



AGENDA

CONCURRENT SPECIAL MEETING OF THE EL CERRITO REDEVELOPMENT AGENCY SUCCESSOR AGENCY AND REGULAR CITY COUNCIL MEETING JANUARY 19, 2021 – 7:00 p.m.

Members:

Mayor Paul Fadelli

Mayor Pro Tem Gabriel Quinto · Councilmember Janet Abelson
Councilmember Lisa Motoyama · Councilmember Tessa Rudnick

Join Via WebEx:

<https://elcerrito.webex.com/elcerrito/onstage/g.php?MTID=ec20f0b1caaea1ff4edfadb847febc7ab>

Event Number: 146 226 3580

Event Password: Join0119

or

Dial In: 1-408-418-9388

Access Code: 146 226 3580

Pursuant to Executive Orders N-25-20 and N-29-20, Teleconference Restrictions of the Brown Act Have Been Suspended, as Well as the Requirement to Provide a Physical Location for Members of the Public to Participate in the Meeting.

Members of the public can watch or listen to City Council meetings as follows:

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2. Radio Broadcast on FM 88.1 Or 97.7
3. Livestream Online at www.el-cerrito.org/CouncilMeetingMaterials
4. Via WebEx using the meeting information listed above.

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1. Via WebEx using the “[Raise Hand](#)” feature to request to speak. Each period of public comment will be announced.

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2. Via email to cityclerk@ci.el-cerrito.ca.us. Email must contain in the subject line **Public Comments – Not on the Agenda** or **Public Comments – agenda item #**.

To ensure that the City Council receives your written comments prior to taking action, they must be received by **4:00 p.m. the day of the meeting**. All written comments received by this deadline will be provided to the City Council and posted online in advance of the meeting.

Written comments received after the deadline will be provided to the City Council and included with supplemental materials after the meeting. **No written comments will be read into the record.**

**7:00 P.M. ROLL CALL – CONVENE SPECIAL EL CERRITO REDEVELOPMENT
AGENCY SUCCESSOR AGENCY AND REGULAR CITY COUNCIL
MEETING**

1. TELECONFERENCE AND PUBLIC COMMENT INSTRUCTIONS

2. 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.

3. 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.

4. 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 for 11/17/2020, 11/19/2020, 12/01/2020, and
12/15/2020**

Action Proposed: Pass a motion to approve the City Council meeting minutes for November 17, November 19, December 1, and December 15, 2020.

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

B. FY 2020-21 Second Quarter Cash and Investment Report

Action Proposed: Receive and file the City's Quarterly Investment Report for the Quarter ending December 31, 2020.

Contact: Mark R. Rasiah, Finance Director/Treasurer, Finance Department

C. Consulting Services Agreement with R3 Consulting Group, Inc. for the Evaluation of Recycling Collection Operations and Outsourcing Feasibility

Action Proposed: Adopt a resolution authorizing the City Manager to execute a consulting services agreement with R3 Consulting Group, Inc. in the amount of \$60,610 for the evaluation of recycling collection operations and outsourcing feasibility.

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

D. Authorize Amendment of Professional Services Agreement between City of El Cerrito and Moore Iacofano Goltsman (MIG) to update San Pablo Avenue Specific Plan and Environmental Impact Report utilizing grant funds.

Action Proposed: Adopt a Resolution authorizing the City Manager to amend a Professional Services Agreement with Moore Iacofano Goltsman (MIG) to provide services to complete an update of the San Pablo Avenue Specific Plan Form Based Code and Supplemental Environmental Impact Report.

Contact: Melanie Mintz, Community Development Director; Sean Moss, Planning Manager, Community Development Department

E. REDEVELOPMENT AGENCY SUCCESSOR AGENCY ITEM Approve Draft Annual Recognized Obligations Payment Schedule 21-22 (July 1, 2021 - June 30, 2022)

Action Proposed: Adopt a Successor Agency resolution reviewing and authorizing submittal of the draft Recognized Obligations Payment Schedule 21-22.

Contact: Shannon Collins, Finance Supervisor, Finance Department

5. PRESENTATIONS

A. El Cerrito Library Update

Action Proposed: Receive and file and update on activities at the El Cerrito Public Library.

Contact: Heidi Goldstein, Senior Community Library Manager, El Cerrito Public Library

6. PUBLIC HEARINGS

7. POLICY MATTERS

A. Adoption of a Side Letter between the City of El Cerrito and the El Cerrito Police Employees' Association

Action Proposed: Adopt a resolution approving an agreement between the City of El Cerrito and the El Cerrito Police Employees' Association extending the Memorandum of Understanding (MOU) and modifying language on salaries and other working conditions.

Contact: Kristen Cunningham, Human Resources Manager; Alexandra Orologas, Assistant City Manager, City Management

B. Ordinance Amending Rules of Order

Notice Published on 1/9/2021

Action Proposed: Introduce by title and waive any further reading of an Ordinance amending Section 2.04.050 and 2.04.220 regarding Rules of Order.

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

C. Urban Forest Committee Term Limits

Action Proposed: At the request of Councilmember Abelson and the members of the Urban Forest Committee, discuss potential modifications to term limitation for the committee and provide direction to staff.

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

8. CITY COUNCIL LOCAL & REGIONAL LIAISON ASSIGNMENTS

Mayor and City Council communications regarding local and regional liaison assignments and committee reports.

A. 2021 City Council Local Liaison Assignments

The Mayor will announce the 2021 City Council Liaison Assignments to City Boards, Commissions, and Committees and to Regional Bodies.

9. ADJOURN REGULAR CITY COUNCIL MEETING

The next regularly scheduled City Council meeting is Tuesday, February 2, 2021 at 7:00 p.m. via teleconference.

The City of El Cerrito serves, leads and supports our diverse community by providing exemplary and innovative services, public places and infrastructure, ensuring public safety and creating an economically and environmentally sustainable future.

- Council Meetings can be heard live on FM Radio, KECG – 88.1 and 97.7 FM and viewed live on Cable TV - KCRT- Channel 28. The meetings are rebroadcast on Channel 28 the following Thursday and Monday at 12 noon, except on holidays. Live and On-Demand Webcast of the Council Meetings can be accessed from the City's website <http://www.el-cerrito.org/CouncilMeetingMaterials> and is streamed with closed caption. Copies of the agenda bills and other written documentation relating to items of business referred to on the agenda are on file and available for public inspection in the Office of the City Clerk, at the El Cerrito Library and posted on the City's website at www.el-cerrito.org prior to the meeting.
- In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk, 510-215-4305. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title I).
- ***The Deadline for agenda items and communications*** is eight days prior to the next meeting by 12 noon, City Clerk's Office, 10890 San Pablo Avenue, El Cerrito, CA. Tel: 510-215-4305, email cityclerk@ci.el-cerrito.ca.us
- IF YOU CHALLENGE A DECISION OF THE CITY COUNCIL IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE COUNCIL MEETING. ACTIONS CHALLENGING CITY COUNCIL DECISIONS SHALL BE SUBJECT TO THE TIME LIMITATIONS CONTAINED IN CODE OF CIVIL PROCEDURE SECTION 1094.6.
- The City Council believes that late night meetings deter public participation, can affect the Council's decision-making ability, and can be a burden to staff. City Council Meetings shall be adjourned by 11:00 p.m., unless extended to a specific time determined by a majority of the Council.

EL CERRITO CITY COUNCIL DRAFT MINUTES

SPECIAL CITY COUNCIL MEETING

November 17, 2020 – 1:00 p.m.

Members:

Mayor Gregory B. Lyman

Mayor Pro Tem Paul Fadelli • Councilmember Janet Abelson
Councilmember Rochelle Pardue-Okimoto • Councilmember Gabriel Quinto

Join Via WebEx:

<https://elcerrito.webex.com/elcerrito/onstage/g.php?MTID=e757ca8a668b48b0ca5c0bf9aab564a32>

Event Number: 146 284 6626

Event Password: Join1117

or

Dial In: 1-408-418-9388

Access Code: 146 284 6626

Pursuant to Executive Orders N-25-20 and N-29-20, Teleconference Restrictions of the Brown Act Have Been Suspended, as Well as the Requirement to Provide a Physical Location for Members of the Public to Participate in the Meeting.

This meeting will not be broadcast or live-streamed online. Members of the public can view the live meeting via WebEx using the meeting information listed above. Public Comments may be submitted one of two ways, **and are limited to items on the special meeting agenda only:**

1. Via WebEx using the “[Raise Hand](#)” feature to request to speak. Each period of public comment will be announced.

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2. Via email to cityclerk@ci.el-cerrito.ca.us. Email must contain in the subject line **public comments – agenda item #**.

To ensure that the City Council receives your written comments prior to taking action, they must be received by **10:00 a.m. the day of the meeting**. All written comments received by this deadline will be provided to the City Council and posted online in advance of the meeting.

Written comments received after the deadline will be provided to the City Council and included with supplemental materials after the meeting. **No written comments will be read into the record.**

1:00 P.M. ROLL CALL - CONVENE SPECIAL CITY COUNCIL MEETING
Mayor Lyman called the meeting to order at 1:07 PM.
Present: Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto
Absent: None

1. ORAL COMMUNICATIONS FROM THE PUBLIC

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

Action: Conducted six interviews and made the following appointments.

Moved/Seconded: Councilmember Pardue-Okimoto/Mayor Pro Tem Fadelli **Action:** Passed a motion to appoint William Ktsanes and Debra Saunders to Financial Advisory Board, both for a partial term of 11/18/2020 - 3/1/2024. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

Moved/Seconded: Mayor Lyman/Mayor Pro Tem Fadelli **Action:** Passed a motion to appoint Daniel Hamilton to Planning Commission for a partial term of 11/18/2020 - 3/1/2024. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue- Okimoto, Councilmember Quinto **Noes:** None

Moved/Seconded: Mayor Lyman/Councilmember Pardue-Okimoto **Action:** Passed a motion to appoint Shawn Purcell to Park and Recreation Commission for a partial term of 11/18/2020 - 3/1/2022. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

Moved/Seconded: Councilmember Abelson/Councilmember Pardue-Okimoto **Action:** Passed a motion to appoint Julia Conant to Human Relations Commission for a partial term of 11/18/2020 - 3/1/2024. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

Moved/Seconded: Mayor Pro Tem Fadelli/Councilmember Quinto **Action:** Passed a motion to extend the term for Cathy Bleier on the Urban Forest Committee from 1/1/2020 to 3/1/2020. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

3. ADJOURN SPECIAL CITY COUNCIL MEETING

The special meeting adjourned at 2:56 PM.

Paul Fadelli, Mayor

This is to certify that the foregoing is a true and correct copy of the minutes of the special City Council meeting of November 17, 2020 as approved by the El Cerrito City Council.

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

EL CERRITO CITY COUNCIL DRAFT MINUTES

REGULAR CITY COUNCIL MEETING

November 17, 2020 – 7:00 p.m.

Members:

Mayor Gregory B. Lyman

Mayor Pro Tem Paul Fadelli • Councilmember Janet Abelson
Councilmember Rochelle Pardue-Okimoto • Councilmember Gabriel Quinto

Join Via WebEx:

<https://elcerrito.webex.com/elcerrito/onstage/g.php?MTID=e6078610d3491b689dbc6e98d496de37b>

Event Number: 146 923 7138

Event Password: Join1117

or

Dial In: 1-408-418-9388

Access Code: 146 923 7138

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Written comments received after the deadline will be provided to the City Council and included with supplemental materials **after the meeting. No written comments will be read into the record.**

7:00 P.M. ROLL CALL – CONVENE REGULAR CITY COUNCIL MEETING

Mayor Lyman called the meeting to order at 07:06 PM.

Present: Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Pardue- Okimoto, Councilmember Quinto, Councilmember Abelson

1. TELECONFERENCE AND PUBLIC COMMENT INSTRUCTIONS

2. 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 - update on COVID-19 regulations in Contra Costa County, announced passing of former employee Shielaugh Divilbiss.

Community Development Director Mintz - announced BART Board consideration for the El Cerrito Plaza Station development on 11/19/20.

Mayor Pro Tem Fadelli - reported attendance at the Human Relations Commission social justice conversations.

Mayor Lyman - reported attendance at Mayor's Conference, reported interviews for Boards & Commissions vacancies, announced Sundar Shadi Holiday display will be reduced to a single star this year.

Councilmember Abelson - reported attendance and discussion at Urban Forest Committee regarding term limits.

Councilmember Quinto - reported attendance at RecycleMore meeting, announced appointment as President of the East Bay Division of the League of California Cities.

3. 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.

All written comments submitted prior to and during the meeting were posted online as supplemental materials and incorporated into the official meeting record. Written public comments for matters not on the agenda were received from Cordell Hindler, Diana Chen and Cathy Hanville; on presentation item 5A from Members of Make El Cerrito Fire Safe; and presentation item 5B from RL, Dan Schulman, Cathy Hanville, Lisa D Adams, and Sherry Drobner.

Oral Public Comments:

Carol Cunradi – spoke regarding PG&E outage and electrical fire on the 7000 block of Gladys and prior incidents.

Illhem Ayar – spoke regarding homeless encampments and illegal dumping.

Margaret Hassan – commented regarding police profiling and suggested additional community outreach from the department.

4. 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.

5. PRESENTATIONS

A. Proclamation Honoring Dave Gibson in Retirement

Action Proposed: Pass a motion to approve a proclamation honoring Battalion Chief Dave Gibson for his many years of service to the City of El Cerrito.

Contact: Michael Pigoni, Fire Chief, Fire Department

Oral Public Comments:

Stacy Cornett – offered congratulations and thanks for service.

Moved/Seconded: Councilmember Abelson/Councilmember Pardue-Okimoto **Action:** Motion to approve the proclamation. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

B. El Cerrito Police Department 2019 in Review

Action Proposed: Receive and file a department update and review of 2019 from the El Cerrito Police Department.

Contact: Paul Keith, Police Chief, Police Department

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding proposition 47, catalytic converter crimes, policies, additional public engagement, data and observation driven evaluation, funding for Community Outreach and Engagement (CORE) program, and training of officers in response to homelessness.

Action: Received and filed, no formal action.

6. PUBLIC HEARINGS

7. POLICY MATTERS

A. FY 2020-21 General Fund Budget Update for October 2020

Action Proposed: Receive and file the FY 2020-21 Budget update on City General Fund revenues and expenses through October 2020.

Contact: Mark R. Rasiah, Finance Director/City Treasurer, Finance Department

Presentation and Discussion: Presenters and staff responded to comments and question raised by members of the City Council regarding recreation revenues, variance between anticipated and actual revenues, COVID-19 impacts, franchise tax, anticipated property taxes, sales taxes, Real Property Transfer Tax, payroll expenses, cash flow actuals vs. forecast, and specifically recreation revenues.

Moved/Seconded: Councilmember Quinto/Councilmember Abelson **Action:** Motion to extend the meeting to 11:00 PM. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

Public Comments:

All written comments submitted prior to and during the meeting were posted online as supplemental materials and incorporated into the official meeting record. Written public comments for this item were received from Ira Sharenow, Dan Schulman, Cathy Hanville, Marlene George and Nick Zamorano.

Action: Received and filed, no formal action. City Council requested that the City Manager return with a list of programs that do not have the revenue to support current staffing, which proposed program cuts reflect reduced revenue.

B. City Council Policy Subcommittee Report and Recommendations

Action Proposed: Conduct a study session on proposed City Council Administrative Policies and Rules of Order and Procedure and 2) adopt resolutions to approve the proposed policies or provide staff direction to return with revisions.

Contact: Mayor Lyman and Mayor Pro Tem Fadelli, City Council Policy Subcommittee; 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 selection of Mayor Pro Tem, enforcement of policy, council liaison and regional assignments.

Public Comments:

All written comments submitted prior to and during the meeting were posted online as supplemental materials and incorporated into the official meeting record. Written public comments for this item were received from Cathy Hanville.

Moved/Seconded: Councilmember Abelson/Councilmember Quinto

Action: Motion to extend the meeting to 11:05 PM. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Quinto **Noes:** Councilmember Pardue-Okimoto

Action: The City Council continued discussion of this item to the December 1, 2020 Council meeting.

8. **CITY COUNCIL LOCAL & REGIONAL LIAISON ASSIGNMENTS** *Mayor and City Council communications regarding local and regional liaison assignments and committee reports.*
9. **ADJOURN REGULAR CITY COUNCIL MEETING**
The regular meeting adjourned at 11:07 PM.

Paul Fadelli, Mayor

This is to certify that the foregoing is a true and correct copy of the minutes of the regular City Council meeting of November 17, 2020 as approved by the El Cerrito City Council.

Holly M. Charléty, MMC, City Clerk

EL CERRITO CITY COUNCIL DRAFT MINUTES

SPECIAL CITY COUNCIL MEETING NOVEMBER 19, 2020 – 11:00 a.m.

Members:

Mayor Gregory B. Lyman

Mayor Pro Tem Paul Fadelli • Councilmember Janet Abelson
Councilmember Rochelle Pardue-Okimoto • Councilmember Gabriel Quinto

Join Via WebEx:

<https://elcerrito.webex.com/elcerrito/onstage/g.php?MTID=e488b8a9ab7c4943d54f99ee52c55f8e4>

Event Number: 146 737 9045

Event Password: Join1119

or

Dial In: 1-408-418-9388

Access Code: 146 737 9045

Pursuant to Executive Orders N-25-20 and N-29-20, Teleconference Restrictions of the Brown Act Have Been Suspended, as Well as the Requirement to Provide a Physical Location for Members of the Public to Participate in the Meeting.

This meeting will not be broadcast or live-streamed online. Members of the public may join to provide public comment using the WebEx meeting information listed above. Following public comments, the City Council will convene to closed session and the meeting will be closed to the public.

Public Comments may be submitted one of two ways, and are limited to items on the special meeting agenda only:

1. Via WebEx using the “[Raise Hand](#)” feature to request to speak. Each period of public comment will be announced.

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2. Via email to cityclerk@ci.el-cerrito.ca.us. Email must contain in the subject line **public comments – agenda item #**.

To ensure that the City Council receives your written comments prior to taking action, they must be received by **8:00 a.m. the day of the meeting**. All written comments received by this deadline will be provided to the City Council and posted online in advance of the meeting.

Written comments received after the deadline will be provided to the City Council and included with supplemental materials **after the meeting. No written comments will be read into the record.**

11:00 A.M. ROLL CALL - CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Lyman called the meeting to order at 11:04 AM.

Present: Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Pardue- Okimoto, Councilmember Quinto **Absent:** Councilmember Abelson

1. ORAL COMMUNICATIONS FROM THE PUBLIC

Remarks are typically limited to 3 minutes per person and to items on the special meeting agenda only.

None

2. CLOSED SESSION - PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957

Title: City Manager

Contact: Sky Woodruff, City Attorney, City Management

City Council convened to closed session at 11:04 AM. The Council appointed Mayor Lyman and Councilmember Quinto to an ad hoc committee to serve as negotiators on the City Manager's contract.

3. CLOSED SESSION - CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency designated representatives: Greg Lyman, Mayor, and second City Councilmember to be designated.

Unrepresented employee: City Manager

Contact: Sky Woodruff, City Attorney, City Management

No reportable action.

4. ADJOURN SPECIAL CITY COUNCIL MEETING

The special meeting adjourned at 12:58 PM.

Paul Fadelli, Mayor

This is to certify that the foregoing is a true and correct copy of the minutes of the special City Council meeting of November 19, 2020 as approved by the El Cerrito City Council.

Holly M. Charléty, MMC, City Clerk

EL CERRITO CITY COUNCIL DRAFT MINUTES

REGULAR CITY COUNCIL MEETING

December 1, 2020 – 7:00 p.m.

Members:

Mayor Gregory B. Lyman

Mayor Pro Tem Paul Fadelli • Councilmember Janet Abelson
Councilmember Rochelle Pardue-Okimoto • Councilmember Gabriel Quinto

Join Via WebEx:

<https://elcerrito.webex.com/elcerrito/onstage/g.php?MTID=ec3c8b69ae87ebb5e5e05d89a9586b3d9>

Event Number: 146 864 3302

Event Password: Join1201

or

Dial In: 1-408-418-9388

Access Code: 146 864 3302

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7:00 P.M. ROLL CALL – CONVENE REGULAR CITY COUNCIL MEETING

Mayor Lyman called the meeting to order at 07:08 PM.

Present: Mayor Lyman, Mayor Pro Tem Fadelli,
Councilmember Abelson, Councilmember Pardue-Okimoto,
Councilmember Quinto **Absent:** None

1. TELECONFERENCE AND PUBLIC COMMENT INSTRUCTIONS

2. 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 holiday closure and upcoming changes to health order restrictions.

Mayor Lyman - announced direction provided at the November 19th special meeting, reminders on wearing masks, social distancing, and fire safety.

Councilmember Abelson - reported attendance at the Urban Forest Committee meeting and relayed members' concerns on term limits.

3. COMMUNICATIONS FROM THE PUBLIC

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All written comments submitted prior to and during the meeting were posted online as supplemental materials and incorporated into the official meeting record. Written public comments for matters not on the agenda were received from Cordell Hindler, Ira Sharenow, Cathy Hanville, Robin Mitchell, Amy Dertz, Allen Ling, Amy and Greg deHart, and Ruby MacDonald; and on presentation item 5A and 5B from Donald S. Honigman.

Oral Public Comments:

Dan Cloak – spoke regarding El Cerrito Plaza housing development.

Indy – comments as a new resident and on interest in volunteer opportunities.

Linda Cain – concerned about the budget and spoke regarding saving library and senior services.

4. 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 Pardue-Okimoto/Councilmember Abelson **Action:** Approved item A, B, C, on the consent calendar as indicated below. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

A. Approval of Minutes for 10/6/2020 and 10/20/2020

Action Proposed: Pass a motion to approve the City Council meeting minutes for October 6 and October 20, 2020.

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

Action: Approved minutes

B. Approve the 2021 Regular Meeting Schedule for City Council

Action Proposed: Pass a motion to approve the regular meeting schedule for 2021, which includes reducing to the third Tuesday only for the month of January, July, August and September.

Contact: Holly Charléty, City Clerk, City Management

Action: Approved proclamation

C. United Against Hate Week Proclamation

Action Proposed: Pass a motion to approve a proclamation designating November 29, 2020 – December 6, 2020 as "United Against Hate Week". **Contact:** Kristen Cunningham, Human Resources Manager, City Management

Action: Approved proclamation

D. Approval of an Application(s) for Proposition 68 Per Capita Grant Funds related to Parks & Recreation Facilities

Action Proposed: Adopt a resolution authorizing the City Manager and/or her designee to submit an application(s) to the State of California Department of Parks and Recreation for \$192,876 of Proposition 68, the Parks, Environment, and Water Bond Act of 2018, Per Capita funds.

Contact: Christopher Jones, Recreation Director, Recreation Department; Yvetteh Ortiz, Public Works Director, Public Works Department

Moved/Seconded: Councilmember Abelson/Councilmember Pardue-Okimoto **Action:** Pulled from consent by Mayor Lyman. Motion to Approve Resolution 2020-55, amending the first reference of PRC to read Public Resources Code (PRC).

Ayes: Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto

Noes: None

5. PRESENTATIONS

A. Proclamation upon Retirement of Lieutenant Stephen Bonini

Action Proposed: Pass a motion to approve a proclamation honoring Lieutenant Stephen Bonini's many years of service to the City of El Cerrito.

Contact: Paul Keith, Police Chief, Police Department
Moved/Seconded: Councilmember Abelson/Councilmember Quinto
Action: Approved proclamation. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto
Noes: None

B. Proclamation upon Retirement of Captain Robert De La Campa

Action Proposed: Pass a motion to approve a proclamation honoring Captain Robert De La Campa for his many years of service to the City of El Cerrito.

Contact: Paul Keith, Police Chief, Police Department
Moved/Seconded: Councilmember Abelson/Mayor Pro Tem Fadelli
Action: Approved proclamation. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto
Noes: None

6. PUBLIC HEARINGS

A. Cost Hearing Regarding Fire Hazard Abatement of a Public Nuisance for Properties Identified and pursuant to El Cerrito Municipal Code Chapter 16.26

Notice published on 11/21/2020

Action Proposed: Conduct a public hearing and upon conclusion adopt a resolution confirming the cost of abatement of public nuisance conditions resulting from the presence of weeds, rubbish, litter or other flammable material on private properties designated in Exhibit A to the resolution as authorized by El Cerrito Municipal Code Chapter 16.26.

Contact: David R. Gibson, Fire Marshal; Michael Pigoni, Fire Chief, Fire Department

Public Hearing: Mayor Lyman opened the public hearing.

Public Comments: None

Moved/Seconded: Councilmember Pardue-Okimoto/Councilmember Abelson
Action: Closed the public hearing. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto
Noes: None

Moved/Seconded: Councilmember Abelson/Councilmember Quinto
Action: Approved Resolution 2020-56. **Ayes:** Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Quinto, Mayor Lyman, Councilmember Pardue-Okimoto
Noes: None

B. Proposed East Bay Sanitary Garbage & Green Waste Collection and Post-Collection Rates and Integrated Waste Management Fees -- Effective January 1, 2021

Notice published on 11/21/2020 and 11/27/2020

Action Proposed: 1) Conduct a public hearing and upon conclusion adopt a resolution establishing maximum allowable East Bay Sanitary (EBS) garbage and green waste collection, processing and disposal rates, effective January 1, 2021; and 2) Conduct a public hearing and upon conclusion adopt a resolution fixing and setting Integrated Waste Management (IWM) Fees, effective January 1, 2021.

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

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding green waste reductions mandates, impacts of inability to recycle as many materials, SB1383 implementation costs, fiscal response plan, costs included in rates proposed, offset of revenue, and use of reserves.

Public Hearing: Mayor Lyman opened the public hearing for East Bay Sanitary (EBS) Rates

Public Comments: None

Moved/Seconded: Councilmember Quinto/Mayor Pro Tem Fadelli **Action:** Close (EBS) public hearing. **Ayes:** Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Quinto, Mayor Lyman, Councilmember Pardue-Okimoto **Noes:** None

Moved/Seconded: Councilmember Abelson/Councilmember Quinto **Action:** Approve (EBS) Resolution 2020-57. **Ayes:** Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Quinto, Mayor Lyman, Councilmember Pardue-Okimoto **Noes:** None

Public Hearing: Mayor Lyman opened the public hearing for Integrated Waste Management (IWM) Fees.

Oral Public Comments:

Howdy Goudey - spoke regarding upgrading to electric operated forklift and reducing plastic waste in construction.

Linda Cain - spoke regarding reducing plastic waste.

Moved/Seconded: Councilmember Abelson/Councilmember Pardue-Okimoto **Action:** Close (IWM) public hearing. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

Moved/Seconded: Councilmember Abelson/Councilmember Pardue-Okimoto **Action:** Adopted (IWM) Resolution 2020-58. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

7. POLICY MATTERS

A. City Council Policy Subcommittee Report and Recommendations

Action Proposed: Continue the study session from November 17th on proposed City Council Administrative Policies and Rules of Order and Procedure and 2) adopt resolutions to approve the proposed policies or provide staff direction to return with revisions.

Contact: Mayor Lyman and Mayor Pro Tem Fadelli, City Council Policy Subcommittee; 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 roles, accessibility, expanding ethics training, adjournment time, authorization to add items to the agenda, public comments, role as council liaison, selection process of Mayor Pro Tem, discussion and requests for future items,

Public Comments:

All written comments submitted prior to and during the meeting were posted online as supplemental materials and incorporated into the official meeting record. Written public comments for this item were received from Cordell Hindler.

Oral Public Comments:

Tessa Rudnick - expressed appreciation for work on the council policies. Howdy Goudey - commented on adjournment time.

Sherry Drobner - spoke regarding placement of items on the agenda.

Linda Cain - commented on adjournment time.

Poppy - spoke regarding requesting agenda items.

Moved/Seconded: Councilmember Quinto/Councilmember Pardue-Okimoto **Action:** Adopted Resolution 2020-59 (Administrative Policies and Rules of Order) with the following modifications: 1) Section M first sentence revised to read ""Agenda Item" means an item placed on the agenda for a vote by the City Council."; 2) Section W title revised to read "Time Limits for Public Hearings"; 3) Pledge of Allegiance referenced revised to read "Pledge of Allegiance (or moment of silence)"; 4) Section A revised to add the following language between the last two paragraphs "Liaison assignments include appointment of a Councilmember to each Board, Commission and Committee. Council liaisons shall conduct business in accordance with Resolution 2013-68 regarding Council and Staff Relations with City Commissions, Boards, Committees and Task Forces."; 5) Section GG first sentence revised to read "In order to allow for thoughtful, clear-headed consideration of City business by the public and the City Council, all City Council meetings shall adjourn no later than 11:00 p.m."; and 6) Section J is deleted. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

Moved/Seconded: Councilmember Pardue-Okimoto/Councilmember Quinto **Action:** Adopted Resolution 2020-60 (Expense Reimbursement). **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue- Okimoto, Councilmember Quinto **Noes:** None

B. City Manager Employment Agreement

Action Proposed: Adopt a resolution approving a First Amended Employment Agreement for City Manager services between the City of El Cerrito and Karen Pinkos.

Contact: Sky Woodruff, City Attorney, City Management

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

Moved/Seconded: Councilmember Pardue-Okimoto/Councilmember Abelson **Action:** Extended the meeting to 11:00 PM. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

Public Comments:

All written comments submitted prior to and during the meeting were posted online as supplemental materials and incorporated into the official meeting record. Written public comments for this item were received from Cordell Hindler, Jan Woo, Kathy Umali, Pearson Miller, Sherry Drobner, Donald Simon, Cathy Hanville, Susan Ruiz, Ernestine Warren, Daniel Schulman, Dianne Brenner, Corinne Gustafson, Arthur Yee, Karin Rosman, Abby Dawkins, and Andrea McGrath.

Oral Public Comments:

Poppy - commented on the language and timing of extension.

John Stashik - spoke in support of approving the agreement.

Anne Oganowski - commented on the timing of the extension of the agreement.

Moved/Seconded: Councilmember Pardue-Okimoto/Councilmember Abelson **Action:** Adopted Resolution 2020-61. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

8. CITY COUNCIL LOCAL & REGIONAL LIAISON ASSIGNMENTS

Mayor and City Council communications regarding local and regional liaison assignments and committee reports.

Councilmember Quinto - reported attendance at East Bay Division of League of California Cities meeting.

Mayor Pro Tem Fadelli - reported attendance at Transportation and Public Utilities Policy Committee.

9. ADJOURN REGULAR CITY COUNCIL MEETING

The regular meeting adjourned at 10:56 PM

Paul Fadelli, Mayor

This is to certify that the foregoing is a true and correct copy of the minutes of the Regular City Council meeting of December 1, 2020 as approved by the El Cerrito City Council.

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

EL CERRITO CITY COUNCIL DRAFT MINUTES

SPECIAL CITY COUNCIL MEETING

December 15, 2020 – 4:30 p.m.

Members:

Mayor Gregory B. Lyman

Mayor Pro Tem Paul Fadelli • Councilmember Janet Abelson
Councilmember Rochelle Pardue-Okimoto • Councilmember Gabriel Quinto

Join Via WebEx:

<https://elcerrito.webex.com/elcerrito/j.php?MTID=m9db6fff0d69b2ef35a71fab7cfaaf363>

Event Number: 146 476 2379

Event Password: Join1215

or

Dial In: 1-408-418-9388

Access Code: 146 476 2379

Pursuant to Executive Orders N-25-20 and N-29-20, Teleconference Restrictions of the Brown Act Have Been Suspended, as Well as the Requirement to Provide a Physical Location for Members of the Public to Participate in the Meeting.

This meeting will not be broadcast or livestreamed online. Members of the public may join to provide public comment using the WebEx meeting information listed above. Following public comments, the City Council will convene to closed session and the meeting will be closed to the public.

Public Comments may be submitted one of two ways, **and are limited to items on the special meeting agenda only:**

1. Via WebEx using the “[Raise Hand](#)” feature to request to speak. Each period of public comment will be announced.

****Please note** - If a member of the public can join via phone **only**, a request to speak may be submitted via email to cityclerk@ci.el-cerrito.ca.us. The request must contain in the subject line **Request to Speak – Agenda Item #** and must include a name and the full phone number that will be used to call in.

2. Via email to cityclerk@ci.el-cerrito.ca.us. Email must contain in the subject line **public comments – agenda item #**.

To ensure that the City Council receives your written comments prior to taking action, they must be received by **1:30 p.m. the day of the meeting**. All written comments received by this deadline will be provided to the City Council and posted online in advance of the meeting.

Written comments received after the deadline will be provided to the City Council and included with supplemental materials after the meeting. **No written comments will be read into the record.**

4:30 P.M. ROLL CALL - CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Lyman called the meeting to order at 4:33 PM.

Present: Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Quinto, Councilmember Pardue- Okimoto **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.

All written comments submitted prior to and during the meeting were posted online as supplemental materials and incorporated into the official meeting record. Written public comments for item 2 was received from Sherry Drobner.

2. Authorization of Hope VI Main Street Grant Application

Proposed Action: Adopt a resolution authorizing staff to submit an application to the U.S. Department of Housing and Urban Development for the Hope VI Main Street Grant Program.

Contact: Melanie Mintz, Community Development Director; Aissia Ashoori, Housing Analyst, Community Development Department

Moved/Seconded: Councilmember Abelson/Councilmember Quinto **Action:** Approve Resolution 2020-62. **Ayes:** Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Quinto, Mayor Lyman, Councilmember Pardue-Okimoto **Noes:** None

3. CLOSED SESSION CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency Designated Representatives: Karen Pinkos, City Manager; Glenn Berkheimer, Labor Negotiator; Alexandra Orologas, Assistant City Manager; Kristen Cunningham, Human Resources Manager; and Sky Woodruff, City Attorney.

Employee Organizations: Service Employees International Union (SEIU) Local 1021; and El Cerrito Police Employees Association.

Contact: Sky Woodruff, City Attorney, City Management

City Council convened to closed session at 4:42 p.m.. No reportable action.

4. ADJOURN SPECIAL CITY COUNCIL MEETING

The special meeting adjourned at 5:40 p.m.

Paul Fadelli, Mayor

This is to certify that the foregoing is a true and correct copy of the minutes of the Special City Council meeting of December 15, 2020 as approved by the El Cerrito City Council.

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

EL CERRITO CITY COUNCIL DRAFT MINUTES

**SPECIAL CITY COUNCIL MEETING
DECEMBER 15, 2020 - 5:30 p.m.**

**REGULAR CITY COUNCIL MEETING
DECEMBER 15, 2020 – 7:00 p.m.**

Members:

Mayor Gregory B. Lyman

Mayor Pro Tem Paul Fadelli · Councilmember Janet Abelson
Councilmember Rochelle Pardue-Okimoto · Councilmember Gabriel Quinto
Councilmember-Elect Lisa Motoyama · Councilmember-Elect Tessa Rudnick

Join Via WebEx:

<https://elcerrito.webex.com/elcerrito/onstage/g.php?MTID=e07baa8bedbba7e5399cc3efc0454abc4>

Event Number: 146 926

7457 Event Password:

Join1215 or

Dial In: 1-408-418-9388

Access Code: 146 926 7457

Pursuant to Executive Orders N-25-20 and N-29-20, Teleconference Restrictions of the Brown Act Have Been Suspended, as Well as the Requirement to Provide a Physical Location for Members of the Public to Participate in the Meeting.

Members of the public can watch or listen to City Council meetings as follows:

1. Cable T.V. Broadcast on KCRT Channel 28
2. Radio Broadcast on FM 88.1 Or 97.7
3. Livestream Online at www.el-cerrito.org/CouncilMeetingMaterials
4. Via WebEx using the meeting information listed above.

Public Comments may be submitted one of two ways:

1. Via WebEx using the “[Raise Hand](#)” feature to request to speak. Each period of public comment will be announced.

****Please note** - If a member of the public can join via phone **only**, a request to speak may be submitted via email to cityclerk@ci.el-cerrito.ca.us. The request must contain in the subject line **Request to Speak – Agenda Item #** and must include a name and the full phone number that will be used to call in.

2. Via email to cityclerk@ci.el-cerrito.ca.us. Email must contain in the subject line **Public Comments – Not on the Agenda** or **Public Comments – agenda item #**.

To ensure that the City Council receives your written comments prior to taking action, they must be received by **1:30 p.m. the day of the meeting**. All written comments received by this deadline will be provided to the City Council and posted online in advance of the meeting.

Written comments received after the deadline will be provided to the City Council and included with supplemental materials after the meeting. **No written comments will be read into the record.**

5:30 P.M. ROLL CALL - CONVENE SPECIAL CITY COUNCIL MEETING

1. TELECONFERENCE AND PUBLIC COMMENT INSTRUCTIONS

2. COUNCIL/STAFF COMMUNICATIONS

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

City Manager Pinkos - provided an update on COVID restrictions and the City's holiday schedule.

Mayor Lyman - reported from the 4:30 closed session that direction was provided to labor negotiators.

Mayor Pro Tem Fadelli – reported attendance at the Human Relations Commission Truth and Reconciliation discussions.

Councilmember Abelson - encouraged the public to celebrate the holiday with families virtually.

3. POLICY MATTERS

A. FY 2020-21 General Fund Budget Update for November 2020

Action Proposed: Receive and file the FY 2020-21 Budget update on City General Fund revenues and expenses through November 2020. **Contact:** Mark R. Rasiah, Finance Director/City Treasurer, Finance Department

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding overtime data, professional services reductions, timing of re-assessment and mid-year adjustments, TRAN repayment, Financial Advisory Board (FAB) role and recommendations, November sales tax projections, and firefighter overtime.

Public Comments:

All written comments submitted prior to and during the meeting were posted online as supplemental materials and incorporated into the official meeting record. Written public comments for this item were received from Ira Sharenow and Debra Saunders.

Oral Public Comments:

Sherry Drobner - expressed concern regarding fire fighters' overtime.

Action: Received and filed.

B. Recreation Department Study Session

Action Proposed: Conduct a study session on the Recreation Department programs and services.

Contact: Karen Pinkos, City Manager, City Management; Chris Jones, Recreation Director, Recreation Department

Presentation and Discussion: Presenters and staff responded to comments and questions raised by members of the council regarding slit costs of custodial services, senior services, lease for the Midtown Activity Center trailers, programs that are not producing revenues, potential to raise fees for service, reduction in other departments, and privatization.

Public Comments:

All written comments submitted prior to and during the meeting were posted online as supplemental materials and incorporated into the official meeting record. Written public comments for this item were received from Ira Sharenow, Tomi Nagai-Rothe, Sarah Klauer, Quinn Holmquist, Andy Zieminski, Alejandra Robins, Benn Platt, Andrea Picones, Alex Merchant, Violet Henneberger, Sonya Heisters, Jackie Schneider, Ada Lengyel, Matt Smith, Alexander Voynow, Michelle Ayazi, Amelia Willett Burfoot, Karen Taberski, Joe Getsy, Fred Bialy, Ben Kauffmann-Malaga, Eduardo Kaufmann Malaga, Sherry Drobner, Yari Greaney, and Monica.

Oral Public Comments:

Dan Schulman - emphasized the importance of childcare services.

Tomi Nagai-Rothe - spoke against cuts in Recreation.

Robin Mitchell - spoke against cuts in Recreation.

Sherry Drobner – commented on Recreation subsidizing other departments and department cost recovery.

Linda Cain - asked that senior services not be overlooked.

Leslie Adams – commented on public safety and need to look at more closely and broaden its definition.

Action: Received and filed.

4. CITY COUNCIL LOCAL & REGIONAL LIAISON ASSIGNMENTS *Mayor and City Council communications regarding local and regional liaison assignments and committee reports.*

Councilmember Abelson - reported attendance at the Urban Forest Committee meeting.

Councilmember Quinto - reported attendance at the Crime Prevention Committee and the Contra Costa Mayors Conference meetings.

Councilmember Fadelli - reported attendance at the Financial Advisory Board meeting.

Mayor Lyman - reported attendance at the Contra Costa Mayors Conference meeting.

5. ADJOURN SPECIAL CITY COUNCIL MEETING

The special meeting adjourned at 7:59 p.m.

7:00 P.M. ROLL CALL – CONVENE REGULAR CITY COUNCIL MEETING

Mayor Lyman called the meeting to order at 8:00 p.m.

Present: Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto

Absent: None

1. 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.

All written comments submitted prior to and during the meeting were posted online as supplemental materials and incorporated into the official meeting record. Written public comments for matters not on the agenda were received from Cordell Hindler, SEIU Local 1021, Nick Robinson, Elizabeth Bashor, and Louise O'Dea.

2. 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 Pardue-Okimoto/Councilmember Abelson **Action:** Approved the Consent Calendar as indicated below. **Ayes:** Mayor Lyman, Mayor Pro Tem Fadelli, Councilmember Abelson, Councilmember Pardue-Okimoto, Councilmember Quinto **Noes:** None

A. Declare and Certify the Results of the November 3, 2020 General Municipal Election

Action Proposed: Adopt a resolution confirming the results of the November 3, 2020 General Municipal Election and declaring the re-election of Paul Fadelli; election of Lisa Motoyama; and election of Tessa Rudnick to the office of City Council.

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

Action: Approved Resolution 2020-63.

B. Transportation Impact Fee Annual Report for Fiscal Year 2019-20
Report publicly posted 11/30/2020

Action Proposed: Receive and file the Transportation Impact Fee Annual Report for Fiscal Year 2019-20, ending June 30, 2020.

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

Action: Received and filed.

3. PRESENTATIONS

A. Recognition of City Councilmembers Leaving Office

Action Proposed: Special recognition of outgoing Councilmembers:

- Rochelle Pardue-Okimoto - Councilmember and former Mayor (2019), served from 2016-2020
- Gregory B. Lyman - Mayor (2020, 2016, 2013) and Councilmember, served from 2008-2020

Contact: Holly M. Charléty, City Clerk, City Management
Outgoing Councilmembers were recognized for their service, and well wishes were provided by members of the City Council.

Public Comments:

All written comments submitted prior to and during the meeting were posted online as supplemental materials and incorporated into the official meeting record. Written public comments for this item were received from Cordell Hindler, Nick Zamorano, Marlene George, Susan Duncan, and Paul Duncan.

Oral Public Comments in recognition of Councilmembers leaving were provided by Dan Schulman, Sherry Drobner, and John Stashik.

B. Swearing in of Newly Elected Councilmembers

Action Proposed: Administration of Oath of Office and Presentation of Certificates of Election for:

- Paul Fadelli - re-elected to a term ending December 2024
- Lisa Motoyama - elected to a term ending December 2024
- Tessa Rudnick - elected to a term ending December 2024

Contact: Holly M. Charléty, City Clerk, City Management
Newly elected Councilmembers were sworn into office, and well wishes were provided by members of the City Council.

Public Comments:

All written comments submitted prior to and during the meeting were posted online as supplemental materials and incorporated into the official meeting record. Written public comments for this item were received from Nick Zamorano, Marlene George, Susan Duncan, and Paul Duncan.

4. POLICY MATTERS

A. City Council Reorganization

The City Council will elect a Mayor and Mayor Pro-Tempore to serve a term of one year.

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

Councilmember Quinto nominated Mayor Pro Tem Fadelli as Mayor.

Moved/Seconded: Councilmember Quinto/Councilmember Abelson

Action: Closed nominations and appointed Councilmember Fadelli as Mayor for 2021. **Ayes:** Councilmember Abelson, Councilmember Fadelli, Councilmember Motoyama, Councilmember Quinto, Councilmember Rudnick **Noes:** None

Councilmember Abelson nominated Councilmember Quinto as Mayor Pro Tem.

Moved/Seconded: Councilmember Rudnick/Councilmember

Motoyama **Action:** Closed nominations and appointed Councilmember Quinto as Mayor Pro Tem for 2021. **Ayes:** Mayor Fadelli, Councilmember Abelson, Councilmember Motoyama, Councilmember Quinto, Councilmember Rudnick **Noes:** None

5. ADJOURN REGULAR CITY COUNCIL MEETING

The regular meeting adjourned at 9:40 p.m.

Paul Fadelli, Mayor

This is to certify that the foregoing is a true and correct copy of the minutes of the City Council meeting of December 15, 2020 as approved by the El Cerrito City Council.

Holly M. Charléty, MMC, City Clerk



AGENDA BILL

Agenda Item No. 4.B.

Date: January 19, 2021
To: El Cerrito City Council
From: Mark R. Rasiah, Finance Director/Treasurer, Finance Department
Subject: FY 2020-21 Second Quarter Cash and Investment Report

ACTION PROPOSED

Receive and file the City's Quarterly Investment Report for the Quarter ending December 31, 2020.

BACKGROUND

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

ANALYSIS

The Quarterly Investment Report for October 1, 2020 to December 31, 2020 shows that the City's investments had a par value of \$11,294,768 as of December 31, 2020. The City continues to have minimal investments that are not required for debt service reserves and to have limited, if any, interest earnings on restricted funds. Of the total amount invested, \$11,294,768 is invested in the pooled funds with the State Treasurer's Local Agency Investment Funds (LAIF). Cash with Mechanics Bank was \$1,019,667. Total cash and investments of \$12,314,435 was available to meet operating expenses for the next six months.

STRATEGIC PLAN CONSIDERATIONS

The purpose of the City's Investment Policy is to provide guidelines for prudent investment of the City's idle funds and ensure policies, procedures and systems represent best practices in financial management (Goal B).

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

During the quarter debt service payments for the Streets, Solar Lease and the Master Lease Agreements were made totaling \$305,017.

LEGAL CONSIDERATIONS

The City's investments comply with the "Authorized Investments" section of the Investment Policy.

Reviewed by:

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

Karen Pinkos, City Manager

Attachments:

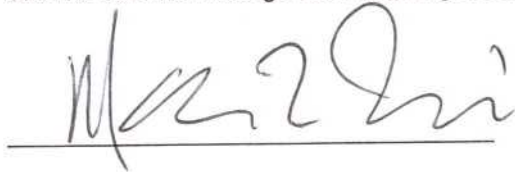
1. FY2020-21 Second Quarter Investment Report

City of El Cerrito
Quarterly Cash & Investment Report
For the Period Ending December 31, 2020

Attachment 1

FUND	INVESTMENT TYPE	INVESTMENT	TRUSTEE/	PAR VALUE	COST	INTEREST	MATURITY	COST/	*MARKET
			BROKER			OR YIELD	DATE	100	VALUE
Pooled Investments	Pooled Fund	Local Agency Investment Fund(LAIF)	CA State Treasurer	\$11,294,768	\$11,294,768	0.58%	N/A	100.00	\$11,294,768
				\$11,294,768	\$11,294,768				\$11,294,768
Cash with Bank (General Checking)	Mechanics Bank	N/A	N/A	\$1,019,667	\$1,019,667	N/A	N/A	N/A	\$1,019,667
Total Cash and Investments				\$12,314,435	\$12,314,435				\$12,314,435

I certify that this report is in compliance with the City of El Cerrito Investment Policy and the California Government Code Section 53646. The City has sufficient cash flow to meet the next six months of estimated expenditures as required by the Code. The balance of the pool's unrestricted investments in combination with anticipated operating cash inflows and the balance in the general checking account, will be used to meet the expenditure requirements for the next six months.



Mark R. Rasiah, Finance Director/City Treasurer



AGENDA BILL

Agenda Item No. 4.C.

Date: January 19, 2021
To: El Cerrito City Council
From: Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department
Subject: Consulting Services Agreement with R3 Consulting Group, Inc. for the Evaluation of Recycling Collection Operations and Outsourcing Feasibility

ACTION PROPOSED

Adopt a resolution authorizing the City Manager to execute a consulting services agreement with R3 Consulting Group, Inc. in the amount of \$60,610 for the evaluation of recycling collection operations and outsourcing feasibility.

BACKGROUND

The City of El Cerrito provides solid waste services to El Cerrito residents and businesses consisting of three major components as follows:

- Integrated Waste Management (IWM) Services by the City, including curbside recycling collection, operations of the El Cerrito Recycling + Environmental Resource Center, and other waste collection, reduction, recycling and related environmental programs;
- Garbage and Green Waste Collection by the City's franchised waste hauler, East Bay Sanitary; and
- Processing and Disposal (Post-Collection) by Republic Services for garbage, green waste, household hazardous waste, and other waste types through various services and facilities.

As part of the Fiscal Year 2020-21 budget process, the City has developed a Fiscal Response Plan to address fiscal challenges that have been exacerbated by the COVID-19 pandemic. A Fiscal Response Plan strategy recommended for further study is the outsourcing of the City's recycling collection operations to a solid waste provider under franchise agreement.

One of the City values identified in the El Cerrito Strategic Plan is Sustainability. Key environmental sustainability strategies in the Strategic Plan are to implement policies and programs that promote waste diversion (i.e., mandatory commercial recycling and green waste), to reduce the amount of waste generated in El Cerrito, and to make municipal operations more resource efficient. In addition, pertinent service and financial-related strategies in the Strategic Plan include increasing productivity and efficiency by utilizing data-driven analysis to ensure appropriate resource allocation and exploring opportunities for public/private partnerships.

ANALYSIS

To advance the recommended strategy in the Fiscal Response Plan along with the strategies in the City Strategic Plan described above, City staff prepared a Request for Proposals (RFP) for the evaluation of recycling collection operations and outsourcing feasibility. The specific objectives for this effort are as follows: review City's existing recycling collection operations including staffing, vehicles and equipment; identify potential opportunities for increased effectiveness and efficiency of these operations; and evaluate the feasibility, benefits and impacts of privatizing the curbside collection portion of City's recycling operations. On October 27, 2020, City staff directly solicited responses to the RFP from four firms that specialize in solid waste consulting services including HF&H Consultants, R3 Consulting Group Inc., SCS Engineers, and Sloan Vazquez McAfee.

Proposals were received from two firms, R3 Consulting Group Inc. (R3) and Sloan Vazquez McAfee, by the due date of November 17, 2020. City staff reviewed the proposals based on the following evaluation criteria listed in the RFQ:

- Understanding and approach - Demonstrates clear understanding of work and effective and efficient approach to project delivery; and demonstrates sensitivity to community and regulatory issues and familiarity with the City.
- Qualifications and experience - Overall organization of the team is relevant to City needs; team is managed by an individual with appropriate experience in similar projects; other key personnel, including subconsultants, have relevant experience for their role in the project; experience with similar projects or local agencies, in both size and scope.
- Work Plan - Proposed scope of services is detailed and appropriate for all phases of the work; scope addresses all known project needs and appears achievable in the timeframes set forth in the project schedule; deliverables are appropriate to schedule and scope set forth in above requirements; schedule shows completion of the work within or preferably prior to the City's overall time limits and/or provides clear explanation for any deviations.
- Cost of Service – Cost is reasonable and provides for highly cost-effective work plan and staffing level.

R3 emerged as the top ranked firm. R3 has extensive solid waste consulting experience, has assisted numerous jurisdictions in evaluating the benefits and drawbacks of privatizing, has in-depth knowledge of City operations and sensitivity to community issues, prepared a comprehensive and tailored approach and work plan, and demonstrated it can provide the City with cost-effective and efficient services.

In December, City staff met with R3 to negotiate the required scope of services at reasonable and effective cost. The scope of services will include data collection, operations review and recommendations for improvements, evaluation of privatization, and final report and presentation (Attachment 2). City staff is recommending that City Council approve the agreement with R3 to conduct the evaluation of recycling collection.

STRATEGIC PLAN CONSIDERATIONS

The requested action will help fulfill the following City of El Cerrito Strategic Plan goals and objectives:

- Goal A: Deliver Exemplary Government Services - increase productivity and efficiency by utilizing data-driven analysis to ensure appropriate resource allocation;
- Goal B: Achieve long-term financial sustainability - explore opportunities for public/private partnerships; and
- Goal F: Foster Environmental Sustainability Citywide - implement policies and programs that promote waste diversion (i.e., mandatory commercial recycling and green waste), reduce the amount of waste generated in El Cerrito, and make municipal operations more resource efficient.

ENVIRONMENTAL CONSIDERATIONS

All jurisdictions in California are required by law to provide recycling and organics recycling services for its residents and businesses through mandates established in AB 989, AB 341, and AB 1826. Recent legislation, SB 1383, mandates higher recycling and organics recycling compliance rates by the year 2022. Reliable and proper disposal, processing, and diversion of solid waste is necessary to protect the health and welfare of the community and environment. The evaluation of recycling collection operations will assist the City in cost-effectively and efficiently complying with state mandates and meeting environmental goals.

FINANCIAL CONSIDERATIONS

Funding for consulting services to conduct this evaluation has been incorporated into the IWM Fee setting effective January 1, 2021, as authorized by the City Council in December 2020 through Resolution 2020-58. These additional funds will be appropriated in the IWM Fund as part of the Fiscal Year 2020-21 mid-year budget update.

LEGAL CONSIDERATIONS

The City Attorney has reviewed the proposed action and standard consulting services agreement, and found that legal considerations have been addressed.

Reviewed by:



Karen Pinkos, City Manager

Attachments:

1. Resolution
2. R3 Scope of Services

RESOLUTION 2021-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSULTING SERVICES AGREEMENT WITH R3 CONSULTING GROUP, INC. IN THE AMOUNT OF \$60,610 FOR THE EVALUATION OF RECYCLING COLLECTION OPERATIONS AND OUTSOURCING FEASIBILITY

WHEREAS, the City of El Cerrito provides solid waste services to El Cerrito residents and businesses consisting of three major components: Integrated Waste Management (IWM) Services by the City, including curbside recycling collection, operations of the El Cerrito Recycling + Environmental Resource Center, and other waste collection, reduction, recycling and related environmental programs; Garbage and Green Waste Collection by the City's franchised waste hauler, East Bay Sanitary; and Processing and Disposal (Post-Collection) by Republic Services for garbage, green waste, household hazardous waste, and other waste types through the several services and facilities; and

WHEREAS, as part of the Fiscal Year 2020-21 budget process, the City has developed a Fiscal Response Plan to address fiscal challenges that have been exacerbated by the COVID-19 pandemic; and

WHEREAS, a Fiscal Response Plan strategy recommended for further study is the outsourcing of the City's recycling collection operations to a solid waste provider under franchise agreement; and

WHEREAS, various strategies in the El Cerrito Strategic Plan call for implementing policies and programs that promote waste diversion, reducing the amount of waste generated in El Cerrito, and making municipal operations more resource efficient, as well as, increasing productivity and efficiency by utilizing data-driven analysis to ensure appropriate resource allocation and exploring opportunities for public/private partnerships; and

WHEREAS, to advance the above strategies, City staff prepared a Request for Proposals (RFP) for the evaluation of recycling collection operations and outsourcing feasibility; and

WHEREAS, on October 27, 2020, City staff directly solicited responses to the RFP from four firms that specialize in solid waste consulting services; and

WHEREAS, proposals were received from two firms, R3 Consulting Group Inc. (R3) and Sloan Vazquez McAfee, by the due date of November 17, 2020; and

WHEREAS, City staff reviewed the proposals based on the evaluation criteria listed in the RFQ and R3 emerged as the top ranked firm; and

WHEREAS, City staff negotiated with R3 for the required scope of services at a reasonable and effective cost to the City; and

WHEREAS, the funding for consulting services to conduct this evaluation has been incorporated into IWM Fee effective January 1, 2021 (Resolution 2020-58); and such funds will be appropriated in the IWM Fund as part of the Fiscal Year 2020-21 budget update.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby authorizes the City Manager to execute a consulting services agreement with R3 Consulting Group, Inc. in the amount of \$60,610 for the evaluation of recycling collection operations and outsourcing feasibility.

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

I CERTIFY that at a regular meeting on January 19, 2021 the City Council of the City of El Cerrito passed this Resolution by the following vote:

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

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on January _____, 2021.

Holly M. Charléty, City Clerk

APPROVED:

Paul Fadelli, Mayor

R3 Consulting Group, Inc.

Scope of Services, January 4, 2021

Task 1: Project Initiation & Management

R3 already has knowledge and information necessary to initiate this project, and as such we are able to conduct limited project initiation efforts. Overall, initiation and management of the project will be conducted by R3 Principal, Richard Tagore-Erwin, with technical support provided by Garth Schultz, Ryan Calkins and Jordan Muratsuchi. All proposed staff already have a robust working-knowledge of the City and its solid waste and recycling collection operations.

At the outset of the project, R3 will schedule a virtual Zoom kick-off meeting (including all aforementioned staff) with City staff, anticipated to include the City's Recycling Operations Manager (Mario Gonzalez), Operations + Environmental Services Division Manager (Will Provost), Public Works Director (Yvetteh Ortiz), as well as City Manager (Karen Pinkos) and City Attorney (Sky Woodruff) and the City's Finance Director at their availability and discretion. During the meeting R3 Principal and former El Cerrito employee Garth Schultz will moderate introductions of all parties and identify members of City staff and others who will participate in the day-to-day workings of the project.

Proposed project manager for this engagement, Richard Tagore-Erwin will then lead the team in discussing the roles and responsibilities of R3 and City project team members, the project schedule and key milestone dates, and the key goals and expectations for the project. The group will also discuss potential project outcomes, key considerations and concerns regarding potential privatization and the City's overall financial interests and objectives as they relate to this project. Richard will also further describe the approach to and merits of the proposed option to conduct a Request for Information with potential private operators in Task 4, should the City choose to proceed with that effort.

Task 2: Data Collection

Via this Task, R3 will request and assemble the information necessary to understand and describe the City's current recycling collection operations and conduct the analysis in Task 3 and evaluation of privatization in Task 4.

R3 already has access to necessary information including the City's current 10-year financial plan for the City's Integrated Waste Management (IWM) fund, from which the City pays for its overall recycling operations (including the curbside collection operations, drop-off center, and other functions). The 10-year financial plan projects future revenues, fund balances, budgets and expenses, and also ties to the City's budget information for the current fiscal year. The financial plan also includes information for debt service for the City's recycling collection vehicles, fuel, maintenance, labor and other expenses needed for this project.

In addition to the above, R3 will also request the following:

- » Complete list of staffing paid for via the IWM fund, including title, wage/salary, all benefits and overhead, and percentage allocation to the IWM fund vs. other City funds;
- » Identification of all such staffing that work on the curbside recycling collection operation;

- » Information regarding any PERS liabilities (both funded and unfunded) as well as any other staffing-related liabilities attributed to the City's recycling collection operation;
- » Itemized listing of indirect costs funded by IWM overhead charges with sufficient detail regarding applicability of indirect costs to the City's recycling collection operations;
- » Recent historical and current safety documentation, including pre- and post- trip safety checks, safety trainings, accident/incident reports, and/or other safety-related information;
- » Recent historical and current maintenance records and information for the City's recycling collection fleet;
- » Complete list of curbside recycling assets (trucks and carts), their current book value, and any outstanding principal amounts for financed assets;
- » Specific routing details, including the number of daily and weekly collection routes, number of daily residential and commercial collections for each route day, current route maps, and complete customer listings;
- » Growth projections for the City's residential and commercial populations, especially pertaining to the City's growing multi-family population given recent, current and planned developments; and
- » Recent historical and current annual weekly, monthly and annual tonnages by route and by sector (residential and commercial).

While it may become necessary to request, review and analyze other information during the course of the project, R3's current knowledge of the City, access to current information, and focused approach to this project should result in a limited need to request additional information, thus contributing to the cost-effectiveness and efficiency of this engagement.

Task 3: Curbside Collection Operations Review & Initial Recommendations

Via this Task 3, R3 will review the operations of the City's current curbside recycling collection operations, including how they interrelate with the City's drop-off programs and other IWM funded activities.

Via this analysis, we will:

- » Review City's existing recycling collection operations including staffing, vehicles and equipment;
- » Assess the efficiency of collection routes, current and planned staffing, equipment and routing, and identify opportunities for increased efficiency such as route optimization to minimize number of routes and overtime;
- » Assess opportunities for increased efficiency in maintenance, customer service, and other operational and administrative functions;
- » Review and summarize how the curbside recycling collection operations are funded, including funding from the City's IWM fees as well as payments from CalRecycle, RecycleMore, and other sources if applicable; and
- » Assess the balance costs and revenues associated with existing curbside recycling collection program;

- » Evaluate and recommend software/technology for route mapping with daily stop lists, missed pick up tracking, fleet management, etc. (based on our knowledge of industry standards);
- » Evaluated and make recommendation for fleet management, including replacement, expansion, and maintenance to maximize reliability and minimize overall costs (based on our knowledge of industry standards); and
- » Identify opportunities for improved efficiency and make initial recommendations for specific changes including the following.

R3's approach to this task will start with a review and analysis of information gathered via Task 2, from which R3 will establish operational metrics such as number of customers served per route, backup equipment and driver ratios, and other relevant operational statistics. These operational statistics will be compared to our knowledge of industry standards in order to establish initial findings regarding where opportunities for improved efficiencies may exist. In some instances, these initial findings may highlight areas where the City's operations could be made more efficient, but in other instances such findings may highlight the limitation of the City's operations to achieve increased efficiencies, with the latter likely being due to the small scale of the City's operation compared to industry standards.

The curbside operations review will also include on-site observations of curbside recycling collection operations, which will be conducted by Ryan Calkins. Ryan conducted a prior operational review of the City's private garbage and green waste collection operator (East Bay Sanitary), was a prior route supervisor for a large national solid waste operator (Waste Management), and already has a working understanding of the conditions of service in El Cerrito. Ryan will evaluate the City's recycling collection operations (including residential and commercial operations) from start to finish over the course of one or two days, observing pre-trip safety checks, truck and container conditions, operational performance, load tipping at the facility receiving the City's materials, and other activities. Ryan will interview drivers, the Operations Supervisor, customer service agents, and other staff as necessary and appropriate to complete the review of operations. This review will also seek to clarify initial findings resulting from the information review, relating to operational statistics and industry standards as mentioned above. Overall, this Task 3 will focus on the opportunities for increased efficiency in the City's operations as they relate to industry standards and best practices, including recommendations for use of new technologies. Opportunities for efficiency will be categorized by those that are feasible for the City to implement via continuation of municipal operations, versus those that can only be realized via outsourcing. Opportunities to "phase-in" findings and recommendations will also be identified.

Upon conclusion of this Task, R3 will prepare a draft memorandum initial findings and recommendations which will be provided to City staff for their review. City staff will have two (2) weeks to provide consolidated written comments on the draft memorandum, and R3 will provide a final memorandum incorporating responses to comments as appropriate. The final memorandum will be used during the evaluation of privatization in Task 4.

Task 4: Evaluation of Privatization

This task will provide the City with an analysis of its current financial standing and projected market value of the curbside recycling collection through review of current funds, associated revenues and costs, and identified ongoing costs regardless of privatizing recycling operations.

This Task will also provide the City a breakdown of the pros and cons of privatizing the City's curbside recycling collection operations, as well as initial findings regarding potential private operator costs, via an optional "Request for Information" process, described in Tasks 4.9 and 4.10, below.

Upon conclusion of this Task 4, R3 will prepare a draft memorandum initial findings and recommendations which will be provided to City staff for their review. City staff will have two (2) weeks to provide consolidated written comments on the draft memorandum, and R3 will provide a final memorandum incorporating responses to comments as appropriate. The final memorandum will be incorporated into a brief report in Task 5.

Via this Task R3 will:

- » Research similar municipalities to gain a better understanding of the results of privatizing solid waste operations;
- » Identify and evaluate advantages and disadvantages of privatization;
- » Evaluate operational improvements that the City could require if privatized as well as cost savings, risk protection, and safety benefits;
- » Evaluate City's current financial status and projected market value of City's curbside recycling operations;
- » Calculate direct and indirect expenses for the current municipal system;
- » Identify and eliminate expenses that would be transferred to a private hauler;
- » Identify any expenses that would be accrued by transitioning the service to the private sector; and
- » Identify costs that would be maintained by the City.

Overall, this Task will result in an evaluation of the feasibility, benefits and impacts of privatizing the curbside collection portion of City's recycling operations. Specific subtasks addressing the specific analytical points in the City's RFP are described below.

Task 4.1 - Research Similar Municipalities to Gain a Better Understanding of the Results of Privatizing Solid Waste Operations

Most jurisdictions in California have privatized some, if not all, of their solid waste operations, which warrants discussion on the benefits that these jurisdictions received from doing so. Financial benefits are typically a major reason, which may include upfront and ongoing payments to the City, risk mitigation and a reduction in liabilities. R3 will utilize our network of current and previous clients to research jurisdictions that have privatized, or considered privatizing some, or all, of their solid waste operations.

From this research, R3 will identify the results achieved from privatization efforts in other communities and will include this information as background context in the Task 5 draft and final reports.

Task 4.2 - Identify and Evaluate Advantages and Disadvantages of Privatization

Using the information gathered in Task 4.1, above, as well as the initial findings and recommendations from Task 3, R3 will identify and evaluate the advantages and disadvantages of potential privatization of the City's curbside recycling operations.

The types of advantages and disadvantages that may be considered include:

- » Impacts to customer rates;
- » Impacts to customer service;
- » Integration with the City's garbage and green waste collection arrangements;
- » Integration with the City's drop-off recycling programs;
- » Impacts on the IWM fund and other City funds;
- » Meeting Waste Reduction and Recycling Goals, or Other Climate Action Plan Goals;
- » Displacement of Public Employees;
- » Community Values;
- » Ability to Respond to Technological, Regulatory Changes and Economic Changes; and
- » Others to be determined in collaboration between R3 and the City, if warranted.

R3 will include identification and evaluation of the advantages and disadvantages of privatization in the Task 5 draft and final reports, and we anticipate that this information will be presented in tabular format with brief narrative discussion regarding the overall advantages and disadvantages.

Task 4.3 - Evaluate Operational Improvements that the City Could Require if Privatized as well as Cost Savings, Risk Protection, and Safety Benefits

Using the initial findings and recommendations resulting from Task 3, R3 will evaluate and prepare a list of operational improvements that the City could require if it were to privatize its curbside recycling collection operations. For example, the City could require achievement of performance metrics (stops per day), return times for missed pickups, customer service requirements, availability of backup trucks and drivers, and maintenance requirements from private operators.

The specific areas for operational improvement will be determined via Task 3 and, depending on the initial findings and recommendations resulting from completion of that Task, there could be cost savings, risk protection and safety benefits to the City resulting from privatization. The specific approach to evaluating each will depend on the types of operational improvements that could be made, but in general R3's approach to this task will be to identify and quantify the specific outcomes that could be realized via privatization efforts. Findings and recommendations from this analysis will be included in the Task 5 draft and final reports.

Task 4.4 - Evaluate City's Current Financial Status and Projected Market Value of City's Curbside Recycling Operations

Working with the City, R3 will project the value of the City's operations to a private contractor by quantifying the value of vehicles, containers, and other equipment, less any outstanding capital depreciation not realized by the City. From there, R3 will estimate the value of the City's operations based on the projected revenues over a typical franchise contract term that would be realized above a reasonable target profit level, accounting for the current rate schedule and annual rate adjustments. This analysis will be informed by R3's robust experience conducting competitive RFP procurement processes for solid waste collection operations throughout the State, from which we have a wealth of knowledge

relating to the potential market value of solid waste collection operations. Findings and recommendations from this analysis will be included in the Task 5 draft and final reports.

Task 4.5 - Calculate Direct and Indirect Expenses for the Current Municipal System

R3's approach to Tasks 4.5 through Task 4.8 will involve analysis of the City's IWM fund budget in order to determine the total costs of the City's curbside recycling collection operations (that would be the subject of potential privatization) vs. the remaining IWM costs which would be attributed to City's drop-off recycling and other operations. Given his robust history and familiarity with the City's IWM fund expenses and operations, Garth Schultz will lead the analytical efforts for these four subtasks, resulting in high cost-effectiveness and efficiency.

For Task 4.5, R3 will calculate the direct and indirect expenses of the current curbside recycling operations using the expense detail in the IWM fund. Direct expenses will include staffing/labor costs, fuel, vehicle maintenance, vehicle and container debt services, parts and supplies, outreach and education, and other applicable expenses that directly support the City's curbside collection operations. Indirect costs will include overhead (HR, payroll, insurance, management, administration), technology (computers, phones, internet), and other indirect expenses.

For both direct and indirect costs R3 anticipates that it will be necessary in many cases to allocate total IWM expenses between curbside recycling collection operations vs. other IWM operations; in such cases, R3 will use appropriate allocation factors such as percentage FTE, budget allocations, material tonnages, and other allocation factors mutually identified by R3 and City as necessary. Findings and recommendations from this analysis will be included in the Task 5 draft and final reports.

Task 4.6 - Identify and Eliminate Expenses that Would Be Transferred to a Private Hauler

Once the direct and indirect expenses for the curbside collection operation have been calculated via Task 4.5, R3 will prepare a summary version of the IWM fund budget that would identify and remove expenses that would no longer be necessary if the City were to successfully privatize the curbside recycling collection operations. This analysis will essentially calculate the net total cost for the City to conduct its municipal curbside recycling collection operations, and what the City's ongoing IWM fund obligations would be after privatization. One point of note is that the City may be in a position to require that a private hauler provide offer employment to all qualified displaced City employees (drivers, mechanics, and customer service representatives) due to franchising collection services, if the City chooses to privatize operations. Findings and recommendations from this analysis will be included in the Task 5 draft and final reports.

Task 4.7 - Identify Any Expenses that Would Be Accrued by Transitioning the Service to the Private Sector

Via this Task, R3 will identify, analyze and quantify new expenses that would potentially accrue to the City if it were to transition curbside recycling collection operations to a private operator. Such expenses could include management and administration of an agreement between the City and the private operator as well as expenses attributed to the curbside recycling operations that may continue to remain the responsibility of the City upon privatization (such as outreach and education and state reporting), depending on how the City approaches the privatization effort. Findings and recommendations from this analysis will be included in the Task 5 draft and final reports.

Task 4.8 - Identify Costs that Would Be Maintained By the City

This Task is the “flip side” of Task 4.6, with the added inclusion of potential expenses identified in Task 4.7. For this Task, R3 will prepare a budget summary of the IWM costs that would continue to be incurred by the City upon privatization. Findings and recommendations from this analysis will be included in the Task 5 draft and final reports.

Task 4.9 - Conduct “Request for Information” (RFI) Process to Identify Potential Private Operators (Optional)

A key issue in deciding if privatization is a favorable option for the City is to determine the impact on customer rates. It may be possible for a contractor to provide the City with a substantial up-front payment and ongoing payments (franchise fees, vehicle impact fees, AB 939 fees, etc.) to fully cover the City's current net general fund transfers and any costs that would remain after outsourcing, but this may result in higher customer rates. To that end, R3 recommends that the City engage R3 to complete optional Tasks 4.9 and 4.10 in order to more firmly establish findings and recommendations about the potential impact that privatization may have on the City's rates. If directed by the City at the outset of this engagement, R3 will prepare an RFI to private operators that would contain information about the City's recycling collection operations, seek private operator interest in potentially providing the City with curbside recycling collection services, and estimated monthly costs to the City to provide such services.

The RFI would be brief in nature, would be developed with input from City staff, and would be issued to local private operators believed to be well positioned to provide recycling services to the City. Initially, R3 envisions issuing the RFI to at least the City's franchised operator (East Bay Sanitary), Republic Services (with local operations in west Contra Costa County), Waste Management (with operations to the south in Alameda County). Other private operators could also be considered, and the RFI process itself could potentially serve as a precursor to competitive procurement of the City's curbside recycling collection operations, should such an approach to privatization be desired.

Task 4.10 - Evaluate and Analyze RFI Responses (Optional)

Via this Task, R3 will receive, evaluate and analyze responses to the City's RFI. Analysis will be focused around the level of private operator interest in the City's curbside recycling collection operations, the estimated costs of privatization, and the magnitude of those costs in comparison to the results of the analyses conducted in Tasks 4.5 through 4.8, above. Findings and recommendations from this analysis will be included in the Task 5 draft and final reports.

Task 5: Recommendations, Report, and Presentation

Upon the completion of prior Tasks 1 through 4, R3 will consolidate findings and recommendations from the Task 3 and 4 memoranda for the City's consideration into a brief draft final report. R3 will provide the draft final report to the City and then present findings and recommendations (remotely via Zoom) to City staff, including the City Manager and City Attorney. Following that presentation and receipt of consolidated written comments from City staff, R3 will finalize the report as appropriate to address the City's input and then will submit the final report to the City. All reports will be provided digitally.

Task 6: Council Study Session (Optional)

If requested by City staff, R3 will prepare a draft PowerPoint (PPT) presentation summarizing the findings and recommendations in the Task 5 final report for use during a City Council study session. R3 will first

prepare a draft PPT presentation for City staff review, and then will prepare a final PPT presentation based on consolidated input received from City staff. R3 will then present findings and recommendations at a City Council Study Session, which we assume will be remotely via Zoom or another digital platform.



AGENDA BILL

Agenda Item No. 4.D.

Date: January 19, 2021
To: El Cerrito City Council
From: Melanie Mintz, Community Development Director; Sean Moss, Planning Manager, Community Development Department
Subject: Authorize Amendment of Professional Services Agreement between City of El Cerrito and Moore Iacofano Goltsman (MIG) to update San Pablo Avenue Specific Plan and Environmental Impact Report utilizing grant funds.

ACTION PROPOSED

Adopt a Resolution authorizing the City Manager to amend a Professional Services Agreement with Moore Iacofano Goltsman (MIG) to provide services to complete an update of the San Pablo Avenue Specific Plan Form Based Code and Supplemental Environmental Impact Report.

BACKGROUND

In September 2014, City Council adopted the *San Pablo Avenue Specific Plan* and certified an *Environmental Impact Report* (EIR) and *Mitigation Monitoring and Reporting Program* (Resolutions Numbers 2014-52 and 2014-50; and Ordinances 2014-06 and 2014-07). The *Plan*, consisting mainly of a *Form Based Code*, *Complete Streets Plan* and associated *Environmental Impact Report*, established a vision and provided the regulatory framework to facilitate and foster economic development, coordinated multimodal transportation improvements, and stimulate private investment with the aim of transforming San Pablo Avenue into a place that provides opportunities for living, working and community life. Since the adoption of the *Plan*, the City has entitled (approved) 1,464 units of housing, including 110 units of below market rate housing; and 116,610 square feet of new commercial uses, including 124 hotel rooms. The *Plan* spurred property sales to new owners to realize these improvements resulting in improved property values and increased collection of property taxes. Upon development, the properties will again be reassessed. The implementation of the *Specific Plan*, piece by piece, will continue to result in an improved municipal economy, new businesses and new residences serving all incomes levels as well as improved street frontages and multimodal transportation improvements.

Throughout 2018-19, knowing that the *Specific Plan Environmental Impact Report's* development capacity was being reached, staff began applying for grants and making presentations to City Council, the Planning Commission and Design Review Board to solicit input, lay the groundwork and begin to develop a scope of work for an update to the *Specific Plan*. At these meetings, the elected and appointed bodies agreed that only minor modifications to the *Plan* were needed, whereas in order to facilitate continued implementation, an updated EIR was needed. On February 5, 2019 City Council received a presentation regarding implementation of the *Specific Plan*, provided feedback on the proposed update, and directed staff to update the *Plan* and *Environmental Impact Report*. Other Specific Plan Update related meetings that occurred in 2019 include a study session with the Planning Commission and Design Review Board on January 16, 2019; a community workshop on March 21, 2019; a meeting with the Chamber of Commerce on May 21, 2019; a second community workshop on July 27, 2019; and a meeting where all the City's boards, committees and commissions were invited on July 29, 2019. These meetings and materials are listed and summarized at www.el-cerrito.org/1338/Current-San-Pablo-Avenue-Specific-Plan-M

MIG provided professional services to develop the 2014 *Plan* and *Environmental Impact Report* and additional professional services through separate contracts for specific projects, through the City's ongoing *On Call Planning* and *Environmental Services* contracts. On July 1, 2019, the City entered into a contract for \$45,000 to retain professional services for the *San Pablo Avenue Specific Plan Update*, and upcoming public workshops (listed above), knowing that additional items needed to be refined in order to develop a final Scope of Services for both the *Form Based Code* update, environmental review and associated tasks and studies to complete both.

Through input received during the meetings and analysis of tasks to be completed, a final Scope of Work has been developed and staff is requesting that City Council authorize the City Manager to approve amending the existing Professional Services Agreement with Moore Iacofano Goltsman (MIG) for an additional \$269,176 to provide services to complete an update of the *San Pablo Avenue Specific Plan Form Based Code* and prepare a *Supplemental Environmental Impact Report* (Attachments 2 and 3).

ANALYSIS

The City's *Specific Plan* and *Program EIR* have resulted in the furthering of numerous City Council and regional goals, including promoting and providing housing for all income levels near transit, improving public spaces, improving multimodal connectivity, supporting existing businesses, and attracting new businesses. Together the two documents created clear and high expectations for developers along with a clear process for review of proposed projects. MIG has expertise and experience in developing specific plans across the region and country. With their partnership the City's *Specific Plan* has been lauded as a success. Due to the complexity of both documents, the Plan's success, and the fact that the updated documents build upon the existing documents, staff is continuing to work with MIG as its lead consultant. As described in the attached Scope of Work, MIG will also subcontract specific items (such as Transportation and Infrastructure studies) to specialists in these fields.

Supplemental EIR

A *Supplemental EIR* was determined, in consultation with MIG and the City Attorney, to be the appropriate document to provide the required California Environmental Quality Act (CEQA) documentation for the proposed update, which will result in increased residential and possibly commercial development capacity. A Supplemental EIR is the appropriate document for the Specific Plan Update due to a number of factors as described below and in Attachment 2 (*Exhibit A: Proposal for Services to Prepare Supplemental EIR to the Certified San Pablo Avenue Specific Plan EIR*)

Supplement to an EIR is the appropriate CEQA document for the Specific Plan Update mainly because: (1) the updates to the Specific Plan would be revisions and refinements to the already adopted San Pablo Avenue Specific Plan; (2) the Specific Plan Update would apply only to the Specific Plan area; (3) development under the cap increase would be subject to the updated Specific Plan; (4) the City has been evaluating individual projects subject to the Specific Plan based on the certified Specific Plan EIR; and (5) the associated increase in development under the proposed development cap increase might result in new significant environmental impacts or a substantial increase in the severity of previously identified significant impacts. Consistent with the certified 2014 EIR, the Supplemental EIR will be a Program EIR as defined by CEQA Guidelines Section 15168. The previously certified EIR, as supplemented the Supplemental EIR, can continue to provide the CEQA coverage for future individual projects in the Specific Plan area, with no additional CEQA document required.

The total budget for the Supplemental EIR and related tasks is \$247,891. The proposed scope of work is entirely grant funded.

Specific Plan Update

The current requested authorization builds upon the Scope of Work that was approved by staff in July 2019. The Update responds to a framework established by staff through input and feedback received at the study sessions and community workshops described above in the Background section. The main focus areas of change in the Update are standards in the areas of Neighborhood Streets, Daylight Plane and Shadow Studies, Light and Air Access to Residential Units, Major Commercial Street Standards, Open Space Standards, Parking and additional areas to be identified throughout the process.

These areas are further described in Attachment 3 (*Exhibit B- Proposal for Additional Services for San Pablo Avenue Specific Plan Update.*) Attachment 3 illustrates both the original scope (to be funded within the July 2019 approved \$45,000 budget) and additional services both as identified and to be identified as the process proceeds.

The total budget for the Specific Plan Update is \$66,285 and is entirely grant funded. The July Professional Services Agreement was for \$45,000, \$21,285 is being requested in the current request for authorization before City Council.

Grant Funding

Staff applied for and the City was awarded two grants to complete the work associated with this requested approval.

Priority Development Area Planning Grant/Regional Priority Development Area One Bay Area Grant Program: Through MTC's Regional PDA Planning and Implementation grants, in April 2018, the City was awarded \$308,000 for the San Pablo Avenue Specific Plan and EIR Update/Amendments in response to development proposals above the capacity provided in the current EIR. The City was one of 10 applications awarded.

SB2 Planning Grant: In 2017, the State Legislature passed Senate Bill 2 (Building Homes and Jobs Act) which established a permanent source of funding through a \$75 recording fee on real estate documents to help accelerate the development of affordable housing in the State. The bill was part of a number of bills aimed to address homelessness and the shortage of affordable housing in the State. In the program's first year, the funds were identified to be used for planning activities to improve and expedite the permitting of new housing and updating the Specific Plan's EIR was determined to be an eligible activity. The City was awarded \$160,000 for this activity.

STRATEGIC PLAN CONSIDERATIONS

The requested action supports the City's Strategic Plan vision as a safe, connected, transit-oriented and environmentally-focused Bay Area destination with welcoming neighborhoods, thriving businesses and vibrant public places, including:

Goal B: Achieve long-term financial sustainability by:

- Maximizing opportunities for existing and expanding businesses
- Continuing to pursue and support opportunities for new funding, including outside grants

Goal C: Deepen a sense of place and community identity

- Develop a vision for underdeveloped and underutilized properties through advance planning efforts that encourage investment and/or new development

ENVIRONMENTAL CONSIDERATIONS

The proposed action would itself not have any environmental impacts and would facilitate completion of a Supplemental Environmental Impact Report.

FINANCIAL CONSIDERATIONS

The proposed action is fully grant funded and would result in improved financial return for properties within the San Pablo Avenue Specific Plan area. The services authorized by the amendment are fully grant funded and do not require a General Fund allocation.

LEGAL CONSIDERATIONS

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

Reviewed by:

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

Karen Pinkos, City Manager

Attachments:

1. Resolution
2. Exhibit A to Resolution
3. Exhibit B to Resolution

RESOLUTION 2021-XX

ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND A PROFESSIONAL SERVICES AGREEMENT WITH MOORE IACOFANO GOLTSMAN (MIG) TO PROVIDE SERVICES TO COMPLETE AN UPDATE OF THE SAN PABLO AVENUE SPECIFIC PLAN FORM BASED CODE AND SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT

WHEREAS, the City of El Cerrito adopted the San Pablo Avenue Specific Plan in 2014 and certified the Environmental Impact Report (Resolutions 2014-50 and 2014-52; and Ordinances 2014-06 and 2014-07); and

WHEREAS, the implementation of the Specific Plan fulfills numerous City and regional goals supportive of the City's Climate Action Plan, Economic Development Action Plan and Housing Element; and

WHEREAS, the City Council held a study session in February 2019 and directed staff to update the San Pablo Avenue Specific Plan and Environmental Impact Report; and

WHEREAS, Moore Iacofano Goltsman (MIG) has provided professional services to develop the existing Plan and Environmental Impact Report; and

WHEREAS, the City has been awarded grant funds through MTC's Priority Development Area (PDA) Planning Grant program and the State of California SB2 Planning Grant Program; and

WHEREAS, grant funds provide funding to update the San Pablo Avenue Specific Plan and Environmental Impact Report to support the production of housing and fulfill State, Regional and Local goals; and

WHEREAS, MIG has submitted proposals to provide professional services to update the San Pablo Avenue Specific Plan and develop a Supplemental Environmental Impact Report in accordance with the California Environmental Quality Act; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito hereby authorizes the City Manager to amend the existing Professional Services Agreement with MIG in the amount of \$269,176 bringing the total contract amount to \$314,176.

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

I CERTIFY that at a regular meeting on January 19, 2021 the City Council of the City of El Cerrito passed this Resolution by the following vote:

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

IN WITNESS of this action, I sign this document and affix the corporate seal of the
City of El Cerrito on January _____, 2021.

Holly M. Charléty, City Clerk

APPROVED:

Paul Fadelli, Mayor



Exhibit A - Proposal for Services to Prepare Supplemental EIR To The Certified San Pablo Ave Specific Plan EIR

November 13, 2020

Task 7: Supplemental EIR

Approach

A Supplemental Environmental Impact Report (Supplemental EIR) will provide the required California Environmental Quality Act (CEQA) documentation for the proposed update to the Specific Plan ("project"), including an increase in residential and possibly commercial development capacity ("development cap").

At this point and in practical terms, a Supplemental EIR, as defined by CEQA Guidelines Section 15163 (Supplement to an EIR), is the appropriate CEQA document for the Specific Plan Update mainly because: (1) the updates to the Specific Plan would be revisions and refinements to the already adopted San Pablo Avenue Specific Plan; (2) the Specific Plan Update would apply only to the Specific Plan area; (3) development under the cap increase would be subject to the updated Specific Plan; (4) the City has been evaluating individual projects subject to the Specific Plan based on the certified Specific Plan EIR; and (5) the associated increase in development under the proposed development cap increase might result in new significant environmental impacts or a substantial increase in the severity of previously identified significant impacts. Consistent with the certified 2014 EIR, the Supplemental EIR will be a Program EIR as defined by CEQA Guidelines Section 15168. The previously certified EIR, as supplemented the Supplemental EIR, can continue to provide the CEQA coverage for future individual projects in the Specific Plan area, with no additional CEQA document required.

MIG has concluded that a Supplemental EIR to the certified Final San Pablo Avenue Specific Plan EIR is the appropriate CEQA document for addressing the proposed Specific Plan Update. This conclusion is based primarily on the following three sections of the CEQA Guidelines:

CEQA Guidelines Section 15162 - Subsequent EIRs and Negative Declarations

(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or [N]egative [D]eclaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; [Please see CEQA Guidelines Section 15163 below regarding "substantial" versus "minor" changes.]

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity or previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of due diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the proposed proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines Section 15163 - Supplement to an EIR

(a) The lead or responsible Agency may choose to prepare a supplement to an EIR rather than a subsequent EIR if:

(1) Any of the conditions described in Section 15162 would require the preparation of a subsequent EIR, and

(2) Only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.

(b) The supplement to an EIR need contain only the information necessary to make the previous EIR adequate for the project as revised.

(c) The supplement to an EIR shall be given the same kind of notice and public review as is given to a draft EIR under Section 15087 [Public Review of Draft EIR].

(d) A supplement to an EIR may be circulated by itself without recirculating the previous draft or final EIR.

(e) When the agency decides whether to approve the project, the decision-making body shall consider the previous EIR as revised by the supplemental EIR. A finding under Section 15091 [Findings] shall be made for each significant effect shown in the previous EIR as revised.

CEQA practitioners and attorneys recognize that the CEQA terms *Subsequent EIR* and *Supplemental EIR* “are somewhat interchangeable, although the [S]upplemental EIR must be considered in conjunction with the original EIR before the project may be approved, and findings must be made relative to all significant effects, whereas the [S]ubsequent EIR basically replaces the original EIR.” (CEQA Deskbook, 3rd edition; Ronald E. Bass, Kenneth M. Bogdan, and Antero A. Rivasplata; Solano Press Books, 2012 with updates through 2019)

CEQA Guidelines Section 15152 – Tiering

...(b) Agencies are encouraged to tier the environmental analysis which they prepare for separate but related projects including general plans, zoning changes, and development projects. This approach can eliminate repetitive discussions of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review. Tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan, policy, or program...to a site-specific EIR...[.]

Supplemental EIR as Applied to the Certified San Pablo Avenue Specific Plan EIR

The Supplemental EIR will be tiered off the certified Specific Plan EIR. Updated data and technical reports will be prepared to assess whether new significant or more severe significant environmental impacts could result from the proposed Specific Plan Update. The Supplemental EIR will reference and summarize the impact analyses from the Specific Plan EIR for environmental topics whose findings and mitigation requirements will not change under the proposed Update. Similarly, the Supplemental EIR will evaluate if new significant or more severe significant impacts could result from the proposed increase. Consistent with CEQA Guidelines Section 15163 (Supplement to an EIR), only the information necessary to make the previous EIR adequate pertaining to these topics will be included in the Supplemental EIR.

In addition, revisions to the CEQA Guidelines (effective December 28, 2018) – including new and revised questions in the Appendix G Environmental Checklist Form – must be addressed in the Supplemental EIR. For example, the new Appendix G topics are energy and wildfire, and a new section of the Guidelines (15064.3, Determining the Significance of Transportation Impacts, effective July 1, 2020) revises the methodology and variables for evaluating transportation impacts (see transportation work scope below). Also, new CEQA requirements concerning tribal cultural resources went into effect on July 1, 2015, after the 2014 Specific EIR was certified; this topic also will be included in the Supplemental EIR.

MIG will consult with City staff regarding any applicable changes in City plans and regulations not already anticipated in the Specific Plan EIR (e.g., zoning revisions not anticipated in the EIR) and decide if the change could result in a new significant environmental impact or a substantial increase in a previously identified significant impact. Likewise, any such changes in the existing environment subsequent to Specific Plan EIR certification must be reflected if applicable to CEQA environmental issues.

Proposed Work Scope

The specific tasks needed to complete the Supplemental EIR are described below.

Task 7.1: Notice of Preparation, Project Description, and Scoping Meeting

MIG will prepare a Notice of Preparation (NOP) to identify the CEQA topics that will be evaluated in the Supplemental EIR, based on both the certified San Pablo Avenue Specific Plan EIR and CEQA Guidelines Appendix G (Environmental Checklist Form). The NOP will include a summarized project description and a brief discussion of each environmental topic that will be covered in the Supplemental EIR (aesthetics, public services, utilities, etc.). A CEQA Initial Study environmental checklist will not be attached to the NOP because: (1) the Supplemental EIR will be formatted with a one-to-one correspondence to the Specific Plan EIR chapters in order to evaluate any changes required to the Specific Plan EIR findings, impacts, and

mitigations (i.e., the Supplemental EIR process and format will serve as its own environmental checklist); (2) the Specific Plan EIR chapters already include and address all relevant Appendix G questions, with the exception of recently required CEQA topics (i.e., tribal cultural resources, energy, wildfire, vehicle miles traveled); and, therefore, (3) in the case of this Supplemental EIR, an Initial Study checklist would be redundant. Note that, consistent with CEQA Guidelines Section 15163(d), the Supplemental EIR chapters will include only the information necessary to make the certified Specific Plan EIR adequate. For example, summaries and findings of updated regulations and technical analyses will be included, but Specific Plan EIR information that remains the same will be cross-referenced.

Matching the Specific Plan EIR, the Supplemental EIR will address the Appendix G environmental topics of agriculture/forestry resources and mineral resources in the mandated EIR section "Effects Found Not to be Significant." Wildfire may also be addressed in the same section.

The NOP will include a summary of the project description upon which the Supplemental EIR will be based, while recognizing that non-substantial (from a CEQA perspective) revisions to the project description will probably be necessary as the Specific Plan Update process proceeds. The NOP will describe the Plan Update in enough detail to allow agencies and the public to comment on issues they may be interested in, while recognizing that the NOP project description is not "set in stone."

An electronic version of the NOP will be provided to City staff (staff will provide the letterhead template). Staff will prepare the NOP distribution list (with MIG assistance) and distribute the NOP to interested, responsible, and trustee agencies, and to interested individuals. Also, staff will post the NOP with the County Clerk. MIG will send the NOP to the Governor's Office of Planning and Research (OPR) to begin the 30-day NOP comment period.

MIG will attend one (1) NOP scoping meeting to help staff present information and answer questions regarding the CEQA process. City staff will provide the meeting agenda and venue.

Task 7.2: Prepare Administrative Draft Supplemental EIR

MIG will prepare the Administrative Draft Supplemental EIR with text, illustrations, and tables which clearly and concisely describe: (1) the proposed Specific Plan Update and associated, necessary Specific Plan revisions included in the project description; and (2) whether the certified Specific Plan EIR with modifications adequately addresses the proposed revisions or if there are substantial new impact concerns or mitigation needs not considered in the certified EIR. For each environmental topic, the Administrative Draft Supplemental EIR will summarize how the Specific Plan revisions, as well as any changes in environmental conditions since the EIR certification, affect each Specific Plan EIR impact and mitigation finding, and whether there are any new or substantially more severe significant impact findings or mitigation needs not considered in the certified EIR. In most cases and as necessary for CEQA purposes, the Supplemental EIR will reproduce graphics from the Specific Plan Update document. The Supplemental EIR will not re-create a new San Pablo Avenue Specific Plan EIR; it will supplement the certified EIR.

The Supplemental EIR will have individual chapters for the following environmental topics, aligned with the chapters in the certified Specific Plan EIR (from CEQA Guidelines Appendix G):

- aesthetics

- air quality
- biological resources
- cultural, historic, and tribal cultural resources
- geology and soils
- greenhouse gas emissions, global climate change, and energy
- hazards and hazardous materials
- hydrology and water quality
- land use and planning
- noise
- population and housing
- public services (including recreation)
- transportation
- utilities and service systems
- wildfire (may be included under “Effects Found Not to be Significant”)

If the CEQA evaluation reveals a new significant environmental impact or a substantial increase in the severity of a previously identified significant impact, or if a new or revised mitigation measure is identified which is considerably different from those identified in the certified Specific Plan EIR, this new information will be identified in the Supplemental EIR as a “supplemental impact” or “supplemental mitigation,” as distinguished from a Specific Plan EIR certified EIR impact and certified EIR mitigation.

MIG also will consult with City staff to identify, if necessary, project alternatives that would avoid or reduce any new or substantially more severe significant impacts identified in the Supplemental EIR compared to the certified Specific Plan EIR. Alternatives might include a no-project alternative and a reduced development cap alternative (CEQA Guidelines Section 15126.6). Based on the outcome of the Supplemental EIR impact analyses, a new alternatives evaluation might not be necessary. The alternatives discussion will be a distinct chapter in the Supplemental EIR.

Please note: this proposal does not include an evaluation of the consistency of the proposed Specific Plan revisions with the various elements of the City’s General Plan. In conformance with CEQA Guidelines Appendix G, the Supplemental EIR *will* discuss the proposed Specific Plan Update’s consistency with applicable General Plan policies, in response to the following Appendix G and Specific Plan EIR significance criterion: “Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation *adopted for the purpose of avoiding or mitigating an environmental effect?*”

Project-Specific Technical Analyses Prepared by MIG: MIG staff will prepare the following technical analyses and incorporate the work into the Supplemental EIR:

Air Quality

The Supplemental EIR air quality analysis will describe any changes to the existing local and regional air quality conditions in the Specific Plan area and vicinity; to the federal, State, and Bay Area Air Quality Management District (BAAQMD) regulations potentially applicable to the updated Specific Plan; and to General Plan and Specific Plan policies and components intended to reduce impacts during Plan implementation. MIG anticipates that much of the existing setting description from the Specific Plan EIR will remain relevant since the EIR was certified approximately five years ago (in 2014) and there have not been substantial changes to the air quality setting of the Specific Plan area.

The Supplemental EIR air quality analysis will evaluate whether the proposed development cap increase would have the potential to result in a new or substantially more severe significant air quality impact beyond that considered in the certified EIR. Consistent with the certified, the updated analysis will be based on the BAAQMD's CEQA Thresholds of Significance for Plan-level documents. MIG will evaluate the updated development cap for consistency with the latest BAAQMD air quality plan, the 2017 Clean Air Plan, by comparing anticipated vehicle miles traveled (VMT) and population growth estimates, and by evaluating Specific Plan policies and components for consistency with the 2017 Clean Air Plan's control measures. The Supplemental EIR will also evaluate the potential for the development cap increase to result in new or substantially more severe significant air quality impacts from construction emissions (Specific Plan EIR Impacts 5-1 and 5-2), long-term exposure of receptors to toxic air contaminants (TACs) (EIR Impact 5-3), and odors (EIR Impact 5-4). The Supplemental EIR will qualitatively update these analyses, including TAC screening distances to reflect the proposed development cap increase.

Greenhouse Gas Emissions, Global Climate Change, and Energy

The Supplemental EIR greenhouse gas (GHG) analysis will describe any changes to the existing GHG setting in the Specific Plan area and vicinity, to the GHG regulations potentially applicable to updated Specific Plan, and to General Plan, Climate Action Plan, and Specific Plan policies and components intended to reduce GHG emissions during Plan implementation. The GHG analysis will evaluate whether the proposed development cap increase would have the potential to result in a new or substantially more severe significant GHG impact beyond that considered in the certified EIR. The Supplemental EIR will include updated **California Emissions Estimator Model** (CalEEMod) GHG emissions estimates based on current modeling guidance for area, energy, and water GHG sources, updated land use development capacities, and updated trip generation rates and travel distances from the transportation analysis prepared for the Specific Plan Update (see "Transportation" scope below).

"Energy" is a relatively new category in CEQA Guidelines Appendix G (effective December 28, 2018). The Supplemental EIR energy analysis will evaluate the potential for the updated Specific Plan to result in impacts on energy resources such as diesel and gasoline fuel, electricity, and natural gas. The analysis will include brief environmental and regulatory setting discussions that place energy resources in the appropriate context, quantify the updated Plan's net change in energy efficiency and total energy consumption (using information from the air quality emissions estimates and modeling), and evaluate whether implementation of the updated Plan would result in the wasteful, inefficient, or unnecessary consumption of energy resources. The analysis will document the energy-saving Specific Plan site design components and policies (e.g., site planning standards, proximity to regional arterials), building design standards (energy-efficient building materials and systems), and operating characteristics (e.g., trip-reducing and other energy-saving operations) that result in the efficient use of available energy resources.

Noise

The Supplemental EIR will describe the any changes to the existing noise and vibration environment of the Specific Plan area and to noise standards and regulations potentially applicable to the individual projects that may occur in the Plan area, including General Plan and Specific Plan policies. The Supplemental EIR will update all short-term (i.e., 10-minute) noise measurements. For long-term noise measurements, MIG will coordinate with City staff to

identify previous noise monitoring locations that have experienced sufficient changes in land use to necessitate updated measurements; tentatively, this work scope presumes up to three long-term monitoring locations will be updated to reflect changed conditions.

The Supplemental EIR's updated noise analysis will evaluate the potential for the development cap increase to result in new or substantially more severe significant noise impacts from changes in traffic levels (Specific Plan EIR Impact 13-1) and from the operation of new development projects (EIR Impact 13-2), plus potential construction noise and vibration associated with future development projects in the Plan area (EIR Impacts 13-3 and 13-4). Potential increases in traffic noise levels will be based on the transportation analysis prepared for the Specific Plan Update (see "Transportation" scope below). MIG will use the Federal Transit Administration's Traffic Noise Model (TNM2.5) or the SoundPLAN model (which incorporates TNM2.5) to model traffic noise increases. The Supplemental EIR will also evaluate the potential for exposure to BART-induced vibration levels consistent with current protocols from the Federal Transit Administration.

Cultural, Historic, and Tribal Cultural Resources

To update information in the certified EIR, MIG will commission a records search for cultural resources through the Northwest Information Center (NWIC) at Sonoma State University, which will include a review of all previously recorded cultural resource studies, including archaeological and historical resources in and within a half-mile radius of the Specific Plan area. Results of the NWIC record searches will indicate whether there are previously recorded archaeological or historic resources in the Plan area that require recordation, evaluation, and inclusion in the Supplemental EIR impact analysis. The results will also provide a basis for assessing the sensitivity of the Plan area for buried (prehistoric and historic) resources.

MIG also will commission a Sacred Lands File (SLF) search through the Native American Heritage Commission (NAHC) and conduct follow-up consultation and scoping with Native American tribes or individuals identified by the NAHC as having affiliation with the Specific Plan area and vicinity, as specified in Senate Bill (SB) 18. The consultation and scoping will be in the form of a letter that describes the Specific Plan area and the nature of the Plan Update, and that requests, as mandated by Assembly Bill (AB) 52, information regarding additional prehistoric or Native American tribal cultural resources, properties, or archaeological sites that may be impacted by the Plan Update. (Note: The distinct CEQA requirements for AB 52/tribal cultural resources went into effect after the Specific Plan EIR was certified.) This process is intended to provide any information about additional prehistoric or Native American resources whose records may not be available at the NWIC. This task does not include assistance with SB 18 or AB 52 *formal* consultations (see optional task below).

MIG will prepare a Cultural Resources Assessment letter report to document the cultural assessment and findings. The report will include a description of the Specific Plan Update in the context of environmental and cultural settings, research methods and results, impact analyses, and, if necessary, recommendations for additional work such as a Phase II testing and evaluation work program or monitoring during construction. The methods and results sections will include maps of the Plan area, survey coverage data, and photographs, and will incorporate new data gained through the records searches, SLF search, and Native American consultation. Based on the mitigations already in the certified Specific Plan EIR, the report will recommend any necessary new or revised mitigations for cultural and tribal cultural resources.

Optional AB 52 Services (identified as Task 6.10 in budget table). At the City's option, MIG will provide administrative and consultation services in support of AB 52 Native American Consultation. These services, which will be performed under the guidance and direction of the City of El Cerrito, will comprise the following six-step process:

1. Prepare tribal notification letter(s);
2. Mail and document tribal notification letter(s);
3. Create and update (as needed) AB 52 compliance checklist;
4. Forward formal tribal requests and scheduling for government-to-government consultation to the City;
5. Follow-up with staff during the 30-day tribal notification period; and
6. Compile the administrative record that documents AB 52 compliance.

MIG will complete the six-step process and up to two (2) scheduled team conference calls with the lead agency and the tribe(s) to discuss tribal cultural resources and Native American cultural resources, potential impacts to those resources, and, if necessary, mitigations. It is assumed that the lead agency will facilitate these meetings with the assistance of MIG. MIG will document the information for inclusion in the administrative record.

Project-Specific Technical Analyses Prepared by Subconsultants to MIG: Fehr & Peers, transportation planning and engineering, who assisted MIG in preparing the adopted San Pablo Avenue Specific Plan and EIR, and BKF Engineers, who has continued to provide civil engineering services to the City, will prepare the following technical analyses for the Supplemental EIR:

Fehr & Peers – Transportation

Fehr & Peers has developed the following work scope for the transportation impact analysis for the Supplemental EIR. Their approach includes the following assumptions and components:

- Some Specific Plan content will be modified.
- The updated Specific Plan will not include any modifications to the Complete Streets chapter, except for a new preface/introduction.
- The Specific Plan boundaries will not change.
- The Supplemental EIR will evaluate if any new or substantially more severe significant impacts would result from an expansion of the development cap. The Supplemental EIR will effectively analyze the impacts of the net new growth beyond what the certified EIR analyzed.
- In accordance with the latest guidelines from the Governor's Office of Planning and Research (OPR) as required by SB 743, the transportation impact analysis prepared for the Supplemental EIR will use vehicle miles traveled (VMT), and not level of service (LOS) for the updated Specific Plan.
- The Built Environment Factors (BEF) assessments in the original EIR do not need to be updated, because the updated Plan would not propose new roadway modifications.

Fehr & Peers will complete the following work for the Specific Plan Update:

(1) Data Collection. Fehr & Peers will obtain from the City and MIG information on the current Specific Plan's development cap, including development projects that have been approved, built, and occupied since 2012 (the date of the certified EIR baseline traffic counts), as well as existing daily traffic volumes along San Pablo Avenue.

(2) Environmental and Regulatory Settings. Fehr & Peers will update, as necessary, the setting sections of the Supplemental EIR transportation chapter, including:

- The regulatory setting, focusing on changes relative to the certified Specific Plan EIR, including recent requirements for a VMT analysis
- A description of the existing circulation network, focusing on any improvements and/or changes relative to those described in the certified EIR
- A description of existing transit routes and service frequencies and ridership, focusing on changes relative to the certified EIR
- Existing Specific Plan area, citywide, countywide, and Bay Area region VMT, VMT per resident, and VMT per worker, based on the latest Contra Costa Transportation Authority (CCTA) Travel Demand Model
- If available, recent peak hour intersection and roadway volumes, including a comparison of the new data to the 2012 data in the certified EIR

(3) Vehicle Miles Traveled (VMT) Analysis. Based on the CCTA guidelines, Fehr & Peers will use the latest version of the CCTA Model to estimate VMT per resident and VMT per worker for the Specific Plan area, City of El Cerrito, Contra Costa County, and the Bay Area region, for the following scenarios:

- | | |
|---|---|
| ▪ Existing Conditions | ▪ Cumulative No Project Conditions |
| ▪ Existing Plus Buildout of the Current Specific Plan | ▪ Cumulative Plus Buildout of the Current Specific Plan |
| ▪ Existing Plus Buildout of the Updated Specific Plan | ▪ Cumulative Plus Buildout of the Updated Specific Plan |

Fehr & Peers will check the CCTA Model land uses and the transportation network within the City of El Cerrito and ensure that the Model accurately reflects the appropriate land uses and transportation network for each scenario.

CCTA has identified screening thresholds that can be used to identify development projects that can be presumed to have a less-than-significant impact on VMT without conducting detailed analysis. Fehr & Peers will document the applicability of the CCTA screening thresholds to the Specific Plan Update.

Fehr & Peers will determine the appropriate significance thresholds in discussion with City staff, will identify any significant impacts based on those thresholds, and, if necessary, will recommend measures to mitigate the significant impacts. Fehr & Peers will also estimate the total daily VMT generated by the Plan Update under the six scenarios listed above, in order for MIG to analyze GHGs.

(4) Trip Generation Update. Fehr & Peers will estimate the weekday AM and PM peak hour and the weekday and weekend daily project trip generation, including the current Specific Plan (deducting any development that is built and occupied) and the additional development facilitated by the Specific Plan Update, using the same methodology developed for the certified EIR, updated to reflect the latest ITE (Institute of Transportation Engineers) data.

(5) Specific Plan Update Review. Although the Specific Plan Complete Streets chapter is assumed to remain the same, the Specific Plan Update will include a new preface/introduction to explain the recent State-adopted changes in transportation impact methodology and emphasis (e.g., LOS vs. VMT) and why the Complete Streets chapter is not being changed. Fehr & Peers will review the new preface and recommend revisions if needed.

(6) Traffic Volume Forecasts. Fehr & Peers will develop daily traffic volume forecasts for up to six roadway locations along San Pablo Avenue and I-80 for the six scenarios listed above. Fehr & Peers will use the existing count data provided by the City of El Cerrito or Caltrans for existing conditions and volume and will use the results of the CCTA Model to estimate the traffic volumes for the other scenarios.

(7) Documentation. Fehr & Peers will prepare the following documents:

- An Administrative Draft Supplemental EIR Transportation chapter. Fehr & Peers will respond to two rounds of review (consolidated comments from MIG and the City) and will provide editorial revisions to the draft chapter. Up to 10 hours is included in the budget for Fehr & Peers' responses/revisions to the Transportation review cycles.
- If requested, Fehr & Peers will submit a budget for assistance in responding to public comments on the Draft Supplemental EIR.

(8) Meetings. Fehr & Peers will attend up to two (2) working meetings and five (5) conference calls over the course of the Supplemental EIR process.

(9) *Optional Task – Alternative Transportation Issues*

If requested, Fehr & Peers can complete one of the following optional tasks:

- A. Evaluate and comment on the City's proposal for alternative transportation issues, such as curb management, electric vehicle infrastructure, car-share, bike-share, and other programs, that would be included in the Specific Plan Update
- B. Provide best practices for these issues based on the available research and Fehr & Peers' experience with these issues in other jurisdictions

Fehr & Peers will summarize the results of Task 9 in a memorandum and will respond to one round of review and comment before finalizing the memorandum. The Fehr & Peers scope of work and budget assume that up to five transportation issues will be explored, and the work will consist of general guidelines based on type and location of developments. A modification to the scope of work and budget may be needed if detailed analysis is requested.

BKF – Utilities and Infrastructure

BKF Engineers will complete the following work for the Specific Plan Update:

(1) Utility Research. BKF will contact the City and utility companies (e.g., water, wastewater, storm water/drainage, electrical, gas, communication) that serve the Specific Plan area or have utilities in the Plan area. BKF will gather the available record drawings with the purpose of understanding improvements constructed since the adoption of the Specific Plan.

(2) Infrastructure Analysis. Updates to the Specific Plan based on additional development capacity will impact the existing infrastructure. Based on the updated Specific Plan and land use delineation, BKF will determine generation rates for water and wastewater facilities. Also, BKF will review potential impacts on the storm water and dry utility systems. BKF will assess the impacts on existing infrastructure from the potential increase in development capacity facilitated by the Specific Plan Update. Modeling of existing and/or proposed systems is not included in this work scope.

(3) Findings. BKF will summarize its findings in narrative format. MIG will incorporate BKF's findings into the Specific Plan Update and Supplemental EIR.

(4) Meetings. BKF will meet with the City staff/Specific Plan Update team to review their report and gather comments for revisions. One meeting is included in this work scope.

Administrative Draft Supplemental EIR Deliverables: Up to eight (8) hard copies plus an electronic version of the Administrative Draft Supplemental EIR will be provided to City staff. The number of copies can be revised as requested by City staff. In addition, MIG will print two (2) hard copies for its internal use.

Task 7.3: Prepare Screencheck Supplemental EIR

MIG will prepare a Screencheck version of the Draft Supplemental EIR based on one consolidated set of internally consistent comments from City staff on the Administrative Draft. Prior to publication, an electronic version of the Screencheck will be provided to City staff for final review and approval.

Task 7.4: Prepare Published Draft Supplemental EIR

Based on City staff comments/approval of the Screencheck, MIG will complete any necessary final revisions and provide up to twenty (20) hard copies plus an electronic version of the published Supplemental EIR to the City. The number of copies can be revised as requested by City staff. In addition, MIG will print five (5) hard copies for its internal use.

MIG will prepare the Notice of Completion and Availability (NOC/NOA) for the published Draft Supplemental EIR (City staff will provide the letterhead template); City staff will post the NOC/NOA with the County Clerk. MIG will post the NOC/NOA plus the Draft Supplemental EIR to the State Office of Planning and Research (OPR) Clearinghouse to begin the 45-day public review period. The previously certified San Pablo Avenue Specific Plan EIR will not be circulated with the Supplemental EIR (CEQA Guidelines 15163[d]), but the City is expected to post it on the City website.

Task 7.5: Prepare Administrative Final Supplemental EIR

Based on oral (e.g., at a Planning Commission hearing) and written comments received during the 45-day public review period for the Draft Supplemental EIR, MIG will prepare the

Administrative Final Supplemental EIR (CEQA Guidelines Section 15132). The Final EIR will not recreate the entire Draft EIR, but will include: (1) a list of persons, organizations, and public agencies commenting on the Draft Supplemental EIR; (2) a summary of oral comments plus copies of written comments on the Draft Supplemental EIR; (3) responses to significant environmental points raised in the comments; and (4) any necessary revisions to the Draft Supplemental EIR (as separately revised and highlighted pages paginated to match the Draft).

MIG will provide an electronic version of the Administrative Final Supplemental EIR to City staff for review.

Task 7.6: Prepare Published Final Supplemental EIR

Based on one consolidated set of internally consistent comments from City staff on the Administrative Final, MIG will prepare the published Final Supplemental EIR. MIG will provide up to twenty (20) hard copies plus an electronic version of the published Final Supplemental EIR to the City. The number of copies can be revised as requested by City staff. In addition, MIG will print two (2) hard copies for its internal use.

Task 7.7: Prepare Mitigation Monitoring and Reporting Program and Notice of Determination

MIG will update the Mitigation Monitoring and Reporting Program (MMRP) to incorporate supplemental impacts and mitigations resulting from the Supplemental EIR. MIG will also prepare the Notice of Determination (NOD) (City staff will provide the letterhead template) for posting by City staff with the County Clerk. An electronic version of each will be provided to the City. MIG will send the NOD to the State Clearinghouse.

Task 7.8: Attend Meetings and Public Hearings

In addition to the scoping meeting (Task 1), Ray Pendro, Director of Environmental Planning at MIG-Berkeley, will attend up to two (2) meetings with City staff to discuss the Supplemental EIR during the preparation process. Mr. Pendro will also attend up to a combined total of four (4) Planning Commission and City Council meetings to assist the staff in presenting the Supplemental EIR and answering CEQA-related questions.

Task 7.9: Optional Environmental Quality Committee (EQC) Response Memo

The EQC prepared a letter (dated 9/10/2019) to the Planning Commission and Community Development Department, in which the EQC provides recommendations for reducing GHG emissions consistent with the Climate Emergency Resolution declared by the El Cerrito City Council on August 20, 2019. As yet, the EQC recommendations have not been adopted by the City as mandatory regulations. As an optional task, MIG will prepare a memo response to the EQC letter, subject to City staff review and approval, on how the recommendations could be addressed within the Specific Plan process and citywide. This optional task does not include incorporating the EQC recommendations into the Supplemental EIR analysis.

PROPOSED SCHEDULE AND WORK PRODUCTS

The Administrative Draft Supplemental EIR will be submitted to City staff in approximately sixteen (16) weeks from City authorization to proceed. This timeline assumes that the Specific Plan Update components are not substantially revised after week 3.

	Product/Milestone	Copies to City	Schedule
1.	City authorization to proceed (including updated development capacity by land use)	--	Week 1
2.	Project description & Notice of Preparation	1 PDF and 1 MS Word file	Week 3
3.	Administrative Draft Supplemental EIR	8 copies plus 1 PDF and 1 MS Word file	Week 16
4.	City staff comments on Admin. Draft Supplemental EIR received	--	Week 19
5.	Screencheck Supplemental EIR	1 PDF and 1 MS Word file	Week 22
6.	City staff comments on/approval of Screencheck Supplemental EIR received	--	Week 24
7.	Published Draft Supplemental EIR & public review period (45 days)	20 copies and 1 PDF	Weeks 25-32
8.	Administrative Final Supplemental EIR	1 PDF and 1 MS Word file	Week 36
9.	City staff comments on Admin. Final Supplemental EIR received	--	Week 39
10.	Published Final Supplemental EIR	20 copies and 1 PDF	Week 41
11.	Mitigation Monitoring and Reporting Program & Notice of Determination	1 MS Word file	Week 42

Note: The schedule and budget assume that up to 50 unique, CEQA-related comments on the Draft Supplemental EIR will be received. If substantially fewer comments are received, steps 8 through 10 above could require less time.

Proposed Budget

SAN PABLO AVENUE SPECIFIC PLAN UPDATE SUPPLEMENTAL EIR

	<i>MIG Totals</i>		<i>Direct Expenses</i>	Professional Fees and Expenses
	Hours	Total		Totals
Task 6.1. NOP, Project Description, and Scoping Meeting	44	\$6,980	\$50	\$7,030
Task 6.2. Prepare Administrative Draft Supplemental EIR	620	\$94,855	\$1,731	\$96,586
Task 6.3. Prepare Screencheck Supplemental EIR	96	\$14,520	\$0	\$14,520
Task 6.4. Prepare Published Draft Supplemental EIR	40	\$6,000	\$1,375	\$7,375
Task 6.5. Prepare Administrative Final Supplemental EIR	80	\$12,800	\$0	\$12,800
Task 6.6. Prepare Published Final Supplemental EIR	44	\$6,780	\$885	\$7,665
Task 6.7. Prepare Mitigation Monitoring and Reporting Program and NO	24	\$3,580	\$0	\$3,580
Task 6.8. Attend Meetings and Public Hearings (6)	72	\$11,640	\$45	\$11,685
Task 6.9. optional: EQC CEQA memo	24	\$4,580	\$0	\$4,580
Task 6.10. optional: AB 52 services	16	\$2,240	\$70	\$2,310
Task 6.11. Admin	40	\$7,000	\$0	\$7,000
Subtotal	1100	\$170,975	\$4,156	\$175,131
Fehr & Peers - Transportation				\$51,660
BKF - Utilities and Infrastructure				\$13,200
Total				\$239,991
Optional Task: Fehr & Peers, Alternative Transportation Issues				\$7,900

Note: The Task 6.2 Direct Expenses include, in part, (1) the noise meter use fee (\$510); (2) a Northwest Information Center (NWIC) CHRIS search for cultural resources (\$660); and (3) document printing.

Exhibit B – Proposal for Additional Services for San Pablo Avenue Specific Plan Update

November 13, 2020

The budget and scope of work provided in this document are based on the original work plan for the Specific Plan Update drafted in July of 2019. Additional tasks have been added to this scope of work to ensure policy updates, graphics, meetings, and document preparation is fully addressed in the work plan and budget. These additional tasks are highlighted in **green**.

The San Pablo Ave Specific Plan Update is being conducted as an effort to target certain provisions of the existing Plan (adopted 2014) to address various issues Staff has identified through its administration and interpretation. Additionally, changing economic and market contexts have occurred that provide for an opportune moment to update certain provisions of the Specific Plan.

The following areas of the San Pablo Ave Specific Plan have been identified as requiring updates to standards, policies, and provisions:

1. Neighborhood Street Standards - Related to context sensitivity in design and massing of new development adjacent to single-family neighborhoods.
2. Daylight Plane and Shadow Studies – Some challenges have been encountered in implementing shadow standards on neighborhood streets. Several community members have expressed interest in revising the standards to have them based on “daylight plane” rather than shadow studies.
3. Light and Air Access to Residential Units - Reexamine standards and determine whether they can be expanded to ensure that housing units have adequate natural light and ventilation.
4. Major Commercial Street Standards - Reexamine standards and whether they should apply to smaller-scale streets that have been assigned this designation.
5. Open Space Standards - Examine the Urban Greening Plan and identify standards and strategies that will enable the SPA area to maintain and improve open space resources and amenities as the area becomes more urban in character.
6. Parking - Analyze Tier IV and its parking standards.
7. Additional updates to address issues related to equity, housing, and other challenges.

Task 1: Identify and Refine Targeted Update Objectives

1.1 Internal Design Charrette #1

Following TAC Meeting #1, up to two staff members of the MIG team will hold an internal design charrette with City staff to refine input received from TAC #1 and conceptualize solutions to be reflected in the Specific Plan targeted update.

1.2 Technical Advisory Committee (TAC) Meeting #1

Up to two staff members of the MIG team will work with City staff to convene a meeting with the City's Technical Advisory Committee. The objective of the meeting will be to gain more insight from various City departments, representatives from the East Bay Sanitary Company, landowners, and developers. Discussion will focus on challenges experienced with the current San Pablo Avenue Specific Plan and potential solutions that can be incorporated in the revised Plan.

1.3 Finalize List Edits, Objectives, and Revisions for Targeted Update

MIG will work with City staff to develop an updated list of prioritized revisions to the Specific Plan Update. This list will compile findings from TAC #1 and Internal Design Charrette #1.

Task 2: Conceptualize and Present Revisions and Alternatives

2.1 Draft Outline: Concepts, Revisions

MIG will develop an outline that demonstrates areas of revision within the San Pablo Avenue Specific Plan while introducing design and policy concepts that address these issues. This outline will include text and supporting imagery as a basis for discussion. This scope of work includes development of up seven (7) concepts or revisions to address the issues raised by City staff and additional edits identified in Task 1.3.

2.2 Internal Design Charrette #2

Up to two staff members of the MIG team and City staff will hold a second internal design charrette to organize final thoughts and direction on concepts, revisions, and sentiment for the San Pablo Avenue Specific Plan Update.

2.3 Technical Advisory Committee (TAC) Meeting #2

Up to two staff members of the MIG team and City staff will convene a second TAC meeting for the Committee to hold focused discussions on the proposed revisions presented in the draft outline and on the concepts developed in Task 2.1.

2.4 Public Workshop #1

Up to two staff members of the MIG team and City staff will host a public workshop that showcases both the existing issues with the San Pablo Avenue Specific Plan as well as the suggested areas for revision and new concepts. Input from public workshop participants will be integral to the discussion.

2.5 Consolidate Public, Staff, and TAC Input and Finalize Revisions

MIG will develop a finalized list of revisions and approved concepts that align with findings from TAC meetings, the public workshop, and internal design charrettes. Additionally, City staff will provide MIG with a comprehensive, consolidated list of comments from City staff consulted during the process. MIG will merge these lists and communicate with City staff to determine up to seven (7) concepts or revisions to include in the Administrative Draft San Pablo Avenue Specific Plan Update.

Task 3: Develop Administrative Draft San Pablo Avenue Specific Plan Update

3.1 Draft Revisions to Policies, Standards, Objectives, and Guidelines

The MIG team will move forward with revisions to the San Pablo Avenue Specific Plan. The team will make up to ten (10) identified revisions based on concepts or suggested revisions finalized in Task 2.5. Edits will be tracked and consolidated in a master list to allow City staff to easily reference the existing plan with the new additions, text, and content.

3.2 Imagery and Graphics Edits

MIG will develop graphics to support new and revised text and policy for the maximum seven (7) revisions made in Task 3.1. Graphics will be designed to maintain consistency with the overall look and feel of existing Specific Plan graphics. This scope and budget allow for a total of ten (10) graphics to support new or revised content to the Specific Plan. Graphics may include stills of 3D models, streetscape sections, site diagrams, and other similar, agreed-upon visuals.

3.3 Internal Design Charrette #3

Up to two staff members of the MIG team and City staff will hold an additional internal design charrette to review revised graphics and text prior to the submittal of an Administrative Draft Specific Plan Update.

3.4 Additional Graphic and Text Edits to SPA SP

Based on findings from Community Workshop #1, TAC Meeting #1, and other meetings and policy changes, updates to the San Pablo Ave Specific Plan was expanded to include changes to Chapter 3 – Complete Streets and Chapter 4 – Infrastructure Analysis. A certain extent of the edit to these two chapters will be determined further analysis of the newly adopted Green Infrastructure Plan as well as findings and



recommendations from consultants charged with traffic and infrastructure analysis. MIG will be tasked to make no more than five (5) edits to text and no more than five (5) edits to imagery, graphics, and other visual exhibits in these chapters. MIG and City Staff will coordinate closely to ensure edits remain consistent with existing policy framework and are incorporated effectively into the SPA SP chapters

3.5 Finalize Administrative Draft San Pablo Avenue Specific Plan Update

MIG will submit an Administrative Draft update to the City of El Cerrito staff. The draft will include track-change edits and graphic updates and will be delivered with a consolidated list of edits to serve as a reference during document review.

Task 4: Public Review Draft and Study Session

4.1 Administrative Draft Edits

City staff will provide MIG with edits to the Administrative Draft in a comprehensive, consolidated list. MIG will proceed with making these changes to text and graphics within the maximum seven (7) revision areas finalized in Task 2.5

4.2 Design Review Board (DRB)/Planning Commission (PC) Study Session #1

Up to two staff members of the MIG team and City staff will attend a DRB/PC study session to present specific changes to the San Pablo Avenue Specific Plan and demonstrate how the plan revisions work to solve the previously identified issues in administering certain provisions of the plan. Input from the study session will be used to help prepare the Public Review Draft Specific Plan Update.

4.3 Public Review Draft

MIG will refine the Administrative Draft of the plan based on City staff direction and input received from Study Session #1. MIG will then submit a Public Review Draft Specific Plan Update. After the public review period, City staff will provide MIG with a consolidated list of comments and potential revisions received during the public review period.

Task 5: Final Draft and Adoption

5.1 Final Draft San Pablo Avenue Specific Plan Update

If necessary, MIG will work with City staff to identify valid concerns received from the public during the review period. MIG will make the necessary edits to text and graphics of the Specific Plan Update.

5.2 Commission/Council Hearings for Adoption

MIG and the City will present the updated San Pablo Avenue Specific Plan to the Planning Commission and City Council for adoption. MIG will demonstrate the issue areas that were the impetus of the update and how the update effectively addresses the issues. One member of the MIG team will attend the final hearing for adoption.

Task 6: Project Management

6.1 Project Management

MIG will provide project management services throughout the duration of the SPA Specific Plan Update. This task includes coordination of meetings and resources, check ins, and proactive measures to ensure that the project stay on schedule and budget without compromising the quality of the final deliverables.

6.2 Additional Project Management

Additional project management tasks to augment the original scope and budget.



Budget

MIG has prepared and amended budget proposal that takes in consideration the expanded proposed tasks in the scope of work as well as other areas where additional budget will be required to fully address and incorporate edits in the SPA SP Update. A the updated budget with added tasks (3.4, 3.5, 4.3, 5.1, 5.2, and 6.2) is provided below.

San Pablo Ave Specific Plan Update Proposed Budget Amendment		Subtotal	
		Hours	Budget
Task 1: Identify and Refine Targeted Update Objectives			
1.1: Internal Design Charrette #1		5	\$950
1.2: Technical Advisory Committee Meeting #1 (includes prep)		24	\$4,480
1.3: Finalize list of edits, objectives, and policy revisions for targeted update		7	\$1,160
	Task 1 Subtotal	35	\$6,590
Task 2: Conceptualize and Present Revisions and Alternatives			
2.1: Draft outline of revisions to text and graphics		26	\$4,050
2.2: Internal Design Charrette #2		5	\$950
2.3: Technical Advisory Committee Meeting #2		23	\$4,335
2.4: Public Workshop #1 (includes prep)		31	\$4,695
2.5: Consolidate public, staff, and TAC commentary and Finalize Revisions		4	\$450
	Task 2 Subtotal	89	\$14,480
Task 3: Develop Administrative Draft SPA Specific Plan			
3.1: Draft revisions to policies, standards, objectives, and guidelines		34	\$5,130
3.2: Imagery and graphics edits		34	\$6,150
3.3: Internal Design Charrette #3		6	\$1,245
3.4: Additional Graphic and Text Edits to SPA SP		19	\$2,805
3.5: Finalize Admin Draft SPA SP Update		58	\$7,800
	Task 3 Subtotal	151	\$23,130
Task 4: Public Review Draft and Study Session			
4.1: Admin Draft Edits		24	\$3,050
4.2: DRB, PC Study Session #1		23	\$3,400
4.3: Public Review Draft		32	\$4,360
	Task 4 Subtotal	79	\$10,810
Task 5: Final Draft Specific Plan Update and Adoption			
5.1: Final Draft SPA Specific Plan		17	\$2,475
5.2: Commission Hearings for Adoption		3	\$885
	Task 5 Subtotal	20	\$3,360
Task 6: Project Management			
6.1: Project Management		24	\$3,380
6.2: Additional Project Management		18	\$2,960
	Task 6 Subtotal	42	\$6,340
EXP		-	\$1,575
Original Budget		249	\$45,000
Additional Services Budget		147	\$21,285
Total		396	\$66,285



AGENDA BILL

Agenda Item No. 4.E.

Date: January 19, 2021
To: El Cerrito City Council
From: Shannon Collins, Finance Supervisor, Finance Department
Subject: REDEVELOPMENT AGENCY SUCCESSOR AGENCY ITEM Approve Draft Annual Recognized Obligations Payment Schedule 21-22 (July 1, 2021 - June 30, 2022)

ACTION PROPOSED

Adopt a Successor Agency resolution reviewing and authorizing submittal of the draft Recognized Obligations Payment Schedule 21-22.

BACKGROUND

Recognized Obligation Payment Schedules

ABx1 26 (Dissolution Act) dissolved the El Cerrito Redevelopment Agency (RDA) and established the El Cerrito Redevelopment Successor Agency (Successor Agency) on February 1, 2012. Under the Dissolution Act, the portion of property tax revenues collected in the City of El Cerrito Redevelopment Project Area (Project Area) that was considered Tax Increment prior to the RDA's dissolution are called Redevelopment Property Tax and are deposited by the County Auditor-Controller (Auditor-Controller) into the Redevelopment Property Tax Trust Fund (RPTTF). The Auditor-Controller distributes the funds in the RPTTF with the following priority:

1. Auditor-Controller's administrative costs
2. Pass-through payments to the taxing entities affected by the Redevelopment Plan for the Project Area, calculated the same as prior to RDA dissolution
3. Distribution to the Successor Agency to retire the former RDA's obligations
4. Repayment of loans from the Housing Fund (starting in FY 2014-15)
5. Distribution of residual funds to taxing entities

Beginning with the 2016-17 ROPS period, the Successor Agency must review and authorize submittal of a Recognized Obligation Schedule (ROPS) for each fiscal year. Each ROPS must then be approved by the Oversight Board to the Successor Agency (Oversight Board) and the California Department of Finance (DOF) before the Auditor-Controller disburses funding for payments on the approved ROPS.

The attached schedule is the draft ROPS 21-22 covering payments due during the period of July 2021 to June 2022. The Successor Agency must submit ROPS 21-22 approved by the County-wide Oversight Board to the DOF no later than February 3, 2020. The County-wide Oversight Board is scheduled to consider ROPS 21-22 at its upcoming special meeting. After submittal, the DOF then has until April 15th to review the ROPS and approve or disapprove of any items. The Successor Agency can request additional review by the DOF and an opportunity to meet and confer on disputed items and must make that request within five business days of receiving a DOF determination.

The DOF is required to notify the Successor Agency and Auditor-Controller of its final determination of the approved payments at least 15 days prior to the first distribution date of RPTTF for the ROPS, which is June 1st. RPTTF will continue to be distributed twice annually, on June 1st and January 2nd of each year.

The annual ROPS can be amended once per year as long as the amendment is received by the DOF before October 1st of the applicable fiscal year.

ANALYSIS

The proposed ROPS 21-22 is Exhibit A to the attached Successor Agency resolution, authorizing its submittal. It includes: 1) A summary of the funding request; 2) An itemized listing of obligations ("ROPS Detail"); 3) A report of cash balances. Obligations with remaining outstanding balances are included on ROPS 21-22, as follows:

- Tax Allocation Bond Debt Service: In August of 2016 former items 1, 3, and 5 on the ROPS were refinanced into the 2016 Tax Allocation Bonds. This is shown as item 29. Debt service payment for this fiscal year is due as part of ROPS 21-22 in the amount of \$2,122,794.
- Union Bank Administrative Fee (\$10,000): This fee is to cover the fiscal agent service fees charged by Union Bank for the trust administration of the 2016 Series A and B Bonds.
- FY 2021-22 Administrative Allowance (\$250,000): One half of the Successor Agency's administrative allowance is included in each six-month period on the ROPS.

The total amount of RPTTF funding required for ROPS 21-22 is estimated to be \$2,382,794.

STRATEGIC PLAN CONSIDERATIONS

The amended ROPS supports Goal B of the City's Strategic Plan to "Achieve long-term financial sustainability".

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

It is estimated that the total amount of RPTTF funding required for ROPS 21-22 is \$2,382,794. In order to repay the obligations of the Successor Agency, the ROPS must be approved and submitted to the DOF.

LEGAL CONSIDERATIONS

All actions being requested are consistent with the Dissolution Act, as amended and have been reviewed by the Agency attorney.

Reviewed by:

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

Karen Pinkos, City Manager

Attachments:

1. Resolution
2. ROPS-21-22 A and B

SUCCESSOR AGENCY RESOLUTION 2021-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO ACTING AS THE EL CERRITO REDEVELOPMENT AGENCY SUCCESSOR AGENCY AUTHORIZING SUBMITTAL OF THE DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE 21-22, AS REQUIRED UNDER THE DISSOLUTION ACT

WHEREAS, pursuant to the California Community Redevelopment Law (the "Redevelopment Law"), the City Council (the "City Council") of the City of El Cerrito (the "City") adopted the Redevelopment Plan for the City of El Cerrito Redevelopment Project Area by Ordinance No. 77-17, as amended by Ordinances No. 80-13; No. 89-5; No. 94-4; No. 2004-3; No. 2005-01; and No. 2006-10 (collectively, the "Redevelopment Plan"); and

WHEREAS, the El Cerrito Redevelopment Agency (the "RDA") was responsible for implementation of the Redevelopment Plan; and

WHEREAS, as part of the 2011-12 State budget bill, ABx1 26 (the "Dissolution Act") was enacted significantly modifying the Redevelopment Law to require the dissolution of redevelopment agencies throughout California and the establishment of successor agencies to wind down the former redevelopment agencies' affairs; and

WHEREAS, on August 15, 2011, pursuant to the Dissolution Act, the City elected to serve as the El Cerrito Redevelopment Agency Successor Agency (the "Successor Agency"), should the RDA be dissolved; and

WHEREAS, California redevelopment agencies were dissolved on February 1, 2012; and

WHEREAS, pursuant to the Dissolution Act, upon dissolution, the RDA transferred as a matter of law all remaining liabilities, debts and obligations to the Successor Agency; and transferred all unencumbered funds and assets to the Successor Agency's Redevelopment Obligation Retirement Fund (the "RORF"), for disposition and/or use by the Successor Agency to retire RDA debt and pay for RDA obligations; and

WHEREAS, pursuant to the Dissolution Act, the Contra Costa County Auditor Controller (the "Auditor-Controller") established the Redevelopment Property Tax Trust Fund (the "RPTTF") to hold Redevelopment Property Tax collected from the City of El Cerrito Redevelopment Project Area to be disbursed to the Successor Agency for payment of its enforceable obligations and to taxing entities affected by the Redevelopment Plan; and

WHEREAS, SB 107 was enacted on September 22, 2015 modifying the Dissolution Act to require the Successor Agency to form an Oversight Board; and submit an Oversight Board approved annual Recognized Obligations Payment Schedule to the Department of Finance (the "DOF"); and

WHEREAS, the Oversight Board to the Successor Agency to the El Cerrito Redevelopment Agency (the "Oversight Board") was formed on April 4, 2012; and was dissolved on June 30, 2018 by the County, and a Countywide Oversight Board came into being on January 1, 2019; and

WHEREAS, the Successor Agency has reviewed the draft ROPS 21-22 that was prepared pursuant to the Dissolution Act, which is attached and incorporated as Exhibit A to this Resolution, for submittal to the Countywide Oversight Board, the Auditor-Controller, and DOF; and

WHEREAS, the Successor Agency has determined that the amounts owed to the City constitute an enforceable obligation pursuant to Section 34171(d)(2) to be listed on the ROPS 21-22; and

WHEREAS, the Successor Agency wishes to authorize Successor Agency staff to amend the ROPS 21-22 administratively to account for any additional changes made by the DOF to the ROPS form or changes made by the Countywide Oversight Board that occur after the Successor Agency's consideration.

NOW THEREFORE, BE IT RESOLVED that the City El Cerrito Redevelopment Agency Successor Agency hereby finds the above recitals to be true and accurate.

BE IT FURTHER RESOLVED that the El Cerrito Redevelopment Agency Successor Agency authorizes the submittal of the draft Recognized Obligation Payment Schedule 21-22 as required under the Dissolution Act, subject to such changes as may be necessary to accommodate changes in the DOF approved form and any changes made by the Oversight Board any such changes to be approved by the City Manager.

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

I CERTIFY that at the regular meeting on January 19, 2021, the City Council of the City of El Cerrito acting as the El Cerrito Redevelopment Agency Successor Agency 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 January ____, 2021.

Holly M. Charlety, City Clerk

APPROVED:

Paul Fadelli, Mayor

Recognized Obligation Payment Schedule (ROPS 21-22) - Summary
Filed for the July 1, 2021 through June 30, 2022 Period

Successor Agency: El Cerrito

County: Contra Costa

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)	21-22A Total (July - December)	21-22B Total (January - June)	ROPS 21-22 Total
A Enforceable Obligations Funded as Follows (B+C+D)	\$ -	\$ -	\$ -
B Bond Proceeds	-	-	-
C Reserve Balance	-	-	-
D Other Funds	-	-	-
E Redevelopment Property Tax Trust Fund (RPTTF) (F+G)	\$ 1,191,397	\$ 1,191,397	\$ 2,382,794
F RPTTF	1,066,397	1,066,397	2,132,794
G Administrative RPTTF	125,000	125,000	250,000
H Current Period Enforceable Obligations (A+E)	\$ 1,191,397	\$ 1,191,397	\$ 2,382,794

Certification of Oversight Board Chairman:

Pursuant to Section 34177 (o) of the Health and Safety code, I hereby certify that the above is a true and accurate Recognized Obligation Payment Schedule for the above named successor agency.

Name Title

/s/ _____
Signature Date

El Cerrito
Recognized Obligation Payment Schedule (ROPS 21-22) - ROPS Detail
July 1, 2021 through June 30, 2022

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W
Item #	Project Name	Obligation Type	Agreement Execution Date	Agreement Termination Date	Payee	Description	Project Area	Total Outstanding Obligation	Retired	ROPS 21-22 Total	ROPS 21-22A (Jul - Dec)					21-22A Total	ROPS 21-22B (Jan - Jun)					21-22B Total
											Fund Sources						Fund Sources					
											Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	
								\$11,346,499		\$2,382,794	\$-	\$-	\$-	\$1,066,397	\$125,000	\$1,191,397	\$-	\$-	\$-	\$1,066,397	\$125,000	\$1,191,397
25	Administrative Allowance	Admin Costs	06/01/2014	09/01/2025	City of El Cerrito	Annual allowance	El Cerrito	875,000	N	\$250,000	-	-	-	-	125,000	\$125,000	-	-	-	-	125,000	\$125,000
29	2016 Tax Allocation Bonds	Bonds Issued After 12/31/10	08/04/2016	09/01/2025	Union Bank	Refunding of prior outstanding bonds.	El Cerrito	10,421,499	N	\$2,122,794	-	-	-	1,061,397	-	\$1,061,397	-	-	-	1,061,397	-	\$1,061,397
30	Fiscal Agent Fees	Bonds Issued After 12/31/10	08/04/2016	09/01/2025	Union Bank	Fees for fiscal agent	El Cerrito	50,000	N	\$10,000	-	-	-	5,000	-	\$5,000	-	-	-	5,000	-	\$5,000

El Cerrito
Recognized Obligation Payment Schedule (ROPS 21-22) - Report of Cash Balances
July 1, 2018 through June 30, 2019
(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation.							
A	B	C	D	E	F	G	H
	ROPS 18-19 Cash Balances (07/01/18 - 06/30/19)	Fund Sources					Comments
		Bond Proceeds		Reserve Balance	Other Funds	RPTTF	
		Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS RPTTF and Reserve Balances retained for future period(s)	Rent, grants, interest, etc.	Non-Admin and Admin	
1	Beginning Available Cash Balance (Actual 07/01/18) RPTTF amount should exclude "A" period distribution amount.		1,137	301,782	176	-	
2	Revenue/Income (Actual 06/30/19) RPTTF amount should tie to the ROPS 18-19 total distribution from the County Auditor-Controller					1,644,800	
3	Expenditures for ROPS 18-19 Enforceable Obligations (Actual 06/30/19)					1,644,800	
4	Retention of Available Cash Balance (Actual 06/30/19) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)			301,782			Used in 2019-20
5	ROPS 18-19 RPTTF Prior Period Adjustment RPTTF amount should tie to the Agency's ROPS 18-19 PPA form submitted to the CAC		No entry required				
6	Ending Actual Available Cash Balance (06/30/19) C to F = (1 + 2 - 3 - 4), G = (1 + 2 - 3 - 4 - 5)	\$-	\$1,137	\$-	\$176	\$-	

El Cerrito
Recognized Obligation Payment Schedule (ROPS 21-22) - Notes
July 1, 2021 through June 30, 2022

Item #	Notes/Comments
25	
29	
30	



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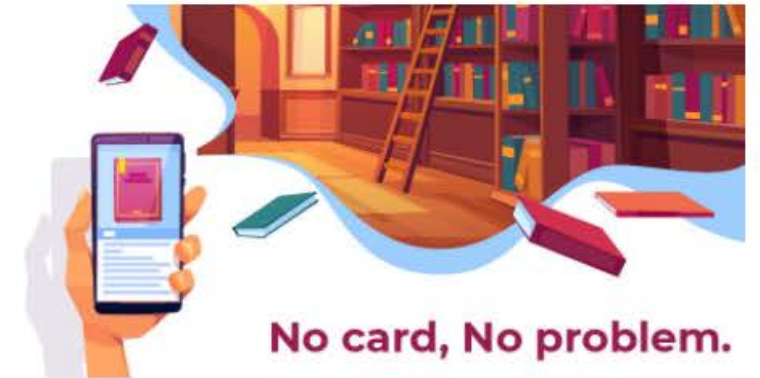
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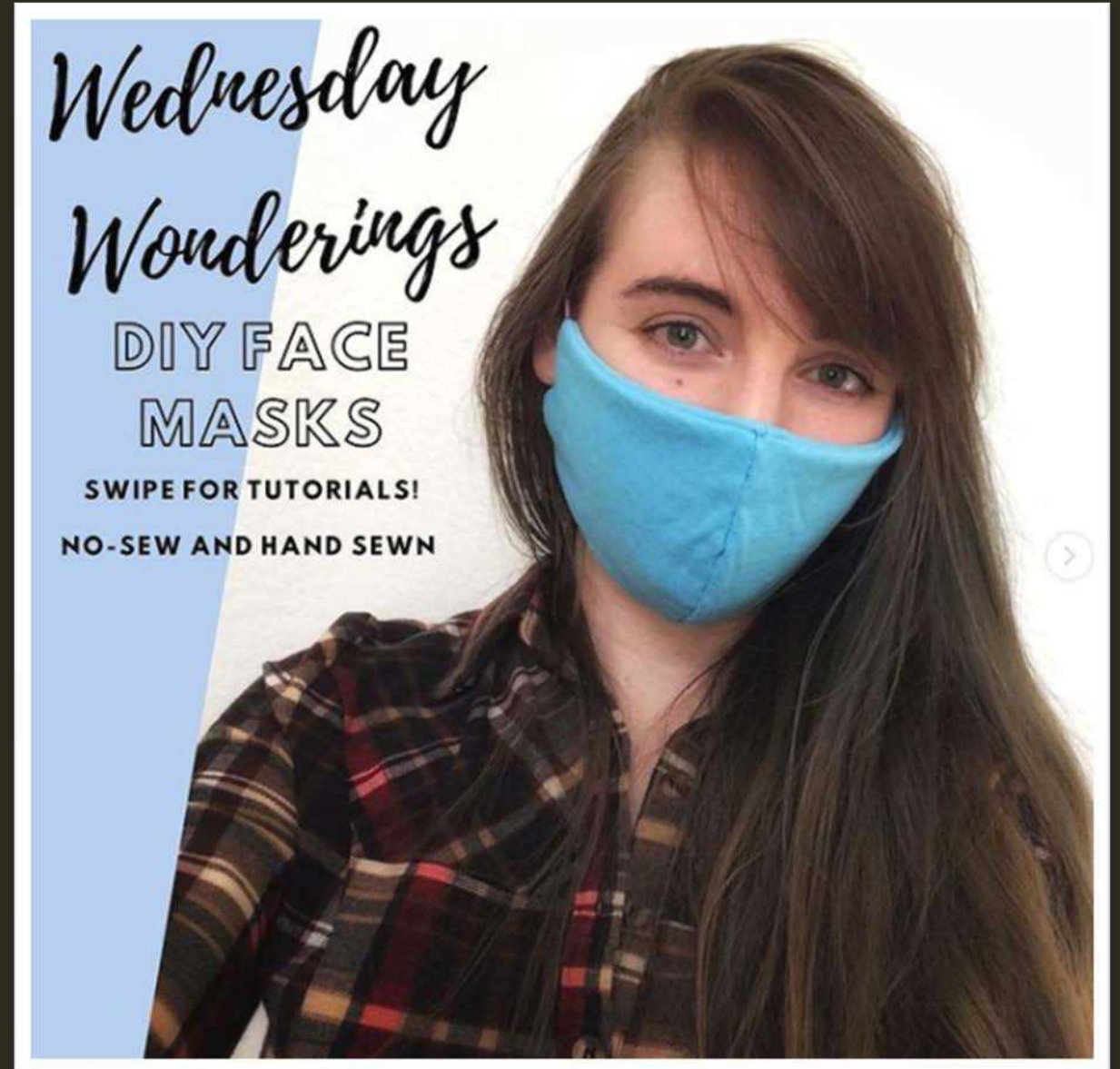
JANUARY 2020

Learning to code with
Bee Bots on the “Moon”



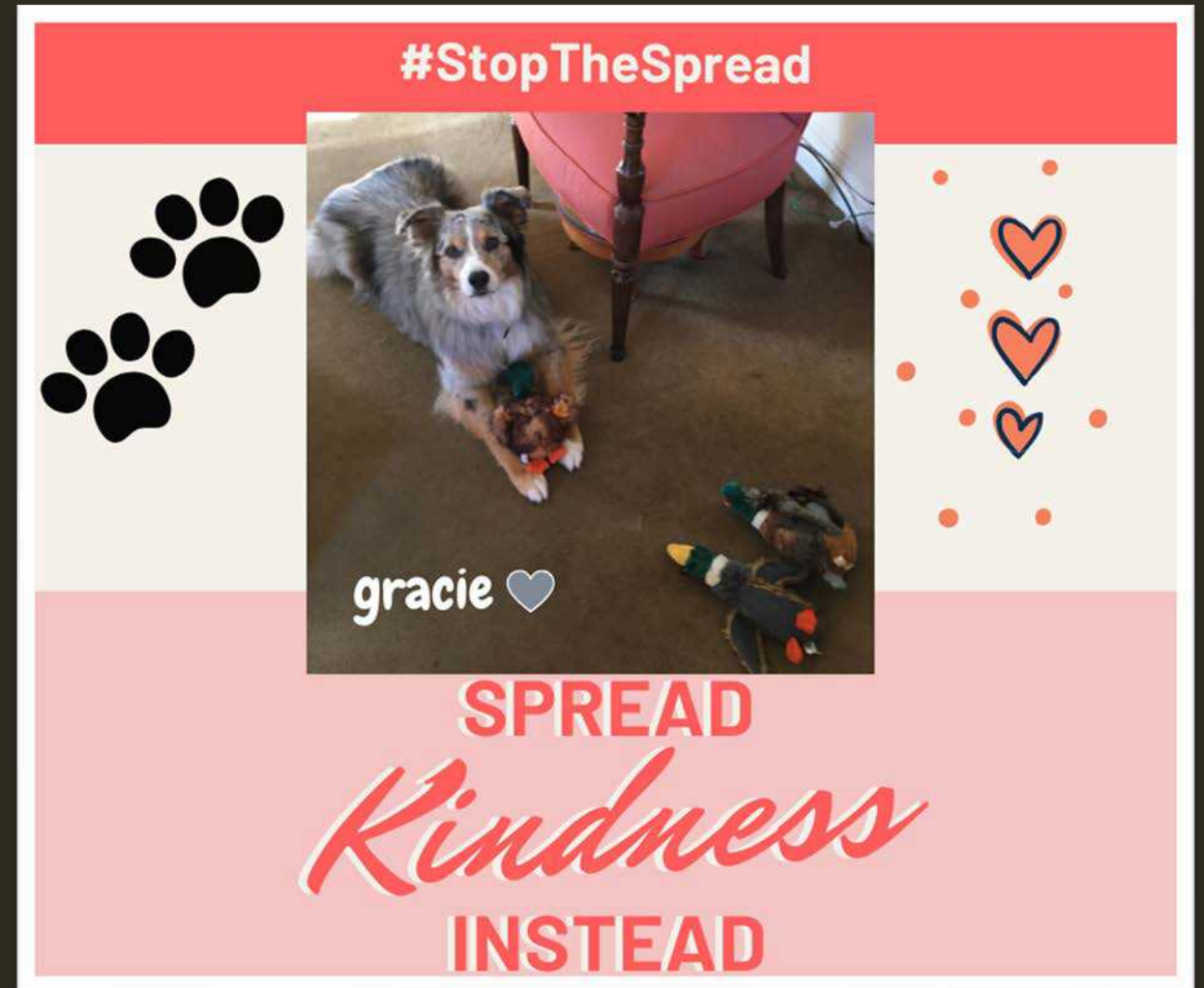
EL CERRITO LIBRARY INSTAGRAM 2020

El Cerrito Library Instagram:
[@ElCerrito_Library](https://www.instagram.com/ElCerrito_Library)

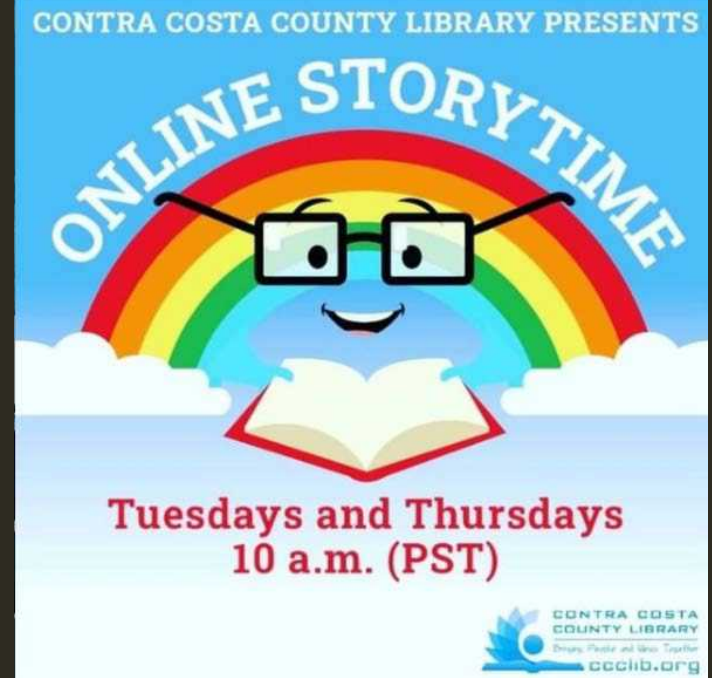


EL CERRITO LIBRARY FACEBOOK 2020

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EL CERRITO LIBRARY

2020

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Circulation Numbers	
Time period	Materials circulating
Dec 2019	15,594
Jan 2020	15,325
Feb 2020	15,499
March 1st-16 th , 2020	7,797
April 2020	Closed
May 2020	Closed
June 15 th -30 th , 2020	3,546
Jul 2020	7,040
Aug 2020	7,924
Sept 2020	9,015
Oct 2020	8,640
Nov 2020	7,797
Dec 2020	8,906

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AGENDA BILL

Agenda Item No. 7.A.

Date: January 19, 2021
To: El Cerrito City Council
From: Kristen Cunningham, Human Resources Manager; Alexandra Orologas, Assistant City Manager, City Management
Subject: Adoption of a Side Letter between the City of El Cerrito and the El Cerrito Police Employees' Association

ACTION PROPOSED

Adopt a resolution approving an agreement between the City of El Cerrito and the El Cerrito Police Employees' Association extending the Memorandum of Understanding (MOU) and modifying language on salaries and other working conditions.

BACKGROUND/ANALYSIS

On May 19, 2020, the City Council approved a two-year agreement with the PEA through by modifying salaries and creating a Memorandum of Understanding (MOU) effective January 1, 2020 through December 31, 2022. The PEA represents Police Officers, Corporals, Sergeants and Non-Sworn Police Employees.

The PEA has recognized the City's fragile financial position that has been further exacerbated by COVID-19. As such, the PEA has agreed to defer the cost-of-living adjustment slated for January 2021 to July 2021 to achieve additional savings during this fiscal year (FY 2020-21). The MOU would then be extended through 2024, and would spread out increases to smaller six month increments rather than an annual increase through July 2023. The extension also includes a modest increase in the educational incentive for Sworn Employees.

The following is a summary of the updated agreement with the PEA:

The agreement will be effective January 1, 2020 through June 20, 2024.

- Effective January 2021, there shall not be a salary increase for any classification in PEA.
- Effective the first full pay period in July 2021, the base monthly salary ranges will be increased by 3.0% for all represented classifications.
- The parties agreed to eliminate the 3.0% salary increase effective the first full pay period in January 2022.
- Effective the first full pay period in January 2022, the base monthly salary ranges will be increased by 2.0% for all represented classifications.
- Effective the first full pay period in July 2022, the base monthly salary ranges will be increased by 1.5% for all represented classifications.

- Effective the first full pay period in January 2023, the base monthly salary ranges will be increased by 1.5% for all represented classifications.
- Effective the first full pay period in July 2023, the base monthly salary ranges will be increased by 3.0% for all represented classifications.

Effective the first full pay period in July 2021, Sworn Employees who are eligible or become eligible for the career incentive program shall receive one of the following:

- An employee who has an AA/AS degree from an accredited college or university shall receive a differential of three percent (3.0%) of base pay.
- An employee who has completed 60 semester units from an accredited college or university and completes 6 semester units every 24 months shall receive a differential of three percent (3.0%) of base pay.
- An employee who has a BA/BS degree from an accredited college or university shall receive a differential of four percent (4.0%) of base pay.
- An employee who as a MS/MA degree from an accredited college or university shall receive a differential of six percent (6.0%) of base pay.

Effective the first full pay period in January 2022, Sworn Employees who are eligible or become eligible for the career incentive program shall receive one of the following:

- An employee who has an AA/AS degree from an accredited college or university shall receive a differential of three percent (3.0%) of base pay.
- An employee who has completed 60 semester units from an accredited college or university and completes 6 semester units every 24 months shall receive a differential of three percent (3.0%) of base pay.
- An employee who has a BA/BS degree from an accredited college or university shall receive a differential of five percent (5.0%) of base pay.
- An employee who as a MS/MA degree from an accredited college or university shall receive a differential of six percent (6.0%) of base pay.

The City would like to thank the PEA for the leadership they have continued to show during this challenging time by agreeing to defer their cost-of-living adjustment this fiscal year (2020-21). The City looks forward to continuing the strong collaborative relationship with the PEA.

STRATEGIC PLAN CONSIDERATIONS

Adopting the Resolution for the PEA fulfills Goal A, Deliver Exemplary Government Services, including the strategies of "Recruiting and retaining a talented and effective workforce" and "Maintain emphasis on providing excellent customer service"; and, Goal B, "Achieve long-term financial sustainability."

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

The cost of a 3% COLA for this bargaining unit for 12 months is approximately \$220,000. With the deferral of the COLA to July 2021, this represents savings to the City of \$110,000 for FY 2020-21. Based on the timing of the increases in the proposed MOU in FY 2021-22, there will also be a small savings in FY 2021-22 from the previous MOU. The savings to the City through FY 2021-22 with the deferral of the COLA for FY 2020-21 and the 2% COLA in January 2022 are as follows:

- FY 2020-21 savings: \$110,000
- FY 2021-22 savings: \$65,075

Extending the MOU through FY 2023-24 has the following costs in future fiscal years, including the education incentives, that will be included in the upcoming 5-year projections for future fiscal year budgets:

- FY 2022-23: \$124,933
- FY 2023-24: \$296,768

The MOU will begin annual increases beginning in July 2023 and shifts the effective date from January to July. As such, the costs for the period from 1/1/2023-6/30/2024 (spanning more than one fiscal year) are \$355,418.

LEGAL CONSIDERATIONS

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

Reviewed by:



Karen Pinkos, City Manager

Attachments:

1. Resolution
2. Exhibit A to Resolution

RESOLUTION 2021-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO TO ADOPT A
NEW MEMORANDUM OF UNDERSTANDING WITH THE EL CERRITO POLICE
EMPLOYEES' ASSOCIATION

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

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

WHEREAS, the El Cerrito Police Employees' Association is recognized as the majority bargaining unit for police officers, corporals, sergeants and non-sworn police employees; and

WHEREAS, the City and the El Cerrito Police Employees' Association have met and conferred in good faith; and

WHEREAS, the City of El Cerrito and the El Cerrito Police Employees' Association representatives have reached agreement regarding matters within the scope of representation, including wages, hours and other terms and conditions of employment as specified in the attached Side Letter (Exhibit A).

NOW, THEREFORE, BE IT RESOLVED, that the El Cerrito City Council hereby adopts the attached Memorandum of Understanding for the El Cerrito Police Employees' Association; and directs the City Manager to execute the agreements.

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

I CERTIFY that at a regular meeting on January 19, 2021, 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 February _____, 2021.

Holly M. Charléty, City Clerk

APPROVED:

Paul Fadelli, Mayor

**SIDE LETTER TO EXTEND MEMORANDUM OF UNDERSTANDING
BEWTEEN
CITY OF EL CERRITO
AND
EL CERRITO POLICE EMPLOYEES' ASSOCIATION**

December 31, 2020

Representatives for the City of El Cerrito met with representative of the El Cerrito Police Employees Association regarding the financial challenges that the City is experiencing. As a result of the discussions, the parties have agreed to extend the Memorandum of Understanding (MOU) between the parties. The Side Letter extending the MOU modifies the following Articles:

- Article 3.1 Duration of this Memorandum
The recommendations set forth in the Memorandum of Understanding are final. Except as otherwise provided herein, no changes or modifications shall be offered, urged or otherwise presented by the Association or the City for the duration of this agreement, provided, however, that nothing herein shall prevent the parties to this Memorandum of Understanding from meeting and conferring and making modifications herein by mutual consent. The term of this agreement shall be from January 1, 2020 to June 30, 2024.
- Article 13.1 Base Monthly Salaries
Appendix A is the salary schedule for all classifications represented by the Association.
 - There shall be no salary increase effective the first full pay period in January 2020.
 - The parties agreed to eliminate the 3.0% salary increase effective the first full pay period in January 2021.
 - Effective the first full pay period in July 2021, the base monthly salary ranges will be increased by 3.0% for all represented sworn and non-sworn classifications.
 - The parties agreed to eliminate the 3.0% salary increase effective the first full pay period in January 2022.
 - Effective the first full pay period in January 2022, the base monthly salary ranges will be increased by 2.0% for all represented sworn and non-sworn classifications.
 - Effective the first full pay period in July 2022, the base monthly salary ranges will be increased by 1.5% for all represented sworn and non-sworn classifications.
 - Effective the first full pay period in January 2023, the base monthly salary ranges will be increased by 1.5% for all represented sworn and non-sworn classifications.
 - Effective the first full pay period in July 2023, the base monthly salary ranges will be increased by 3.0% for all represented sworn and non-sworn classifications.

- Article 17.1 Career Incentive Program – Sworn Personnel

C. Effective the first full pay period in July 2021, Sworn Employees who are eligible or become eligible for the career incentive program shall receive one of the following:

An employee who has an AA/AS degree from an accredited college or university shall receive a differential of three percent (3.0%) of base pay.

An employee who has completed 60 semester units from an accredited college or university and completes 6 semester units every 24 months shall receive a differential of three percent (3.0%) of base pay.

An employee who has a BA/BS degree from an accredited college or university shall receive a differential of four percent (4.0%) of base pay.

An employee who as a MS/MA degree from an accredited college or university shall receive a differential of six percent (6.0%) of base pay.

D. Effective the first full pay period in January 2022, Sworn Employees who are eligible or become eligible for the career incentive program shall receive one of the following:

An employee who has an AA/AS degree from an accredited college or university shall receive a differential of three percent (3.0%) of base pay.

An employee who has completed 60 semester units from an accredited college or university and completes 6 semester units every 24 months shall receive a differential of three percent (3.0%) of base pay.

An employee who has a BA/BS degree from an accredited college or university shall receive a differential of five percent (5.0%) of base pay.

An employee who as a MS/MA degree from an accredited college or university shall receive a differential of six percent (6.0%) of base pay.

For the City

Glenn Beckman
Kristen Curren

Date: 1/7/2021

For the Association

[Signature]

Date: 1/7/2021



AGENDA BILL

Agenda Item No. 7.B.

Date: January 19, 2021
To: El Cerrito City Council
From: Holly M. Charl  ty, City Clerk, City Management
Subject: Ordinance Amending Rules of Order

ACTION PROPOSED

Introduce by title and waive any further reading of an Ordinance amending Section 2.04.050 and 2.04.220 regarding Rules of Order.

BACKGROUND/ANALYSIS

On December 1, 2020, the City Council adopted new and revised policy and procedures. This included Resolution 2020-59, which adopted Administrative Policies and Rules of Order, a policy which aligns with Rosenberg's Rules of Order for parliamentary procedure. As part of these policy revisions, there is also a need to revise current language in the City's Municipal Code to align with the newly adopted policy.

In order to comply with the requirements for ordinance adoption, and to provide advanced notice as required by law, City staff is bringing back the proposed ordinance for introduction and the first reading. The ordinance would revise language to state that in the case of conflict over parliamentary procedure, Rosenberg's Rules of Order would govern.

If approved, staff would return on February 2, 2021 to request approval and adoption of the ordinance, which would go into effect 30 days after adoption.

STRATEGIC PLAN CONSIDERATIONS

This action aligns with Strategic Plan Goal A: Deliver Exemplary Government Services by ensuring city procedures represent best practices.

ENVIRONMENTAL CONSIDERATIONS

This section is not applicable to this agenda item.

FINANCIAL CONSIDERATIONS

This section is not applicable to this agenda item.

LEGAL CONSIDERATIONS

The City Attorney has reviewed and approved the proposed Ordinance.

Reviewed by:

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

Karen Pinkos, City Manager

Attachments:

1. Ordinance

ORDINANCE NO. 2021-XX

AN ORDINANCE OF THE CITY OF EL CERRITO AMENDING SECTION 2.04.050 AND 2.04.220 REGARDING RULES OF ORDER

WHEREAS, on February 18, 2020 the City Council formed a subcommittee consisting of Mayor Lyman and Mayor Pro Tem Fadelli to review Council policy; and

WHEREAS, the subcommittee discussed and reviewed the most commonly used rules of parliamentary procedure; and

WHEREAS, Rosenberg's Rules of Order are the most aligned with the needs of a local legislative body and is aligned with the City Council's common practices in conducting public meetings; and

WHEREAS, the subcommittee agreed that the guidance for boards, commissions, and committees should align with the procedures used by City Council.

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: Section 2.04.050 (Rules of Order) of the El Cerrito Municipal Code is hereby amended as follows (additions show in *italics* and deletions show in ~~strikethrough~~):

In case of conflict over parliamentary procedure, the council shall be governed by ~~Sturgis Standard Code of Parliamentary Procedure~~ *Rosenburg's Rules of Order*. No ordinance, resolution, proceeding or other action of the council shall be invalidated, or the legality thereof affected, by the failure or omission to observe or follow said guide.

Section 3: Section 2.04.220(B)(7) (Conduct of Business) of the El Cerrito Municipal Code is hereby amended as follows (additions show in *italics* and deletions show in ~~strikethrough~~):

The conduct of board or commission business shall be by ~~Sturgis Standard Code of Parliamentary Procedure~~ *Rosenburg's Rules of Order*, or by rules of procedure adopted by the board or commission. Failure to follow the applicable rules of procedure shall not invalidate an otherwise valid action of a board or commission.

Section 4: 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 5: Effective Date. This Ordinance shall take effect and be enforced thirty days after the date of its adoption. Prior to the expiration of fifteen days from the passage thereof, the ordinance or a summary thereof shall be posted or published as may be required by law, and thereafter the same shall be in full force and effect.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the City Council on January 19, 2021 and passed by the following vote:

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

ADOPTED AND ORDERED published at a regular meeting of the City Council held on February 2, 2021 and passed by the following vote:

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

APPROVED:

Paul Fadelli, Mayor

ATTEST:

Holly M. Charl  ty, City Clerk

ORDINANCE CERTIFICATION

I, Holly M. Charl  ty, City Clerk of the City of El Cerrito, do hereby certify that this Ordinance is the true and correct original Ordinance No. (2021-XX) 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 2nd day of February, 2021; and that said Ordinance has been published and/or posted in the manner required by law.

WITNESS my hand and the Official Seal of the City of El Cerrito, California, this _____ day of February, 2021.

Holly M. Charl  ty, City Clerk



AGENDA BILL

Agenda Item No. 7.C.

Date: January 19, 2021
To: El Cerrito City Council
From: Holly M. Charl  ty, City Clerk, City Management
Subject: Urban Forest Committee Term Limits

ACTION PROPOSED

At the request of Councilmember Abelson and the members of the Urban Forest Committee, discuss potential modifications to term limitation for the committee and provide direction to staff.

BACKGROUND

The Urban Forest Committee (renamed in 2017 from the Tree Committee) was established in 2007 to:

- Advise City Council and residents with regard to the growth, maintenance, and location of trees within the City;
- Recommend programs, policies, and ordinances to implement and promote the City's Master Street Tree List and Urban Forest Management Plan and coordinates with Public Works Department staff regarding management and maintenance efforts;
- Promote and foster public awareness, education, interest and support for urban forestry efforts, foster volunteer opportunities for tree planting and irrigation along the city's streets and in residential front yards, and educates residents regarding selecting, planting and maintaining trees; and
- Promote public awareness and education concerning potential hazards about above ground and underground utilities and provides information about appropriate tree species and varieties.

The 2020 Council liaison, Councilmember Abelson, has requested discussion of term limits at the behest of the Urban Forest Committee Members. The current members have expressed concerns about the low number of members on the Committee, currently 5 out of a possible 15, and the challenges in recruiting new members. One member termed out last year, and one member will term out on 3/1/2021. The Committee has expressed a desire to have members able to serve longer.

ANALYSIS

El Cerrito Municipal Code (ECMC) section 2.04.220 provides general requirements and restrictions for City Boards, Commissions, and Committees (advisory bodies). This includes setting terms of service at a length of four years, commencing on March 1st. It also restricts service to two consecutive full four-year terms.

Unless otherwise specified in the formation documents, advisory bodies must adhere to the requirements of the municipal code. Members are limited to two consecutive full terms on each advisory body. The term of the individual seats are fixed. Therefore, if a seat is vacated before the end of the term, the new member would serve the remainder of the current term. This is considered a “partial term” and does not count towards the two term limits.

All City advisory bodies have staggered terms so that an entire advisory body is not replaced at any given time. Generally, half of an advisory body’s membership expires on a set date, with the other half expiring several years later. At this time only the Crime Prevention Committee is exempt from the two term limits, per Resolution 2001-105 which states that members may serve more than two consecutive terms.

Staff recommends that the City Council keep term limits in place to keep consistent with the adopted regulations in the Municipal Code. Alternately, if the City Council wishes to extend terms for the Urban Forest Committee, staff recommends extending from a two term limit (8 years), to a three term limit (12 years). This will allow additional time for members to serve on the Committee, and allows the advisory body to function with a level of continuity and institutional knowledge as members are replaced.

Should the City Council wish to change the term limits of the Urban Forest Committee, staff will bring back a resolution that includes the direction of the Council for consideration at a future meeting.

STRATEGIC PLAN CONSIDERATIONS

This action aligns with Strategic Plan Goal A: Deliver Exemplary Government Services by maintaining an emphasis on providing excellent customer service.

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

2021 CITY COUNCIL LIAISON ASSIGNMENTS

LEGISLATIVE BODY	Meeting Schedule Meeting Location	2020 Appointee Alternate	2021 Appointee Alternate
Association of Bay Area Governments (ABAG), General Assembly	April (Annually) Various Bay Area Cities	Pardue-Okimoto Abelson	Abelson Fadelli
League of California Cities East Bay Division (Delegate) <i>(Includes League Annual Conf.)</i>	4th Thurs at 7:00 pm (most months) Various East Bay Cities	Quinto Pardue-Okimoto	Fadelli Quinto
Contra Costa Mayors' Conference (Delegate)	1st Thursday at 6:30 p.m. (Monthly) Various Contra Costa County Cities	Mayor Mayor Pro Tem	Mayor Mayor Pro Tem
West County Mayors' & Supervisors' Assosiation	4th Thursday at 8:30 a.m. (Monthly) Hercules Jan-June, Richmond July - Dec	Mayor Mayor Pro Tem	Mayor Mayor Pro Tem
Marin Clean Energy Board (Delegate)	3rd Thursday at 7:00 p.m. (Quarterly) San Rafael	Lyman Fadelli	Quinto Motoyama
West Contra Costa Transportation Advisory Committee (Delegate) <i>(Makes appointment to CCTA)</i>	4th Friday at 8:00 a.m. (Monthly) Council Chambers	Fadelli Abelson	Fadelli Abelson
East Bay Green Corridor Principal <i>(ideally 2 successive terms)</i>	As Needed Berkeley	Abelson	Abelson
Save Alta Bates Subcommittee	As Needed Berkeley	Pardue-Okimoto	Rudnick
Tom Bates Regional Sports Field JPA	2nd Wednesday p.m. (Quarterly) Albany	Lyman Pardue-Okimoto	Rudnick Motoyama
West County Integrated Waste Management Authority (Delegate) <i>RecycleMore</i>	2nd Thursday at 7:00 p.m. (Monthly) San Pablo	Quinto Lyman	Rudnick Quinto
Arts & Culture Commission	4th Monday at 7:00 p.m. (Monthly) Council Chambers	Fadelli	Rudnick
Committee on Aging	3rd Wednesday at 3:00 p.m. (Monthly) Council Chambers	Abelson	Abelson
Crime Prevention Committee	2nd Wednesday at 7:00 p.m. (Monthly) Hillside Conference Room	Quinto Fadelli	Rudnick
Design Review Board	1st Wednesday at 7:30 p.m. (Monthly) Council Chambers	Quinto	Abelson
Economic Development Committee	3rd Monday at 7:00 p.m. (Monthly) Hillside Conference Room	Quinto	Motoyama
Environmental Quality Committee	2nd Tuesday at 7:00 p.m. (Monthly) Council Chambers	Abelson	Fadelli
Financial Advisory Board	2nd Tuesday at 7:00 p.m. (Monthly) Hillside Conference Room	Pardue-Okimoto	Quinto
Human Relations Commission	1st Wednesday at 7:00 p.m. (Monthly) Hillside Conference Room	Pardue-Okimoto	Motoyama
Park and Recreation Commission	4th Wednesday at 7:00 p.m. (Monthly) Council Chambers	Lyman	Fadelli
Planning Commission	3rd Wednesday at 7:30 p.m. (Monthly) Council Chambers	Fadelli	Motoyama
Urban Forest Committee	2nd Monday at 7:00 p.m. (Monthly) Hillside Conference Room	Abelson	Quinto
Municipal Services Corporation Chair/Vice Chair <i>(Per bylaws)</i>	As needed Council Chambers	Mayor Mayor Pro Tem	Mayor Mayor Pro Tem
Pension Board Chair <i>(Meets same as Council)</i>	As needed Council Chambers	Mayor Mayor Pro Tem	Mayor Mayor Pro Tem

(Physical locations noted for when meeting are no longer held virtually)



SUPPLEMENTAL AGENDA MATERIALS PUBLIC COMMENT INDEX

CONCURRENT SPECIAL MEETING OF THE EL CERRITO REDEVELOPMENT AGENCY SUCCESSOR AGENCY AND REGULAR CITY COUNCIL MEETING JANUARY 19, 2021 (Revised January 20, 2021)

The following Public Comments were **received by 4:00 p.m. 1/19/2021**, were provided directly to City Councilmembers in advance of the meeting, and were posted online as supplemental materials at www.el-cerrito.org/CouncilMeetingMaterials

REGULAR Meeting Public Comments – Items Not on the Agenda

1. Cordell Hindler
2. Gary Prost
3. Nick Zamorano

REGULAR Meeting Agenda Item 4C – Consulting Services Agreement with R3 Consulting Group, Inc. for the Evaluation of Recycling Collection Operations and Outsourcing Feasibility

1. Nick Zamorano and Marlene George
2. Dave Weinstein

REGULAR Meeting Agenda Item 4D – Authorize Amendment of Professional Services Agreement between City of El Cerrito and Moore Iacofano Goltsman (MIG) to update San Pablo Avenue Specific Plan and Environmental Impact Report utilizing grant funds

1. Howdy Goudey

REGULAR Meeting Agenda Item 5A – El Cerrito Library Update

1. Al Miller
2. Pamela Austin

REGULAR Meeting Agenda Item 7B – Ordinance Amending Rules of Order

1. Cordell Hindler

From: [cordell hindler](#)
To: [City Clerk](#)
Subject: ORAL COMMUNICATIONS FROM THE PUBLIC
Date: Thursday, January 14, 2021 10:24:54 PM

hello Holly, i have a couple of Comments for the Record

1. the public should return because we want to hear what the council has to say
2. also i would like if the council would invite Bob Powers to provide an update on the Del Norte bart station

sincerely
Cordell

From: [Gary Prost](#)
To: [City Clerk](#)
Subject: Regular City Council Meeting, 19 January 2021 - Public Comments, NOT ON AGENDA
Date: Monday, January 18, 2021 12:00:26 PM

Regarding Safe Emergency Evacuation Routes

A lot has changed in the past year with respect to politics, the budget, and the pandemic. What has *not* changed is the danger of an urban-wildland fire in the East Bay Hills. Make El Cerrito Fire Safe, a grassroots community group, continues to advocate for safe evacuation routes in case of a wind-driven fire in El Cerrito. We know that you have prepared maps of major evacuation routes, but not much else has been done. We would like to see the city do all of the following (with minor budget impact, if any):

- 1) post signs on major evacuation routes so that every resident knows which streets to use in an emergency (depending on wind direction, of course).
- 2) post signs on narrow streets (less than 20 ft) stating that there is no parking (or no parking on one side) during Red Flag Days on penalty of towing and impounding. These restrictions exist in other California jurisdictions, for example, Los Angeles, Pasadena, and Beverly Hills.
- 3) Work with the West Contra Costa Unified School District and individual principals to develop evacuation plans for Madera Elementary and other at-risk El Cerrito schools.
- 4) Have Police do both 'table top' and live evacuation drills once a year to work out the kinks.
- 5) Once evacuation routes and narrow streets are identified, the EC Fire Department should enforce clearing dead and/or overgrown brush, overhanging trees, and other fuel from at least 5 ft on either side of these roads as has been done at UC Berkeley, Santa Rosa, and other communities (up to 30 ft where no homes; Montecito clears 100 ft either side).

We thank you for your consideration.

Sincerely,

Gary Prost
Make El Cerrito Fire Safe

[REDACTED]
[REDACTED]
[REDACTED]

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Gary Prost

[REDACTED]
[REDACTED]
[REDACTED]

From: [nick zamorano](#)
To: [City Clerk](#)
Subject: Public Comment Non-Agenda Item
Date: Monday, January 18, 2021 5:05:40 PM

I want to express my concern that the FAB is seriously underutilized and I have suggestions as to how to maximize their knowledge and expertise in all matters pertaining to the budget of El Cerrito. I have attended several FAB meetings pre-Covid and have always been impressed with members' scope of knowledge regarding finances and budget issues. It seemed to me that despite their knowledge and expertise, their main function was to "rubber stamp" whatever budget decisions presented by the finance department. I believe they would be better used to review, analyze and critique any report and financial projections made by the finance department. They should be given the authority to render budget recommendations to council and operate separately from the finance department. The FAB should also be provided the opportunity to present their budget findings and recommendations to council on a quarterly basis at minimum. This would allow residents to see and hear the FAB since most are more likely to tune into city council meetings than a FAB video meeting. I see the FAB acting as a budget oversight board and providing council with another perspective on balancing/stabilizing the budget. Thank you for reading my comments.

Nick Zamorano
El Cerrito Resident

Sent from [Mail](#) for Windows 10

From: [nick zamorano](#)
To: [City Clerk](#)
Subject: Public Comment Agenda Item 4C
Date: Monday, January 18, 2021 4:43:25 PM

Greetings Mayor and City Councilmembers:

We're writing to express our objections to approval of the proposal for consultation services in the amount of \$60,610. In our opinion, this is another example of "budget cost creep" where costs for "consultation" services are counterproductive to balancing a city budget. Because we're in a "budget crisis" we don't understand the logic or need to pay for consulting services to determine whether a specific city service should be outsourced. It appears to us that a city staff analyst could perform this task and the money saved could be used to supplement other city services or placed in the reserve. If no staff analyst position currently exists then perhaps the \$60,610 could be used to create such a position and therefore be used in the future in lieu of paying a private firm for consultation services. It seems to us that El Cerrito relies too heavily on consulting firms at the expense of increasing debt and the diversion of funds from more useful city services and programs. Thank you for taking the time to read our comments.

El Cerrito Residents
Nick Zamorano
Marlene George

Sent from [Mail](#) for Windows 10

Jan. 19, 2021

Comments to Mayor and City Council re: Agenda Item 4 C, Consulting services agreement on recycling

Mayor and members of the council:

These comments come from me as a private citizen, though I am also a member of the City's Environmental Quality Committee. The EQC has not discussed the issue.

I am concerned about any changes in recycling that have the potential to reduce the city's commitment to this valuable contributor to sustainability.

I am not overly concerned about having private haulers drive the curbside trucks, as opposed to the current system of having city workers do it. But I am concerned that outsourcing pickup could lead to considerations of privatizing the recycling center. Mission creep can occur in situations like this.

My real worry is: if recycling is outsourced, the goal could shift from diverting as much and as many materials as possible from landfill to diverting only those that earn a profit.

I understand that the city is dealing with a fiscal emergency. I also understand that everyone on the council comprehends how important and popular the recycling center is to people in El Cerrito.

But I also understand that few cities run their own comprehensive recycling centers, so it would be an easy thing to say, why should we run one?

Since the mid 1990s I have served on every city committee tasked with making policy recommendations regarding recycling. The Waste Task Force on which I served from 1993 or '4 to 1995 was asked, among other questions, should the city outsource recycling?

East Bay Sanitary was willing to take it on. After much study the task force unanimously recommended that the city continue to operate its own drop-off center but consider letting East Bay Sanitary handle the curbside pickup.

The city of course adopted recommendation one but continued to operate its own curbside pickup.

From 2000 to 2008 I also served on the city's Recycling Task Force, whose job was to consider whether and to what extent the city should rebuild its ailing and old recycling center, as well as other matters.

Many, though not all, of our recommendations were adopted.

I have served for the past 12 years on the EQC.

I also learned much about recycling by writing on the city's behalf a history of the recycling center on the occasion of its reopening,
www.elcerritohistoricalsociety.org/whererecycling.pdf.

The El Cerrito Historical Society is looking forward to celebrating the 50th anniversary of this important civic institution in 2022.

Thank you

Dave Weinstein, [REDACTED]

From: [Howdy Goudey](#)
To: [City Clerk](#)
Cc: [Paul Fadelli](#); [Janet Abelson](#); [Gabe Quinto](#); [Lisa Motoyama](#); [Tessa Rudnick](#); [Melanie Mintz](#)
Subject: Public Comments 1/19/2021 Council meeting – consent agenda item #4D
Date: Monday, January 18, 2021 1:26:35 PM

Mayor Fadelli and Council Members,

To allow further discussion and direction to staff, please pull item #4D from consent, the contract for the Supplemental Environmental Impact Report (EIR) on the San Pablo Avenue Specific Plan Update.

Specifically, please direct staff that Council intends to adopt a more stringent Greenhouse Gas (GHG) Emission Threshold of Significance to be applied to this EIR process. Please ask for that action to come back to Council as soon as possible, and direct the contractor for this EIR to use the more stringent GHG threshold of significance in their analysis.

The City's adopted GHG Emission Threshold for EIRs is based on the State of California 2020 Scoping Plan, a document which is out of date and no longer appropriate for use as the basis for GHG thresholds. Just because we are revising a previous EIR doesn't mean we should use outdated criteria from the time that EIR was initially adopted. There has been significant revision since that time and we must keep up to date.

Please [see page 99, "Climate Action through Local Planning and Permitting," in the Scoping Plan for achieving the State's 2030 targets](#). It contains updated scoping guidance (itself now over three years old), including the following quote:

"CARB advises that local governments also develop community-wide GHG emissions reduction goals necessary to reach 2030 and 2050 climate goals."

In August of 2019, El Cerrito City Council adopted a Climate Emergency Resolution. A Council sub-committee was established to bring potential near-term climate actions back to Council for consideration. It has been nearly one and a half years since adoption and the Council hasn't taken any climate action and the subcommittee never reported back to Council and has subsequently lost one of the two subcommittee members to the Council election cycle.

It is notable that the Strategic Plan consideration section of the staff report for this item #4D only mentions Goals B and C (financial stability and sense of place) and does not include Goal F: (Foster environmental sustainability citywide). After all, this is a contract for an Environmental Impact Report. An EIR is part of a process that ultimately enables development and the achieve economic and placemaking goals, but it is fundamentally about avoiding environmental impacts and it should be called out as such, to keep the focus on the purpose of this work, rather than just treating it as a means to an end.

While a number of serious competing emergencies emerged for the city in the past year and a half, including a global pandemic and severe budgetary challenges, it has not diminished the emergency status of the climate crisis, which will likewise have profound impacts on the city. As the experience of the pandemic and budget crises have demonstrated, lack of preparation for an emergency makes the impacts worse. The City's tight budget may constrain funding for climate action, but that is all the more reason to do everything we can to implement the adopted goals of climate action in the funded activity that the city is already undergoing, like

this grant funded EIR process. The August 2019 Climate Emergency Declaration included the following language:

"BE IT FURTHER RESOLVED, the City of El Cerrito **supports an increase in our Citywide GHG emissions reduction rate** and will strive for zero GHG emissions Citywide as quickly as possible within the forthcoming Climate Action Plan update."

In order to be consistent with the Climate Emergency Declaration, and provide meaningful climate action with implications over the future decades for which the new Specific Plan projects will stand, please provide strong guidance that Council will adopt a more stringent GHG Threshold of Significance for the Specific Plan Update EIR, and ask for that action to be brought to you as soon as possible.

Thanks for your time and consideration,
Howdy Goudey
El Cerrito

From: [Al Miller](#)
To: [City Clerk](#)
Subject: Public Comment Agenda Item 5.A.
Date: Saturday, January 16, 2021 8:08:33 AM

16 January 2021

Mayor Fadelli, Mayor Pro Tem Quinto and Council Members Abelson, Motoyama, and Rudnick:

Thank you for taking the time to receive this presentation on the ongoing valuable programs and services our library is providing to our community, especially in the current Covid pandemic environment. Our entire community owes thanks to the professionalism of our Senior Community Library Manager Heidi Goldstein and her enthusiastic, dedicated staff who make our library such a valuable and necessary part of the quality of life we enjoy here in El Cerrito.

The information presented to you during this agenda item on the programs, services and the incredible numbers of materials circulated clearly substantiates the wisdom of the previous Council's decision to maintain funding for additional hours of library operation.

I hope it also makes each of you think of the much broader contribution of programs, services and materials that will be available when you have been able to get our financial house in order and renew efforts to provide a new, safe, and modern library for El Cerrito.

The El Cerrito Library Foundation will support those efforts to the best of our ability.

Al Miller, President, EL Cerrito Library Foundation

 El Cerrito

From: [Pamela Austin](#)
To: [City Clerk](#)
Subject: Public Comment 1/19/21 Item 5a El Cerrito Library Update
Date: Monday, January 18, 2021 11:34:42 AM

Mayor and City Council Members,

I am writing to express my support for the El Cerrito Library.]

The Library is a hub of our community for residents of all ages and interests. The importance of the Library goes far beyond providing the important function of providing access to books and magazines for the entertainment and education of the public. The librarians put together activities and classes on a broad range of subjects by bringing in experts to share some of what they know. The Library is a safe supportive place for school children and teens to study quietly, use a computer and meet friends. It's also a meeting place for local organizations.

El Cerrito has been fortunate to have high quality librarians. The promotion of the librarian recently to library management at the county is testament to the level of skill.

I understand that El Cerrito is facing extreme financial difficulties and hard decisions must be made. The challenge is to maintain our community while ensuring its preservation. In my opinion, the Library addresses both challenges and should be a priority. I suggest that the police should be reduced to maintain the library and build a new one in the future.

Pam

Compassion is one of the principal things that make our lives meaningful.

—H. H. the Dalai Lama

From: [Cordell Hindler](#)
To: [City Clerk](#)
Subject: Public Comments 7 B. Policy matters
Date: Friday, January 15, 2021 9:38:52 PM

hello Holly, i have reviewed the ordinance and i am impressed

i am asking that the council approved the Ordinance

sincerely
Cordell

PUBLIC COMMENT INDEX

CONCURRENT SPECIAL MEETING OF THE EL CERRITO REDEVELOPMENT AGENCY SUCCESSOR AGENCY AND REGULAR CITY COUNCIL MEETING JANUARY 19, 2021

The following Public Comments were **received after 4:00 p.m. 1/19/2021**, were forwarded to City Council when received.

REGULAR Meeting Public Comments – Items Not on the Agenda

1. John Stashik

REGULAR Meeting Agenda Item 7C – Urban Forest Committee Term Limits

1. Robin Mitchell

From: [John Stashik](#)
To: [City Clerk](#)
Subject: Public Comments not on Agenda
Date: Tuesday, January 19, 2021 7:59:29 PM

Mayor Fadelli & Council members:

On 19 January 2021 I attended a Zoom meeting of the EC Chamber of Commerce. A question was asked of a local restaurateur “what can the City or Chamber do to assist that struggling industry?” Under current rules every sale is take out only; no on-site dining is permitted.

Nobody knows how long these health orders will be in effect. Clearly, the restaurant business, especially the small operators, are barely making it; some no doubt lose money.

Many customers use services such as Uber Eats to deliver take out food. The restaurant operator speaking at the meeting said a 30% commission is normal. That can take all profit out of a sale. He preferred San Francisco’s approach to the problem.

Last April, the City & County of SF capped third party delivery fees to restaurants at 15% during the pandemic emergency. I think that should be done here in El Cerrito. However, it may be more practical to do it on a regional basis.

The Mayor heard the conversation. He knows the problem. I think some analysis and action is warranted on an ordinance to place a limit on these fees in order to keep local restaurants in business. I realize the Council has a lot of their plate now. But this has importance to local business.

Also, try to pick up your own food instead of handing Uber Eats, et al., their hefty cut at the expense of the poor restaurant owner.

From: [Robin Mitchell](#)
To: [City Clerk](#)
Cc: [Paul Fadelli](#); [Janet Abelson](#)
Subject: Public Comment: Agenda Item No. 7.C: Urban Forest Committee Term Limits
Date: Tuesday, January 19, 2021 5:38:48 PM

Request:

I request that the City Council modify the term limits for the Urban Forest Committee, to only have term limits if there is not full membership in the Committee. I would prefer having NO terms limits rather than the staff proposal to have a 3 term limit. The Crime Committee is exempt from term limits per Resolution 2001-105, and I don't see why all other Committees are not also exempt, particularly if the committee does not have full membership.

Background:

I do not understand why city committees need to have term limits. Why would the city turn away a knowledgeable resident who wants to participate in their local government by being a member of a city committee?

The Urban Forest Committee, of which I am a member, has lost several key members in the past few years and we are about to lose another at the end of March 2021. All of these members have technical expertise critical to the proper functioning of the committee, and it will be very difficult to find new members with their knowledge of trees and forestry.

Additionally, with the loss of the latest person to be termed out in March 2021, we will only have 4 members on the committee. And during this time of the pandemic, it is extremely difficult to recruit new members.

I can understand having term limits if a committee has a completely full membership, but the Urban Forest Committee certainly doesn't. And I believe other committees are in the same situation

Also, regarding having term limits on boards and commissions, I think generally it may be a good idea, but one example where it has resulted in a significant reduction in expertise has been the fact that I believe Maggie Leighly, a landscape architect, termed out of the Design Review Board a few years ago. She always had good comments to contribute about the landscaping on projects that came to the DRB. Since she left, there has not been a replacement for the landscape architect perspective, which I think is a problem, given that most of the projects coming in seem to do the minimum in terms of landscaping. I know that Stephen Pree reviews the landscaping for those projects, but if there was a competent landscape architect on the DRB he might not have to do that.

Thank you

Robin Mitchell
El Cerrito Resident