicle scans from thousands of agencies including El Cerrito, and would appear in the system as a legitimate law enforcement user. There would be no alert, no record of unauthorized access, and no notification to the affected city.

The missing safeguard: A standard security measure — the same two-step verification used by most online banking systems, where a code is sent to a phone in addition to a password — would have blocked these stolen logins from being used. Flock made this protection available but did not require it — a fact the company confirmed directly to Congress in October 2025, according to the Wyden/Krishnamoorthi FTC letter. Congress confirmed this directly with the company in October 2025.

Scale of exposure: Cybersecurity firm Hudson Rock identified at least 35 compromised Flock law enforcement passwords. Flock's own chief legal officer told TechCrunch (November 3, 2025) that approximately 3% of the company's 5,000+ law enforcement customers — potentially dozens of agencies — had still not enabled this basic protection, citing 'reasons specific to them.'

Sources: [TechCrunch, November 3, 2025](#) | [Sen. Wyden FTC Letter \(PDF\)](#) | [404 Media](#)

Incident 3: Master Access Key Found in Publicly Readable Code

What happened: A security researcher discovered that Flock's publicly accessible website code contained a hardcoded API key — a master credential embedded directly in the software — for the company's mapping and location data system.

What Is a 'Hardcoded API Key'?

An API key is a digital credential that unlocks access to a system. Keeping it secret is a basic security requirement. 'Hardcoding' means a developer wrote the key directly into publicly readable code — equivalent to writing the combination to a safe on the outside of the safe door. Anyone who examined the code could find it and use it without restriction.

The exposed key granted unrestricted access to Flock's infrastructure, which aggregates data from approximately 12,000 law enforcement, community, and private sector sources. While active, this credential made real-time surveillance data available to anyone who located it.

Source: [WebProNews / Nexanet Security Report, January 2026](#)

Incident 4: 2.3 Million License Plates Released Through Public Records Requests

What happened: Multiple California police departments failed to properly redact sensitive data when responding to public records requests. The unredacted files contained 2.3 million license plates and tens of millions of search records from thousands of agencies — including the identities of surveillance targets, suspects, and crime victims.

Flock's response: The company sought to have websites hosting this information taken down, claiming the material posed "an immediate threat to public safety." Cloudflare, the internet infrastructure provider that received the takedown demands, declined, finding insufficient grounds.

Source: [SAN / 404 Media, January 2026](#)

Section 2: Federal Government Access to Local Data

Flock's network architecture creates structural pathways for federal agencies — including immigration enforcement — to access data collected by local police departments, sometimes without the knowledge or authorization of either the city council or the police department itself.

The DEA Incident: A Federal Agent Used a Local Officer's Password (August 2025)

A Drug Enforcement Administration agent used the Flock login credentials of a local police officer to conduct an immigration-related search — **without that officer's knowledge or authorization**. The officer, from the Palos Heights Police Department in Illinois, learned about the search only after a journalist filed a public records request.

Why it matters: Using license plate readers for immigration enforcement is illegal in Illinois. The federal agent bypassed both state law and Flock's own terms of service simply by borrowing a local officer's login. The Palos Heights department confirmed it had not enabled two-step login verification prior to the incident — and only did so after learning of it through press coverage.

Sources: [404 Media, August 2025](#) | [TechCrunch](#)

ICE Access Through the "Side Door": The California Problem

In April 2025, the California Highway Patrol conducted a search on behalf of ICE that simultaneously reached **845 separate California agency databases** through Flock's sharing network. Because of how Flock's architecture connects enrolled agencies, a single CHP search functioned as a dragnet, touching the camera data of nearly every California law enforcement Flock customer — including communities throughout Contra Costa County.

What Is the "Side Door"?

California's ALPR Privacy Act prohibits local police from sharing license plate data with federal or out-of-state agencies. But Flock's network architecture built in a structural gap: a federal or out-of-state officer with access to any single enrolled agency's Flock account could, through the national sharing architecture, effectively search the data of hundreds of connected agencies — without separate agreements with each one. They needed only one login. Researchers called this the 'side door': indirect access that circumvented the restrictions California had enacted.

The University of Washington Center for Human Rights documented that Mountain View PD **learned only recently** that federal agencies had been accessing its camera data through Flock's nationwide sharing tool — a feature that had been enabled **without the department's knowledge or consent**.

Sources: [Courthouse News, February 2026](#) | [UW Center for Human Rights, October 2025](#)

No Transparency Report — What We Don't Know

Major technology companies — Microsoft, Apple, Google — publish annual **transparency reports** disclosing, in aggregate, how many times the federal government requested their data under laws like the CLOUD Act, FISA, or National Security Letters. These reports do not reveal the details of individual cases, but they establish for the public the general scale of federal access.

CLOUD Act, FISA, and National Security Letters — What Are These?

These are federal legal authorities that allow law enforcement and intelligence agencies to compel private companies to produce data:

- **CLOUD Act:** Allows law enforcement to obtain data held by US companies, including data stored outside the country. Enacted in 2018.
- **FISA (Foreign Intelligence Surveillance Act):** Authorizes intelligence agencies to collect data for national security purposes. Recipients of FISA orders are typically prohibited from disclosing that a demand was made — including to their own customers.
- **National Security Letters (NSLs):** FBI-issued demands for subscriber and transaction data. Historically issued with mandatory gag orders. Courts have allowed limited challenges, but most NSLs remain confidential.

Flock Safety **has published no transparency report of any kind**. There is no public record of whether Flock has received FISA orders, via NSLs, or CLOUD Act demands from federal agencies. The absence of such a report cannot be taken as evidence that no such demands exist — and this is not a technicality. Under FISA, recipients of intelligence collection orders are legally prohibited from disclosing that an order was ever issued — not just its contents, but its existence. A company could be under an active FISA order and be legally forbidden from telling its own customers, its own board, or the public. The absence of a denial is not the same as a denial. For a company operating one of the largest movement-tracking databases in the country, the lack of any transparency report means El Cerrito has no way of knowing whether federal intelligence agencies have accessed its residents' data — and Flock itself may be legally barred from saying so.

Flock operates one of the largest movement-tracking databases in the United States. It is a US company fully subject to these federal legal tools. It has never published any disclosure — voluntary or otherwise — indicating how many such demands, if any, it has received or satisfied.

Section 3: Deceptive Design — The Nationwide Sharing Default

This section addresses a core governance question: whether Flock's software was designed to maximize data sharing in ways that local agencies did not fully understand or authorize when they signed their contracts.

What Flock Claims vs. What the Record Shows

Flock's claim: "Every Flock customer has complete control over their sharing relationships, and Flock never shares customer data without their knowledge or permission." (Flock Safety website)

The documented record:

- Mountain View PD learned that **federal agencies had been accessing its camera data** through Flock's nationwide sharing tool **without the department's knowledge or authorization**. (Courthouse News, February 2026)
- The ACLU of Massachusetts found that Flock's standard contract grants the company a **"worldwide, perpetual, royalty-free right and license" to disclose agency data** for 'investigative purposes' — independent of whatever sharing settings the local agency has configured. ([ACLU, October 2025](#))
- Documented accounts show that local governments were enrolled in national sharing **"either by blindly approving the inquiries or unknowingly signing onto the national sharing option."** ([Wikipedia — Flock Safety](#))
- 75% of Flock's law enforcement customers are enrolled in the National Lookup Tool. **That enrollment rate is difficult to reconcile with a genuine opt-in process**. Flock confirmed this figure to Congress in August 2025. ([Sen. Wyden FTC Letter](#))

What Is a "Dark Pattern"?

Definition: Dark Pattern

A 'dark pattern' is a software design term for an interface structured to steer users toward choices that benefit the company at the user's expense — often without the user recognizing that a consequential decision has been made. Common forms include pre-checked consent boxes, obscured opt-out controls, and defaults set to maximum data sharing. California law (the CPRA) defines a dark pattern as 'a user interface designed or manipulated with the substantial effect of subverting or impairing user autonomy, decision making, or choice.'

The pattern here — nationwide enrollment that agencies say they did not knowingly authorize, contract language preserving Flock's right to share data regardless of local settings, and architecture that allowed ICE to search 845 California databases through a single query — is consistent with a system designed to maximize data breadth rather than to ensure informed municipal consent.

Flock has begun changing these defaults — under pressure.

The company has announced a series of modifications since late 2025:

- October 2025: Immigration and reproductive care search filters introduced ([Flock Safety blog](#); [NPR, February 2026](#))
- January 2026: Agencies can now disable all federal sharing through a single toggle ([Flock Safety, "Does Flock Share Data With ICE?"](#))
- February 2026: New disclosure added at the point of login

The Problem With "We Fixed It"

These changes arrived only after sustained investigative reporting, a Congressional inquiry, a formal FTC complaint, civil litigation, and contract terminations by dozens of municipalities. A company that had genuinely prioritized local control and informed consent would have built these protections into the original design — not added them under duress, years after deployment.

At least 30 cities have terminated or declined to renew Flock contracts since early 2025, with much of the activity concentrated in the last three months, per NPR. Among them: Austin (TX), Denver (CO), Santa Cruz (CA), Mountain View (CA), Los Altos Hills (CA), and others.

Richmond's situation warrants particular attention given its proximity to El Cerrito. Police Chief Simmons shut down Richmond's Flock cameras in October 2025 after discovering that a 'national lookup' configuration had allowed outside agencies to access Richmond's data without authorization — a direct violation of city policy and California law. The contract expired February 28, 2026. The Richmond City Council convened March 3 to vote on the question, but the meeting ran out of time before a vote could be taken. The cameras remain offline. Mayor Martinez summarized the bind plainly: 'That trust has been broken — that is shame on Flock. If we choose to trust them again and it happens again, then that shame is on us as leaders of the community.' ([Grandview Independent, March 4, 2026](#); [ContraCosta.news, March 4, 2026](#))

Section 4: A Pattern of Misleading Public Statements

The incidents described in Sections 1–3 raise questions about Flock's technical practices and contract design. This section addresses a different category of concern: what the company has said publicly when its practices were questioned — and how those statements compare to what the documented record shows.

Across multiple incidents, Flock's public posture has followed the same arc: deny the problem, attack those who report it, and make changes only when forced. For a city considering whether to trust this company's assurances about how its data is being used, that pattern is directly relevant.

The Texas Abortion Search — And Flock's Response

In May 2025, a sheriff's deputy in Johnson County, Texas conducted two searches across more than 83,000 cameras spanning nearly 7,000 Flock networks — including cameras in states where abortion is a protected right, including Illinois and Washington. The official reason entered in the search log: **"had an abortion, search for female."**

When the story was reported by 404 Media, both the Johnson County Sheriff and Flock Safety publicly denied that the search was related to the woman's abortion. Flock issued a statement saying she **"was never under criminal investigation by Johnson County. She was being searched for as a missing person, not as a suspect of a crime."** Flock CEO Garrett Langley called 404 Media's reporting a **"misleading account by an activist journalist."** The company's communications director told 404 Media it would not respond to further questions until the outlet admitted to **"purposefully spread[ing] misinformation which you know to be untrue."**

In October 2025, the Electronic Frontier Foundation obtained sworn court records from the case. Those records told a different story entirely. The lead detective's affidavit described the matter as a **"death investigation"** of a **"non-viable fetus."** Police had collected FedEx packaging, pill instructions, and photographs from the scene. Investigators consulted the District Attorney's office about whether they could charge the woman with a crime — on the same day as the Flock search. The abortion had occurred more than two weeks before the search was conducted. The death investigation remained open for weeks. The DA ultimately concluded the state could not charge her.

Flock had promoted the sheriff's narrative on its own blog and in media appearances. When those court records emerged contradicting it, the company declined to comment.

The sheriff who made the original public statements — Adam King — was subsequently arrested and indicted on felony counts in an unrelated case involving sexual harassment of his staff. He was also charged with aggravated perjury for lying to a grand jury.

What Flock Said vs. What the Record Shows

Flock's public statement: "She was never under criminal investigation by Johnson County. She was being searched for as a missing person, not as a suspect of a crime."

The sworn affidavit of the lead detective: The case was a "death investigation" of a "non-viable fetus." Police collected evidence, reviewed the woman's text messages, and consulted the DA about charges — on the same day the 83,000-camera search was conducted.

Flock called the journalists who reported this accurately "activist journalists" spreading "purposefully misleading" information. The court records were obtained by EFF through a public records request — from Flock's own customer. ([EFF, October 2025](#); [404 Media, October 2025](#))

Officers Using Flock to Stalk Romantic Partners — A Documented Pattern

El Cerrito has a good working relationship with its police department, and nothing in this briefing suggests local officers would misuse this system. The concern here is structural: Flock grants database access to hundreds of employees per department, requires only a free-text field labeled "reason" to conduct a search, and has no technical barrier preventing personal use. That combination has produced a documented pattern of abuse elsewhere in the country.

In spring 2025, Milwaukee Police Department Officer Josue Ayala used Flock to run his girlfriend's license plate 124 times and her former partner's plate 55 times over two months — logging every single search as "investigation." He was charged with misconduct in public office and negotiated a resignation from the department. The abuse was discovered not by Flock's internal auditing, but because one of the victims checked their own plate on HavelBeenFlocked.com, a third-party website that publishes Flock audit log data. Separately, a Kenosha County deputy was found to have run repeated Flock searches on a colleague he was romantically involved with. In an earlier Kansas case, a police chief used Flock 228 times to track his ex-girlfriend and her new boyfriend. He received probation and lost his police certification.

Four Milwaukee aldermen subsequently wrote to the city's Fire and Police Commission that such cases **"underscore the systemic oversight gap rather than an isolated failure."** The ACLU of Wisconsin put it plainly: Flock misuse is **"a pattern we've seen across the country — law enforcement using taxpayer-funded policing tools to spy on women they have a romantic interest in."**

The question for El Cerrito is not whether local officers would behave this way. It is whether the city is comfortable operating a system where the primary check against personal misuse is a third-party public website — not the vendor's own safeguards.

Sources: [Urban Milwaukee, February 2026](#) | [Wisconsin Examiner, March 13, 2026](#) | [ACLU of Wisconsin](#)

The Consistent Pattern: Deny, Attack, Comply Only When Forced

The abortion case is not an isolated example of Flock's public communications diverging from the documented record. Flock's marketing materials claim the system has "never experienced a data breach" — language that was on its website while stolen police credentials were being sold on criminal forums and a live police camera feed was publicly accessible to anyone with an internet connection. The company confirmed to Congress that it had not required basic login security, only after lawmakers began a formal investigation. Every privacy protection Flock has added — immigration search filters, the federal sharing toggle, enhanced login requirements — arrived after public exposure and sustained external pressure, never before.

Senator Wyden, who negotiated directly with Flock on privacy protections and watched them be circumvented, concluded: **"I now believe that abuses of your product are not only likely but inevitable, and that Flock is unable and uninterested in preventing them."** His recommendation to local officials was unambiguous: remove the cameras. ([Sen. Wyden letter to Flock CEO, October 16, 2025](#))

The relevance for El Cerrito is this: the city cannot rely on Flock's voluntary disclosures to understand how its data is being used. The company's track record — documented across multiple incidents and confirmed by multiple independent sources — is to deny problems until they are exposed by others, then characterize the exposure as misinformation, then make the minimum change necessary to quiet the criticism. That is not a partnership built on transparency.

Section 5: Mission Creep — The Documented Pattern

One of the most important questions a city council can ask about a surveillance contract is not 'what does this technology do today?' but 'what will it be used for once the infrastructure exists?' The answer, across every major surveillance technology deployed in American cities over the past thirty years, has been consistent: capabilities expand, stated purposes broaden, and safeguards lag behind.

With Flock Safety, this pattern has already played out — not as a future risk, but as documented recent history.

Mission Creep Within Flock Safety (2017–2026)

Flock was founded in 2017 with a single product: a solar-powered license plate reader. Within eight years, the company has expanded into the following capabilities — most of which were not disclosed to cities when they signed their original contracts:

- **Vehicle 'fingerprinting':** Beyond license plates, Flock now uses AI to identify vehicles by make, model, color, bumper stickers, dents, and roof racks — enabling tracking even when a plate is obscured or absent. Cities contracted for a plate reader; they have a vehicle surveillance system.
- **Nationwide cross-agency search (National Lookup Tool):** Many cities understood their original Flock deployments as local tools. The National Lookup Tool, now used by 75% of enrolled agencies, was designed to allow any participating officer anywhere in the country to query cameras of connected agencies. Chief Kieth has indicated that El Cerrito has since disabled nationwide search access. However, many cities believed this feature was off when it was not — Mountain View being a documented California example — and the question of what access existed during prior years of the contract remains open. Many cities say they did not knowingly consent to this when they signed.
- **Drone acquisition (October 2024):** Flock acquired Aerodome, a drone-as-first-responder company, for over \$300 million. Cities that contracted with Flock for plate readers are now customers of a company building an autonomous drone fleet. Flock's CEO has described the goal as a 'seamless safety ecosystem' built on the camera infrastructure already deployed in thousands of cities.
- **"Raven" audio sensors (2021, expanded 2025):** Flock's Raven product was marketed as a gunshot detector. In October 2025, Flock announced that Raven would also detect 'human distress' — originally advertising this feature with alerts for 'screaming.' After public criticism, Flock revised the marketing language from 'screaming' to 'distress,' but the underlying capability was unchanged. The Electronic Frontier Foundation described this as 'a significant step toward comprehensive audio analytics.' Cities that installed microphones to detect gunfire now operate sensors capable of flagging human voices.
- **Ring doorbell integration (October 2025):** Flock partnered with Amazon's Ring to allow agencies on its Nova platform to request footage from Ring doorbell cameras. Amazon Ring has an estimated 10 million US users. The partnership was cancelled in February 2026 following public backlash — but its existence illustrated Flock's direction.
- **Nova AI investigation platform (February 2025):** Flock launched Nova — a data fusion platform aggregating license plate records with property records, court filings, jail records, and open-source data. Forbes reported that Nova was designed to eventually incorporate Social Security data and credit histories. The Electronic Frontier Foundation described it as 'a dystopian panopticon.' Nova operates on top of the surveillance infrastructure already deployed in cities like El Cerrito.

- **Protest surveillance (documented 2025):** An EFF analysis of 12 million Flock searches logged by 3,900 agencies found hundreds of searches linked explicitly to political demonstrations — the 50501 protests, Hands Off protests, and No Kings protests. Nineteen agencies conducted searches specifically tied to No Kings protests. A system deployed to address vehicle crime became an instrument for monitoring constitutionally protected political activity.

Flock's CEO, in His Own Words

In a 2025 Forbes interview, Flock CEO Garrett Langley described his company's trajectory explicitly: 'We've got all these Flock cameras deployed from a criminal perspective. Why would we not then walk down to the public works department and say, stop sending people out to look for potholes. I have all that data.' The ambition is plain: a surveillance network built for law enforcement becomes general-purpose city infrastructure — whether residents voted for that or not.

The Broader Pattern: Other Surveillance Technologies

Flock Safety's trajectory is not an anomaly. It follows a pattern well-documented in American surveillance technology deployment.

StingRay Cell-Site Simulators

StingRay devices were introduced to domestic law enforcement as tools for locating specific criminal suspects. Within a decade, they were being deployed to sweep protest crowds, collecting the phone data of everyone present regardless of any individual suspicion. The Baltimore Police Department used StingRays more than 4,300 times over several years. The DEA and U.S. Marshals deployed them at Black Lives Matter demonstrations in 2020. A technology developed to track fugitives became an instrument of political surveillance. Federal courts spent years trying to establish warrant requirements — legal frameworks that never quite kept pace with the technology's actual use.

ShotSpotter Acoustic Gunshot Detection

ShotSpotter was marketed to cities as a narrowly scoped gunshot detection system. In practice, its microphones became persistent neighborhood surveillance infrastructure. Studies found the system produced no measurable reduction in gun violence, while substantially increasing police presence in majority-minority communities — with consequences that were sometimes fatal. In Chicago, 13-year-old Adam Toledo was shot and killed by an officer responding to a ShotSpotter alert; he was unarmed. One Illinois village trustee, explaining his decision to cancel Flock's Raven microphone contract, noted that local data showed over 99% of Flock alerts generated no police action whatsoever. ShotSpotter and Flock Raven are functionally analogous products — and Flock has now extended Raven to flag human voices, tracing the same expansion arc.

The Consistent Arc

The thread connecting these technologies is not misconduct — it is institutional momentum. Once infrastructure is in place, expansion feels incremental and internally justified: the system already exists, it is already paid for, and each additional use case seems marginal relative to what is already operational. LPR cameras have expanded from vehicle tracking to immigration enforcement, to abortion investigations, to

protest monitoring, to drone integration, to ambient audio detection. These are not isolated decisions. They represent a single predictable arc, observed across every surveillance technology that preceded Flock.

Where This Is Heading: The Near-Term Trajectory

The most consequential question before this Council is not what Flock Safety's cameras do today. It is what the infrastructure being installed in El Cerrito will enable in three to five years — grounded not in speculation, but in capabilities Flock has already deployed, publicly announced, or is demonstrably developing.

Step 1 (Already Deployed): Tracking People, Not Just Vehicles

Flock's cameras have always captured pedestrians, cyclists, and bystanders alongside vehicles — documented explicitly in the [ACLU of Oregon's 2025 lawsuit](#). The change is what can now be done with that footage.

Flock's FreeForm search product — a commercially available, opt-in tool launched in 2025 — allows an officer to enter a plain-language description such as 'man in blue shirt and cowboy hat' and surface visual matches from video-enabled cameras within their sharing network. Importantly, person-description search requires video-enabled cameras rather than standard LPR units; vehicle-description search works across all LPR and video cameras. The ACLU has noted that searches can encompass descriptions of vehicle occupants and passing pedestrians: their apparent age, clothing, visible tattoos, facial hair, and the text visible on hats or shirts. Whether El Cerrito's current contract includes video cameras — and therefore whether this capability applies here — is a question worth confirming directly with Flock or Chief Kieth.

Flock's Condor PTZ cameras, deployed in some jurisdictions, include Guardian Mode — an AI feature that automatically detects, tracks, and zooms in on individuals around the clock without a human operator. People Detection Alerts separately notify police when anyone enters a defined area at an unauthorized time. The cameras El Cerrito contracted for vehicle plate-reading are part of a product family that now tracks human movement autonomously.

Step 2 (Already Deployed): AI That Designates Who Is 'Suspicious'

In July 2025, Flock launched a feature that automatically flags vehicles and individuals based on 'suspicious' movement patterns and notifies police — without any officer initiating a search. The algorithm makes the determination independently. ([ACLU, July 2025](#))

The ACLU raised direct questions about this capability in a published analysis ([ACLU, July 2025](#)): whether movement patterns genuinely predictive of criminal behavior can be identified without generating enormous numbers of false positives among innocent people; whether the algorithm's training data, logic, and error rates are publicly known (they are not); and whether an algorithm trained on historical criminal data — in which low-income and minority communities are statistically overrepresented due to well-documented systemic biases — might effectively treat residence in certain neighborhoods as inherently suspicious. Flock is a private company. Its algorithms are not subject to public records law, independent audit, or oversight by any elected body.

Step 3 (Available, Not Yet in El Cerrito): Drones with Persistent Aerial Coverage

[Flock's Alpha drone](#), unveiled at the International Association of Chiefs of Police conference in late 2025, carries a 40x optical zoom capable of reading a license plate from 2,000 feet. It launches automatically in response to a ground-camera alert, covers a 3.5-mile radius, and can land, swap batteries, and redeploy in approximately 90 seconds.

Chief Kieth has indicated El Cerrito has no plans to acquire drones, and doing so would require a separate purchase decision. However, the underlying camera network and data platform that integrates with the Alpha is already installed in El Cerrito. Should a future administration choose to add drone capability, the existing Flock infrastructure is designed to support it without rebuilding from scratch — making it a procurement decision rather than an infrastructure one.

Step 4 (Converging): The Path to Facial Recognition

Flock states on its [Privacy & Ethics page](#) that its ALPR cameras 'do not use facial recognition.' That statement is technically accurate with respect to the hardware category — and increasingly beside the point.

The ability to search for an individual by physical description is already live — available across any video-enabled Flock camera within an officer's sharing network, potentially reaching tens of thousands of cameras. Cameras that autonomously track and zoom on individuals are already deployed. Flock's drone fleet carries high-resolution optics designed to follow people. The Nova platform is built to cross-reference vehicle records with personal data — in Flock's own terminology, to 'jump from LPR to person.'

Facial recognition is the logical next layer in this architecture, and it is already present in the broader law enforcement technology ecosystem that intersects with Flock's data. ICE uses Clearview AI facial recognition in the same enforcement operations that access Flock data. Amazon Ring had deployed a 'Familiar Faces' feature that catalogs the faces of recurring visitors — and maintained an active partnership with Flock as recently as February 2026.

The technical distance between 'search for a person matching this description across thousands of cameras' and 'identify this face across thousands of cameras' is a single model update — deployable to cameras already installed in El Cerrito, on infrastructure already paid for, already networked nationally.

The Picture This Paints

The ACLU offered this image of the system Flock is building: imagine a police officer standing on your street, writing detailed notes on every person who drives or walks by — vehicle make, color, and bumper stickers, but also the number of occupants, their approximate age and gender, their clothing, any visible tattoos, what their hat or shirt says. Now place an officer like that on every block simultaneously. Give each one a perfect memory, instant access to every other officer's notes nationwide, and an algorithm that automatically surfaces anyone whose movements seem unusual.

That is not a description of a system being designed. It is a description of the panopticon being built — using infrastructure that cities like El Cerrito are already paying for.

Senator Wyden's Conclusion

After working directly with Flock to negotiate privacy protections and watching those protections be circumvented, Senator Ron Wyden wrote to the company in October 2025: 'I now believe that abuses of your product are not only likely but inevitable, and that Flock is unable and uninterested in preventing them. In my view, local elected officials can best protect their constituents from the inevitable abuses of Flock cameras by removing Flock from their communities.' ([Sen. Wyden letter to Flock CEO, October 16, 2025](#))

Section 6: California Legal Exposure

El Cerrito's use of Flock may create specific legal exposure under California law. The following is an overview for the Council's consideration; a formal legal opinion from the City Attorney is recommended.

- **California ALPR Privacy Act:** Prohibits local law enforcement from sharing license plate data with federal or out-of-state agencies. El Cerrito may have been in violation of this statute during the period when nationwide lookup was active — not through any deliberate decision to share, but through default settings that allowed outside agencies to query local data. Whether that prior-period exposure creates ongoing legal liability, even after settings were corrected, is a question the City Attorney should assess.
- **California AG Enforcement:** California Attorney General Rob Bonta sued the city of El Cajon in October 2025 for refusing to comply with the ALPR Privacy Act's data-sharing restrictions — signaling active enforcement intent at the state level. ([Courthouse News, February 2026](#))
- **Fourth Amendment exposure:** A Virginia court ruled in June 2024 that mass ALPR data collection constitutes a Fourth Amendment search requiring a warrant. While not binding in California, this legal trajectory is moving toward greater restrictions on how this data can be used as prosecutorial evidence. ([Wikipedia — Flock Safety](#); [Institute for Justice](#))
- **CPRA liability:** To the extent that Flock's contract contained consent provisions that functioned as dark patterns under California's Consumer Privacy Rights Act, questions may arise about whether past data sharing arrangements were legally valid — and whether the city bears any residual liability even now that settings have been updated.

Summary: Documented Incidents and Concerns

Issue	What Happened	Current Status
Live camera feeds exposed publicly	Condor cameras streamed live police footage to anyone with internet access; footage could be deleted	Flock says resolved; limited independent verification
Stolen police logins on criminal forums	Police credentials sold online; federal law enforcement exploited login-sharing to search for immigration targets	Two-step login verification now default for new customers; ~3% of agencies still not using it
Hardcoded API key exposed surveillance network	Master access key accidentally embedded in public-facing code, exposing real-time location data	Flock claims patched
2.3M license plates released via FOIA	Police agencies failed to redact Flock audit data; tens of millions of search records	Data remains accessible; Flock attempted legal takedown

	exposed	
DEA used stolen password for immigration search	Federal agent used local officer's credentials without consent to conduct immigration surveillance, violating Illinois law	Isolated incident; systemic vulnerability remains
ICE searched 845 CA databases via one query	CHP query on behalf of ICE accessed nearly every CA Flock agency simultaneously through sharing network	Flock says sharing defaults changed; lawsuit pending
National Lookup default — agencies enrolled without knowledge	75% enrollment in national sharing tool; many cities say they did not knowingly consent	Flock reversing defaults under public pressure
No transparency report re: federal legal demands	Flock has never disclosed whether it has received FISA, NSL, or CLOUD Act data demands from federal intelligence agencies	No change; no report published

Section 7: Questions and Recommended Actions for Council

The Council may wish to consider the following questions and actions:

Questions to Put to Flock Directly

- **Transparency report:** Has Flock Safety ever received a FISA order, National Security Letter, or CLOUD Act demand for data from El Cerrito or any connected agency? Will Flock commit to publishing an annual transparency report?
- **El Cerrito-specific access log:** Which agencies outside El Cerrito have queried this department's Flock data? A complete audit log for the past three years should be requested.
- **Federal access:** Have any federal agencies — including ICE, CBP, DEA, FBI, or HSI — accessed El Cerrito's Flock data, directly or through shared network lookups with other agencies?
- **Contract language:** Does El Cerrito's contract contain the clause granting Flock a "worldwide, perpetual, royalty-free license" to disclose agency data? If so, the Council should demand its removal.
- **Login security:** Is El Cerrito's Flock account currently protected by two-step login verification — the type that requires a secondary code sent to a phone in addition to a password?

Recommended Actions

- **Request a legal review:** Ask the City Attorney to review El Cerrito's Flock contract for compliance with the California ALPR Privacy Act and CPRA requirements, including an assessment of whether the 'side door' access pattern may have already triggered a violation — and whether any residual liability remains now that settings have been updated.
- **Require a full data audit:** Require Flock to produce a complete audit of every agency that has accessed El Cerrito camera data, and the stated purpose of each query.
- **Consider a moratorium:** Several California cities — Santa Cruz, Mountain View, Los Altos Hills, Richmond — have suspended or terminated Flock contracts while legal and policy frameworks develop. El Cerrito could take a comparable precautionary position.

- **Recognize the infrastructure problem:** Both Senator Wyden and a growing number of municipalities have concluded that Flock's documented abuses are not a fixable configuration problem — they are a product of the architecture itself. A nationwide interconnected database accessible to thousands of law enforcement users, held by a private company operating without transparency requirements, cannot be made reliably safe by adding opt-out toggles after the fact. The Council should weigh whether any ALPR contract creates surveillance infrastructure whose long-term cost to civil liberties is likely to exceed its crime-solving value.
- **Coordinate with Contra Costa County:** Neighboring jurisdictions should be consulted to understand whether Flock's national sharing network is being used to access El Cerrito data through other agencies — the 'side door' pattern documented in communities throughout California.

“Awareness that the government may be watching chills associational and expressive freedoms. And the government’s unrestrained power to assemble data that reveal private aspects of identity is susceptible to abuse.”

— Justice Sonia Sotomayor, [United States v. Jones](#), 2012

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“The privacy and dignity of our citizens is being whittled away by sometimes imperceptible steps. Taken individually, each step may be of little consequence. But when viewed as a whole, there begins to emerge a society quite unlike any we have seen.”

— Justice William O. Douglas, [Osborn v. United States](#), 1966

Sources and References

All sources below are publicly available. Hyperlinks are included for direct access.

Source	Link	Topic
404 Media (Dec 2025)	https://www.404media.co/flock-exposed-its-ai-powered-ca...	Condor cameras exposed via Shodan; journalist tracked himself on livestream
Sen. Wyden Letter to Flock CEO (Oct 2025)	https://www.wyden.senate.gov/news/press-releases/wyden-...	Wyden: abuses 'inevitable'; recommends removing cameras
WFLX News (Jan 2026)	https://www.wflx.com/2026/01/09/flock-safety-exposed-li...	Live camera feed breach — Condor cameras
TechCrunch (Nov 2025)	https://techcrunch.com/2025/11/03/lawmakers-say-stolen-...	Stolen police logins / FTC complaint
Sen. Wyden FTC Letter	https://www.wyden.senate.gov/imo/media/doc/wyden_letter...	Congressional complaint re: login security failures
404 Media (Aug 2025)	https://www.404media.co/feds-used-local-cops-password-t...	DEA immigration search via stolen credentials
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SAN / 404 Media (Jan 2026)	https://san.com/cc/flock-threatens-website-hosting-lice...	2.3M plates released; Flock takedown attempt
ACLU (Jul 2025)	https://www.aclu.org/news/national-security/surveillanc...	Flock AI 'suspicious' movement feature; algorithm critique
ACLU (Oct 2025)	https://www.aclu.org/news/privacy-technology/flock-roun...	FreeForm person search; 'army of officers' description
Flock Safety (product page)	https://www.flocksafety.com/products/flock-freeform	FreeForm natural language person/vehicle search
Flock Safety (product page)	https://www.flocksafety.com/blog/new-ai-video-analytics...	Guardian Mode and People Detection Alerts
Flock Safety — Alpha drone	https://www.flocksafety.com/blog/flock-safety-unveils-a...	Alpha drone specs — 40x zoom, 2,000ft plate-reading
Flock Safety — Privacy & Ethics	https://www.flocksafety.com/privacy-ethics	Official denial of facial recognition on ALPR cameras
Flock Safety — Search Safeguards	https://www.flocksafety.com/blog/search-safeguards-how-...	Immigration/reproductive care filters (Oct 2025)
Flock Safety — Federal Sharing Toggle	https://www.flocksafety.com/blog/does-flock-share-data-...	January 2026 single-toggle federal sharing disable
Police1 / IACP (Jan 2026)	https://www.police1.com/artificial-intelligence/up-clos...	Alpha drone; NightShift AI; IACP 2025 presentation
Brennan Center (2025)	https://www.brennancenter.org/our-work/research-reports...	Nova data fusion; predictive policing risks
TechCrunch (Feb 2026)	https://techcrunch.com/2026/02/13/amazons-ring-cancels-...	Ring/Flock partnership cancelled; facial recognition trajectory
NPR (Feb 2026)	https://www.npr.org/2026/02/17/nx-s1-	30+ cities canceling contracts;

	5612825/flock-cont...	immigration concerns
Courthouse News (Feb 2026)	https://courthousenews.com/california-drivers-accuse-fl...	California drivers lawsuit; AG El Cajon suit; 845-database query
Grandview Independent (Mar 2026)	https://www.grandviewindependent.com/richmond-council-r...	Richmond council fails to vote; cameras remain offline
ContraCosta.news (Mar 2026)	https://contracosta.news/2026/03/04/richmond-city-counc...	Richmond contract expiry; Mayor Martinez statement
GovTech (Mar 2026)	https://www.govtech.com/public-safety/debate-continues-...	Richmond debate; neighboring Bay Area cities reviewing contracts
Institute for Justice (Aug 2025)	https://ij.org/press-release/public-interest-law-firm-r...	Fourth Amendment / Norfolk ruling; federal access pause
EFF (Nov 2025)	https://www.eff.org/deeplinks/2025/11/how-cops-are-usin...	Flock used to surveil protesters and activists
EFF (Oct 2025)	https://www.eff.org/deeplinks/2025/10/flocks-gunshot-de...	Raven 'distress detection' audio expansion
Police1 / Forbes (Sep 2025)	https://www.police1.com/real-time-crime-center/from-lpr...	Flock CEO on Nova, drones, pothole expansion
DroneLife (Mar 2025)	https://dronelife.com/2025/03/20/flock-safety-secures-2...	Aerodome acquisition, \$275M raise, drone expansion
Oregon Capital Chronicle (Oct 2025)	https://oregoncapitalchronicle.com/2025/10/23/alleging-...	Wyden letter: abuses 'inevitable'; Eugene termination
The Intercept (Jul 2020)	https://theintercept.com/2020/07/31/protests-surveillan...	StingRay mission creep — protests, BLM surveillance
GovTech (May 2025)	https://www.govtech.com/biz/flocks-newest-police-tool-s...	Flock Nova controversy — EFF 'dystopian panopticon'
ACLU of Oregon (Jan 2026)	https://www.aclu-or.org/press-releases/aclu-of-oregon-a...	Cameras capture pedestrians; Oregon public records lawsuit
EFF (Oct 2025)	https://www.eff.org/deeplinks/2025/10/flock-safety-and-...	Flock & Texas sheriff lied about abortion investigation; court records
404 Media (May 2025)	https://www.404media.co/a-texas-cop-searched-license-pl...	Texas abortion search — 83,000 cameras, nationwide dragnet
404 Media (Oct 2025)	https://www.404media.co/police-said-they-surveilled-wom...	Court records contradict Flock/sheriff's 'missing person' narrative
Urban Milwaukee (Feb 2026)	https://urbanmilwaukee.com/2026/02/25/milwaukee-cop-use...	Officer Ayala — 179 Flock searches to stalk romantic

		partner
Wisconsin Examiner (Mar 2026)	https://wisconsinexaminer.com/2026/03/13/wisconsin-comm...	Pattern of misuse; Kenosha case; Milwaukee aldermen letter
ACLU of Wisconsin	https://www.aclu-wi.org/press-releases/aclu-of-wisconsi...	ACLU: misuse is 'a pattern across the country'

— End of Briefing —

From: [Cordell Hindler](#)
To: [City Clerk](#)
Subject: Public Comments
Date: Thursday, April 2, 2026 3:19:00 PM

Caution! This message was sent from outside your organization.

Hello Mayor Quinto, Council Members and Staff,

I am submitting the Following Comments into the Record:

1. for a future Agenda, the Council should prepare a proclamation for Bike to Wherever Day for the month of May
2. I am in full Support of the Items on the Consent Calendar

Sincerely
Cordell

From: [No Reply](#)
To: [City Clerk](#)
Subject: Public Comment Submission
Date: Tuesday, April 7, 2026 10:36:33 AM

This sender is trusted.

Submitted by: James Coates

Email Address: [REDACTED]

Commented on event: <https://elcerritoca.portal.civicclerk.com/event/932/overview>

If you are having trouble viewing the URL above, cut and paste the string into your browser window.

User comment: I urge all Council members to vote to discontinue the city's contract with FLOCK. The use of data from these cameras can be used for purposes that do not protect our local citizenry, but can cause irredeemable harm. Whatever advantages they might have for safety is outweighed by the possibility of (and in other locations the actual) misuse of the data. Please vote no!

Local Road Safety Plan

Study Session

City Council Meeting

April 7, 2026



Outline

- National Backdrop
 - U.S. road safety problem
 - Safe Systems Approach & Vision Zero
- El Cerrito's Local Road Safety Plan
 - Crash Data + Analysis
 - Policy Review
- Next Steps

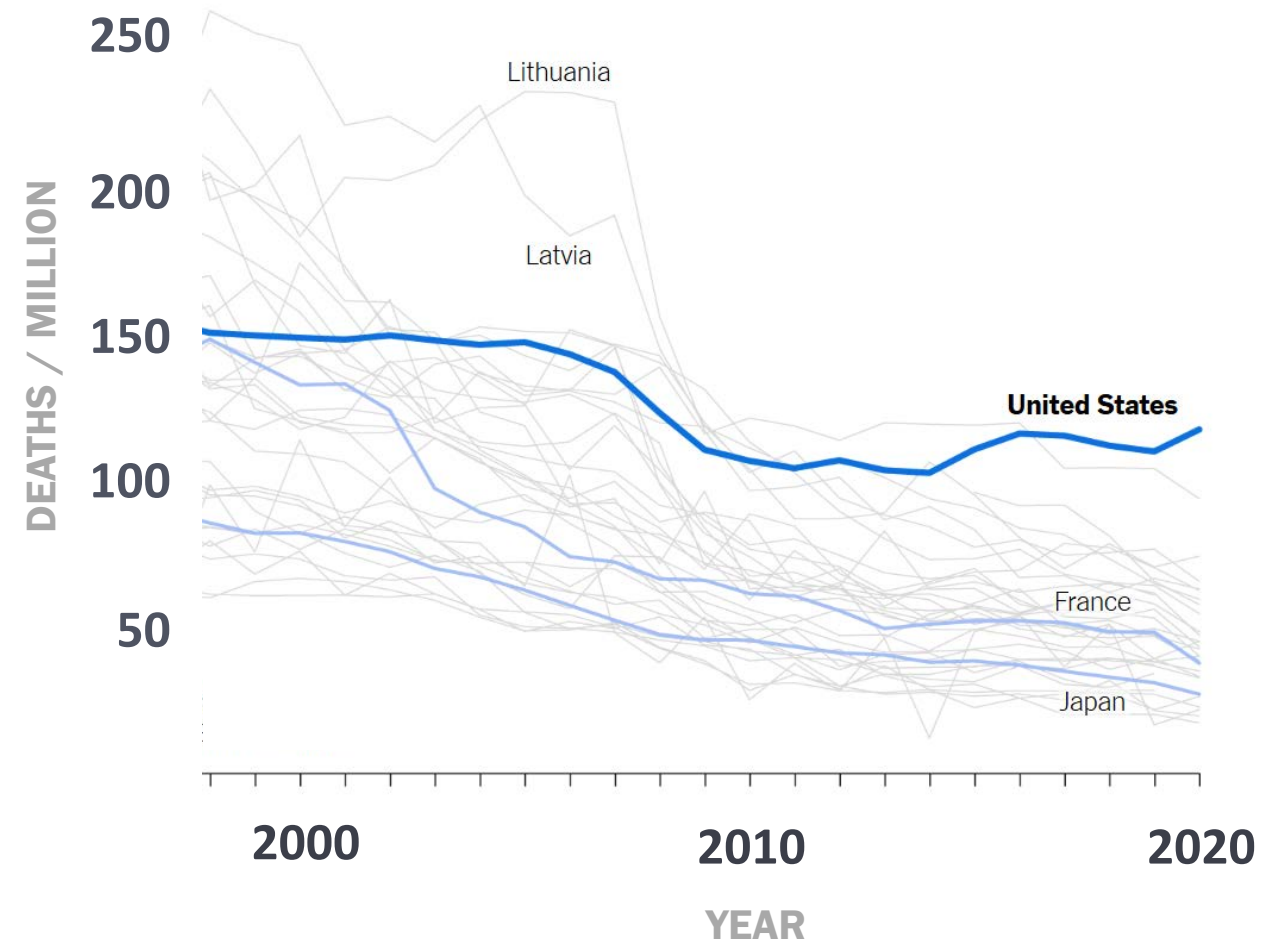


National Backdrop

National Backdrop

- 40,000 annual deaths on U.S. roads
- Fatality reductions have stalled after decades of improvement
- Other rich nations reduced crashes by prioritizing safety for those **outside the vehicle** and for those within

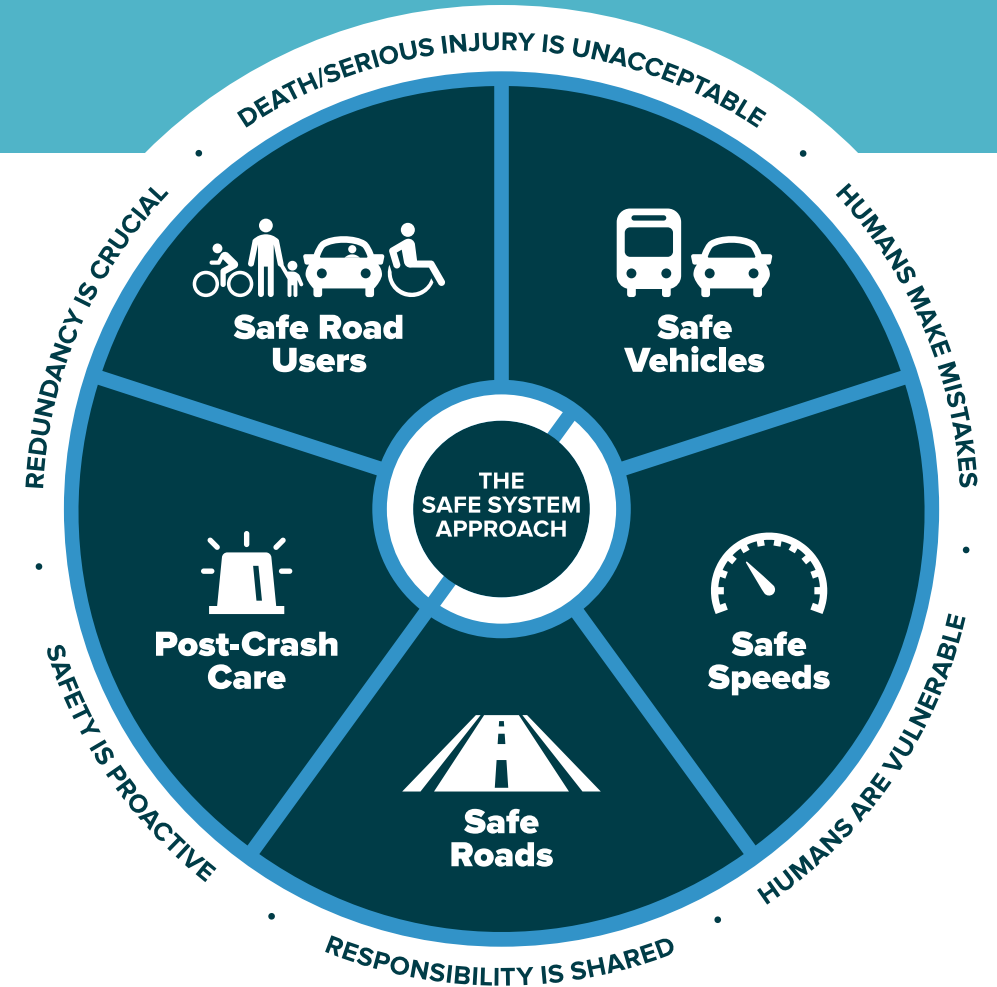
Deaths from road crashes,
per million people



Source: The New York Times, OECD

National Backdrop

- State and Federal Agencies are seeking to emulate international successes
- Local agencies required to adopt road safety plans to remain competitive for transportation grants.
- Emphasis on the **Safe Systems Approach** and **Vision Zero** – eliminating **fatal** and **severe injury** collisions



Source: FHWA

Traditional

Safe System

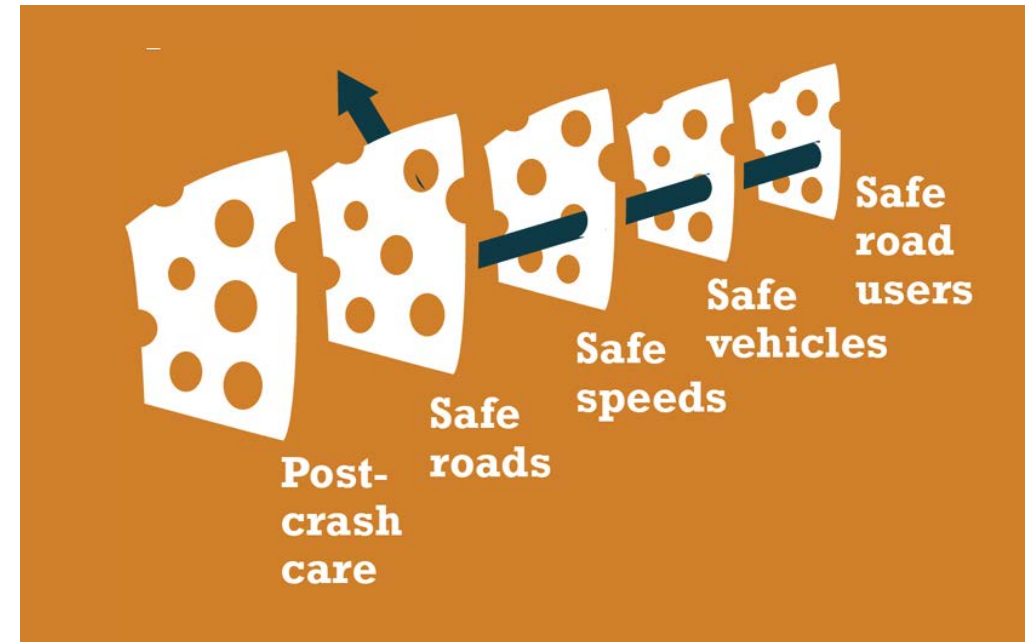
Prevent crashes	→	Prevent deaths and serious injuries
Improve human behavior	→	Design for human mistakes/limitations
Control speeding	→	Reduce system kinetic energy
Individuals are responsible	→	Share responsibility
React based on crash history	→	Proactively identify and address risks

Source: FHWA

National Backdrop

Swiss Cheese Model

Building layers of protection.

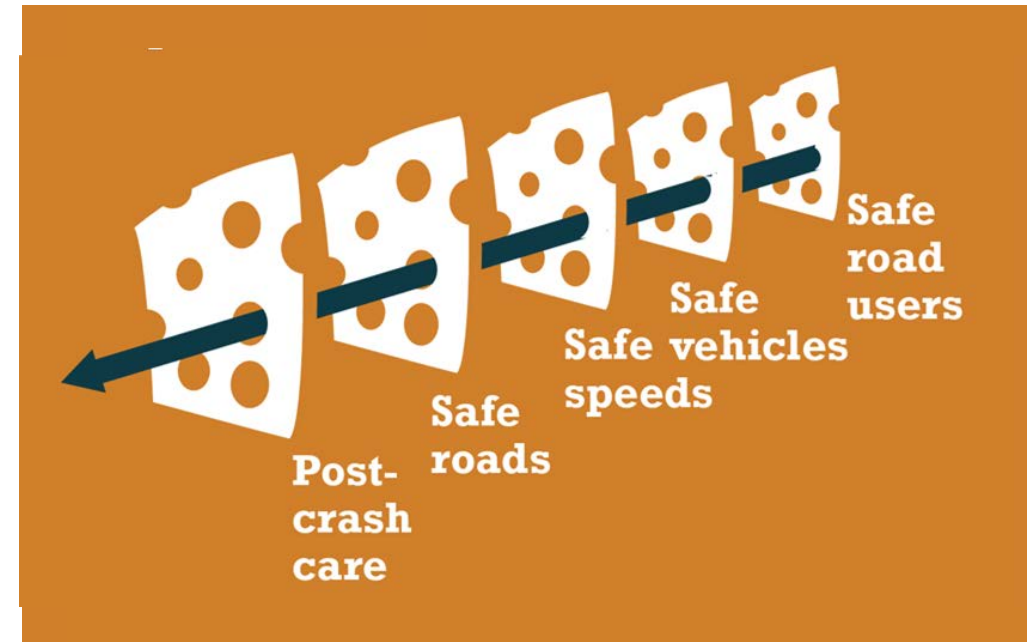


National Backdrop

Swiss Cheese Model

Building layers of protection.

Fatal or serious injury crashes occur only when all layers fail.



National Backdrop

Vision Zero Success Variables

- City Size
- Street Design
- Community and political support

Failed Vision Revamping the Road to Safer Streets



June 17, 2025

METRO Frank Sinatra's NJ hometown sees traffic fatalities vanish thanks to political will, smart design

By Jeanne Erickson

Published Feb. 7, 2026, 4:26 a.m. PT

51 Co

The New Jersey city where Frank Sinatra was born and crooned his first notes is now singing a happy tune – when it comes to traffic safety.

Hoboken hasn't had a single car-crash death — including passengers, drivers, pedestrians or cyclists in nine consecutive years, with the last fatality occurring on Jan. 17, 2017.

The city of 60,000 is proving that with smart design, political leadership and community trust, streets can be built for life — not just for cars.

UP INVESTIGATION America's plan to protect pedestrians failed. A young woman's death reveals why.

U.S. officials encouraged cities to adopt Vision Zero to save lives. Driver opposition and a lack of money derailed it.



CITY AND COUNTY OF SAN FRANCISCO
2024-2025 CIVIL GRAND JURY



El Cerrito's Local Road Safety Plan

El Cerrito's Local Road Safety Plan

- 2018 – 2022 Crash record analysis and pattern assessment
- Equity analysis of crash effects on disadvantaged populations
- Community outreach and engagement
- Policy, program, and countermeasure development



An LRSP results in an implementable plan with strategies, actions, and projects focused on reducing crashes on City roadways – particularly fatal and serious injury crashes.

El Cerrito's Local Road Safety Plan

- Fall 2023:
 - Data Collection
- 2024 – 2025
 - Public Outreach
 - Crash Countermeasure Development
 - Administrative Draft Plan
- 2026
 - Now: Council Study Session + Feedback
 - May: Release Public Draft – 30 day review
 - June: Public Open House
 - July: Council Adopts final Plan

Identify Stakeholders

Collect & Analyze Data

Identify Crash Patterns
& High-Risk Areas

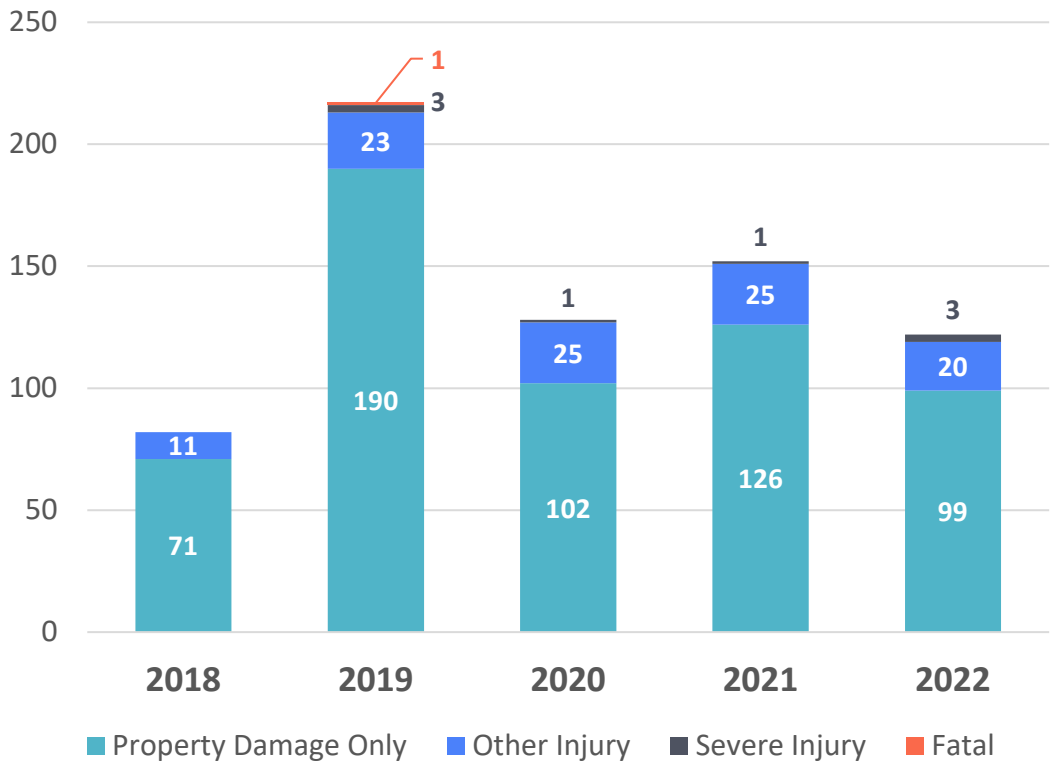
Chose Proven Solutions

Implement Solutions

Crash Data Summary

CRASH ANALYSIS

- Years: 2018-2022
- Source: SWITRS - crash type, location, severity, and involved parties
- Locations: All public roads in El Cerrito except freeways
- 104 minor injury crashes
- One fatal and nine severe injury crashes, referred to as “KSI” crashes
- KSI 2023-2025 Supplemental Analysis



Locations: Key Terms

CRASH ANALYSIS

- Road Hierarchy

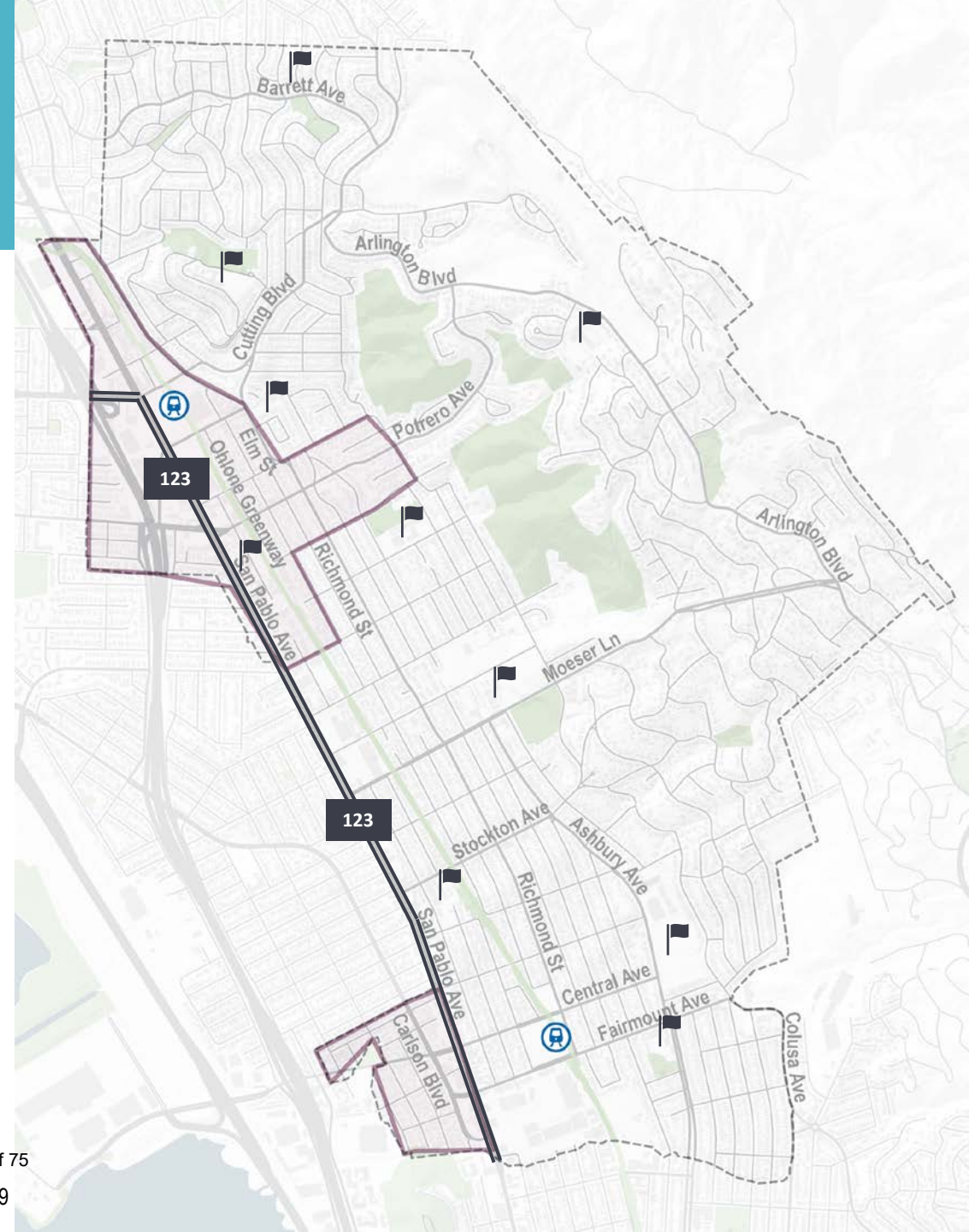
- 123 • State Route 123
 - Arterials

- Destinations & Activity Centers

- Schools, Parks, Community Centers
 - BART Stations and Transit Corridors
 - Commercial Areas and Neighborhoods

- Disadvantaged Communities

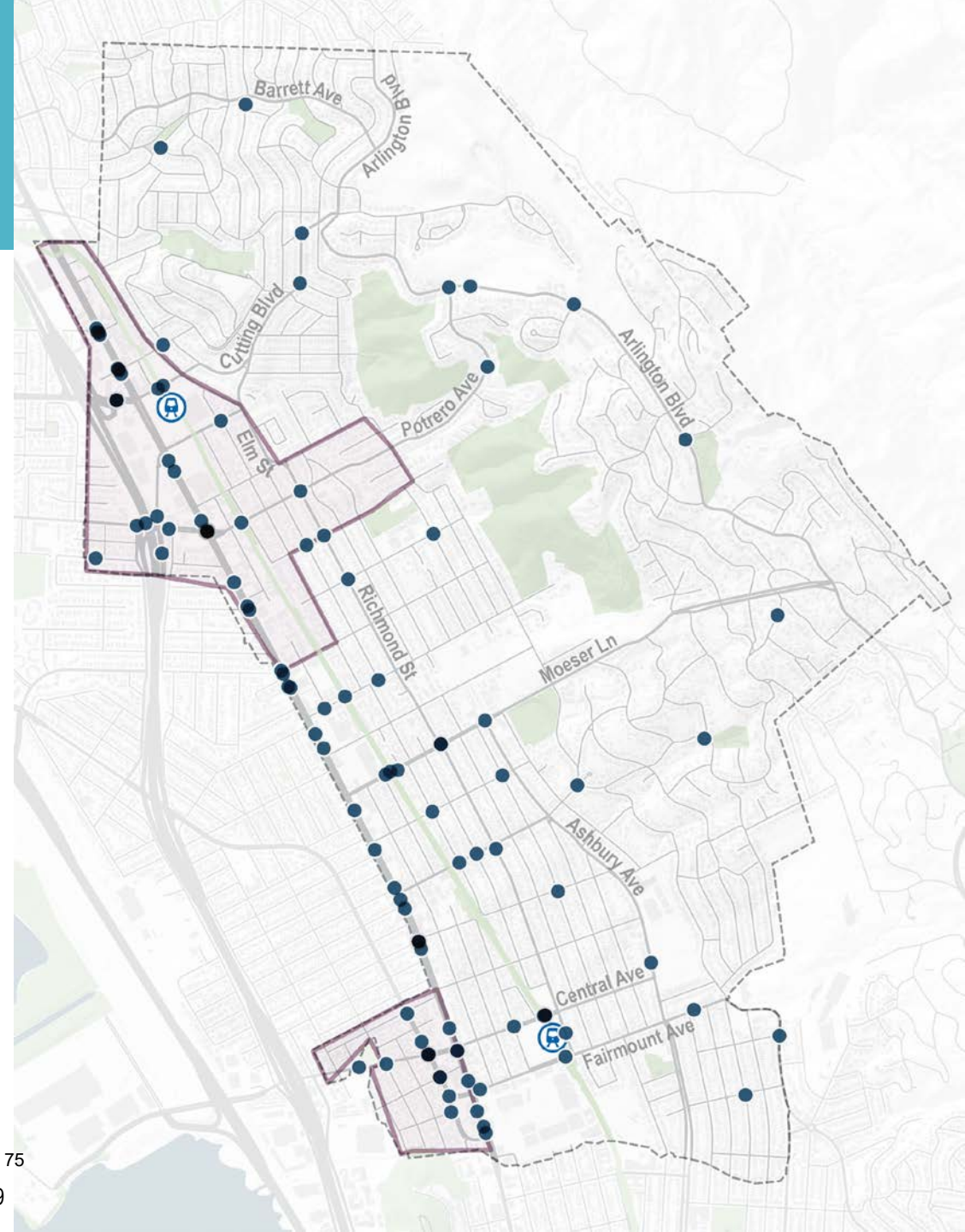
- MTC's Equity Priority Communities
 - U.S. DOT Community Maps



Locations: Injury Crashes

CRASH ANALYSIS

- All Injury Types
 - Fatalities
 - Severe Injuries
 - Minor Injuries
- Nearly all crashes occur at intersections
- Concentrated along arterial roadways with higher traffic volumes
- 30% of crashes occur on San Pablo Avenue, despite only 2% of road miles in El Cerrito

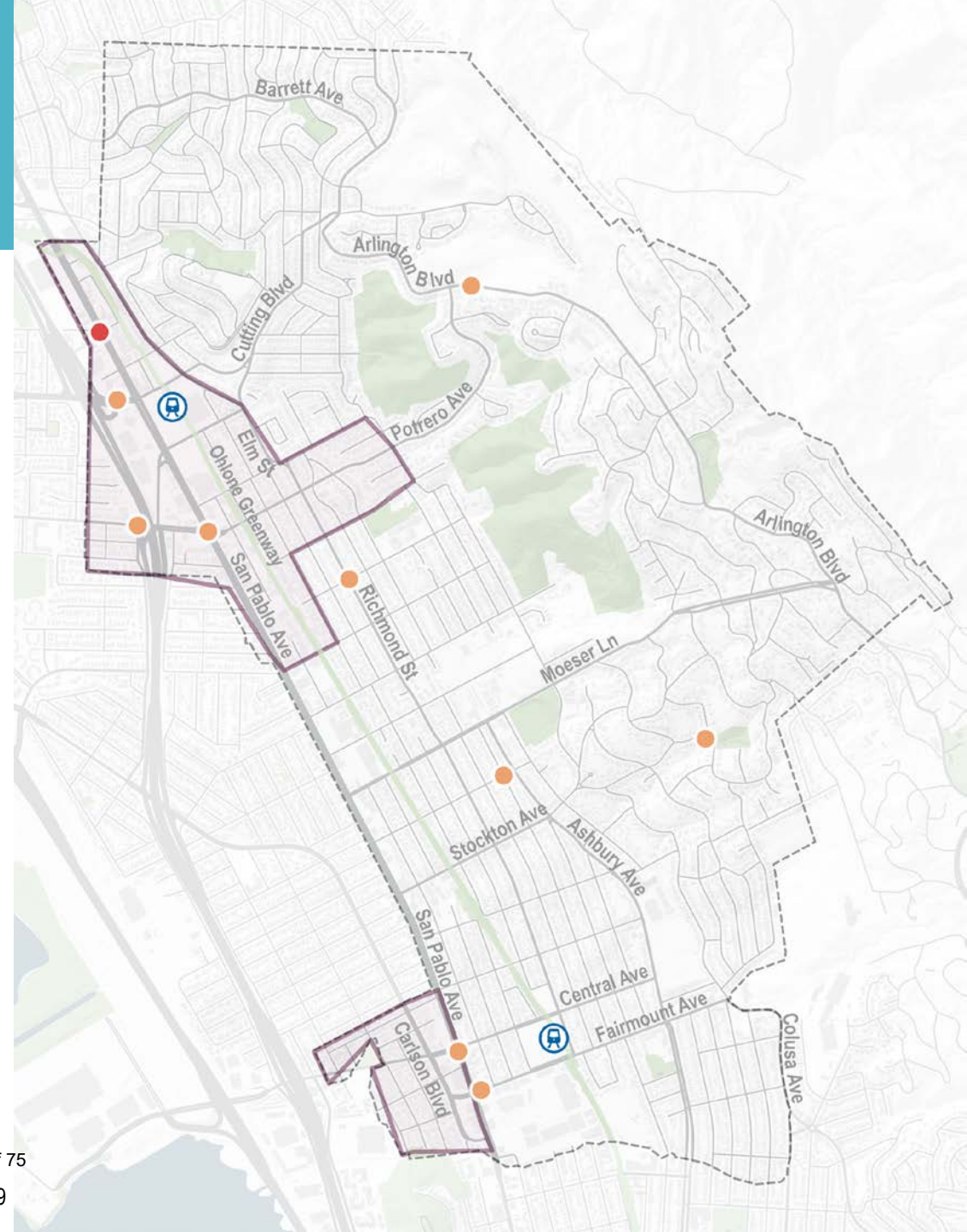


Locations: KSI Crashes

CRASH ANALYSIS

2018 – 2022

- Fatality: 1
- Severe Injury: 9
- 8 of 10: on arterial roadways
- 7 of 10: Bicyclist or pedestrian
- 5 of 10: in disadvantaged communities
- 3 of 10: on San Pablo Avenue



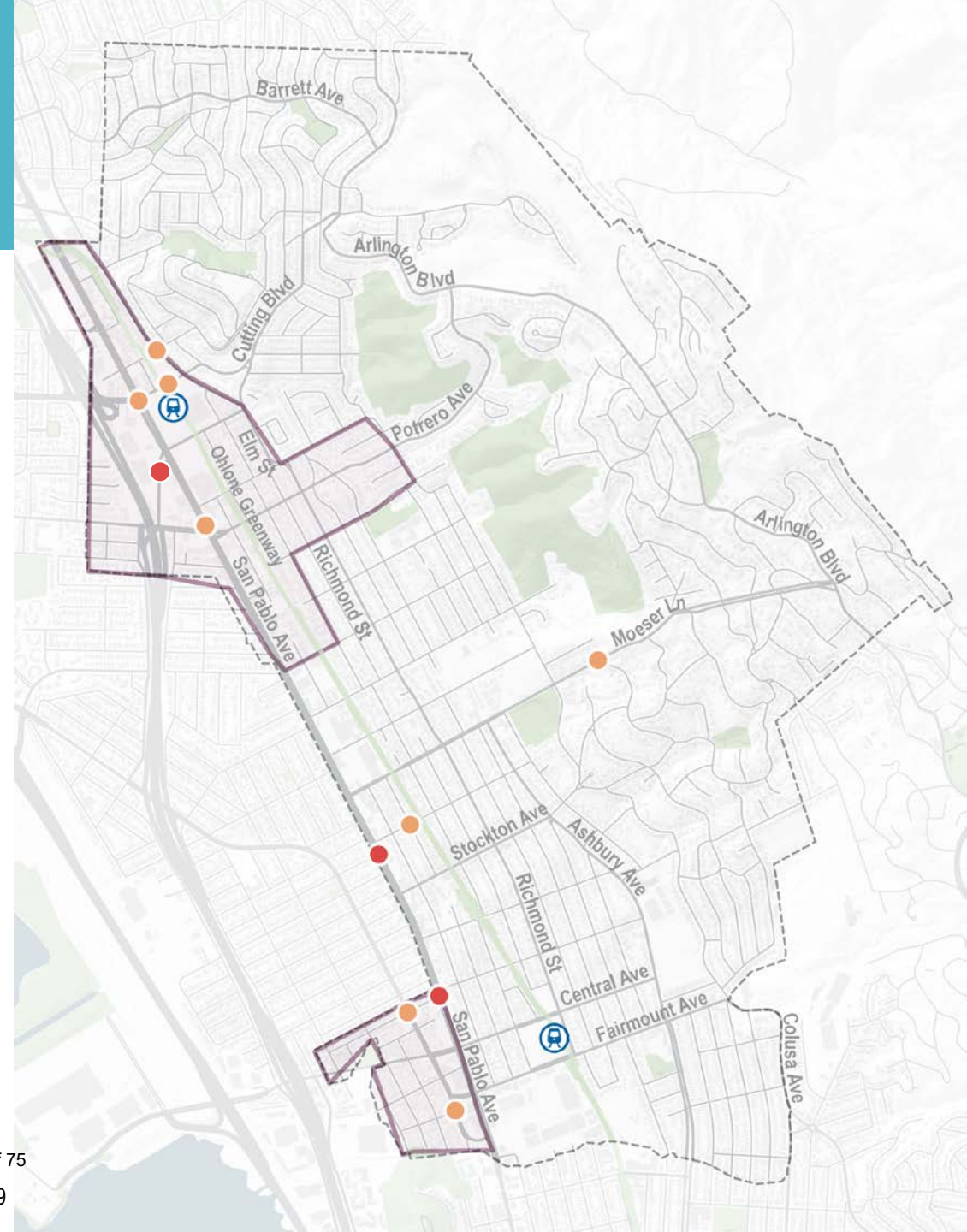
Locations: KSI Crashes

CRASH ANALYSIS

2023 – 2025

- Fatality: 3
- Severe Injury: 8
- 10 of 11: on arterial roadways
- 9 of 11: Bicyclist or pedestrian
- 8 of 11: in disadvantaged communities
- 4 of 11: on San Pablo Avenue

Not shown: In 2024, a pedestrian was killed by a driver on private property at the El Cerrito Plaza Shopping Center

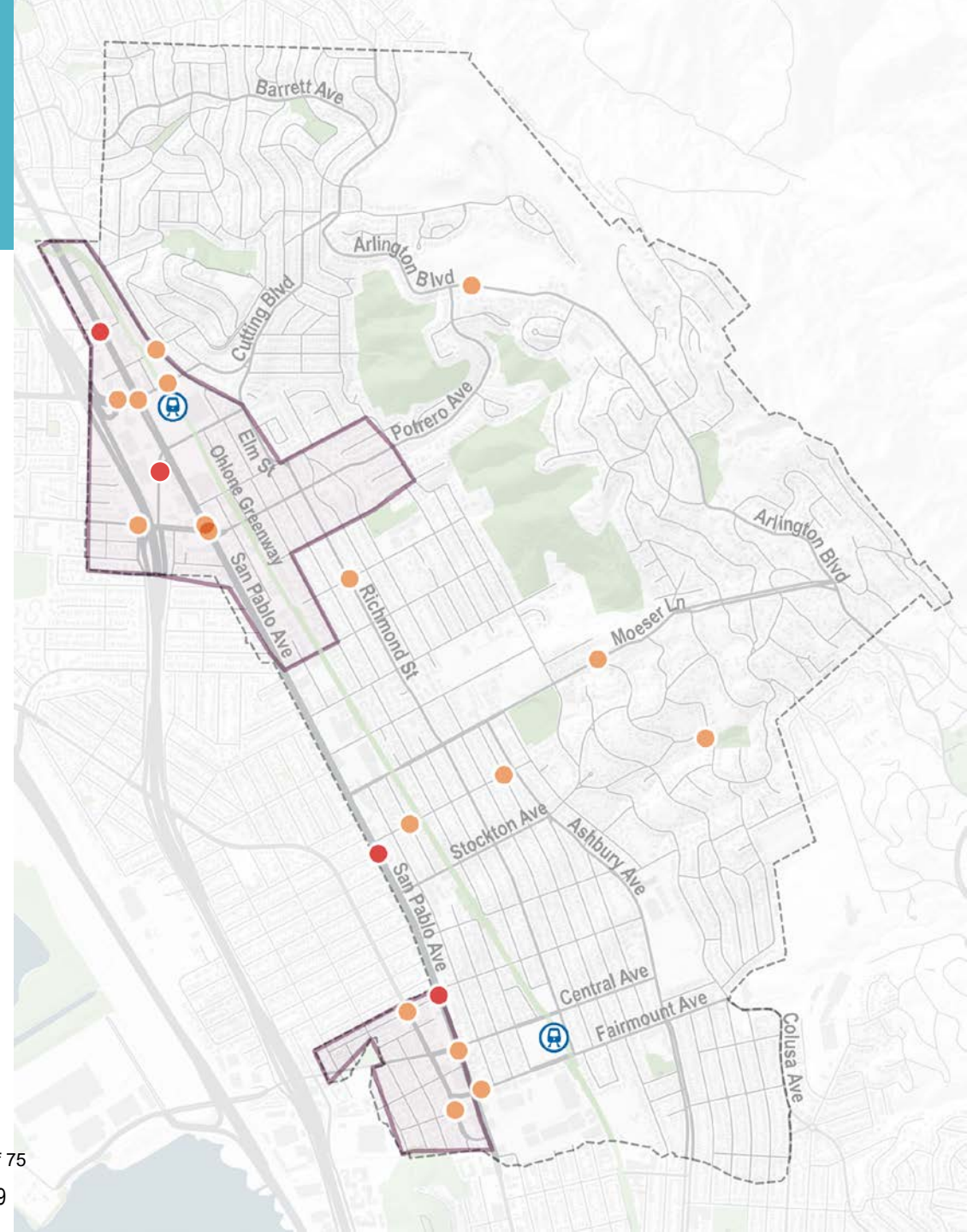


Locations: KSI Crashes

CRASH ANALYSIS

2018 – 2025

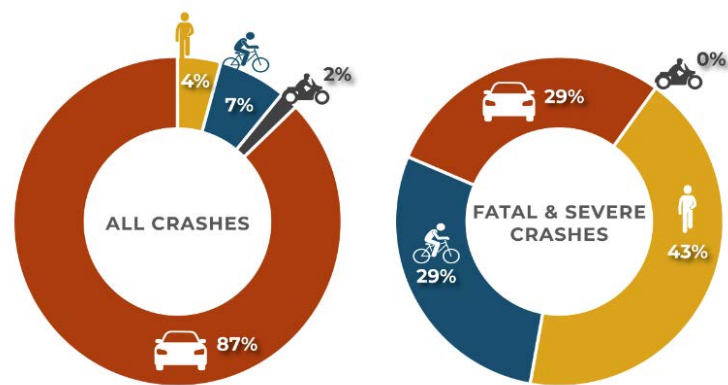
- Fatality: 4
- Severe Injury: 17
- 18 of 21: on arterial roadways
- 16 of 21: Bicyclist or pedestrian
- 13 of 21: in disadvantaged communities
- 7 of 21: on San Pablo Avenue



KSI Crashes: Speed + Vulnerable Users

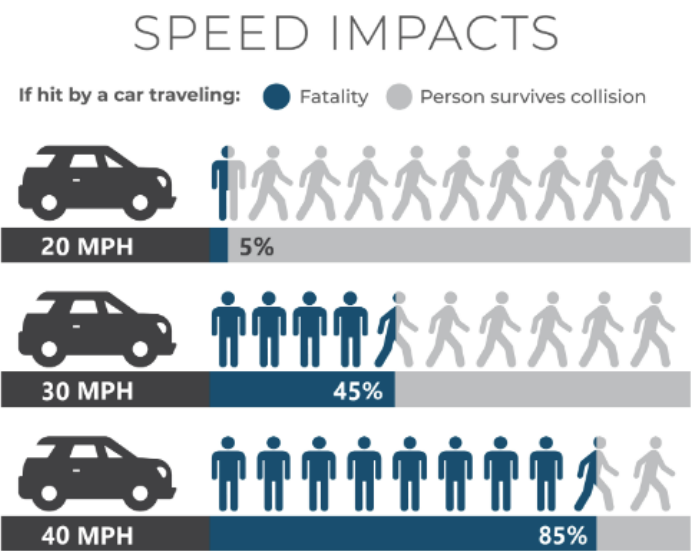
CRASH ANALYSIS

Crashes By Mode 2018-2022



Vulnerable road users, bicyclists and pedestrians, are involved in 11% of all crashes but account for **two-thirds** of **fatal and severe injury** crashes.

Why?



Source: San Francisco MTA Vision Zero Action Plan (2015)

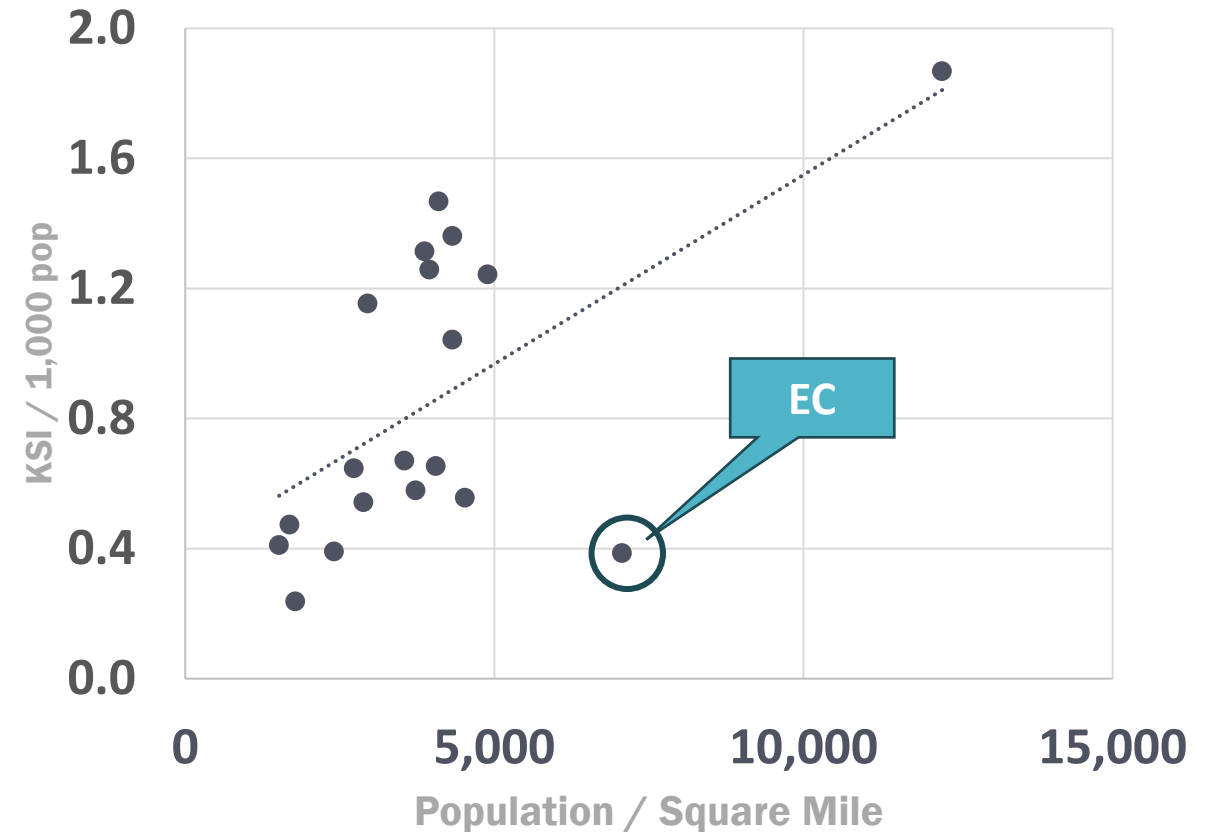


El Cerrito Compared

CRASH ANALYSIS

- El Cerrito is the second densest city in Contra Costa County
- El Cerrito is about 2x denser than the average Contra Costa County City, but has 2x fewer KSI crashes
- Why? Lower speeds, fewer wide high-speed roads with heavy traffic volume

Contra Costa County Cities: 2018-2022 KSI Crashes and Population Density



Source: Transportation Injury Mapping System,
U.S. Census Bureau

Methods

PUBLIC OUTREACH

- LRSP Working Group
- Online Questionnaire: ~1,000 responses
- 3 Pop-Up Events
 - Pumpkin Splash
 - Del Norte Safeway
 - El Cerrito Plaza Farmer's Market
- City Board / Committee Presentations
 - Planning Commission
 - Committee on Aging
 - Environmental Quality Committee

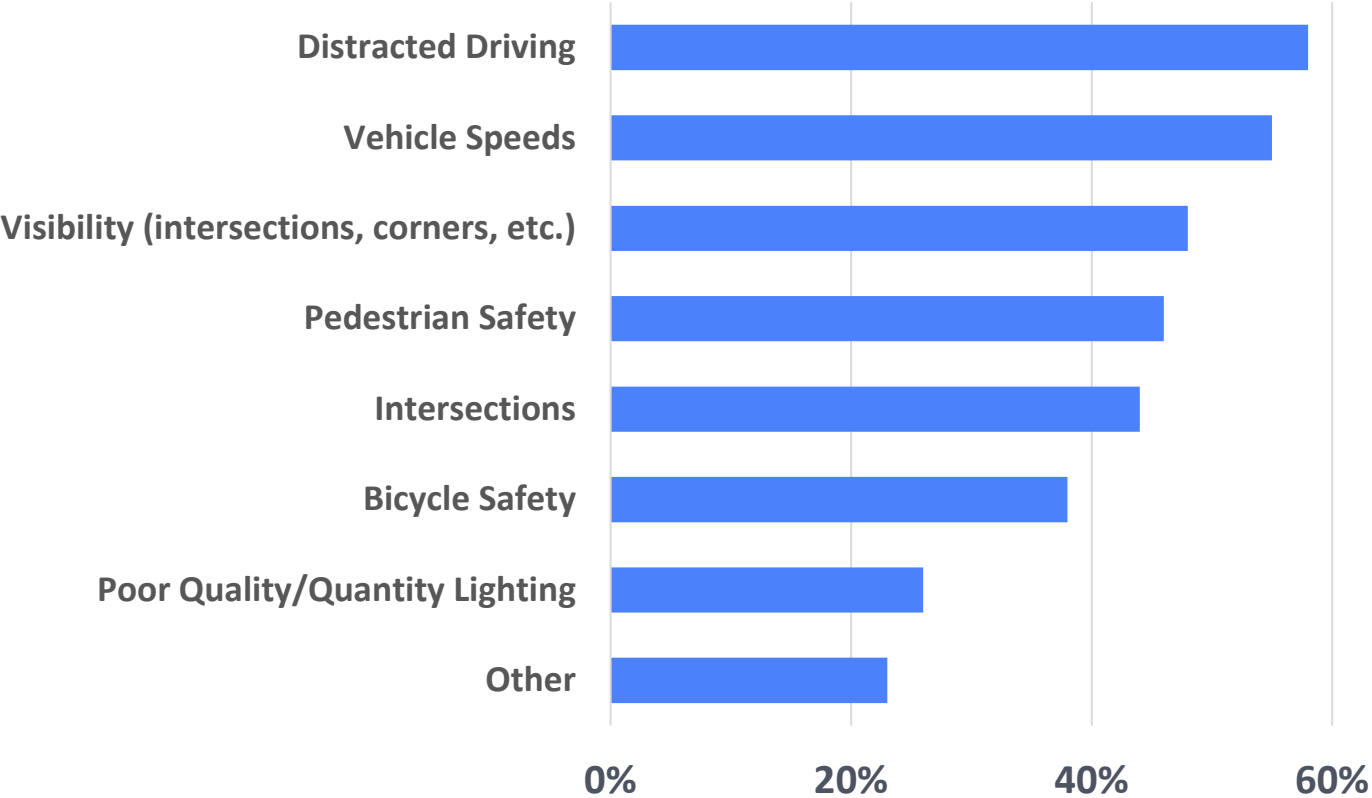


Questionnaire

PUBLIC OUTREACH

Primary road safety issues?

- More than half of respondents selected **distracted driving** and **vehicle speeds** as a top three priority
- **Visibility, pedestrian safety, and intersections** – safety issues which are all interrelated depending on context – are highlighted as a community safety emphasis



Questionnaire

PUBLIC OUTREACH



Strong Support > 75%

- Close sidewalk gaps, improve visibility, increased lighting
- Enforcement by police officers
- Physical changes to road (traffic calming)
- Vision Zero



Support > 66%

- Lower speed limits
- Enforcement by speed cameras
- More space for walking and biking even with some parking removal



Concerns

- Vision Zero is a gimmick and has failed elsewhere
- Enforcing existing traffic laws is sufficient
- We don't have a big enough traffic safety problem

Key Findings

Crash Data

- **Intersections** Most crashes occur at intersections
- **Arterials** KSI crashes concentrated on a few high-speed, high-volume roads
- **Bike / Ped** Pedestrians and bicyclists overrepresented in KSI crashes
- **Disadvantaged Communities** KSI crashes disproportionately concentrated in these areas

Public Feedback

- **> 75% Support** for Vision Zero, reduced driver speeds, police officer enforcement
- **> 66% Support** for creating more space for biking and walking, automated speed enforcement

What We're Considering

Vision Zero

A commitment to eliminating fatal and severe injury crashes citywide by 2035

Emphasis Areas

- Speed Management
- Pedestrians and Bicyclists
- Unsignalized Intersections

Focused Solutions

- Priority Network
- Priority Policies
- Priority Programs

Today's
Focus

Priority Network

FOCUSED SOLUTIONS

Key Areas

- San Pablo Avenue
- Uptown Arterials
- Downtown Arterials
- Waldo Ave

Recommended crash countermeasures for each area will be presented in public draft LRSP.

2018-2025

18 of 21

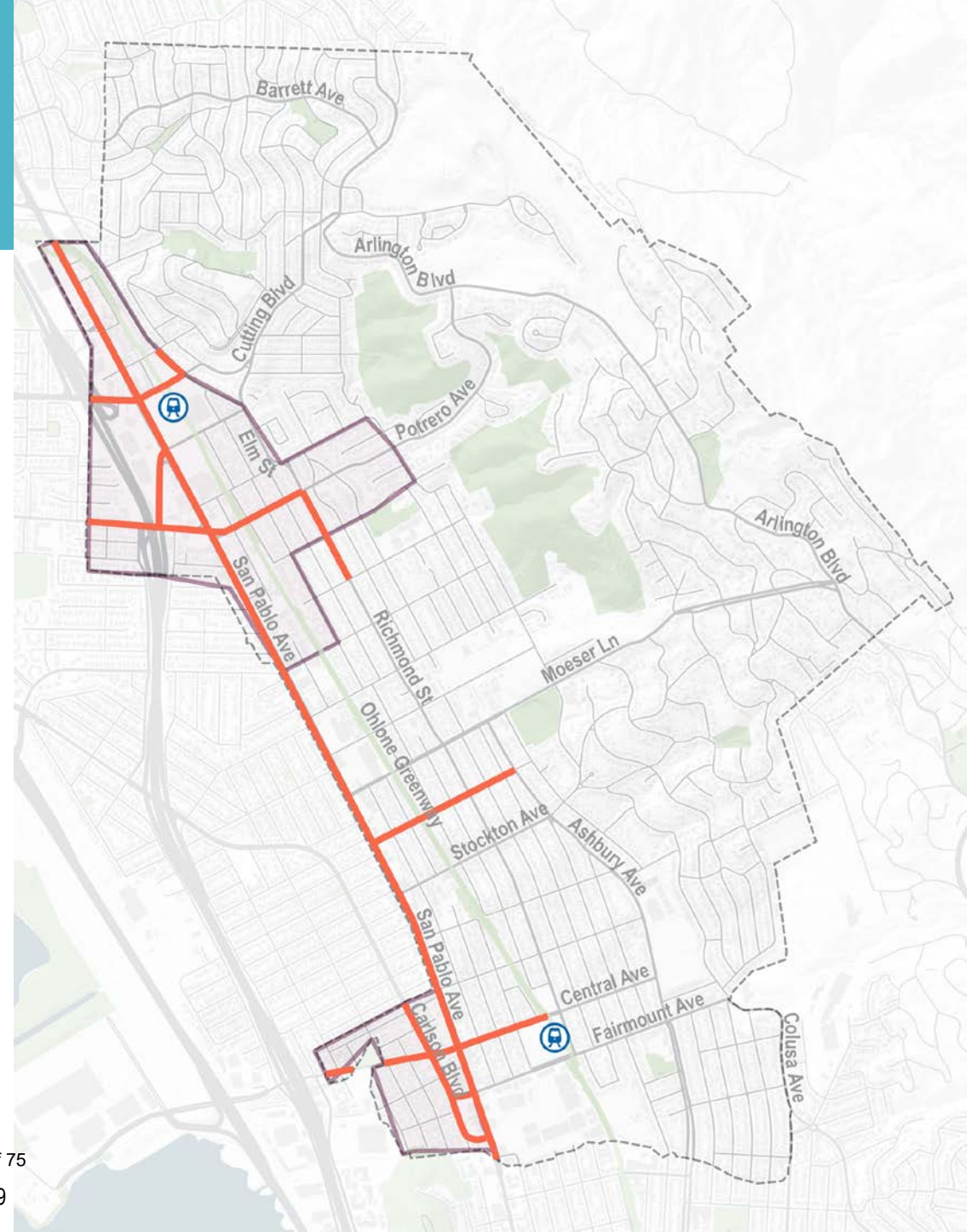
KSI crashes

72%

All injury crashes

5%

Local road network



Priority Policies

FOCUSED SOLUTIONS

Speed

- Contextual Speed Limits
- Target Speeds
- Automated Speed Enforcement

Bikeways

- Provide or expand dedicated space for bicycling on “backbone” bikeways

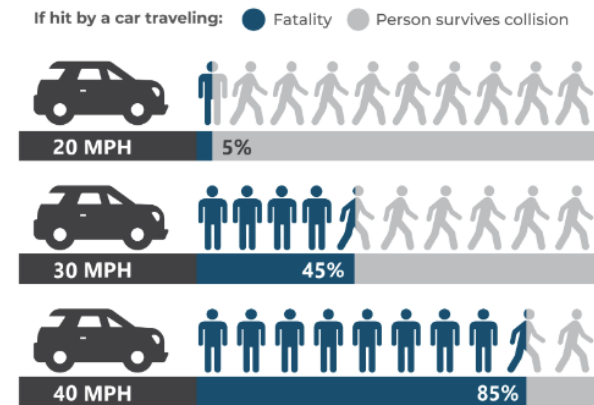


Priority Policies: Speed

Speed is **not the primary factor** in many EC crashes, but is a **contributing factor**, especially for crashes involving **vulnerable road users**. Speed was also a top issue of **public concern**.

How Speed Influences Crash Severity

- 1 More Forceful Crashes
- 2 Narrower Driver Field of Vision
- 3 Longer Stopping Distances



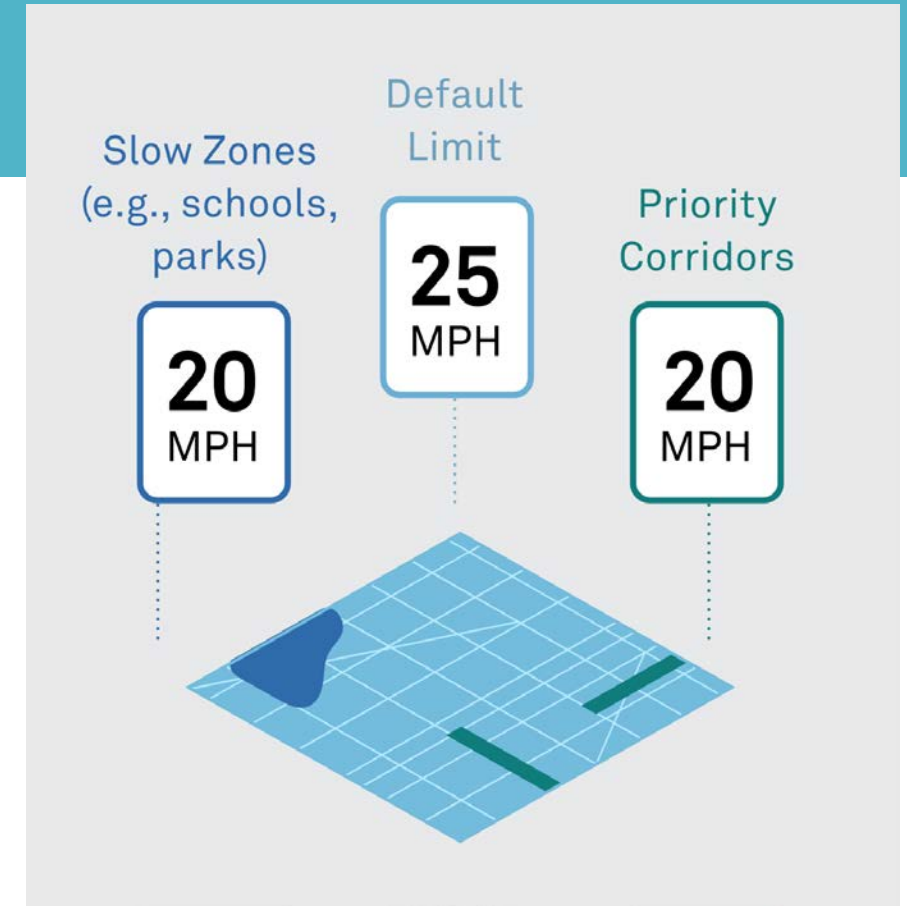
Source: San Francisco MTA Vision Zero Action Plan (2015)

Priority Policies: Speed

FOCUSED SOLUTIONS

Contextual Speed Limits

- Goal: 25 MPH Citywide Maximum Speed Limit.
- Lower depending on land use context (e.g. schools)
- Sets consistent expectations and messages about speed across the City
- Scalable way to quickly improve safety outcomes



Example of Contextual Speed Limits

Priority Policies: Speed

FOCUSED SOLUTIONS

Target Speeds

- Design streets for the speed we intend drivers to go
- Example: Richmond Street Complete Streets Project
- Treatment choices require close coordination with public safety staff

CONVENTIONAL HIGHWAY DESIGN:

Operating Speed = Design Speed = Posted Speed

PROACTIVE URBAN STREET DESIGN:

Target Speed = Design Speed = Posted Speed

Higher speeds = Higher crash risk = Higher injury severity = Lower safety

Priority Policies: Speed

FOCUSED SOLUTIONS

Automated Speed Enforcement

- Support use of automated speed enforcement (ASE) on key corridors
- ASE not currently allowed in California except for six ASE pilot cities.
- San Francisco: Initial results show 72% reduction in speeding
- Effective on high-traffic multi-lane roads where design controls are less effective or infeasible



Priority Policies: Bikeways

Bicyclists were involved in 4 of the 21 2018-2025 KSI crashes.

Infill development will increase bicycling demand, making bikeways an important **proactive** as well as **reactive** safety strategy.

Provide Dedicated Space for Biking

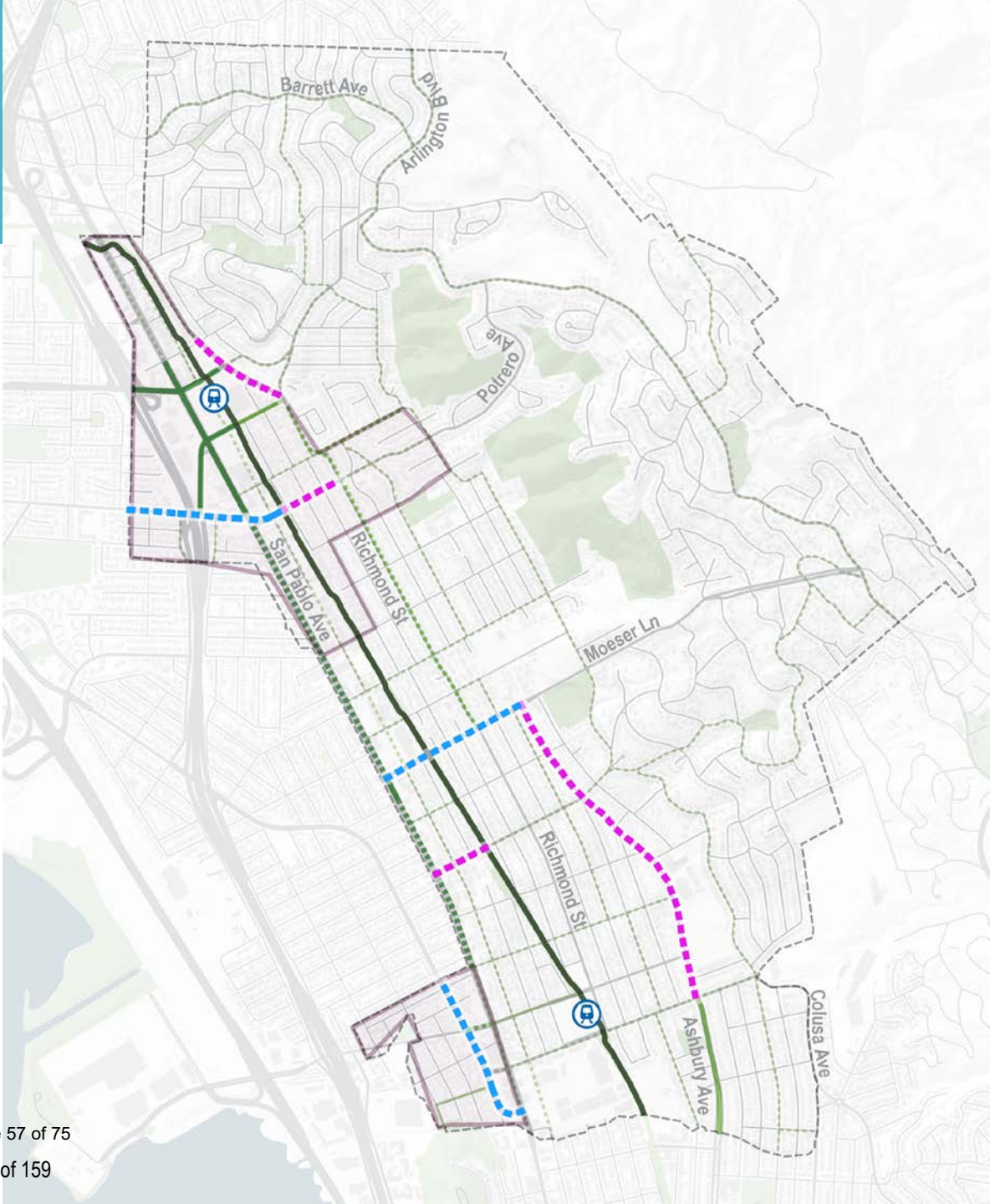
- Bike lanes are a proven safety countermeasure and reduce crashes for all modes
- Affirming Council's direction for implementation of bikeways per adopted plans and policy
- Focused on existing bikeways, which are the “backbone” of the City's on-street bikeway network

Priority Policies: Bikeways

FOCUSED SOLUTIONS

Would remove and repurpose about half of on-street street parking to provide dedicated space for bicyclists following current engineering guidance

BIKEWAY CHANGE	STREETS
 Existing Class III to Class II or IV	Ashbury Ave Stockton Ave Key Blvd Potrero Ave
 Existing Class II to Class IV	Moeser Ln Carlson Blvd Potrero Ave



Vision Zero

A commitment to eliminating fatal and severe injury crashes citywide by 2035.

- El Cerrito is uniquely positioned for VZ success
- A network of mostly small, low-speed, low volume streets
- Funding + Momentum for Street Design Improvements
 - \$14 M Del Norte Complete Streets
 - \$10 M Richmond Street
 - \$10 M East-West Bikeway
 - \$3-5 M San Pablo Ave / SR-123

Next Steps

- Now:
 - Council Study Session + Feedback
- May-June:
 - Release Public Draft LRSP: 30 day review
 - Public Open House
 - Incorporate feedback, publish final LRSP
- July:
 - Council Consider Adoption of Final Plan



Recap for Discussion

Policy Area

Implementation

Contextual Speed Limits
Target Speeds

Speed Management Strategy +
All Street Projects

Automated Speed Enforcement

Legislative Advocacy

“Backbone” Bikeways

Complete Street Projects

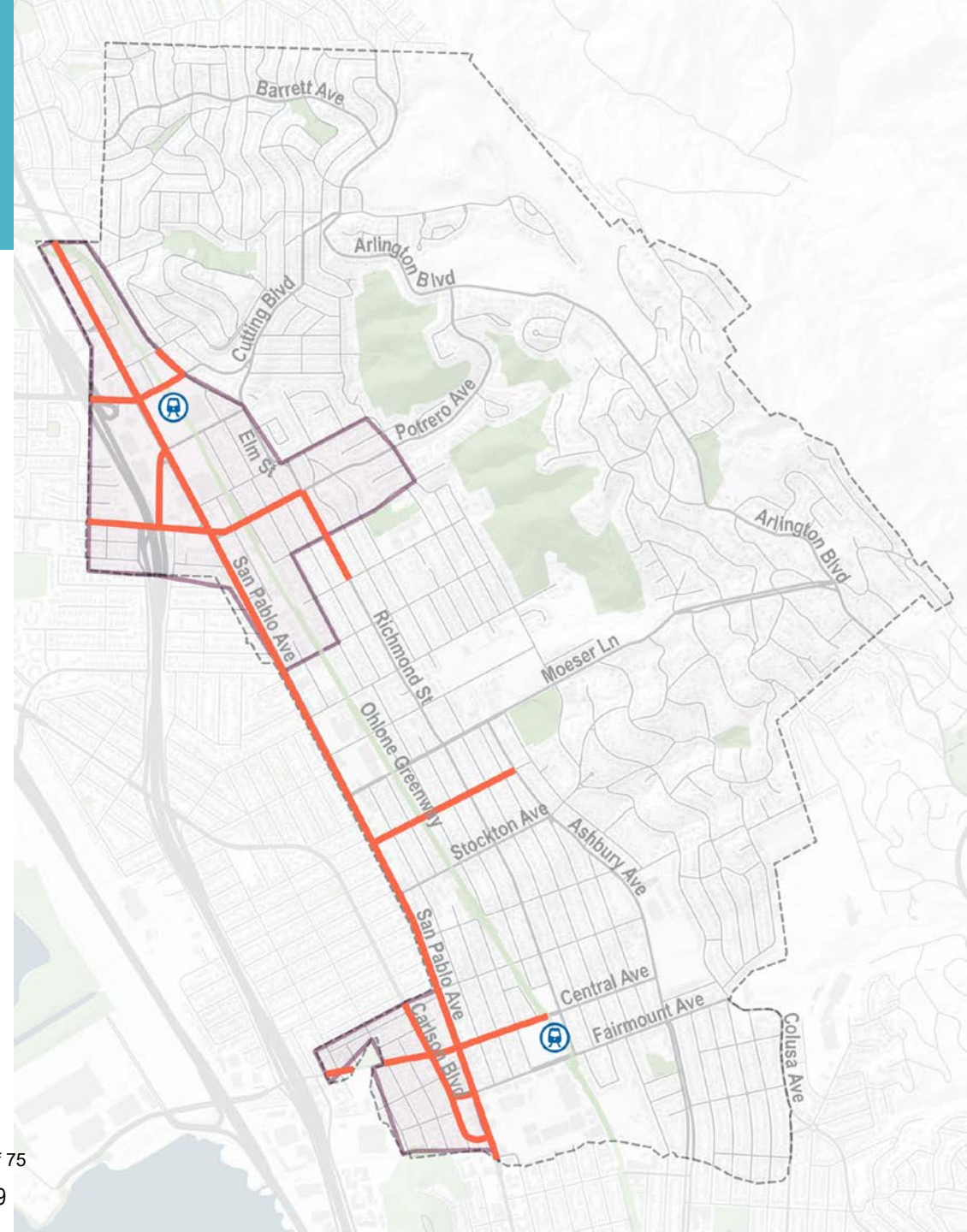
Vision Zero

Guide Project + Program Investment

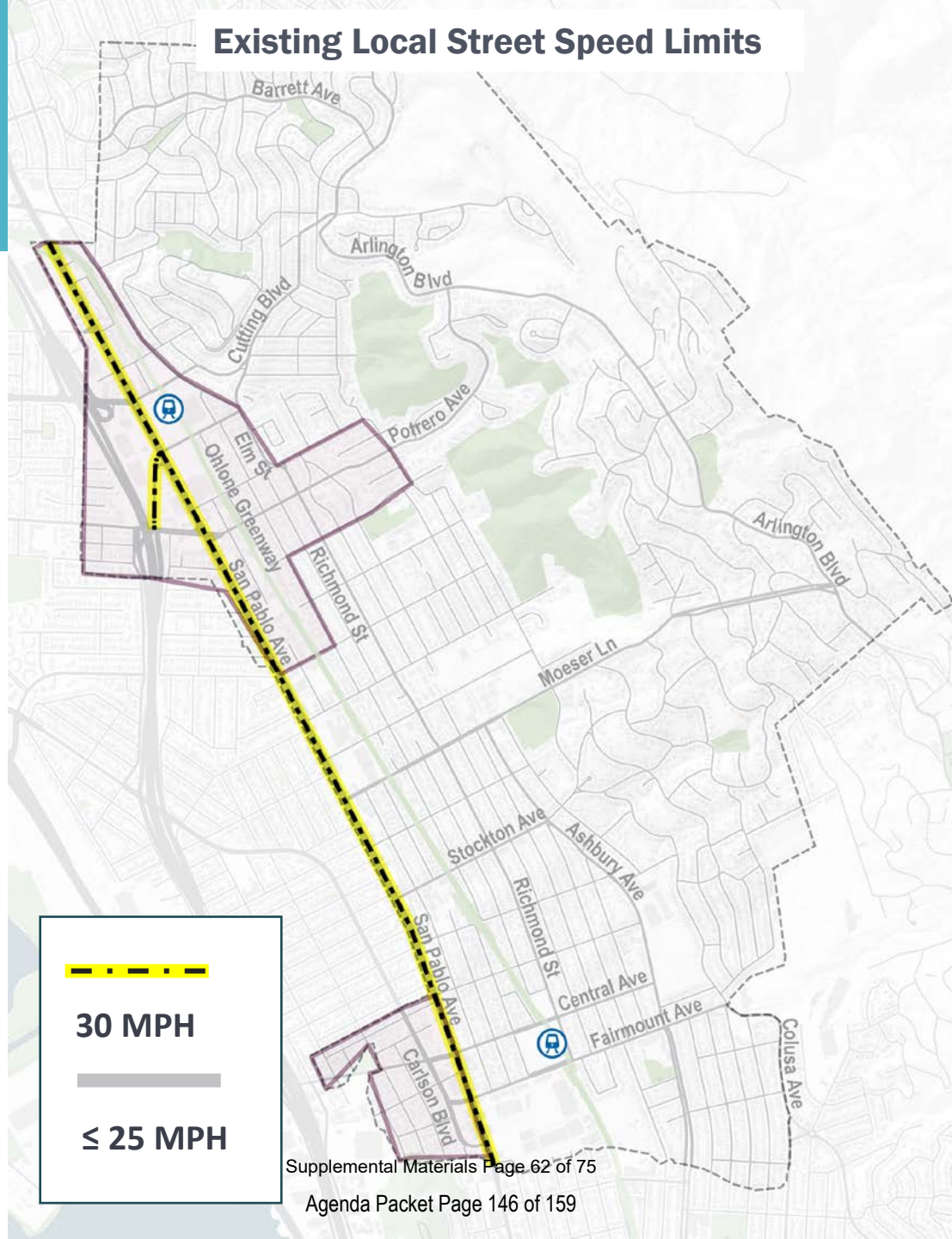


Safety Priority Network Methodology

- Goal: Focus on areas with concentrated harm and exposure to create a practical network for intervention.
- Common Benchmarks:
 - Majority of KSI crashes
 - < 10% of streets
- Inputs:
 - All KSI Crashes
 - Minor-injury crashes on arterials
 - Crash concentration
 - Qualitative



Existing Local Street Speed Limits



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Library Tax Exemptions Study Session

City of El Cerrito

April 7, 2026

Supplemental Materials Page 63 of 75

Agenda Packet Page 147 of 159



Measure C Exemptions

*“ . . . one of the owners **qualifies for participation** in either or both the Gonzales-Deukmejian-Petris Senior Citizen Property Tax Assistance Law (also known as the Senior Citizens Homeowners and Renters Property Tax Assistance Law and the Homeowners and Renters Property Tax Assistance Law) or the Senior Citizen Property Tax Postponement Law.”*

- Key qualifications under the Senior Citizen Property Tax Postponement Law
 - At least 62 years of age or blind or disabled
 - Annual household income of \$55,181 or less

Council Authority to Adopt Exemptions

“The City Council may enact any other amendments, including but not limited to amendments necessary to implement or administer the Special Tax.”

- Council-adopted amendments may not:
 - Impose the tax on someone otherwise exempt.
 - Increase the tax beyond the rate authorized in the Measure
 - Extend the term of tax beyond the sunset included in the Measure
- Measure authorizes Council to adopt additional exemptions.

Council Authority to Adopt Exemptions

*As long as tax rates do not exceed limits, “The City Council may, by resolution, increase **or decrease the rate** of the Special Tax.”*

- An exemption reduces the rate for a property owner to \$0.
- Measure C authorizes Council to decrease rates below the maximums.

Council Authority to Adopt Exemptions

City Council may “by resolution interpret [the ordinance] for purposes of clarifying any vagueness or ambiguity as it relates to the Special Tax rate, the classification of properties, or any definition applicable to the Special Tax.”

- City Council may clarify any ambiguities regarding exemptions in Measure C
- That includes:
 - Clarifying whether an applicant for an exemption must actually participate in one of the two State programs, or if it’s sufficient for them to meet the qualifications.
 - Other clarifications that potentially expand the scope of the exemptions.

Limitations on Adopting Exemptions

- Council may not eliminate or modify the exemptions expressly stated in the Measure such that qualifying property owners would pay tax or additional tax.
- Council may not amend Measure C in a way that would substantially alter the purpose of the Measure. Thus, Council cannot exempt so many properties that it would be unable to fund construction of a new library.

Options for Exemptions

- Clarify ambiguities in the exemptions included in Measure C.
- Add an age-based exemption
- Add an income-based exemption
- Add an exemption based on age and income
- Layer disability into any additional exemptions
- Consider the David Hunter Memorial Scholarship income criteria

Revenue Impacts of Exemptions

Exemption	Criteria	Number of Households (6,351 total owner-occupied households)	Revenue Impacts (first year revenue estimated at \$3,156,019, \$331/parcel)
Age Only	One owner at least 60 years of age	3,271	\$1,082,701 (32.3%, half of owner-occupied revenue)
Income Only	Household income less than \$50,000	673	\$222,763 (7%)
	Household income less than \$75,000	1,187	\$392,897 (12.4%)
Age and Income	One owner at least 65 years of age and household income less than \$50,000	881 (max, includes renters and owners)	\$291,611 (9.2%)
		673 (max, assuming fewer than income-only)	\$222,763 (7%)
Age and Income (higher income threshold)	One owner at least 65 years of age and household income less than \$75,000	1,309 (max, includes renters and owners)	\$433,279 (13.7%)
		1,187 (max, assuming fewer than income-only)	\$392,897 (12.4%)



Thank you!

From: [No Reply](#)
To: [City Clerk](#)
Subject: Public Comment Submission
Date: Thursday, April 2, 2026 7:35:52 PM

This sender is trusted.

Submitted by: Michael Coan

Email Address: [REDACTED]

Commented on event: <https://elcerritoca.portal.civicclerk.com/event/920/overview>

If you are having trouble viewing the URL above, cut and paste the string into your browser window.

User comment: The Gonzales-Deukmejian-Petris Senior Citizen Property Tax Assistance Law DOES NOT EXIST. A simple google search will show you that. The current measure C, the "impartial analysis" from the City Attorney, and the Attorney's case published for the agenda item today all point to this fictitious law.

From: [No Reply](#)
To: [City Clerk](#)
Subject: Public Comment Submission
Date: Tuesday, April 7, 2026 1:51:23 PM

This sender is trusted.

Submitted by: James Silvey

Email Address: [REDACTED]

Commented on event: <https://elcerritoca.portal.civicclerk.com/event/920/overview>

If you are having trouble viewing the URL above, cut and paste the string into your browser window.

User comment: El Cerrito needs to invest in its future. We need to invest in our community, our neighborhoods, and our children. That's why I strongly support Measure C. There has been a lot of conversation about the measure, and there's been quite a bit of misinformation about it as a result. Measure C is a fairly clean funding measure-- the revenue generated by this measure goes into a special fund that can only be used for the library project. What's critical about this is that it allows us to actively start the library project in earnest. Regardless of the plan chosen, a library project cannot proceed with no funding. The city cannot apply to fund-matching grants without the funds to match. The city cannot enter into deals with contractors and developers if the money isn't there. Whether you believe the city should renovate the old library, build in the BART Transit-Oriented Development location, or even take over a vacant storefront, it's pretty clear: none of this can happen if there's no money for it. Opponents of the measure don't have a plan to get that funding. They're not searching for a better deal-- otherwise they would have provided plans for one or introduced their own citizens' initiative. If you vote No without a plan to actually secure that funding, that is the same as voting No on a new library. It is the same as saying No to renovations as well. A vote No is saying "keep our library as-is until it fails". The longer we delay on this, the more expensive it will be for El Cerrito in the long run. Development costs will only go up, and we'll all be on the hook for more money if we keep waiting. There is no magic solution that will solve this for us-- we need take action sooner rather than later. We cannot continue to kick the can down the road as has been done for many years. I support measure C, and I hope many of you will join me in voting Yes for El Cerrito's future.

From: [Rahul Iyer](#)
To: [City Clerk](#)
Subject: Public Comments – Agenda Item #8B (Measure C)
Date: Tuesday, April 7, 2026 3:28:58 PM

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Dear Members of the City Council and the kind people of El Cerrito,

I stand today to voice my strong support for Measure C, and support for studying potential additional exceptions from the tax.

As a homeowner and resident of El Cerrito, I'm biased toward infrastructure investments, especially ones like libraries that serve children, students, and lifelong learners. At a time when federal support for this kind of infrastructure is becoming less reliable, I believe it's a moral imperative for communities like ours to step up.

El Cerrito is growing, with more housing and more families coming in. Our infrastructure needs to keep pace. The current library is not just outdated, it is approaching the point where it may no longer be usable. If we do nothing, we are heading towards a deteriorating liability.

Personally, my first choice would be to use these funds to renovate and expand the existing library. That is likely the most cost-effective path. That said, the Plaza site has real advantages including economies of scale, integration with transit-oriented development, and potentially faster delivery at a larger scale.

The key point is this: Measure C doesn't lock us into one outcome, it creates the revenue stream that allows the city to make a fully informed and transparent decision about the best path forward. That revenue stream also enables the city to attract additional capital and puts us in a much stronger negotiating position with lenders, partners, and developers.

In my 25 years of building capital-intensive businesses and projects (into the billions) I can attest that having a stable, dedicated funding source changes everything. It creates options, leverage, and credibility. The likelihood that economic certainty is around the corner, or that financial markets improve, or that the costs of construction fall in the near future seems quite low to me. As such, acting now has many advantages.

I've heard some legitimate critiques about how Measure C could be better, including a desire for better protections against extending the 30-year measure, and expanding certain exceptions. While no funding measure or project is perfect, it's important to remember that

saying NO to Measure C isn't without cost and consequence including the very real risk that we end up with no functional library at all.

In my view Yes on C is the moral, practical, and fiscally prudent vote.

Thank you,

Rahul Iyer