



## AGENDA

**CITY COUNCIL MEETING**  
**Tuesday, October 15, 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. Kindly 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**

**Contra Costa Civic Theatre** – Presentation by Kimberly Mayer, Contra Costa Civic Theatre Board President and Marilyn Langbehn, Artistic Director.

Introduction to the Contra Costa Civic Theatre's mission, season, shows and programs.

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

*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 October 1, 2013, Special City Council and Regular City Council meeting minutes.

**B. Shelter in Place Day Proclamation**

Approve a proclamation declaring November 6, 2013 as “Shelter-in-Place Education Day” and recognizing the importance of preparing for emergencies and encouraging participation in the Contra Costa Community Awareness Emergency Response Group’s (CAER) public education efforts and supporting the parents, teachers, students and staff that will be participating with hundreds of other school and childcare centers in the Shelter-in-Place Drill.

**C. Regional Federal Emergency Management Agency Grant for the Purchase of Self Contained Breathing Apparatus from Allstar Fire Equipment, Inc.**

Staff requests that the City Council adopt a resolution taking the following actions:

- 1) Authorize the participation of the Fire Department in a County-wide Regional Federal Emergency Management Agency (FEMA) grant with the Contra Costa County Fire Protection District (CCCYPD) for the purchase of 36 Self Contained Breathing Apparatus (SCBA) devices;
- 2) Approve the use of \$46,685 in matching funds, of which \$15,561 will be received from a contribution from the Kensington Fire Protection District (KFPD) and the remaining \$31,124 in matching funds from the Vehicle/Equipment Replacement Fund; and
- 3) Authorize payment of \$46,685 to CCCYPD for the required match to purchase thirty-six SCBAs from Allstar Fire Equipment, Inc.

**D. City Manager Performance Evaluation Subcommittee**

Appoint Mayor Lyman and Mayor Pro Tem Abelson to a City Council Subcommittee to meet with the City Manager regarding his performance evaluation and review of his contract.

**6. PUBLIC HEARINGS – None**

**7. POLICY MATTERS**

**A. Proposed Sixth Amendment to the Franchise Agreement between East Bay Sanitary Company, Inc. and the City of El Cerrito**

Adopt a resolution approving the proposed Sixth amendment to the Franchise Agreement (Agreement) between the City of El Cerrito (City) and East Bay Sanitary Company, Inc. for Fleet Management and Maintenance Services (Fleet Services), effective October 16, 2013 through December 31, 2014.

**B. Building Code and Fire Code Ordinance Update**

Staff requests that the City Council take the following actions this evening:

- 1) Adopt a Resolution which makes findings justifying changes or modifications due to local climatic, geologic and topographic conditions in the 2013 California Building Standards Code, which includes the California Green Code, Building Code, Fire Code, Residential Code and related Construction Codes; and
- 2) Introduce by title, waive any further reading, and approve an ordinance which adopts the 2013 California Green Code, Administrative, Building, Fire, Plumbing, Mechanical, Electrical, Energy, Residential Code and related Construction Codes as applicable to all construction within the City of El Cerrito, with local modifications as outlined in the Ordinance.

### C. Boards, Commissions and Committees Study Session

Discuss the current status of City of El Cerrito Boards, Commissions and Committees and provide direction to the subcommittee and/or staff regarding recommended changes and revisions.

## 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.

E. 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 REGULAR CITY COUNCIL MEETING

The next City Council meeting is Tuesday, November 5, 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 and AT&T Uverse Channel 99. 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](http://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](mailto: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.