



AGENDA

CITY COUNCIL MEETING
Tuesday, August 20, 2013 – 7:00 p.m.
City Council Chambers

Meeting Location
El Cerrito City Hall
10890 San Pablo Avenue, El Cerrito

Greg Lyman – Mayor

Mayor Pro Tem Janet Abelson
Councilmember Jan Bridges

Councilmember Rebecca Benassini
Councilmember Mark Friedman

ROLL CALL

7:00 p.m. CONVENE CITY COUNCIL MEETING

1. PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF MOMENT OF SILENCE – Mayor Pro Tem Abelson.

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 & City Staff.*)

3. 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. The Mayor may reduce the time limit per speaker depending upon the number of speakers. Please state your name and city of residence for the record. 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 are taken up at the time the City Council deliberates each action item. Individuals wishing to comment on any closed session scheduled after the regular meeting may do so during this public comment period or after formal announcement of the closed session.

4. PRESENTATIONS – *None.*

5. ADOPTION OF THE CONSENT CALENDAR – Item Nos. 5A through 5H

Consent Calendar items are considered to be routine by the City Council and will be enacted by one motion unless a request for removal for discussion or explanation is received prior to

the time Council votes on the motion to adopt the Consent Calendar.

A. Minutes for Approval

Approve the July 16, 2013, 2013 Special City Council and July 16, 2013 Concurrent City Council/Public Financing Authority and Pension Trust Board meeting minutes.

B. City Classification Plan Amendments

Adopt a resolution amending the City's Classification Plan to establish the class of Community Service Officer with an initial salary range of \$4,110 to \$4,902 per month and approve a side letter of agreement between the City and the Police Employees Association to include the classification of Community Service Officer.

C. Reject Bids for Ohlone Greenway Natural Area and Rain Garden Project – City Project No. C-3067

Adopt a resolution for the Ohlone Greenway Natural Area and Rain Garden Project, City Project No. C-3067 approving the following actions:

1. Grant the request for relief of bid from Star Construction;
2. Reject the two remaining submitted bids; and
3. Authorize City Staff to proceed with value engineering measures and re-advertise the project for public bid.

D. 2013 Street Improvement Program – City Project No. C-3072

Adopt a resolution approving the following actions:

1. Approve plans for the 2013 Street Improvement Program Project, City Project No. C-3072; and
2. Authorize the City Manager to award a contract, contingent on successful negotiations with VSS International, Inc. (the lowest responsible bidder for the project), for a deductive change order after undergoing a value engineering process which is not inconsistent with the revised budget for the 2013 Street Improvement Program, City Project No. C-3072.

E. Establish School Zone Speed Limit on Lincoln Avenue 500 Feet West of Ashbury Avenue

Adopt a resolution establishing a school zone speed limit of 15 miles per hour (mph) on Lincoln Avenue 500 feet west of Ashbury Avenue.

F. Consultant Services Agreement with Goldfarb & Lipman LLP for Legal Services

Adopt a resolution authorizing the City Manager or his designee to execute a consultant services agreement with Goldfarb & Lipman LLP for legal services related to the implementation of AB1x26 and the City's affordable housing program.

G. Authorize Short Term Cash Loan from Municipal Services Corporation

Adopt a resolution authorizing the City to enter into a short-term no interest cash loan from the Municipal Services Corporation.

H. Local Agency Investment Fund (LAIF) Authorization

Adopt a resolution authorizing the City Manager and Finance Director/City Treasurer to conduct investment transactions with the Local Agency Investment Fund (LAIF).

6. PUBLIC HEARING

Appeal of the Planning Commission's Approval of a Conditional Use Permit to Allow a Wireless Telecommunications Facility on an Existing Utility Pole Near 851 Seaview Drive

Conduct a public hearing and upon conclusion adopt a resolution denying an appeal of the Planning Commission's approval of a Conditional Use Permit to allow a wireless telecommunications facility on an existing utility pole near 851 Seaview Drive.

7. POLICY MATTERS

A. Single Use Bag Ordinance

Introduce by title, waive any further reading, and approve an ordinance amending the El Cerrito Municipal Code by adding Chapter 8.22 – El Cerrito Single-Use Bag Ordinance.

B. Foodware Ordinance

Introduce an ordinance, waive any further reading, and approve an ordinance amending the El Cerrito Municipal Code by adding Chapter 8.24 – El Cerrito Food Ware Ordinance.

C. Annual League of California Cities Conference Resolutions

Confirm Mayor Pro Tem Abelson's appointment as voting delegate at the 2013 League of California Cities Annual Conference and Councilmember Friedman as the alternate, and provide direction to Mayor Pro Tem Abelson regarding the following 2013 League of California Cities Conference resolutions:

1. Water Bond Funds [sponsored by Los Angeles County]
League Recommendation: Approve
2. Public Safety Realignment [Public Safety Committee]
League Recommendation: Approve

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

A. Mayor Lyman Assignments: Commission/Committee Rules Subcommittee, Contra Costa County Mayors' Conference, Crime Prevention Committee, East Bay Green Corridor Principal, Human Relations Commission, Municipal Services Corporation Chair, Pension Trust Board Chair, Public Financing Authority Chair, San Pablo Avenue Area Specific Plan Committee, Successor Agency to the Former Redevelopment Agency Chair, Tree Committee, West Contra Costa Transportation Advisory Committee Alternate, West County Mayors' & Supervisors' Association and West County Integrated Waste Management Authority Delegate.

B. Mayor Pro Tem Abelson Assignments: Committee on Aging, Contra Costa County Mayors' Conference Alternate, Contra Costa Transportation Authority Board Chair, League of California Cities East Bay Division Delegate (also attends as the Council's Delegate to the Annual League Conference), Environmental Quality Committee, Municipal Services Corporation Vice-Chair, Pension Trust Board Vice-Chair, Successor Agency to the Former Redevelopment Agency Vice-Chair, West Contra Costa Transportation Advisory Committee Delegate and West County Mayors' & Supervisors' Association Alternate.

C. Councilmember Benassini Assignments: Association of Bay Area Governments General Assembly Delegate, Financial Advisory Board, Planning Commission, San Pablo Avenue Area Specific Plan Committee and Tom Bates Regional Sports Field Joint Powers Authority Alternate.

D. Councilmember Bridges Assignments: Tom Bates Regional Sports Field Joint Powers Authority Delegate and Design Review Board, Park and Recreation Commission.

Councilmember Friedman Assignments: Arts and Culture Commission, Association of Bay Area Governments General Assembly Alternate, Economic Development Board, Commission/Committee Rules Subcommittee, League of California Cities East Bay Division Alternate and West County Integrated Waste Management Authority Alternate.

9. ADJOURN CITY COUNCIL MEETING

The next City Council meeting is Tuesday, September 17, 2013 at 7:00 p.m. in the City Council Chambers, 10890 San Pablo Avenue, El Cerrito, California.

- 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/ind-ex.aspx?NID=114>. 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: 215-4305 Fax: 215-4379, email cmorse@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 10:30 p.m., unless extended to a specific time determined by a majority of the Council.