



## AGENDA

**SPECIAL CITY COUNCIL MEETING**  
**Tuesday, December 18, 2012 – 6:30 p.m.**  
**Hillside Conference Room**

**REGULAR CITY COUNCIL MEETING**  
**Tuesday, December 18, 2012 – 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**

**6:30 p.m. CONVENE SPECIAL CITY COUNCIL MEETING – CLOSED SESSION**

### **ANNOUNCEMENT OF CLOSED SESSION**

**Conference with Legal Counsel – Existing Litigation (*Pursuant to Government Code Section 54956.9(a)*)**

**City of El Cerrito v. Robert R. Campbell, et al., Sacramento Superior Court, Case No. 34-2012-80001200**

### **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 and are limited to items listed on this special City Council meeting agenda only.*

### **RECESS INTO CLOSED SESSION**

**ADJOURN SPECIAL CITY COUNCIL MEETING – CLOSED SESSION**

### **ROLL CALL**

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

1. **PLEDGE OF ALLEGIANCE TO THE FLAG** – Councilmember Friedman
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 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**

**Recycling and Environmental Resource Center Achieves Leadership in Energy and Environmental Design (LEED) Platinum Certification from the U.S. Green Building Council** – Presentation by Melanie Mintz, Environmental Services Division Manger.

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

*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 December 4, 2012 Regular City Council Meeting Minutes.

- B. **Financial Advisory Board Enabling Ordinance Clean-Up**

Adopt Ordinance No. 2012–03 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. (*Approved first reading November 20, 2012; Ayes – Councilmembers Abelson, Benassini, Lyman and Mayor Jones; Noes – None; Absent – Councilmember Cheng*).

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

Adopt Ordinance No. 2012–04 amending El Cerrito Municipal Code 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 Resource Center. (*Approved first reading with amendments on November 20, 2012; Ayes – Councilmembers Benassini, Lyman and Mayor Jones; Noes – Councilmember Abelson; Absent – Councilmember Cheng*).

- D. **Employee Classification Plan and Specification Amendments**

Adopt a resolution amending the City’s employee classification plan to: 1) Establish the classification of Development Services Manager; 2) Revise the class specification of Building Official; 3) Establish the classification of Intern and establish the salary range as recommended; 4) Re-title and revise the class specification of Program Supervisor to Recreation Supervisor, establish the salary range as recommended and eliminate the classification of Recreation

Supervisor II; and 5) Revise the class specifications of the Personnel Technician and Employee Services Manager and re-title the classifications to Human Resources Technician and Human Resources Manager.

**E. Accept Offer of Dedication – Bates Avenue**

Adopt a resolution accepting the offer of dedication for the 25-foot widening of Bates Avenue as shown on Parcel Map MS 451-09, a four-lot subdivision of 801 Bates Avenue (Assessor's Parcel No. 505-282-027)

**F. Arlington Boulevard at Madera and Brewster Drives Safety Improvement Project**

Adopt a resolution approving plans, accepting bids, and authorizing the City Manager to execute a contract in the amount of \$129,648 with Ray's Electric and to approve change orders in an amount not to exceed \$19,447 (15%) for the construction of the Arlington Boulevard at Madera and Brewster Drives Safety Improvement Project, City Project No. C-3047, Federal Project No. SRTS-5239(016).

**G. On-Call Construction Administration – Professional Services Agreements**

Adopt a resolution authorizing the City Manager to execute professional services agreements with three consultant firms, BKF, Inc., Harris & Associates, Inc. and Harrison Engineering, Inc. for on-call construction management services for periods of three years with options to extend for an additional two years.

**H. Support for the West Contra Costa Unified School District Request for Waiver of Statutory Bonding Capacity**

Adopt a resolution in support of the West Contra Costa Unified School District's application to the State Board of Education for a waiver of the statutory bonding capacity.

**I. Reschedule the January 2, 2013 City Council Meeting**

Approve a recommendation to cancel the January 2, 2013 City Council meeting and schedule a Special City Council meeting on Monday, January 7, 2012 for the purpose of conducting board and commission interviews.

**6. PUBLIC HEARING**

**Proposed Integrated Waste Management Fees and East Bay Sanitary Commercial and Extra Residential Green Waste Collection and Processing Rates – Effective January 1, 2013**

1. Conduct a public hearing and upon conclusion adopt a resolution fixing and setting rates for the Integrated Waste Management (IWM) fee, effective January 1, 2013.
2. Conduct a public hearing and upon conclusion adopt a resolution setting maximum allowable commercial green waste and extra residential green waste collection and disposal (processing) rates, effective January 1, 2013.

**7. POLICY MATTERS**

**A. Annual City Council Liaison Reorganization and Appointments**

Discuss City Council appointments to regional bodies and liaison appointments to local boards,

commissions and committees and approve appointments for 2013.

**8. COUNCIL ASSIGNMENTS/LIAISON REPORTS** (*Councilmembers Abelson, Benassini and Mayor Lyman will report on meetings attended since the City Council last met on November 20, 2012.*)

**A.** Mayor Lyman Assignments: Contra Costa County Mayors' Conference, Municipal Services Corporation Chair, Pension Board Chair and West County Mayors' & Supervisors' Association. *Additional assignments to be determined.*

**B.** Mayor Pro Tem Abelson Assignments: Contra Costa County Mayors' Conference Alternate, Municipal Services Corporation Vice-Chair, Pension Board Alternate and West County Mayors' & Supervisors' Association Alternate. *Additional assignments to be determined.*

**C.** Councilmember Benassini Assignments. *Assignments to be determined.*

**D.** Councilmember Bridges Assignments. *Assignments to be determined.*

**E.** Councilmember Friedman Assignments. *Assignments to be determined.*

## **9. ADJOURN REGULAR CITY COUNCIL MEETING**

- 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](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.