



AGENDA

REGULAR MEETING OF THE PARK AND RECREATION COMMISSION

Wednesday, June 23, 2021 at 7:00 p.m.

Staff Liaison

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

JOIN VIA ZOOM:

<https://zoom.us/j/92252246302?pwd=T2syK1ppUFhMcFNlUHk5MFFySk1WQT09>

Event ID: 922 5224 6302 **Password:** 899387
or Dial in: 1-408-638 0968

Pursuant to Executive Order 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 Park and Recreation meeting via Zoom using the meeting information listed above.

Public comments may be submitted one of two ways:

1. Via Zoom using the [“Raise Hand”](#) icon to request to speak. If joining by phone, dial *9 to “raise your hand”, and when prompted *6 to unmute/mute.
2. Via email to cjones@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 Park and Recreation Commission 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 Park and Recreation Commission and posted online in advance of the meeting.

Comments received after the deadline will be provided to the Park and Recreation Commission and included with supplemental materials **after the meeting**. **No written comments will be read into the record.**

7:00 P.M. CONVENE REGULAR PARK AND RECREATION COMMISSION MEETING

1. **ROLL CALL** – Chair Ben Chuaqui; Vice-Chair Avis Codron; Members, Kathy Fleming, Jennifer Kaczor, Norman La Force, Art Machado, Megan Wier
2. **COMMISSION/STAFF COMMUNICATIONS AND ANNOUNCEMENTS**
Informal reports on matters of general interest which are announced by the Park and Recreation Commissioners and City Staff.
3. **ORAL COMMUNICATIONS FROM THE PUBLIC**
Remarks are typically limited to three minutes per person and may be on anything within the subject matter jurisdiction of the body. Remarks on non-agenda items will be heard first, remarks on agenda items will be heard at the time the item is discussed.

4. COUNCIL/STAFF LIAISON ANNOUCEMENTS AND REPORTS

Staff and/or Mayor Paul Fadelli may report on matters of general interest to the Park and Recreation Commission, Council policies, priorities and significant actions taken by the City Council.

5. APPROVAL OF MINUTES

Consider a motion adopting the minutes of the Park and Recreation Commission meeting on **May 26, 2021**.

6. OVERVIEW OF THE BROWN ACT AND MEMBER ROLES

Receive a presentation from the City Clerk on requirements of the Brown Act and an overview of Commission roles and responsibilities.

7. 2021-22 PARK AND RECREATION COMMISSION WORKPLAN DISCUSSION

Initial discussion and brainstorming for the Commission's 2021-22 Work Plan.

8. REVIEW AND DISCUSSION OF PARKS AND RECREATION RELATED PROJECTS

Review Parks Projects Status Sheet of funded and unfunded capital improvement program projects related to Parks and Recreation.

9. RECREATION DEPARTMENT UPDATE

Update on items of interest in the Recreation Department.

10. ITEMS FOR FUTURE AGENDAS

- Next Regular Meeting: Wednesday, July 28, 2021 at 7 p.m.
- Parks and Recreation Facilities Projects Update – Ongoing
- Park and Recreation Commission Work Plan – July
- Permanent Pickleball Courts Considerations – August

11. ADJOURN REGULAR PARK AND RECREATION COMMISSION MEETING

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Staff Liaison, (510) 559-7005. 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).

Any writings or documents provided to a majority of the members regarding any item on this agenda will be made available for public inspection at the El Cerrito Community Center, 7007 Moeser Lane, El Cerrito, CA 94530 during normal business hours.



SUPPLEMENTAL AGENDA MATERIALS

**REGULAR PARK & RECREATION COMMISSION
MEETING**

June 23, 2021

**AGENDA ITEM 6 - OVERVIEW OF THE BROWN ACT AND MEMBER
ROLES**

1. Presentation

**AGENDA ITEM 7 - 2021-22 PARK AND RECREATION COMMISSION
WORKPLAN DISCUSSION**

1. 2018-19 Work Plan (for reference)

**AGENDA ITEM 8 - REVIEW AND DISCUSSION OF PARKS AND
RECREATION RELATED PROJECTS**

1. Project Status Sheet

ADVISORY BODY TRAINING THE BROWN ACT ROLES & RESPONSIBILITIES

June 2021



Part 1: Brown Act Overview

- Definitions
- Types of Meetings
- Agendas and Materials
- Meeting Discussion
- Teleconference
- Meeting Remotely
- Enforcement and Penalties

The Ralph M. Brown Act

- Part of Government Code - an access to information law regarding open **meetings** and open **deliberations**
- Meetings must be open and public with a posted agenda, all persons are permitted to attend, all persons are allowed to speak before a vote is taken on any action item, and must be held within the jurisdiction
- All city advisory body meetings are subject to the requirements of the Brown Act
 - Not applicable to Ad-Hoc committees

Definitions

- **Meeting** – when a majority of members meet to hear, discuss, deliberate or take action on an item within its subject matter jurisdiction
- **Ad-Hoc Committee** – sometimes referred to as a “temporary Committee” is less than a quorum of members formed for a limited period of time, for a single or limited purpose, and dissolved when the task is complete (NOT subject to the Act)
- **Standing Committee** – less than a quorum of members permanently formed for discussion on a particular and ongoing topic within the advisory body’s jurisdiction

Regular Meetings

- Occur at a date, time, and location set by resolution or ordinance
- Require an agenda to be posted **72** hours in advance (physical and online by law)
- Public comments can be made on any matter within the subject matter jurisdiction of the advisory body

Special Meetings

- Any meeting held outside of the date, time, and location set by resolution or ordinance
- Require an agenda to be posted **24** hours in advance (physical and online by law)
- Public comments can be made **only on items on the agenda**

Serial Meetings

- **Serial Meetings** are illegal!
- A majority of members engaging in a series of communication (direct or indirect) to discuss, deliberate, or take action on any item of business or potential business
 - **Daisy Chain** – verbal or written
Member A calls Member B, Member B calls Member C, Member C calls Member D, etc.
 - **Hub and Spoke** – A person or a document
Member A calls Member B, Member A calls Member C, Member A calls Member D, etc.

Agendas

- Must include the time, date and location of meeting, ADA accommodations, and a description of each item of business (typically limited to 20 words)
 - **Items not listed on the agenda CANNOT be discussed**
- Public comment on agenda items (any meeting type) or anything within the jurisdiction of the advisory body (regular meetings)
- Posted (physically and online) 72 hours in advance (24 hours for special/emergency meeting)

Meeting Materials

- Materials distributed to the advisory body less than 72 hours prior to the meeting must be simultaneously made available to the public
- If materials are distributed by the agency during the meeting, copies for the public must be available **during** the meeting
- If materials are provided by the public during the meeting, they must be made available after the meeting

Meeting Discussion

- Discussion at that meeting is **limited** to what is **on** the agenda
 - Exception at a regular meeting with 2/3 vote for an immediate need to take action (forgetting does not count!)
- **Brief** responses to statements or questions, announcements, request for report back, or future agenda items is acceptable dialogue for items **not** on the agenda

Teleconferencing

SOME Regulations Currently Suspended due to COVID

- ~~• All locations must be accessible to the public, and listed on the agenda~~
- ~~• Agenda must be posted at all locations~~
- ~~• At least a quorum of members must participate from within the jurisdiction~~
- All votes **must** be done by roll call

Meeting during COVID

- A physical location is not required
- Members of the public must still be given the ability to provide public testimony (achieved via Zoom or email)
- Members can participate from any location.
- Public notice is only required at City Hall and on the City's website.
- Attendance and ALL votes require a roll call vote.
- **All other provisions of the brown act still apply.**

Enforcement and Penalties

- Criminal Action - Misdemeanor
 - When intention to deprive public of information and action is taken in violation of the act
- Civil Remedies
 - District Attorney or any interest Party can pursue
 - Invalidation of action taken
 - Demand to remedy
 - Attorney's fees if prevail

Part Two: Roles and Responsibilities

- Roles
- General Rules/Limitations
- Powers and Duties
- Membership Tools

Roles

- **Advisory Body Chair**
 - Sets the agenda with staff liaison
 - Presides over meetings
 - Represents the body before City Council
- **Staff Liaison**
 - Facilitates meetings and materials
 - Ensures compliance with Brown Act and Parliamentary Procedure
 - Advises members and provide technical expertise
 - Acts as conduit for communication with city staff
 - Are **not** employees of the advisory body

Roles

- **Council Liaison**
 - Reports on council actions and activities quarterly
- **City Clerk**
 - Ensures compliance with municipal code and other advisory body policies
 - Term limits, attendance rules, eligibility
 - Manages Advisory Body Membership
 - Application, interview and appointment process
 - Membership training and filing requirements
 - Advises staff liaisons
 - Standards and resources based on policies

General Rules/ Limitations

- Members should not become involved in the administrative or operational matters of City departments unless specifically provided for in the body's enabling legislation
- Unless specifically authorized by City Council, members may not represent the policy of the city and may not directly communicate with outside agencies

General Rules/ Limitations

- Members should not ask staff to commit to work that has not been budgeted or approved, or in any way try to direct the priority of work for the department providing technical advisory staff.
- Advisory bodies may not take any financial actions (such as endorsing grant applications) which commits or indicates the intention to commit the city

General Rules/ Limitations

- Members may not ask for individual reports, favor or special consideration. Requests and communication shall be restricted to the framework of the advisory body's assignment.

Powers and Duties

City Advisory bodies advise City Council on **specific** City program areas and **related** policies. Responsibilities are set by ordinance or resolution.

The **Park & Recreation Commission**, per El Cerrito Municipal Code §2.04.240, have the following Powers and Duties:

1. To act in an advisory capacity on matters pertaining to public recreation, including parks, playgrounds, landscaping within the boundaries of parks, playgrounds and recreational facilities, childcare, educational courses, and entertainment;

Powers and Duties

2. To make recommendations regarding the annual budget, within its scope of concern, to the city manager and the council;
3. To make recommendations, annually, concerning fees for city sponsored programs;
4. To assist in planning recreation programs for the residents of the city, to promote public interest therein, and to solicit the cooperation of other public and private agencies;
5. To make recommendations to the council regarding present and future needs for park and recreation facilities.

Membership Tools

- www.el-cerrito.org/110/Membership-Tools

MEMBERSHIP TOOLS

- [Handbook for City Advisory Body Members \(2021\)](#)
 - [Printable version w/attachments](#)
- [Guidelines for Council and Staff Relations Resolution \(Resolution 2013-68\)](#)
- [Conflict of Interest Resources](#)
 - [Conflict of Interest and Ethics for Local Government](#)
- [Ethics Training Requirements \(Resolution 2013-67\)](#)
 - [Online Ethics Training](#)
- [City of El Cerrito General Member Provisions \(Municipal Code Section 2.04.220\)](#)
- [Open and Public V: A Guide to the Ralph M. Brown Act \(April 2016\) \(The League of California Cities\)](#)
- [Rosenburg's Rules of Order \(Parliamentary Procedure\)](#)
- [THE PEOPLE'S BUSINESS: A Guide to the California Public Records Act \(April 2017\) \(The League of California Cities\)](#)

Questions?

Holly M. Charléty, MMC
City Clerk
510-215-4305
hcharley@ci.el-cerrito.ca.us



Park and Recreation Commission

FISCAL YEAR 2018-2019 WORK PLAN

AND

2017-2018 ACCOMPLISHMENTS

Members: David Zuckermann – Chair, Tara McIntire – Vice Chair, Ben Chuaqui, Norman La Force, Art Machado, Robin Mitchell, and Jun Sunseri

ENABLING LEGISLATION:

El Cerrito Municipal Code Section 2.04.240

There shall be a park and recreation commission. It shall have the powers and duties stated below, and such others as the council may decide:

- A. To act in an advisory capacity to the council and the city manager on all matters pertaining to public recreation, including parks, playgrounds, landscaping within the boundaries of parks, playgrounds and recreation facilities, child care, educational courses, and entertainment;
- B. To make recommendations regarding the annual budget, within its scope of concern, to the city manager and the council;
- C. To make recommendations to the council, annually, concerning fees for city sponsored programs;
- D. To assist in planning recreation programs for the residents of the city, to promote public interest therein, and to solicit the cooperation of other public and private agencies;
- E. To make recommendations to the council regarding present and future needs for park and recreation facilities.

HISTORICAL BACKGROUND:

El Cerrito’s Parks Commission was created in 1946 by the City Council. In 1949 a combined Park and Recreation Commission was created. The commission has been active ever since in all major park and recreation facility projects and plans. They were instrumental in the public process that ultimately saw the approval of Measure A in 2000 for the reconstruction of the El Cerrito Swim Center. Several plans were reviewed by the Commission including the Ohlone Greenway Master Plan, Urban Forest Plan, Urban Greening Plan, and others. They have reviewed and recommended all playground renovations over the past 15 years at nearly every City park. Upon the Park and Recreation Commission’s recommendation, the City Council authorized the creation of the El Cerrito Parks and Recreation Facilities Master Plan to assess the needs of the Parks and Recreation system as well as plan for its future. *The Master Plan was recommended for approval, with conditions, by the Park and Recreation Commission in September of 2018 and will be presented to the City Council in early 2019.*

FISCAL YEAR 2018-19 WORK PLAN

GOAL/OBJECTIVE	PROPOSED ACTIVITIES
1. Monitor the implementation of the Parks & Recreation Facilities Master Plan	<ul style="list-style-type: none"> • Confirm project priorities as defined in the Master Plan • Review project designs • Advocate for funding to implement recommendations • Explore opportunities with Proposition 68 to fund Master Plan recommendations
2. Formulate recommendation to City Council to extend Measure A (Swim Center)	<ul style="list-style-type: none"> • Review and recommend projects to be included in ballot initiative • Assist in voter education if placed on the ballot
3. Hillside Natural Area	<ul style="list-style-type: none"> • Explore City’s Current Practices: <ul style="list-style-type: none"> ○ Fuels management/wildfire study of 2017 ○ Volunteer efforts ○ Trail maintenance
4. Explore options for regulations of drones in Parks & Recreation Facilities	<ul style="list-style-type: none"> • Hold community meeting to take public feedback • Considers forming a sub-committee to help shape public process and review existing regulations

PRIOR YEAR ACCOMPLISHMENTS

GOAL/OBJECTIVE	ACTIVITIES SUPPORTING GOAL	STATUS
1. Parks and Recreation Facilities Master Plan	<ul style="list-style-type: none"> • Held 3 public meetings to review and eventually recommend adoption, with conditions, to the City Council 	<ul style="list-style-type: none"> • CEQA Analysis in progress. City Council Consideration in early 2019
2.		
3.		
4.		
5.		

ONGOING PROJECTS

PROJECT	ACTIVITIES
1. Measure A Swim Center Funding	<ul style="list-style-type: none"> • Monitor spending of Measure A Capital Improvements Budget at the Swim Center
2. Monitor and document present and future needs of Park Facilities and Landscaping	<ul style="list-style-type: none"> • Monitor implementation of Parks & Recreation Facilities Master Plan after it is approved. • Commissioners visit priority parks together each year and split remaining parks to be visited individually; report back on conditions
3. Monitor Recreation Department programs and budget	<ul style="list-style-type: none"> • Receive annual presentations from division supervisors and budget updates
4. Gather information/communication/feedback from community	<ul style="list-style-type: none"> • Recommend resident surveys every 2-5 years • Publicize Park and Recreation Commission meeting dates and times in rECnews electronic newsletter. • Plan 4th of July booth and what the Commission would like to accomplish
5. Receive regular updates on parks projects in the City's CIP.	<ul style="list-style-type: none"> • Financial status; budget • Schedule/impactful changes • Design Review
6. Monitor the relationship between City of El Cerrito and West Contra Costa Unified School District.	

**Park Recreation Capital Improvement Projects, FY 2021
City of El Cerrito Park and Recreation Commission - 6/23/21**

Funded & Approved Projects	Project #	Budget FY 2021	Funding Source (s)	Status
Hillside Natural Area Improvements	C3075, C5046	\$131,767	FEMA, State, Measure H	Complete
<i>Implement recommendations in the Parks & Recreation Facilities Master Plan (2019) and other needed repairs. Repair of fire access roads at five sites in the HNA has been undertaken in the last few years. The project is largely funded by a FEMA Public Assistance Program grant and a California Governor's Office Disaster Assistance Act of Emergency Services Program grant. The final site to be repaired is above Roger Ct and required additional design. This final project includes City matching funds from Measure H. Other Plan recommendations, including development of a Master Plan for trail maintenance & development and native plant and forest restoration, are currently unfunded.</i>				
Hillside Natural Area Signage Improvements	C5038	\$56,000	Measure WW	Finalizing Design for Bidding by May 2021 to meet completion deadline of December 2021.
<i>Install gateway trailhead signs, trail entry signs, and trail directional markers within the Hillside Natural Area. The design and location of sign are guided by the El Cerrito Trails Signage Plan, a collaborative effort between the El Cerrito Trail Trekkers, the National Park Service, and the City of El Cerrito. These have been updated to conform with current guidelines for accessibility and best practices.</i>				
Ohlone Greenway Improvements - Hill Street/Safeway Side Path	C3069	\$65,000	Park-In-Lieu	Timeline TBD pending discussion with property owner and BART
<i>Improve the Ohlone Greenway consistent with the Greenway Master Plan (2009) includes path, landscaping, street crossing improvements and other amenities on the Ohlone and cross streets between Hill and Blake Streets. The street crossing improvements at Hill Street were implemented in 2019 as part of the Ohlone BART Station Area Access, Safety and Placemaking Improvement Project. The next phase is installation of side path and enhanced landscaping between Hill Street and Safeway entrance.</i>				
Parks and Recreation Facilities Master Plan Program	TBD	\$35,475	Measure H	FY 2021 work ongoing, see separate sheet
<i>The Program will implement the recommendations in the Parks & Recreation Facilities Master Plan adopted by City Council in April 2019. The Master Plan identifies nearly 200 projects that are categorized as either Immediate Work Priorities, Policy/Programs, Early Wins, Deficiencies, and Enhancements/New Projects. Funding from Measure H is identified in this project for the Immediate Work Priorities in FY2020-21 and FY2021-22 and the renovation of the Cerrito Vista Picnic site in FY2024-25. Implementation of some Master Plan recommendations are listed separately on this sheet.</i>				
Swim Center Capital Enhancements	C3050	\$200,000	Measure A - 2000	Moved to FY22
<i>The project includes various capital upgrades or enhancements to the original construction of the Swim Center. After completion of the Swim Center in 2004 and warranty work in 2005, there remained some modifications and enhancements needed to bring the Swim Center up to its highest effectiveness. After 16 years of operation, future capital needs are anticipated to include pool plaster replacement, ADA improvements to pool stairs, ADA improvements to the parking lot, deck replacement and new pool components such as filters, pool lights, pool covers, etc.</i>				

Park Recreation Capital Improvement Projects, FY 2021
City of El Cerrito Park and Recreation Commission - 6/23/21

Future & Unfunded Projects	Project #	Budget	Funding Source (s)	Identified Funding Year
Arlington Park Improvements	TBD	\$331,191	Measure H, Prop. 68 Parks Funds	Proposed for adopting in FY22 CIP Budget. Planned Design and Public Input FY22, construction in FY23. Must be completed by December 2023.
Centennial Park Phase II		\$250,000	Developer Related Fees	Timeline will be pushed out to focus on Arlington Project - TBD
Multi-Generation Recreation Facility	TBD	\$5.5 million	Unidentified	unidentified
Ohlone Greenway Master Plan Improvements	C3034	\$150,000	Developer Contributions	Postponed, no external deadline - TBD
Parks & Recreation Facilities Master Plan Projects	TBD, various	~ \$30 million+	TBD	Fiscal Years 2022 through 2025 and unidentified

FY 2020-21 Capital Improvement Program

Parks and Recreation Facilities Immediate Work Priorities (IWP) Projects

Facility/Park	Deficiency Type	Deficiencies	Recommendations	Cost	Complete (?)
Bruce King Memorial Dog Park	Equipment Replacement	Doggie bag station	Replace 1 doggie bag station	\$800.00	X
Casa Cerrito	Architectual	Closure of second floor exit door leaves threshold and jambs exposed and prone to leaks.	Ensure condition is sealed and consider more permanent closure.	\$1,575.00	X
Casa Cerrito	Mechanical	On second floor in the women's bathroom the hot water pipe is leaking.	Repair Leak	\$851.00	No immediate repair needed
Casa Cerrito	Electrical	On first floor, the electrical outlets in the kitchen are not GFI. NEC2 IO	Replace outlet and rewire to provide GFI.	\$420.00	
Casa Cerrito	Electrical	Childcare rooms: Non GFI outdoor receptacle.	1 each outside GFI recept. With cover	\$315.00	
Casa Cerrito	Electrical	Non-system Smoke/CO2 detectors, battery powered.	Remove old devices	\$105.00	X
Harding Clubhouse	Architectual	Broken window on west side was replaced with temp plastic and wood stops	Replace with glazing and aluminum stops.	\$5,880.00	X
Harding Clubhouse	Mechanical	Bathroom lavatory metering faucet not working.	Inspect and repair the faucet.	\$525.00	X
Harding Clubhouse	Mechanical	Grate for floor drain missing	Install new grate on floor drain.	\$473.00	X
Harding Clubhouse	Electrical	In men's handicap bathroom, the electrical outlets by wash basin are not GFI protected. NEC 210.	Replace with GFI outlet.	\$315.00	
Harding Clubhouse	Electrical	At the play area, the outlet by the sink is not GFI protected. NEC 210.	Replace with GFI outlet.	\$315.00	
Madera Clubhouse	Architectual	Gutters and downspouts are rusted and leaking	Replace sheet metal gutters and downspouts	\$9,765.00	
Madera Clubhouse	Mechanical	Floor drain grate clogged with dirt and debris.	Remove drain grate, clean, and reinstall.	\$147.00	

Madera Clubhouse	Electrical	In the main room, the light fixture in the southwest corridor is missing tube and cover. UBC 27, 12. 4	Replace florescent light tube and cover.	\$630.00	
Poinsett Park/Clubhouse	Equipment Replacement	Barbecue/barbecue pit	replace 1 BBQ	\$900.00	pending
Poinsett Park/Clubhouse	Mechanical	Split level drinking fountain not working.	Inspect, clean, and repair spout or push button.	\$525.00	
Poinsett Park/Clubhouse	Electrical	In storage and rest room, the electrical duplex is not GFI. Both duplex are too close to sink. NEC 210.	Replace with GFI duplex outlet.	\$210.00	
Tassajara Clubhouse	Architectual	The screen is missing on exterior access door and could allow rodent entry.	Replace screen.	\$1,575.00	X
Tassajara Clubhouse	Mechanical	Metering lavatory faucet no longer working.	Inspect and repair the faucet.	\$525.00	
Tassajara Clubhouse	Mechanical	Kiln room louver partially covered.	Remove covering from the louver.	\$147.00	X
Tassajara Clubhouse	Electrical	220 outlet for Kiln 1 does not work. This is also j-box for outlet 2.	Repair and confirm not a safety concern.	\$315.00	
Total Building/Park Deficiencies				\$26,313.00	
35% Contingency/Soft Costs				\$9,209.55	
Grand Total				\$35,522.55	