AGENDA

REGULAR CITY COUNCIL MEETING
Tuesday, November 20, 2012 – 7:00 p.m.
City Council Chambers

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

Bill Jones – Mayor

Mayor Pro Tem Greg Lyman
Councilmember Rebecca Benassini
Councilmember Ann Cheng
Councilmember Janet Abelson

ROLL CALL

7:00 p.m. **CONVENE REGULAR CITY COUNCIL MEETING**

1. PLEDGE OF ALLEGIANCE TO THE FLAG – Mayor Jones.

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.)*

Sustainable Contra Costa Leadership in Sustainability Award 2012 for the El Cerrito Recycling and Environmental Resource Center.

Additional honors received as follows:

Certificate of Special Congressional Recognition – Congressman George Miller
California State Senate Certificate of Recognition – Senator Mark DeSaulnier
California State Assembly Certificate of Recognition – Assemblymembers Joan Buchanan, Susan Bonilla and Nancy Skinner.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

All persons wishing to speak should sign up with the City Clerk. Remarks are limited to 3 minutes per person. 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

A. Tehiyah Day School Proclamation – *Presentation by Councilmember Abelson*

Present and approve a proclamation recognizing and celebrating Tehiyah Day School on the occasion of its designation as a 2012 National Blue Ribbon School.

B. ICMA Community Sustainability Awards – *Presentation by Marcia Raines, City Manager of Millbrae and Pat Martel, City Manager of Daly City.*

C. Contra Costa/Solano County Food Bank – *Presentation by David Keifer, Food Bank Ambassador.*

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

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 16, 2012 Regular City Council and Special City Council Meeting – Closed Session meeting minutes.

B. Distribution of Tickets Pursuant to the Fair Political Practices Commission Regulation 18944.1

Review and adopt a resolution and policy regarding the distribution of complimentary tickets received by the City, pursuant to the Fair Political Practices Commission Regulation Section 18944.1.

C. Renew Participation in the Contra Costa Abandoned Vehicle Service Authority

Adopt a resolution authorizing the City Manager or his designee to renew participation in the Contra Costa County Abandoned Vehicle Abatement Service Authority by entering into a joint powers agreement.

D. Quarterly Investment Report

Receive and file the City's September 30, 2012 Quarterly Investment Report.

E. Annual Maddy Act Local Appointments List

Receive and file a listing of all current board and commission members whose terms will expire January 1, 2013 and vacancy information for each board, commission and committee.

F. 2012-2013 Holiday Closure

Consistent with prior years, administrative offices at City Hall will be closed for the holiday period beginning Friday, December 21, 2012 through Tuesday, January 1, 2013 to facilitate the consolidation of employee vacation schedules and to save energy. City administrative offices will reopen on Wednesday, January 2, 2013.

G. Financial Advisory Board Enabling Ordinance Clean Up

Introduce by title, waive any further reading and approve an ordinance amending El Cerrito Municipal Code Section 2.04.300 – Financial Advisory Board, to delete references to the former redevelopment agency and further clarify the Financial Advisory Board's function and duties.

6. PUBLIC HEARING – None

7. POLICY MATTERS

A. Solid Waste Rate and Operational Review Report and Extension of the Garbage and Green Waste Collection Franchise Agreement with the East Bay Sanitary Company

Receive a presentation and report from staff regarding the 2011/2012 Solid Waste Rate and Operations Review and adopt a resolution approving the Fifth Amendment to the Franchise Agreement between the City of El Cerrito and the East Bay Sanitary Company, Inc., extending the Franchise Agreement by seven years, through December 31, 2025.

B. Budget Update

Receive and comment on the General Fund budget update for the period of July 1, 2012 through October 31, 2012.

C. Amendment of El Cerrito Municipal Code Chapter 8.12 – Collection and Disposal of Waste Stream

Introduce by title, waive any further reading and approve an ordinance amending El Cerrito Municipal Code (ECMC) Chapter 8.12 – Collection and disposal of waste stream, to include provisions for salvage and regulation of certain activities at the El Cerrito Recycling and Environmental Center.

D. Central Avenue and Liberty Street Streetscape Improvements Project, City Project No. C-3063, Federal Project No. CML–5239 (020)

Adopt a resolution approving the following actions: 1) Approve plans for the Central Avenue and Liberty Street Streetscape Improvements Project; 2) Reject the bid from California Constructores, Inc. as non-responsive and accept all other bids; 3) Amend the Capital Improvement Program to transfer an amount not to exceed $160,000 of Measure A Street Improvement Funds from the Annual Street Improvement Program to the Central Avenue and Liberty Street Streetscape Improvements Project; and 4) Authorize the City Manager to award a contract, contingent on successful negotiations with Redgwick Construction Company (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 Central Avenue and Liberty Street Streetscape Improvements Project, City Project No. C–3063.

E. Grant to Writer Coach Connection

At the request of Councilmember Benassini, consider a $2,500 grant in support of the Writer Coach Connection (WCC) funding request in Fiscal Year 2012–13.

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

A. Mayor Jones Assignments: Contra Costa County Mayors' Conference, Crime Prevention Committee, Design Review Board, Disaster Preparedness Council Delegate, Municipal Service Corporation Chair, Oversight Board of the Successor Agency for the Former El Cerrito Redevelopment Agency, Pension Board Chair, Temporary Permits Committee, Tom Bates Regional Sports Field JPA, Underground Utilities Committee, West County Integrated Waste Management Authority Alternate and West County Mayors' & Supervisors' Association.

B. Mayor Pro Tem Lyman Assignments: Commission/Committee Rules Subcommittee, Contra Costa County Mayors' Conference Alternate, Disaster Preparedness Council Alternate,

Economic Development Board, Municipal Services Corporation Vice-Chair, Pension Board Alternate, Planning Commission, Tree Committee, West County Integrated Waste Management Authority Delegate and West County Mayors' & Supervisors' Association Alternate.

C. Councilmember Abelson Assignments: Association of Bay Area Governments (ABAG) General Assembly Alternate, Committee on Aging, Contra Costa Transportation Authority, Environmental Quality Committee, League of California Cities East Bay Division Delegate and West Contra Costa Transportation Advisory Committee Delegate.

D. Councilmember Benassini Assignments: Arts and Culture Commission, Park and Recreation Commission, Redevelopment Agency Vice-Chair, and Tom Bates Regional Sports Field JPA Alternate.

E. Councilmember Cheng Assignments: Association of Bay Area Governments (ABAG) General Assembly Delegate, Commission/Committee Rules Subcommittee, Financial Advisory Board, Human Relations Commission, League of California Cities East Bay Division Alternate, Redevelopment Agency Chair and West Contra Costa Transportation Advisory Committee Alternate.

9. ADJOURN REGULAR CITY COUNCIL MEETING

The next regularly scheduled City Council meeting is December 4, 2012. The meeting will take place in the City Council Chambers at City Hall, 10890 San Pablo Avenue, El Cerrito.

- 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.