



AGENDA

REGULAR CITY COUNCIL MEETING
Tuesday, April 3, 2018 – 7:00 p.m.
City Council Chambers

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

Gabriel Quinto – Mayor

Mayor Pro Tem Rochelle Pardue-Okimoto
Councilmember Paul Fadelli

Councilmember Janet Abelson
Councilmember Greg Lyman

ROLL CALL

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

1. PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF MOMENT OF SILENCE – *Councilmember Paul Fadelli.*

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. ADOPTION OF THE CONSENT CALENDAR – Item Nos. 4(A) through 4(F)

A. Approval of Minutes

Approve the March 20, 2018 Regular City Council meeting minutes.

B. Earth Day Proclamation

Approve a proclamation designating April 21, 2018 as “Earth Day” in the City of El Cerrito and encouraging all residents and businesses to help make El Cerrito a greener, healthier, and more sustainable place for all.

C. Parking Demand and Management Strategy Consultant Award

Adopt a resolution authorizing the City Manager to execute a professional services agreement with Nelson/Nygaard Consulting Associates in an amount not to exceed \$65,000 to assist with development of a Del Norte Station Area Parking Demand and Management Strategy and authorizing change orders in an amount not to exceed \$5,000.

D. Accept the Engineer’s Report on Landscape and Lighting Assessment District No. 1988-1, Adopt a Resolution of Intention to Order Improvements and Set the Public Hearing

Accept the Engineer’s Report specifying assessments for the Landscaping and Lighting Assessment District No. 1988-1 and adopt a Resolution of Intention to order improvements for Assessment District No. 1988-1 pursuant to the Landscape and Lighting Act of 1972, and set the time, date, and place of the public hearing as April 17, 2018 at 7:00 p.m.

E. 2018 Slurry Seal Program, City Project No. C3027.20

Adopt a resolution taking the following actions: 1) Approving plans for the 2018 Slurry Seal Program, City Project No. C3027.20 (Project); 2) Accepting the nine submitted bids for the Project; and 3) Authorizing the City Manager to execute a contract in the amount of \$175,981 with Telfer Pavement Technologies, LLC and approving change orders in an amount not to exceed \$50,000 for the construction of the Project including additional street work. *Exempt from CEQA.*

F. Support for Senate Bill 912 (Beall and Skinner)

At the request of Mayor Quinto, authorize the Mayor to sign and send a letter in support of Senate Bill 912 – Housing: homelessness programs and affordable housing.

5. PRESENTATIONS

A. Household Hazardous Waste Program Update – *Presentation by Nicole Forte, Republic Services.*

B. Update from the League of California Cities

Samantha Caygill, Regional Public Affairs Manager/East Bay Division, will discuss the League’s work and priorities. Ms. Caygill will also highlight upcoming ballot measures that the League has analyzed.

6. PUBLIC HEARINGS – None

7. POLICY MATTERS

A. Annual Parcel Assessment for the National Pollution Discharge Elimination System (NPDES) Program and Drainage Maintenance Activities for Fiscal Year 2018-19

Adopt a resolution establishing the annual parcel assessment for the National Pollution Discharge Elimination System (NPDES) program and Drainage Maintenance activities at the current rate of \$38.00 per Equivalent Run-off Unit (ERU), and authorizing the Contra Costa County Flood Control & Water Conservation District to adopt Stormwater Utility Area (SUA) levies based on said amount for Fiscal Year 2018-19.

B. Hazard Mitigation Plan

Adopt a resolution accepting all of Volume One and the City of El Cerrito's portion of Volume Two of the Contra Costa County Operational Area Hazard Mitigation Plan Update.

8. CITY COUNCIL LOCAL AND REGIONAL LIAISON ASSIGNMENTS

Mayor and City Council communications regarding local and regional liaison assignments and committee reports.

9. ADJOURN REGULAR CITY COUNCIL MEETING

The next regularly scheduled City Council meeting is Tuesday, April 17, 2018 at 7:00 p.m. in the City Council Chambers, 10890 San Pablo Avenue, El Cerrito.

The City of El Cerrito serves, leads and supports our diverse community by providing exemplary and innovative services, public places and infrastructure, ensuring public safety and creating an economically and environmentally sustainable future.

- 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/streamingmedia>. 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.

EL CERRITO CITY COUNCIL

MINUTES

REGULAR CITY COUNCIL MEETING
Tuesday, March 20, 2018 – 7:00 p.m.
City Council Chambers

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

Gabriel Quinto – Mayor

Mayor Pro Tem Rochelle Pardue-Okimoto
Councilmember Paul Fadelli

Councilmember Janet Abelson
Councilmember Greg Lyman

ROLL CALL

Councilmembers Abelson, Fadelli, Lyman, Pardue-Okimoto, and Mayor Quinto all present.

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

Mayor Quinto convened the regular City Council at 7:00 p.m.

1. **PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF MOMENT OF SILENCE** was led by Councilmember Janet Abelson.

2. COUNCIL / STAFF COMMUNICATIONS

Councilmember Abelson stated that she attended a presentation on the latest Internal Revenue Service rules at the Chamber of Commerce. She urged residents to apply to serve on the Crime Prevention Committee and Urban Forest Committee. Both committees have long standing vacancies waiting to be filled. Councilmember Abelson also attended an AC Transit breakfast workshop.

Councilmember Lyman reported that the Charter Committee met on March 10. The committee is progressing with development of a draft charter for the City Council's consideration.

Mayor Pro Tem Pardue-Okimoto invited all to attend the First Wednesday Celebration at the El Cerrito Library on April 4. Mayor Pro Tem Pardue-Okimoto also reported that the Environmental Quality Committee will be looking at re-evaluating city environmental fees and has developed a policy subcommittee for this. She encouraged all to enroll in the Deep Green program that offers 100% renewable energy. It is only \$5 more per month than PG&E. Mayor Pro Tem Pardue-Okimoto also invited all to attend the City's Facilities Master Plan public meetings that will be held in the Council Chambers on March 29 and May 23, the Butterfly Pollinator Workshop on March 27, Earth Day on April 21, Hillside Festival on May 4-6, and Bike

to Work Day on May 10.

Mayor Quinto reported that he attended an AC Transit breakfast workshop with Councilmember Fadelli and Councilmember Abelson on the future of AC Transit in West Contra Costa County. The new L line on San Pablo Avenue will have double-decker buses and a service route to the new Salesforce bus terminal. He also attended the Gilman Fields Joint Powers Authority (JPA) meeting. All of the Gilman JPA cities are looking forward to the building of a new clubhouse, restrooms, and expansion of the parking lot. On March 8 Mayor Quinto attended the Police Department Swearing-In Ceremony with Councilmember Fadelli and congratulated all the police officers. On March 10 he attended the full-house film screening of 'Tomorrow' at City Hall. Mayor Quinto thanked the Environmental Quality Committee for hosting the screening and also thanked Contra Costa County Supervisor Gioia for speaking at the event. On March 11 he attended the Camp Herms Boy Scouts and Eagle Scouts' graduation ceremony and also spoke at Christ Lutheran Church about El Cerrito becoming a charter city on March 12. On March 16 he attended Golden Gate Business Association luncheon and enjoyed seeing local businesses receive their awards. Today he met with a group of residents at St. Johns Senior Center and attended the Chamber of Commerce luncheon meeting with Councilmember Abelson.

Councilmember Fadelli attended the Charter Committee meeting and the climate change film screening on March 10. At the Financial Advisory Board meeting the Board discussed the mid-year budget update which is on the council agenda this evening. Councilmember Fadelli announced that one month from today the Arts and Culture Commission and El Cerrito Poet Laureate Maw Shein Win will be gathering with local poets at the Community Center for poetry readings and an open microphone. The Economic Development Committee and the Arts and Culture Commission are working together to promote arts in the City and boost our economy simultaneously. One of the ideas is to have local musicians playing at local restaurants.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Cordell Hindler, Richmond, stated that he has seen the El Cerrito Police Department coming into his neighborhood and feels that this is unacceptable. He also expressed appreciation for the Environmental Quality Committee's work plan presentation.

Brigitta Turnispseed, El Cerrito, expressed concerns about the condition of certain areas of Castro Park, particularly the wood-chip groundcover which has spread to the street, and the neglect of landscaping at the top of the park. Ms. Turnispseed also expressed concerns about the garage behind Cameron School that is in need of paint and her desire for a police patrol at night.

Doug Merritt, El Cerrito, expressed concerns about the need for landscaping near Castro Clubhouse.

Al Miller, El Cerrito, invited all to attend the Library First Wednesday Library Hours Celebration on April 4.

Susan Schwartz, Friends of Five Creeks, expressed concerns about flood risk in the Creekside Park Area. She urged the City to plan for the increased probability of high tide, large storms and climate change.

Sherry Drobner, El Cerrito, thanked Chief Keith for convening a community meeting regarding public safety. She expressed concerns regarding the increase in property theft. Ms. Drobner informed the City Council that the Berkeley City Council

unanimously passed an ordinance on surveillance technologies last week to protect the civil liberties and privacy of its residents. Ms. Drobner would like the city to study Berkeley's new ordinance and improve the City's surveillance ordinance.

4. ADOPTION OF THE CONSENT CALENDAR – Item Nos. 4(A) through 4(D)

Moved, seconded (Pardue-Okimoto/Lyman) and carried unanimously to approve Consent Calendar Item Nos. 4(A) through 4(D) as indicated below.

A. Approval of Minutes

Approve the March 6, 2018 Special City Council and Regular City Council meeting minutes.

Action: Approved minutes.

B. Amendment to City Classification Plan

Adopt a resolution amending the City's Classification Plan to authorize the reclassification of Administrative Clerk - Specialist to Management Assistant in the Community Development Department.

Action: Adopted Resolution No. 2018-14.

C. Authorize Annual Report for Landscape and Lighting Assessment District

Adopt a resolution directing NBS Local Government Solutions (NBS) to prepare and file the annual Landscape and Lighting Assessment District No. 1988–1 report for Fiscal Year 2018-19.

Action: Adopted Resolution No. 2018-15.

D. Annual Progress Report on the General Plan 2017

Receive and file the attached General Plan Annual Progress Report. *Exempt from CEQA.*

Action: Received and filed.

5. PRESENTATIONS

A. Proclamation Recognizing March as American Red Cross Month

Approve and present a proclamation declaring March 2018 as American Red Cross Month in the City of El Cerrito and encouraging all Americans to support this organization and its noble humanitarian mission.

Presenter: James Lyons, Contra Costa Leadership Council.

Speaker: Cordell Hindler, Richmond, expressed appreciation for the Red Cross.

Action: Moved, seconded (Lyman/Fadelli) and carried unanimously to approve the proclamation. Presented to James Lyons, Contra Costa Leadership Council and Peter Liddell, Red Cross volunteer.

B. El Cerrito Police Department Body Worn Camera Program

Staff will provide an overview of the deployment plans for body worn cameras for police department personnel.

Presenter: Paul Keith, Chief of Police.

Speakers: Al Miller, El Cerrito, expressed appreciation for the care, thoughtfulness, and attention to detail that has gone into developing a body worn camera policy. Mr. Miller asked how recording by School Resource Officers would be done and how collaborative review of video would work.

Action: Received presentation. Discussion held.

6. PUBLIC HEARINGS – None

7. POLICY MATTERS

Fiscal Year 2017-18 Mid-Year Budget Update

Receive an update on city revenues and expenditures for the first six months of the fiscal year through December 31, 2017 and adopt a resolution authorizing amendment to the Fiscal Year 2017-18 budget and approving new spending limits.

Presenter: Mark Rasiah, Finance Director/City Treasurer. In addition to the mid-year budget update, Mr. Rasiah also introduced the City's new budgeting tool, OpenGov, to the City Council and public.

Speaker: Cordell Hindler, Richmond, encouraged the City Council to approve the item.

Action: Moved, seconded (Lyman/Pardue-Okimoto) and carried to adopt Resolution No. 2018–16.

8. CITY COUNCIL LOCAL AND REGIONAL LIAISON ASSIGNMENTS

Mayor and City Council communications regarding local and regional liaison assignments and committee reports.

Councilmember Lyman reported that the West County Integrated Waste Management Authority Board continues to look at the document which governs its Joint Powers Agreement. At its last meeting the Authority Board looked at what the reserve of the organization would be. RecycleMore has an annual operating cost of approximately \$1,000,000 which is their total budget. The recommendation by a third-party consultant and the JPA City Managers is to have an eight-month operating reserve. The Authority Board also identified a capital account of \$1.2 million. After much debate, the Board set the reserve amount at \$750,000. The Marin Clean Energy (MCE) Board met and has a good budget and policy with expansions moving forward.

9. ADJOURNED REGULAR CITY COUNCIL MEETING at 9:36 p.m.

SUPPLEMENTAL REPORTS AND COMMUNICATIONS

Item No. 5(B) El Cerrito Police Department Body Worn Camera Program

1. Presentation slide listing other agencies that use Body Worn Cameras – *Submitted by Paul Keith, Chief of Police.*

2. Comments regarding policy considerations – *Submitted by John Del Arroz, El Cerrito.*

3. Comments regarding upcoming Crime Prevention Committee agenda – *Submitted by Mollie Hazen, El Cerrito.*

Item No. 7 Fiscal Year 2017-18 Mid-Year Budget Update

4. Powerpoint presentation – *Submitted by Mark Rasiah, Finance Director.*

Other:

5. Guide to the 2018 Tax Changes – *Submitted by Councilmember Abelson.*

6. Creekside Park area: The long view – *Submitted by Susan Schwartz, Friends*

of Five Creeks.

7. Photographs of Castro Park Area – *Submitted by Doug Merritt, El Cerrito*

***EL CERRITO CITY COUNCIL PROCLAMATION
Designating Saturday, April 21, 2018 as El Cerrito Earth Day***

WHEREAS, the first Earth Day was proclaimed in 1970 in order to foster public awareness of the need to protect the environment and conserve resources; and

WHEREAS, the City of El Cerrito has celebrated Earth Day every year in keeping with this spirit of the initial Earth Day; and

WHEREAS, the annual celebration of Earth Day in the City of El Cerrito seeks to involve all of its citizens in improving their local environment and becoming more aware of their global environment; and

WHEREAS, in furtherance of this objective, the City is planning a variety of activities in which residents and businesses will have an opportunity to donate their time and money including: cleaning up and restoring habitats in City parks, facilities, greenways, creeks, and schools; picking up litter along streets and in commercial areas; taking steps to reduce water and energy use in public spaces and at home; and sharing a community lunch and celebrating becoming a more environmentally sustainable community.

NOW THEREFORE, the City Council of the City of El Cerrito does hereby proclaim Saturday, April 21, 2018 as “Earth Day” in the City of El Cerrito and encourages all residents and businesses to help make El Cerrito a greener, healthier, more sustainable place for all.

Dated: April 3, 2018

Gabriel Quinto, Mayor



AGENDA BILL

Agenda Item No. 4(C)

Date: April 3, 2018
To: El Cerrito City Council
From: Melanie Mintz, Community Development Director
Subject: Parking Demand and Management Strategy Consultant Award

ACTION REQUESTED

Adopt a resolution authorizing the City Manager to execute a professional services agreement with Nelson\Nygaard Consulting Associates in an amount not to exceed \$65,000 to assist with development of a Del Norte Station Area Parking Demand and Management Strategy and authorizing change orders in an amount not to exceed \$5,000.

BACKGROUND

Upon the adoption of the San Pablo Avenue Specific Plan (Resolution 2014-52) the City significantly reduced off-street parking requirements for new transit-oriented development, for both commercial and residential uses. This was in response to market studies that indicated the reduction was necessary in order to make development financially feasible and is aligned with best practices in transit-oriented development and the City's Climate Action goals. However, as development occurs, and land uses change, there will be a change in travel and parking patterns. Because the City does not have a comprehensive plan or policy to guide, management of on-street parking, staff committed to evaluate the City's on-street parking program and needs and to develop new policies and programs to manage on-street parking within the PDA and in surrounding neighborhoods. The proposed consultant award is to complete a Parking Demand and Management Strategy in the Del Norte area, i.e. within approximately ½ mile of the Del Norte Station area.

The proposed work is funded by a Metropolitan Transportation Commission (MTC) Priority Development Area (PDA) Planning Assistance grant and will complement work being completed through a Contra Costa Transportation Authority (CCTA) grant for a Parking and Transportation Demand Management Study, focusing primarily in Downtown and Midtown. Nelson/Nygaard was selected through a competitive process led by CCTA for the CCTA funded effort. The proposed consultant award to Nelson/Nygaard for this MTC funded effort piggybacks on the selection process utilized by CCTA. Working with the same qualified consultant allows the City to create efficiencies in both projects. Nelson\Nygaard is a nationally recognized consulting firm committed to developing transportation systems that build vibrant, sustainable communities.

ANALYSIS

The proposed Scope of Work includes:

- *An Existing Conditions Analysis:* Occupancy and Duration Studies of up to 18 selected block faces located within ½ mile of the Del Norte BART Station area.
- *Community Engagement:*
 - Up to 3 stakeholder meetings with Uptown business stakeholder, Uptown residential stakeholders and City staff. (Note: These will complement the CCTA effort which will include similar meetings in the Downtown area.)
 - Two citywide Community Workshops.
- *A Parking Demand Model and Opportunity Analysis of Parking Supply:* To generate a base (current year) parking demand estimate and generate projections for a future growth scenario and model future parking demand, utilizing data and methodologies from the Urban Land Institute, California Air Pollution Control Officers Association's greenhouse gas mitigation quantification model.
- *Parking Implementation and Strategy Recommendations:* Planning-level recommendations for the adoption of policies setting specific goals and targets for the management of on-street parking
- *Final Parking Demand Management and Strategy*

FINANCIAL CONSIDERATIONS

The cost of the recommended agreement will be covered by grant funds from the Metropolitan Transportation Commission's Priority Development Area Implementation Assistance program. Change orders, if needed may be covered by Department's operating budget. No new appropriations are required.

LEGAL CONSIDERATIONS

The City Attorney has reviewed this report and there are no legal issues.

Reviewed by:



Scott Hanin
City Manager

Attachments:

1. Resolution

RESOLUTION NO. 2018-XX

RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH NELSON\NYGAARD CONSULTING ASSOCIATES, INC. TO PREPARE A DEL NORTE STATION AREA PARKING DEMAND AND MANAGEMENT STRATEGY

WHEREAS, the City Council adopted the San Pablo Avenue Specific Plan (Resolution 2014-52) that reduced off-street parking requirements in the Plan area for both residential and commercial transit oriented development; and

WHEREAS, implementation of the Specific Plan will result in land use changes and changes in travel and parking patterns; and

WHEREAS, comprehensive on-street parking policy and programs are needed to manage on-street parking within the Specific Plan area and adjacent neighborhoods; and

WHEREAS, the City applied for and received a grant from the Metropolitan Transportation Commission Priority Development Area Implementation Assistance program; and

WHEREAS, Nelson\Nygaard Consulting Associates, Inc. is a nationally recognized consulting firm committed to developing transportation systems that build vibrant, sustainable communities; and

WHEREAS, Nelson\Nygaard is also the consultant working through a Contra Costa Transportation Authority Planning Assistance grant on Parking and Transportation Demand Management focusing on the Downtown and Midtown areas of the Specific Plan area; and

WHEREAS, the scope of services will be paid for through a Metropolitan Transportation Commission Priority Development Area Implementation Assistance grant and adopted departmental budget and no new appropriations are required.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby authorizes the City Manager to execute a professional services agreement with Nelson\Nygaard Consulting Associates, Inc. in an amount not to exceed \$65,000 to assist with development of an Inclusionary Zoning program and authorizes change orders in an amount not to exceed \$5,000.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon passage and adoption.

I CERTIFY that at a regular meeting on April 3, 2018 the City Council of the City of El Cerrito passed this Resolution by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:

Agenda Item No. 4(C)
Attachment 1

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on April X, 2018.

Cheryl Morse, City Clerk

APPROVED:

Gabriel Quinto, Mayor



AGENDA BILL

Agenda Item No. 4(D)

Date: April 3, 2018

To: El Cerrito City Council

From: Shannon Collins, Accounting Supervisor
Mark Rasiah, Finance Director
Yvetteh Ortiz, Public Works Director

Subject: Accept the Engineer's Report on Landscape and Lighting Assessment District No. 1988-1, and Adopt a Resolution of Intention to Order Improvements; and Set the Public Hearing as April 17, 2018

ACTION REQUESTED

Accept the Engineer's Report specifying assessments for the Landscaping and Lighting Assessment District for the Landscaping and Lighting Assessment District No. 1988-1 and adopt a Resolution of Intention to order improvements pursuant to the Landscape and Lighting Act of 1972, and set the time, date, and place of the public hearing as April 17, 2018 at 7:00 p.m.

BACKGROUND

On June 6, 1988, the City Council established Assessment District No. 1988-1 pursuant to the Landscape and Lighting Act of 1972. The purpose of this Landscape and Lighting Assessment District (LLAD) is to raise funds to support improvements and maintenance of the City's park areas, landscaping areas, and street lighting. Every year since 1988, this Assessment District has generated approximately \$771,000 to support LLAD activities.

In November 1996, LLAD 1988-1 was approved by the voters and therefore complies with the provisions of Proposition 218. Any increase in the assessment fee level would be subject to Proposition 218's voter approval requirement.

In order to impose this annual assessment, the City Council must annually authorize an Engineer's Report to identify the costs, uses, and general benefits of those parcels within the LLAD. The City Council authorized such a report on March 20, 2018 by Resolution No. 2018-XX. The report was prepared by the Engineer of Record, NBS Local Government Solutions.

The City Council must accept the Engineer's Report and conduct a public hearing to hear comments on the imposition of these assessments in order for the assessment to be imposed. The intent of this Agenda Bill and resolution is to accept the Engineer's Report and to schedule the public hearing for April 17, 2018.

ANALYSIS

The Resolution of Intention to Order Improvements describes the work to be performed during the next fiscal year, as outlined in the Engineer's Report. In addition, the attached Resolution sets the time, date, and place of the public hearing. A copy of the Fiscal Year 2018-19 Engineer's Report is on file at City Hall for public review.

The procedures for conducting the public hearing and receiving protests are the same as for forming the District; however, there are no provisions for majority protest.

The funding levels specified in the Engineer's Report include revenue from the assessment. The funding is consistent with the work described in the Engineer's Report and in the Resolution of Intention to Order Improvements. Without the imposition of this assessment, the City would need to identify alternate funding sources for those items proposed to be funded by the LLAD or eliminate those items from the City's work plan in FY 2018-19.

STRATEGIC PLAN

Approving the attached resolution will allow the City to ensure financial sustainability for the Landscape and Lighting Maintenance Program that benefit all residents of the City.

FINANCIAL CONSIDERATIONS

The current rate of assessment will generate approximately \$775,000 of LLAD revenue, which will be included in the City's FY 2018-19 budget. As the sources and uses of all public works revenues are currently under review, the cost for eligible expenditures in excess of the assessment revenue will be covered by City contributions from other appropriate funding sources or expenses will be reduced to ensure that the LLAD budget for FY 2018-19 is balanced.

LEGAL CONSIDERATIONS

The Resolution of Intention must be adopted in order to collect revenues from the Assessment District in accordance with the provisions of State law.

Reviewed by:



Scott Hanin, City Manager

Attachments:

1. Resolution
2. LLAD Annual Engineer's Report FY 2018-19

RESOLUTION NO. 2018-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO ACCEPTING THE ANNUAL REPORT ON LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 1988-1 AND RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO TO ORDER IMPROVEMENTS FOR ASSESSMENT DISTRICT NO. 1988-1 AND TO SET THE DATE FOR THE PUBLIC HEARING AS APRIL 17, 2018.

WHEREAS, the City of El Cerrito, by Resolution No. 88-53 dated June 6, 1988, adopted Assessment District No. 1988-1 pursuant to the Landscape and Lighting Act of 1972; and

WHEREAS, the City of El Cerrito, by Resolution No. 2018-15 dated March 20, 2018 directed the filing of the Annual Report for Assessment District No. 1988-1; and

WHEREAS, the Engineer of Record, NBS Local Government Solutions, has prepared and, on March 29, 2018, filed said Annual Report; and

WHEREAS, the City Council has reviewed and accepted said Annual Report; and

WHEREAS, the Landscape and Lighting Act of 1972 requires the City Council to adopt a Resolution of Intention to Order Improvements within Assessment District No. 1988-1.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that:

1. The City of El Cerrito intends to levy and collect assessments within Assessment District No. 1988-1 during Fiscal Year 2018-19. The area of land to be assessed is located in the City of El Cerrito, Contra Costa County, California.

2. The improvements to be made in this Assessment District are generally described as follows: Install, maintain and service public lighting, landscaping, and park and recreational facility improvements located within the incorporated limits of the City of El Cerrito, Contra Costa County, California.

3. In accordance with the City Council's resolution directing the filing of an Annual Report, the firm of NBS Local Government Solutions, Engineer of Work, has filed at City Hall the Report required by the Landscape and Lighting Act of 1972. All interested persons are referred to that Report for a full and detailed description of the improvements, the boundaries of the Assessment District, and the proposed assessments upon assessable lots and parcels of land within the Assessment District.

4. On Tuesday, the 17th day of April 2018 at the hour of 7:00 P.M., the City Council will conduct a public hearing on the question of the levy of the proposed annual assessment. The hearing will be held in the City Council Chambers, 10890 San Pablo Avenue, El Cerrito, California 94530.

Agenda Item No. 4(D)
Attachment 1

5. The City Clerk is authorized and directed to give the notice of hearing required by the Landscape and Lighting Act of 1972.

BE IT FURTHER RESOLVED this Resolution is scheduled for adoption on April 17, 2018 pursuant to California Streets and Highways Code §22624.

I CERTIFY that at the regular meeting on April 17, 2018 the El Cerrito City Council passed this resolution by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAINED: COUNCILMEMBERS:

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on April X, 2018. *[Due to statutory requirements and tight publishing deadlines please contact the City Clerk at 510-215-4305 for the vote.]*

Cheryl Morse, City Clerk

APPROVED:

Gabriel Quinto, Mayor

CITY OF EL CERRITO

Landscape and Lighting District No. 1988-1 Annual Report

Fiscal Year 2018/19

OFFICE LOCATIONS:

Temecula – Corporate Headquarters
32605 Temecula Parkway, Suite 100
Temecula, CA 92592

San Francisco – Regional Office
870 Market Street, Suite 1223
San Francisco, CA 94102

California Satellite Offices
Atascadero, Davis,
Huntington Beach,
Joshua Tree, Riverside,
Sacramento, San Jose

www.nbsgov.com

Prepared by:



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El Cerrito, California 94530
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CITY COUNCIL

Gabriel Quinto, Mayor

Rochelle Pardue-Okimoto, Mayor Pro Tem

Janet Abelson, Councilmember

Paul Fadelli, Councilmember

Greg Lyman, Councilmember

CITY STAFF

Scott Hanin, City Manager

Mark Rasiah, Finance Director / City Treasurer

Yvetteh Ortiz, Public Works Director / City Engineer

Shannon Collins, Accounting Supervisor

NBS

Tim Seufert, Client Services Director

Greg Davidson, Project Manager

Andrew Kraus, Financial Analyst

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Section 1. EXECUTIVE SUMMARY

The City of El Cerrito (the “City”) directed NBS to prepare and file a report presenting plans and specifications describing the general nature, location, and extent of the improvements to be maintained, and an estimate of the costs of the maintenance, operations, and servicing of the improvements for the City of El Cerrito Landscape and Lighting Assessment District No. 1988-1 (the “District”) for Fiscal Year 2018/19 pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500)* (the “Act”).

The report includes a map of the District, showing the area and properties proposed to be assessed; an assessment of the estimated costs of the maintenance, operations, and servicing of the improvements; and the net amount to be assessed upon all assessable lots and/or parcels within the District in proportion to the special benefit received.

The following tables summarize the annual levy by Zoning for Fiscal Year 2018/19 and Fiscal Year 2017/18:

Fiscal Year 2018/19

Zoning	Number of Parcels	Levy Total ⁽¹⁾
Residential	8,328	\$683,443.42
Commercial	470	92,305.88
Total:	8,798	\$775,749.30

(1) Total amount may vary slightly due to rounding adjustments

Fiscal Year 2017/18

Zoning	Number of Parcels	Levy Total ⁽¹⁾
Residential	8,330	\$683,121.48
Commercial	469	91,458.24
Total:	8,799	\$774,579.72

(1) Total amount may vary slightly due to rounding adjustments

Section 2. OVERVIEW

2.1 Introduction

The District provides for the installation, maintenance, and servicing of public lighting, landscaping, and park and recreational facility improvements located within the incorporated limits of the City.

The costs to acquire and construct major new facilities to be maintained will generally be paid by sources other than District funds. While the District pays for the maintenance costs associated with various park and recreation programs, the costs of the programs themselves are not supported by District funds.

2.2 Plans and Specifications

The services performed are primarily maintenance and generally do not require plans. The plans and specifications to the extent that they exist, include but are not limited to:

- Conceptual plans
- Street lighting maps, detail lists, schedules, and PUC schedules
- Street Tree Planting Master Plan
- Maintenance specifications, programs, and policies for:
 - Landscaping
 - Medians
 - Graffiti abatement
 - Recreation buildings
 - Community and neighborhood park grounds
 - Weed abatement
 - Creeks and trails
 - Litter and debris removal
- Water, gas, and electric company requirements, policies and specifications

These documents are available in the City's Public Works Department and Recreation Department offices, and are included in this report by reference. A diagram indicating the location of the improvements to be serviced and maintained is included in Section 4 of this report.

Section 3. DESCRIPTION OF IMPROVEMENTS

The improvements to be installed, serviced, and maintained generally consist of the following:

Street Lighting

Residential Lighting - The District provides funding for street lighting throughout the City, which is typically located at intersections and at mid-block. Spacing of lights is typically 500 feet, although this distance may vary depending on topographic and right-of-way restraints.

Medium-Intensity Commercial Lighting - Industrial and some commercial districts have closer spacing of street lighting, typically at 250-foot intervals. Commercial districts on San Pablo Avenue and other arterial streets require a higher level of lighting intensity.

Medians and Rights-of-Way

Corresponding numbers on the map in Section 4 depict the location of medians. Landscaped medians are located on the following arterial streets:

1. San Pablo Ave. (entire length)
2. Carlson Blvd. (north City limit to Adams St.)
3. Moeser Lane (San Pablo Ave. to Pomona Ave. and Shevlin Dr. to Arlington Blvd.)
4. Central Ave. (Carlson Blvd. to San Pablo Ave. and Liberty St. to Richmond St.)
5. Ashbury Ave. (south City limit to Fairmount Ave.)
6. Fairmount Ave. (Liberty St. to Richmond St. and Carlson Blvd. to San Pablo Ave.)
7. Potrero Ave. (Eastshore Blvd. to San Pablo Ave.)
8. Hagen Blvd. (6526 to 6712)
9. Elm St. (at Blake St.)
10. Cutting Blvd. (at Elm St.)
11. Behrens St. (at south City limit)
12. Blake St. (at Navellier St.)

Maintained Stairways and Pathways

Corresponding letters on the map in Section 4 depict the location of the stairways and pathways.

- A. Alta Vista to north City limit
- B. Francisco to Tulare (2 segments)
- C. Barrett to Tassajara
- D. Alva to Barrett
- E. Tapscott to Harper
- F. Blake to Manor
- G. Madera to Julian to Potrero to Hillside Natural Area (4 segments)
- H. Madera to Hillside Natural Area
- I. Arlington to Shevlin (3 segments)
- J. King to Shevlin (south of Moeser)
- K. Bay Tree to Contra Costa
- L. Terrace to Huber Park (2 segments)
- M. Adams to Creekside Park

Creek and Street Trees

Day-lighted Creek in Public Property - Cerrito Creek, Baxter Gateway, and Poinsett

Street Trees - City-wide

Parks and Structures

Arlington Park and Clubhouse

1120 Arlington; tennis courts, picnic tables, barbecues, playground equipment, pond, basketball court, large grass area

Canyon Trail Park & Art Center

6757 Gatto; tennis courts, picnic tables, barbecue, playground equipment, large grass area, lower play area: creek, walking trails, small pond, and play equipment

Castro Park and Clubhouse

1420 Norvell; large playground and grassy area, field adjacent to Castro School blacktop (basketball courts, kickball diamond), tennis courts, small grassy area behind tennis courts, barbecue, and picnic table

Centennial Park and Clubhouse

715 Lexington; adjacent to the Open House Senior Center, playground equipment, grassy area, and field

Cerrito Vista Park

950 Pomona; Large, well equipped playground area, field, track for jogging, tennis courts, barbecue, and picnic area adjacent to park

Harding Park and Clubhouse

7115 C Street; play equipment, field adjacent to Harding School blacktop area (basketball courts, kickball diamond), tennis courts, and barbeque located on patio

Huber Park

7711 Sea View; lower cement area with basketball court and kickball area, climbing, large cement slide, and picnic area

Poinsett Park

5611 Poinsett; basketball, kickball area, and play equipment

Tassajara Park & Pottery Studio

2575 Tassajara; playground equipment, field, basketball court, tennis courts, and picnic area

Madera Clubhouse

1500 Devonshire; childcare center and clubhouse

Ohlone Greenway

One block east of Kearney, the Ohlone Greenway is a linear park that runs 2.5 miles, the length of El Cerrito, ideal for walking or bicycling. It is the site of the frog habitat and wetland restoration classroom projects. At the corner of Manila and Kearney, is the Richard Itaya mini-park with its play equipment for younger school age children.

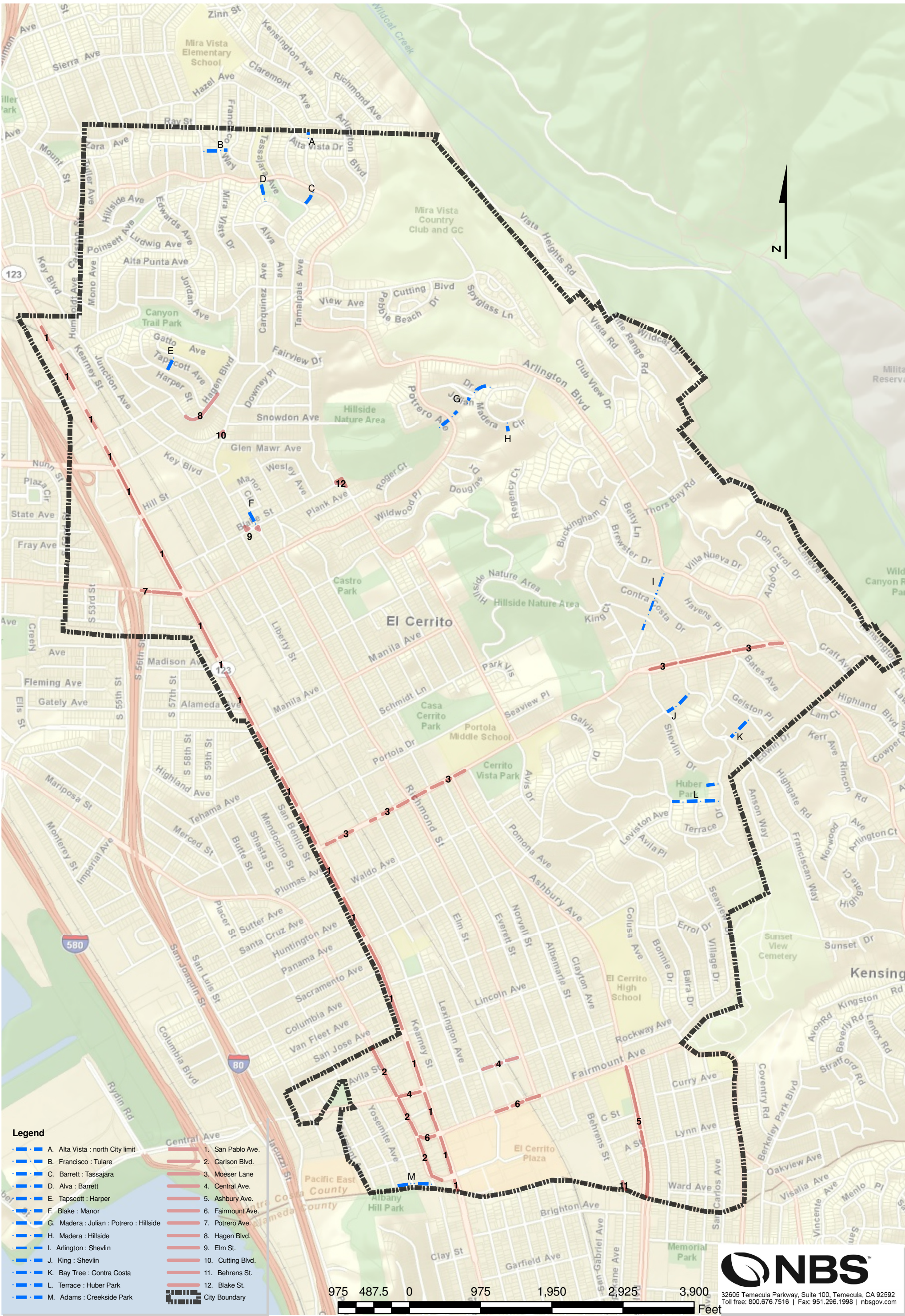
Hillside Natural Area

This natural area of approximately 102 acres can be accessed from the east end of Schmidt Lane, north end of Potrero, and through King Court. Dogs, under their owner's control and on a leash, are allowed.

Section 4. **MAP OF DISTRICT**

The following page contains a map of the District depicting the locations of medians, rights-of-way, stairways, and pathways. The Assessment Diagram is on file with the City Clerk and incorporated by reference and made part of this report.

CITY OF EL CERRITO
LANDSCAPE AND LIGHTING DISTRICT NO. 1988-1



Section 5. METHOD OF ASSESSMENT

The estimated net cost of the improvements has been divided among the several parcels of land within the District in proportion to the estimated benefits to be received by the parcels, respectively, from the improvements. The method used to apportion the cost among the benefiting properties follows:

- 1) Residential costs were identified as the total estimated cost to provide landscaping, lighting, and sweeping on residentially zoned streets plus 98% of the net cost to maintain park and recreational facilities, plus a prorated share of the incidental expenses.
- 2) Commercial costs were identified as the total estimated cost to provide landscaping, lighting, and sweeping to frontage on commercially zoned streets, plus 2% of the net cost to maintain park and recreational facilities, plus a prorated share of the incidental expenses.

The net residential cost was apportioned within residentially zoned areas and the net commercial cost was apportioned within commercially zoned areas as follows:

RESIDENTIALLY ZONED AREAS

Occupied Single Family Residential (SFR) properties were assumed to benefit equally and were assessed the same. Multifamily Residential (MFR) parcels and condominiums were assumed to benefit less, due to increased density and private maintenance costs. MFR units were assessed 75% of the SFR rate for the first twenty units and 50% of the SFR rate for each additional unit over twenty.

Churches and private schools in residentially zoned areas were assessed for direct frontage benefits received. Commercial land uses in residential neighborhoods were assessed at the Zone 3 frontage rate, plus the commercial park assessment rate. One-hundred (100) feet of corner relief, or the side street dimension, whichever was less, was credited to corner parcels. Open space owned by private parties, utilities, and the golf course were assessed for one-half the Zone 3 frontage assessment rates. Public property was not assessed.

Vacant lots were assessed at one-half the amount calculated for a similar occupied parcel. Assessments for common areas were considered to be included in the assessment for the various residential units.

Unusual or exceptional parcels were assessed according to the judgment of the engineer. Assessments for SFR properties that are divided by the City boundary were calculated by multiplying the rate for a SFR by the ratio of land area in the City's boundary.

COMMERCIALLY ZONED PROPERTY

Three zones of commercial street landscaping, lighting, and sweeping service are identified on the assessment diagram. The cost per foot to provide services to frontage on San Pablo Ave. (Zone 1) was estimated to be six times the cost of Commercial Zones 2 & 3 streets. Parcels with San Pablo Ave. frontage were assessed \$2.00 per front foot for direct benefit received.

Parcels with frontage in Zones 2 and 3 were assessed \$0.33 per foot, or one-sixth the San Pablo Ave. assessment. Corner lots were credited one-hundred feet or the side yard dimensions, whichever was less. Parcels with frontage in more than one zone were assessed for the applicable frontage in each zone.

The remaining costs to provide street landscaping, lighting, and sweeping within the commercially zoned areas, including a prorated share of the incidental expenses, were assessed to the properties located on Zones 1 and 2 streets in proportion to parcel area.

Areas and frontages were calculated using information on file with the County Assessor. Areas and frontages are approximations intended only as indicators of benefit.

The assessments for parcels within the El Cerrito Plaza and the Del Norte Marketplace shopping centers were calculated by totaling the frontage and area assessments and then prorating the total according to area.

SFR residential parcels in commercially zoned areas were presumed not to benefit more from increased levels of lighting and landscaping and were assessed at SFR rates.

MFR parcels in commercially zoned areas were assessed at MFR rates less 20%, representing a credit for the residential street lighting and sweeping benefit not received. MFR parcels in commercially zoned areas were also assessed for direct frontage benefits received. The commercial park and area assessment was not applied to MFR parcels.

Private institutions within the commercially zoned areas were assessed for the applicable frontage benefit, but were not assessed for commercial area or park benefit.

Motels were assessed as commercial properties.

Vacant lots were assessed at one-half the occupied rate.

Public properties were not assessed.

Unusual or exceptional properties were assessed according to the judgment of the engineer.

5.1 Assessment Rates

The following tables provide the assessment rates for Fiscal Year 2018/19.

Residential Zoning

Category	Per Unit	Per Foot
SFR	\$72.00	\$0.00
MFR 2-20 Units	54.00	0.00
MFR > 20 Units	1,080.00 + 36.00 (over 20)	0.00
PVT Inst	0.00	0.33
Vacant Lot	36.00	0.00
Vacant Land	0.00	0.17

Commercial Zoning

Commercial Street Assessment					Commercial Park Assessment
Category	Zone	Per Unit	Per Foot	Per Acre	Per Acre
Commercial	1	\$0.00	\$2.00	\$121.00	\$80.00
	2	0.00	0.33	121.00	80.00
	3	0.00	0.33	0.00	0.00
MFR 2-20 Units	1	43.00	2.00	0.00	0.00
MFR > 20 Units	1	864.00 + 29.00 over 20	2.00	0.00	0.00
MFR 2-20 Units	2	43.00	0.33	0.00	0.00
MFR > 20 Units	2	864.00 + 29.00 over 20	0.33	0.00	0.00
PVT Inst	1	0.00	2.00	0.00	0.00
	2	0.00	0.33	0.00	0.00
Vacant	1	0.00	1.00	61.00	40.00
	2	0.00	0.17	61.00	40.00
	3	0.00	0.17	0.00	0.00

Assessments for parcels not described above were made in proportion to the estimated benefits received as determined by the engineer.

Section 6. ESTIMATE OF COSTS

<u>Revenues</u>	
Special Assessments	\$775,749.30
Total Revenues	\$775,749.30
<u>Expenditures</u>	
Regular Salaries & Wages	\$123,707.00
Part-Time Salaries & Wage	16,068.00
Overtime Pay	5,786.00
Special Pay	1,558.00
PARS Contributions	406.00
PERS Contributions	43,492.00
FICA/Medicare	9,746.00
Insurance & Other Benefits	46,332.00
Workers Compensation	7,506.00
Salary Savings	0.00
Collect & Admin Services	10,000.00
Other Technical Services	1,000.00
Utilities	153,299.00
Utilities-Street Lights	40,000.00
Infrastructure Maintenance Services	34,000.00
Building Maintenance Services	0.00
Landscape/Park Maintenance Services	80,000.00
Travel & Training	200.00
Dues and Subscriptions	900.00
Building Supplies	1,000.00
Landscape & Park Supplies	40,000.00
Operating Transfer Out-GEN	160,750.00
Total Expenditures	\$775,750.00

Section 7. COUNTY USE CODES

The following pages contain the Contra Costa County use codes and a description of each.

<u>Use Code</u>	<u>Description</u>
1	Residential
10	Vacant, unbuildable
11	Single family, 1 residential on 1 Site and Duets w/o minor common areas
12	Single family, 1 residential on 2 or more sites
13	Single family, 2 or more residential on 1 or more sites
14	Single family on other than single family land
15	Miscellaneous improvements, 1 or more site, incl. trees and vines
16	Single family attached residence, townhouses, duets
17	Vacant, 1 site (includes PUD sites)
18	Vacant, 2 or more sites
19	Single family detached res. with major common area (pool, tennis, clubhouse, or other amenities), Cluster Homes
2	Multiple
20	Vacant
21	Duplex
22	Triplex
23	Fourplex
24	Combinations; e.g., single and a double
25	Apartments, 5-12 units, inclusive
26	Apartments, 13-24 units, inclusive
27	Apartments, 25-59 units, inclusive
28	Apartments, 60 units or more
29	Condos, cooperatives (-1 Single Family) (-2 Rossmoor)
3	Commercial
30	Vacant
31	Commercial stores (not supermarkets)
32	Small grocery stores (7-11, mom and pop, quick-stop)
33	Office buildings
34	Medical; dental
35	Service stations; car washes; bulk plants; mini lube
36	Auto repair
37	Community facilities; recreational; swim pool association
38	Golf courses
39	Bowling alleys
4	Commercial
40	Boat Harbors
41	Supermarkets (not in shopping centers)
42	Shopping centers (all parcels include vacant for future shopping Center
43	Financial buildings (insurance and title companies, banks, savings And loans)
44	Motels, hotels, and mobile home parks
45	Theaters
46	Drive-in restaurants (hamburger, taco, etc.)
47	Restaurants (not drive-in; inside service only)
48	Multiple and commercial; miscellaneous improved
49	New car auto agencies

- 5 Industrial**
- 50 Vacant Land
- 51 Industrial Park (with structures)
- 52 Research and Development, with or without structures
- 53 Light industrial
- 54 Heavy industrial
- 55 Mini-warehouse (public storage)
- 56 Miscellaneous improvements, including trees & vines on light or heavy industrial
- 59 Pipeline rights-of-way

- 6 Land**
- 61 Rural, residential improved; 1 to 10 acres
- 62 Rural, with or without miscellaneous structures, 1 to 10 acres
- 63 Urban acreage, 10 to 40 acres
- 64 Urban acreage, more than 40 acres
- 65 Orchards, vineyards, row crops, irrigated pastures, 10 to 40 acres
- 66 Orchards, vineyards, row crops, irrigated pastures, over 40 acres
- 67 Dry farming, grazing and pasturing, 10 to 40 acres
- 68 Dry farming, grazing and pasturing, over 40 acres
- 69 Agricultural preserves

- 7 Institutional**
- 70 Convalescent hospitals and rest homes
- 71 Churches
- 72 Schools & colleges, public or private, with or without improvements
- 73 Hospitals, with or without improvements
- 74 Cemeteries, mortuaries
- 75 Fraternal and service organizations, group homes, shelters
- 76 Retirement housing complex
- 77 Cultural uses (libraries, museums)
- 78 Parks and playgrounds
- 79 Government-owned, with or without buildings (federal, state, city, BART)

- 8 Miscellaneous**
- 80 Mineral rights (productive/nonproductive)
- 81 Private roads
- 82 Pipelines and canals
- 83 State board assessed parcels
- 84 Utilities, with or without buildings (not assessed by SBE)
- 85 Public and private parking
- 86 Taxable municipally-owned property
- 87 Common area parcels in PUD's (open spaces, recreational facilities)
- 88 Mobile home
- 89 Other; split parcels in different Tax Code Areas

Section 8. CITY-OWNED PARCELS

The following pages show the parcels owned by the City of El Cerrito.

CITY OF EL CERRITO
Landscape and Lighting Assessment District 1988-1
Fiscal Year 2018/19 City-Owned Parcel Listing

APN	ADDRESS	OWNER	USE CODE	ASSESSMENT
500-220-006	TASSAJARA AVE	EL CERRITO CITY OF	78	\$0.00
500-370-017	5611 POINSETT AVE	EL CERRITO CITY OF	78	0.00
501-092-006	CUTTING BLVD	EL CERRITO CITY OF	79	0.00
501-140-012	CUTTING BLVD	EL CERRITO CITY OF	79	0.00
501-241-017	SAN PABLO AVE	EL CERRITO CITY OF	79	0.00
501-261-017	6327 KNOTT AVE	EL CERRITO REDEVELOPMENT AGY	79	0.00
501-360-008	6757 GATTO AVE	EL CERRITO CITY OF	78	0.00
501-370-003	GATTO ST	EL CERRITO CITY OF	79	0.00
501-422-016	GATTO ST	EL CERRITO CITY OF	79	0.00
502-062-003	1925 KEARNEY ST	EL CERRITO CITY OF	79	0.00
502-062-028	11690 SAN PABLO AVE	EL CERRITO CITY OF	79	0.00
502-062-029	11600 SAN PABLO AVE	EL CERRITO CITY OF	79	0.00
502-124-009	ELM ST	EL CERRITO CITY OF	79	0.00
502-154-014	7315 GANGES CT	EL CERRITO CITY OF	79	0.00
502-411-007	10900 SAN PABLO AVE	EL CERRITO CITY OF	79	0.00
502-411-023	10940 SAN PABLO AVE	EL CERRITO CITY OF	79	0.00
502-411-029	SAN PABLO AVE	EL CERRITO CITY OF	79	0.00
503-010-013	10890 SAN PABLO AVE	EL CERRITO CITY OF	79	0.00
503-142-014	6927 PORTOLA DR	EL CERRITO CITY OF	79	0.00
503-160-029	7550 SCHMIDT LN	EL CERRITO CITY OF	79	0.00
503-170-001		EL CERRITO CITY OF	79	0.00
503-170-003	MOESER LN	EL CERRITO CITY OF	79	0.00
503-182-048	MOESER LN	EL CERRITO CITY OF	79	0.00
503-203-021	7007 MOESER LN	EL CERRITO CITY OF	79	0.00
503-210-018	KEARNEY ST	EL CERRITO CITY OF	79	0.00
503-280-008	MOESER LN	EL CERRITO CITY OF	79	0.00
503-280-009		EL CERRITO CITY OF	79	0.00
503-280-010	951 POMONA AVE	EL CERRITO CITY OF	79	0.00
503-383-002	6500-6510 STOCKTON AVE	EL CERRITO CITY OF	77	0.00
503-383-011	EUREKA AVE	EL CERRITO CITY OF	79	0.00
503-383-012	LEXINGTON AVE	EL CERRITO CITY OF	79	0.00
504-152-030	10066-74 SAN PABLO AVE	EL CERRITO CITY OF	79	0.00
504-160-008	SAN PABLO AVE	EL CERRITO CITY OF	79	0.00
504-160-009	SAN PABLO AVE	EL CERRITO CITY OF	79	0.00
504-182-029	6800 FAIRMOUNT AVE	EL CERRITO CITY OF	79	0.00
505-040-004		EL CERRITO CITY OF	79	0.00
505-040-005		EL CERRITO CITY OF	79	0.00
505-050-004		EL CERRITO CITY OF	79	0.00
505-061-024	1625 ROGER CT	EL CERRITO CITY OF	79	0.00
505-061-025	1629 ROGER CT	EL CERRITO CITY OF	79	0.00
505-061-026	1633 ROGER CT	EL CERRITO CITY OF	79	0.00
505-061-027	1637 ROGER CT	EL CERRITO CITY OF	79	0.00
505-061-028	ROGER CT	EL CERRITO CITY OF	79	0.00
505-061-029	ROGER CT	EL CERRITO CITY OF	79	0.00
505-070-035		EL CERRITO CITY OF	79	0.00

CITY OF EL CERRITO
Landscape and Lighting Assessment District 1988-1
Fiscal Year 2018/19 City-Owned Parcel Listing

APN	ADDRESS	OWNER	USE CODE	ASSESSMENT
505-080-004		EL CERRITO CITY OF	79	0.00
505-080-005		EL CERRITO CITY OF	79	0.00
505-080-010		EL CERRITO CITY OF	79	0.00
505-080-013	NAVELLIER ST	EL CERRITO CITY OF	79	0.00
505-080-015	NAVELLIER ST	EL CERRITO CITY OF	79	0.00
505-090-015	7431-7501 SCHMIDT LN	EL CERRITO CITY OF	79	0.00
505-090-016		EL CERRITO CITY OF	79	0.00
505-090-017		EL CERRITO CITY OF	79	0.00
505-110-003		EL CERRITO CITY OF	79	0.00
505-122-025	KENT DR	EL CERRITO CITY OF	79	0.00
505-130-002		EL CERRITO CITY OF	79	0.00
505-142-012	MADERA DR	EL CERRITO CITY OF	79	0.00
505-142-013	MADERA DR	EL CERRITO CITY OF	79	0.00
505-142-014	MADERA DR	EL CERRITO CITY OF	79	0.00
505-171-008	1520 ARLINGTON BLVD	EL CERRITO CITY OF	79	0.00
505-203-030	CONTRA COSTA DR	EL CERRITO CITY OF	79	0.00
505-222-004	928 SHEVLIN DR	EL CERRITO CITY OF	79	0.00
505-222-011	969 KING DR	EL CERRITO CITY OF	79	0.00
505-222-012	961 KING DR	EL CERRITO CITY OF	79	0.00
505-222-013	953 KING DR	EL CERRITO CITY OF	79	0.00
505-222-014	945 KING DR	EL CERRITO CITY OF	79	0.00
505-222-015	KING DR	EL CERRITO CITY OF	79	0.00
505-230-030	TERRACE DR	EL CERRITO CITY OF	78	0.00
505-401-014	POTRERO AVE	EL CERRITO CITY OF	79	0.00
505-403-018	DOUGLAS DR	EL CERRITO CITY OF	79	0.00
505-410-007	1110 ARLINGTON BLVD	EL CERRITO CITY OF	79	0.00
505-410-010	1120 ARLINGTON BLVD	EL CERRITO CITY OF	79	0.00
505-421-020		EL CERRITO CITY OF	79	0.00
510-011-011	BELMONT AVE	EL CERRITO CITY OF	79	0.00
510-012-019	3448 BELMONT AVE	EL CERRITO CITY OF	79	0.00
510-013-021	SANTA CLARA ST	EL CERRITO CITY OF	79	0.00
513-372-015	11335-1341 SAN PABLO AVE	EL CERRITO CITY OF	79	0.00
513-372-018	6111 POTRERO AVE	EL CERRITO CITY OF	79	0.00
513-372-032	10890 SAN PABLO AVE	EL CERRITO CITY OF	79	0.00
79 Parcels				\$0.00

Section 9. **ASSESSMENT ROLL**

The parcel listing of assessments is provided as a separate document.



**April 3, 2018
Regular City Council Meeting**

**Agenda Item No. 4(D)
Landscape and Lighting Assessment District No. 1988-1**

Attachment 2 Report Levy List

is available for review in hardcopy format at the following
locations:

Office of the City Clerk
10940 San Pablo Avenue
El Cerrito
(510) 215-4305

and

The El Cerrito Library
El Cerrito
6510 Stockton Avenue



AGENDA BILL

Agenda Item No. 4(E)

Date: April 3, 2018
To: El Cerrito City Council
From: Yvetteh Ortiz, Public Works Director/City Engineer
Subject: 2018 Slurry Seal Program, City Project No. C3027.20

ACTION REQUESTED

Adopt a resolution taking the following actions:

- 1) Approving plans for the 2018 Slurry Seal Program, City Project No. C3027.20 (Project);
- 2) Accepting the nine submitted bids for the Project; and
- 3) Authorizing the City Manager to execute a contract in the amount of \$175,981 with Telfer Pavement Technologies, LLC and approving change orders in an amount not to exceed \$50,000 for the construction of the Project including additional street work.

BACKGROUND

The 2018 Slurry Seal Program, City Project No. C3027.20, is a component of the Measure A funded Annual Street Improvement Program. The Project consists of preventative maintenance resurfacing treatment on the following sixteen street segments which currently have pavement with low levels of distress, such as minor cracks or spalling.

STREET NAME	FROM	TO
CONTRA COSTA DRIVE	KING DRIVE	BUCKINGHAM DRIVE
CYPRESS AVENUE	SAN PABLO AVENUE	SOUTH 56TH STREET
ELM COURT	MOESER LANE	END
F STREET	CYPRESS AVENUE	DEAD END
IVY COURT	LENEVE PLACE	END
JORDAN AVENUE	TAMALPAIS AVENUE	ALTA PUNTA AVENUE
KEARNEY STREET	FAIMOUNT AVENUE	EUREKA AVENUE
LENEVE PLACE	TERRACE DRIVE	IVY COURT
LUDWIG AVENUE	JORDAN AVENUE	POINSETT AVENUE
MADERA CIRCLE	MADERA DRIVE	MADERA DRIVE
MANOR CIRCLE	ELM STREET	MANOR CIRCLE
POINSETT AVENUE	LUDWIG AVE	W CITY LIMIT
SNOWDON AVENUE	GANGES AVENUE	END (BEYOND GATE)

STREET NAME	FROM	TO
SOUTH 56TH STREET	SOUTH CITY LIMITS	POTRERO AVENUE
STOCKTON AVENUE	RICHMOND ST	TERRACE DRIVE
TAMALPAIS AVENUE	FAIRVIEW DRIVE	CUTTING BOULEVARD

Localized pavement repairs were completed on many of these street segments at the end of 2017 in anticipation of the Project. The Project work generally consists of the application of a slurry seal treatment, installation of traffic striping and markings, and related work. For bidding purposes and to allow flexibility of award within the project budget, the work was divided into a Base Bid and one Additive Alternate Bid.

The Notice Inviting Bids for the Project was advertised in the West County Times on March 1, 5 and 12, 2018. Additionally, the Notice Inviting Bids along with a complete set of Contract Documents was sent to eight Builder and Construction Exchanges. The project was also posted on the City's website and on the BPXpress website, an online planroom.

ANALYSIS

Nine bids were received on the advertised bid opening date of March 20, 2018 as listed below.

Name and Location of Bidder	Base Bid	Additive Alternate Bid
Telfer Pavement Technologies, McClellan	\$175,981.00	\$65,000.00
American Asphalt Repair & Resurfacing, Hayward	\$184,286.00	\$50,000.00
Intermountain Slurry Seal, Elk Grove	\$186,500.00	\$87,000.00
American Pavement Systems, Modesto	\$188,073.90	\$97,210.00
VSS International, West Sacramento	\$215,120.00	\$75,120.00
Pavement Coatings, Woodland	\$225,485.00	\$65,000.00
Bond Blacktop, Union City	\$231,384.00	\$57,800.00
Graham Contractors, San Jose	\$249,183.50	\$74,500.00
California Pavement Maintenance, Sacramento	\$251,620.60	\$89,500.00
Engineer's Estimate	\$195,200	\$50,000

The Contract Documents stipulated that the low bidder was to be determined by the amount of the Base Bid.

The Base Bid from Telfer Pavement Technologies, LLC. of \$175,981.00 is ten percent less than the Engineer's Estimate. The Additive Alternate Bid amount from Telfer of \$65,000 is thirty percent higher than the Engineer's Estimate.

Staff recommends that the City Council award a construction contract in the amount of \$175,981.00 for the Base Bid to Telfer Pavement Technologies, LLC as the lowest responsive and responsible bidder. The Additive Alternate Bid is not recommended for award at this time given the substantial amount over the Engineer's Estimate. The Additive Alternate is for a localized pavement repair in a high traffic area that requires a Caltrans Encroachment Permit because it affects San Pablo Avenue (State Route 123) at Fairmount Avenue. Given the different type of work, City staff will bid it as a separate project with anticipation that it will lead to more competitive bids.

In light of the reasonable unit prices for the slurry seal and other items in the Base Bid, staff requests that the City Council allow staff to investigate the opportunity to include additional street segments originally planned for resurfacing next year into this year's project. To this end, staff is requesting contract contingency amount of \$50,000, approximately 28%, to allow for expanding the street segments and addressing typical change orders such as quantity fluctuations and extra work items due to unforeseen conditions. This is approximately three times as high as the typical contingency percentage on projects.

STRATEGIC PLAN CONSIDERATIONS

Award of the construction contract is consistent with the following El Cerrito Strategic Plan Goals:

- Goal D – *Develop and rehabilitate public facilities as community focal points by addressing ongoing and deferred maintenance of facilities and infrastructure; and*
- Goal E – *Ensure the public's health and safety by providing a safe and accessible transportation system.*

ENVIRONMENTAL CONSIDERATIONS

The project is categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) because the project is a repair to an existing facility involving negligible or no expansion of use beyond that presently existing. More specifically, restoration or rehabilitation of deteriorated or damaged facilities to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as an earthquake, landslide, or flood, is exempt from CEQA.

FINANCIAL CONSIDERATIONS

The total estimated cost for construction of the Project is approximately \$260,000 as summarized below.

Construction Contract	\$175,981.00
Construction Contract Contingency	\$50,000
Construction Management and Materials Testing	\$31,000
Miscellaneous (printing, postage, etc)	\$3,000
Total	\$259,981

Funding for this Project under the Annual Street Improvement Program is included in the Fiscal Year 2017-18 Adopted Budget, including recently adopted mid-year budget amendment, and Annual Program of Maintenance and Improvement pursuant to the Measure A Street Improvement Program.

LEGAL CONSIDERATIONS

The City Attorney has reviewed the proposed actions and found that legal considerations have been addressed.

Reviewed by:



Scott Hanin
City Manager

Attachments:

1. Resolution

RESOLUTION NO. 2018-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO APPROVING PLANS FOR THE 2018 SLURRY SEAL PROGRAM, CITY PROJECT NO. C3027.20 (PROJECT); ACCEPTING THE NINE SUBMITTED BIDS FOR THE PROJECT; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT IN THE AMOUNT OF \$175,981.00 WITH TELFER PAVEMENT TECHNOLOGIES, LLC. AND TO APPROVE CHANGE ORDERS IN AN AMOUNT NOT TO EXCEED \$50,000 FOR THE CONSTRUCTION OF THE PROJECT

WHEREAS, the 2018 Slurry Seal Program, City Project No. C3027.20 (Project) is a component of the Measure A funded Annual Street Improvement Program; and

WHEREAS, the Project consists of preventative maintenance resurfacing treatment on sixteen street segments which currently have pavement with low levels of distress, such as minor cracks or spalling; and

WHEREAS, the work generally consists of application of a slurry seal treatment, installation of traffic striping and markings, and related work; and

WHEREAS, a Notice Inviting Bids for the project was advertised in the West County Times on March 1, 5 and 12, 2018, sent to eight Builder and Construction Exchanges, and posted on the City's website; and

WHEREAS, nine bids were received on the advertised bid opening date of March 20, 2018; and

WHEREAS, Telfer Pavement Technologies, LLC submitted the lowest responsible and responsive Base Bid in the amount of \$175,981, which is ten percent below the Engineer's Estimate; and

WHEREAS, given the reasonable unit prices for pavement items, it is desirable to investigate including additional street segments by authorizing an increased amount for change orders; and

WHEREAS, funding for the Project, a component of the Annual Street Improvement Program, is included in the Fiscal Year 2017-18 Adopted Budget and Annual Program of Maintenance and Improvement pursuant to the Measure A Street Improvement Program; and

WHEREAS, the project work is an appropriate use of Measure A Street Improvement Funds; and

WHEREAS, the Project is categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) because the project is a repair to an existing facility involving negligible or no expansion of use beyond that presently existing.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby:

Agenda Item No. 4(E)

Attachment 1

- 1) Approves plans for the 2018 Slurry Seal Program, City Project No. C-3027.20;
- 2) Accepts the nine submitted bids for the Project; and
- 3) Authorizes the City Manager to execute a contract in the amount of \$175,981.00 with Telfer Pavement Technologies, LLC and to approve change orders in an amount not to exceed \$50,000 for the construction of the Project including additional street work.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon passage and adoption.

I CERTIFY that at a regular meeting on April 3, 2018 the City Council of the City of El Cerrito passed this Resolution by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on April XX, 2018.

Cheryl Morse, City Clerk

APPROVED:

Gabriel Quinto, Mayor



Mayor Gabriel Quinto

April 3, 2018

The Honorable Jim Beall
California State Senate
State Capitol, Room 2082
Sacramento, CA 95814

The Honorable Nancy Skinner
California State Senate
State Capitol, Room 2059
Sacramento, CA 95814

Re: Support for SB 912 (Beall and Skinner)

Dear Senators Beall and Skinner,

The *City of El Cerrito* strongly supports SB 912 (Beall and Skinner) which will address our state's affordable housing and homelessness crises by making a one-time general fund allocation of \$2 billion to immediately house and help thousands of Californians experiencing homelessness, as well as hard working low- income families most at risk of homelessness.

The *City of El Cerrito* has a total area of 3.9 square miles located on the eastern shore of the San Francisco Bay. Our population of nearly 24,000 is well served by regional transportation, including being home to two BART stations. Providing quality housing that is within the reach of extremely low-, very low- and low- income households is a high priority for the City.

SB 912 frees critical resources to respond to our state's housing emergency

The Bay Area is facing a housing emergency. While we believe that everyone should have access to a safe and affordable home, our region has fallen behind on creating these opportunities: Between 2007 and 2014 the region permitted just 29% of its low and very-low income housing need. Approximately 10% of El Cerrito residents are extremely

low, earning less than 30% of Area Median Income (AMI). Another 11% are very low income (30-50% of AMI), 12% are low income (51-80% AMI), and 18% are moderate income. Six of our eight affordable housing projects – 311 units total - were constructed through the El Cerrito Redevelopment Agency, which dissolved in 2012.

Given that two of our projects are nearing expiration of their affordability term, SB 912 can restore funding opportunities that will allow us to preserve and create permanent rental housing for El Cerrito residents. The most vulnerable of them risk joining the over 134,000 Californians who are already experiencing homelessness on any given night.

This crisis takes a toll on our economy as well. California loses \$140 billion per year in output (or 6 percent of state GDP) due to the lack of affordable housing. Rents and mortgages within the reach of working families are critical to maintaining California's business competitiveness. Prominent business groups across the state including the Bay Area Council agree that California needs to increase affordable housing options, so companies can compete for the talent that drives California's economy.

Furthermore, our state's homelessness crisis not only takes a mental and physical toll on Californians directly experiencing homelessness but also drains our State's resources. Many people experiencing homelessness are already sick (57.1% of all personal bankruptcies are due to medical expenses) and homelessness only makes them sicker even if they get medical care. Research shows that permanent housing solutions make good economic sense and save taxpayers money. According to the most comprehensive homelessness cost study in the US, the average pre-housing public cost of homelessness was \$62,000 and the average post-housing cost was \$20,000, a nearly 43,000 or 68% annual reduction.

SB 912 provides critical resources to house tens of thousands of our most vulnerable Californians

SB 912 seeks to off-set actions taken at the federal level, as well as fill existing state funding gaps at the state level by allocating \$2 billion in one-time general fund revenues for cities, counties, and non-profits to immediately house and help people experiencing homelessness, and families most at risk of homelessness. More specifically, SB 912 proposes to provide critical resources to existing housing programs to quickly house our most vulnerable residents including:

- \$1 billion to the Multifamily Housing Program to build more homes affordable to low-income families, and
- \$1 billion for various existing long-term investments to prevent and end homelessness among vulnerable populations

SB 912 will ensure that the most vulnerable Californians can have a roof over their heads

At a time of growing wealth and continued economic growth, California must respond to its homeless by investing some of its surplus revenue into housing its most vulnerable residents.

Thank you for your leadership in drafting legislation that will house thousands of Californians experiencing homelessness.

As a local municipality and as a member of the Non-Profit Housing Association of Northern California (NPH), we look forward to working with you to pass this important legislation.

Sincerely,

Gabriel Quinto, Mayor
City of El Cerrito

To: Tania Dikho, Legislative Aide, Office of Senator Jim Beall
(tania.dikho@sen.ca.gov)
Erasmo Viveros, Legislative Aide, Office of Senator Nancy Skinner(erasmo.viveros@asm.ca.gov)

cc: Pedro Galvao, Regional Planning and Policy Manager, NPH
(pedro@nonprofithousing.org)


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SB-912 Housing: homelessness programs and affordable housing. (2017-2018)

Senate: 1st Cmt

Assembly:

Bill Status	
Measure:	SB-912
Lead Authors:	Beall (S) , Skinner (S)
Principal Coauthors:	-
Coauthors:	Hill (S) , Lara (S) , Portantino (S) , Wiener (S)
Topic:	Housing: homelessness programs and affordable housing.
31st Day in Print:	02/18/18
Title:	An act <i>to add Chapter 2.7 (commencing with Section 50480) to Part 2 of Division 31 of the Health and Safety Code, relating to housing.</i>
House Location:	Senate
Last Amended Date:	03/08/18
Committee Location:	Sen Transportation and Housing

Type of Measure
Active Bill - In Committee Process
Majority Vote Required
Non-Appropriation
Fiscal Committee
Non-State-Mandated Local Program
Non-Urgency
Non-Tax levy

Last 5 History Actions	
Date	Action
03/21/18	Re-referred to Com. on T. & H.
02/20/18	From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.
02/01/18	Referred to Com. on RLS.
01/19/18	From printer. May be acted upon on or after February 18.
01/18/18	Introduced. Read first time. To Com. on RLS. for assignment. To print.

AMENDED IN SENATE MARCH 8, 2018

AMENDED IN SENATE FEBRUARY 20, 2018

SENATE BILL

No. 912

Introduced by Senators Beall and Skinner
(Coauthors: Senators Hill, Lara, Portantino, and Wiener)

January 18, 2018

An act to add Chapter 2.7 (commencing with Section 50480) to Part 2 of Division 31 of the Health and Safety Code, relating to housing.

LEGISLATIVE COUNSEL'S DIGEST

SB 912, as amended, Beall. ~~Housing.~~ *Housing: homelessness programs and affordable housing.*

Existing law establishes the Department of Housing and Community Development in the Business, Consumer Services, and Housing Agency and makes the department responsible for administering various housing programs throughout the state, including, among others, the ~~Emergency Housing and Assistance Program.~~ *Multifamily Housing Program.*

~~This bill would state that it is the intent of the Legislature to enact legislation that would make a one-time allocation of \$2,000,000,000 in general funds for the purpose of funding programs that serve the homeless as well as existing housing programs administered by the Department of Housing and Community Development dedicated to housing low- and moderate-income families, as provided.~~

This bill, upon appropriation in the annual Budget Act, would require that the sum of \$2,000,000,000 be allocated from the General Fund to the Department of Housing and Community Development. The bill would require that \$1,000,000,000 of that money be transferred to the Housing Rehabilitation Loan Fund and expended to assist in the new construction, rehabilitation, and preservation of permanent and

transitional rental housing for persons with incomes of up to 60% of the area median income. The bill would require that the remaining \$1,000,000,000 be used to address homelessness, particularly homelessness among members of vulnerable populations, and provide for the allocation of that money for grants to cities and counties for specified related purposes, grants under the Housing for a Healthy California Program, funding for a specified homeless youth program, and assistance for housing and services for survivors of domestic violence, as provided. The bill would also include legislative findings as to the necessity to provide additional funding for housing.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares the following:
- 2 (a) Despite recent legislative efforts, California has not been
- 3 able to fill the funding gap from the loss of redevelopment funds
- 4 and statewide housing bonds passed in the 2000s. The state housing
- 5 crisis is the leading driver of the rise in homelessness.
- 6 (b) The recent 2017 federal tax law, Public Law 115-97, reduces
- 7 the value of the low-income housing tax credit (LIHTC). The
- 8 LIHTC program is the most successful state and national housing
- 9 program and critical for all affordable housing built in California.
- 10 As a result, California will lose \$540 million, or about 4,000 to
- 11 5,000 units, per year.
- 12 (c) According to the Department of Finance, over the last 10
- 13 years, California has experienced a 34 percent reduction in federal
- 14 housing funds.
- 15 (d) According to the Department of Housing and Community
- 16 Development, from 2016 to 2017, California experienced the
- 17 largest increase in the number of people experiencing
- 18 homelessness, about 14 percent. Its homeless population accounts
- 19 for 25 percent of the national homeless population.
- 20 (e) Housing the homeless saves taxpayer money. According to
- 21 the most comprehensive homelessness cost study in the United
- 22 States, the average prehousing public cost was \$62,000, and the
- 23 average posthousing cost was \$20,000, equal to an annual
- 24 reduction of nearly \$43,000, or 68 percent.

1 (f) It is the intent of the Legislature to offset federal funding
2 cuts and the reduced value of the LIHTC by investing in existing
3 and successful state housing programs.

4 (g) It is further the intent of the Legislature to emphasize the
5 financing of housing for vulnerable populations, including:
6 chronically homeless persons who frequently use hospitals or are
7 incarcerated, homeless transitional age youth, homeless college
8 students, families with repeated instances of homelessness,
9 domestic violence survivors, veterans, and persons with a physical
10 or mental disability.

11 SEC. 2. Chapter 2.7 (commencing with Section 50480) is added
12 to Part 2 of Division 31 of the Health and Safety Code, to read:

13
14 *CHAPTER 2.7. FUNDING FOR HOMELESSNESS PROGRAMS AND*
15 *AFFORDABLE HOUSING*
16

17 50480. Upon appropriation in the annual Budget Act for
18 purposes of this section, the sum of two billion dollars
19 (\$2,000,000,000) shall be allocated from the General Fund to the
20 Department of Housing and Community Development for the
21 following purposes:

22 (a) One billion dollars (\$1,000,000,000) shall be transferred
23 to the Housing Rehabilitation Loan Fund established pursuant to
24 Section 50661. The moneys in the fund transferred pursuant to
25 this subdivision shall be used for the Multifamily Housing Program
26 authorized by Chapter 6.7 (commencing with Section 50675), to
27 be expended to assist in the new construction, rehabilitation, and
28 preservation of permanent and transitional rental housing for
29 persons with incomes of up to 60 percent of the area median
30 income.

31 (b) One billion dollars (\$1,000,000,000) shall be used to address
32 homelessness, particularly homelessness among members of
33 vulnerable populations, to be allocated as follows:

34 (1) Seven hundred million dollars (\$700,000,000) shall be used
35 to provide grants to cities and counties that agree to provide
36 matching funds to alleviate chronic homelessness within their
37 jurisdictions. Cities and counties shall apply to the department for
38 grants pursuant to this paragraph in the form and manner
39 prescribed by the department. Authorized uses of the moneys

1 allocated pursuant to this paragraph include, but are not limited
2 to, the following:

3 (A) Rental assistance and flexible housing subsidy pool
4 investments.

5 (B) Operating subsidies, including gap financing to make
6 supportive housing projects that offer lower rents financially
7 viable.

8 (C) Capital grants.

9 (D) Interim housing.

10 (E) Emergency shelters, navigation centers, and rapid rehousing
11 projects.

12 (F) (i) Construction of affordable housing that includes housing
13 for homeless persons.

14 (ii) The department shall set aside a portion of the moneys
15 allocated pursuant to this paragraph for purposes of this
16 subparagraph and deposit those moneys in the Housing
17 Rehabilitation Loan Fund established pursuant to Section 50661.
18 The moneys in the fund shall be used for the Multifamily Housing
19 Program authorized by Chapter 6.7 (commencing with Section
20 50675), to be expended to assist in the new construction,
21 rehabilitation, and preservation of permanent and transitional
22 rental housing for persons with incomes of up to 60 percent of the
23 area median income, that makes at least 20 percent of the units
24 available to persons who are chronically homeless.

25 (2) Two hundred million dollars (\$200,000,000) shall be used
26 to provide grants under the Housing for a Healthy California
27 Program established pursuant to Part 14.2 (commencing with
28 Section 53590).

29 (3) Fifty million dollars (\$50,000,000) shall be transferred to
30 the Housing Rehabilitation Loan Fund to be expended under the
31 Multifamily Housing Program authorized by Chapter 6.7
32 (commencing with Section 50675) for housing for homeless youth
33 in accordance with the department's Homeless Youth Multifamily
34 Housing Program, previously funded pursuant to clause (ii) of
35 subparagraph (A) of paragraph (1) of subdivision (a) of Section
36 53545.

37 (4) Fifty million dollars (\$50,000,000) shall be transferred to
38 the Domestic and Sexual Violence Prevention Complementary
39 Services Fund, upon establishment of that fund within the Office

1 *of Emergency Services, and used to provide housing and services*
2 *for survivors of domestic violence.*

3 ~~SECTION 1. It is the intent of the Legislature to enact~~
4 ~~legislation that would make a one-time allocation of two billion~~
5 ~~dollars (\$2,000,000,000) in general funds for the purpose of~~
6 ~~funding programs that serve the homeless as well as existing~~
7 ~~housing programs administered by the Department of Housing and~~
8 ~~Community Development dedicated to housing low- and~~
9 ~~moderate-income families. It is the intent of the Legislature to~~
10 ~~enact legislation that would include eligible recipients such as~~
11 ~~cities, counties, and cities and counties that provide a local funding~~
12 ~~match.~~



Agenda Item No. 5(A)

RecycleMore El Cerrito Satellite HHW Facility

Operated by Republic Services

6 MONTH REVIEW (JULY - DECEMBER 2017)

PRESENTED BY: NICOLE FORTE, REPUBLIC SERVICES

Summary of Facility Operations

- June 20, 2017 Opening Day – soft opening – Open only on Tuesdays
- 24 customers on July 11th
- 63 customers on 10/17/17 – Most
- 916 - Total number serviced June-December 2017
 - El Cerrito Residents – 659 (72%)
 - Other Cities – 257 (28%)



* Vehicles are directed around the backside of the circle to the Unloading Area

* Stericycle crew greets the customer; unloads the waste materials; and properly segregates into drums in the hazardous waste locker

Unloading Area

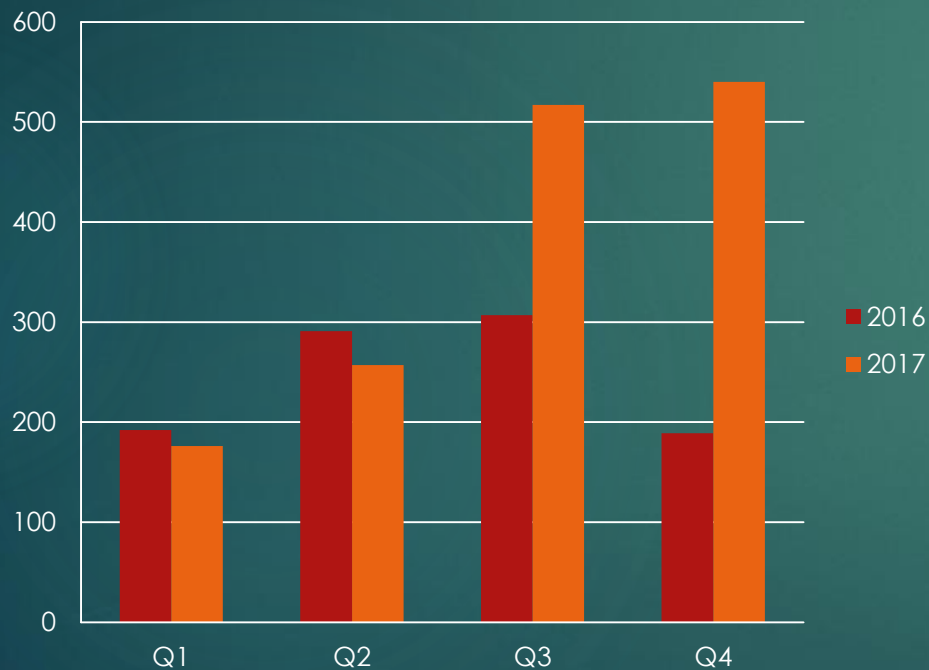


Closer they are to facility...more they will use it!

After opening....

- ▶ Q3 2017 – 517
- ▶ Q4 2017 - 540
- ▶ 3 times more use – convenience seems to play a large role in whether a person will drop off materials or decide to store them or throw away illegally

Number of El Cerrito Participants by Quarter



Volume of material collected at new facility since June 2017

Q3 – 2017

July – 5,205 lbs

August – 11,839 lbs

September – 9,237 lbs

Q3 total – 26,281 lbs

Q4 – 2017

- October – 11,366 lbs
- November – 7,904 lbs
- December – 14,900 lbs
- In addition, the Latex paint roll-off bin (Paintcare) filled up in 6 months – 22,000 lbs
- Total collected since opening: 44 tons

Sharps/Meds

In addition, there are sharps and pharmaceutical drop-off kiosks at the Recycling Center.

Total pounds collected Q3/Q4:

Sharps: 2,687

Pharmaceuticals: 5,331



Questions?

Nicole Forte, HHW Operations Supervisor

510-231-4200



AGENDA BILL

Agenda Item No. 7(A)

Date: April 3, 2018
To: El Cerrito City Council
From: Will Provost, Public Works Analyst
Maria Sanders, Operations + Environmental Services Division Manager
Yvetteh Ortiz, Public Works Director/City Engineer
Subject: Annual Parcel Assessment for the National Pollution Discharge Elimination System (NPDES) Program and Drainage Maintenance Activities for Fiscal Year 2018-19

ACTION REQUESTED

Adopt a resolution establishing the annual parcel assessment for the National Pollution Discharge Elimination System (NPDES) program and Drainage Maintenance activities at the current rate of \$38.00 per Equivalent Run-off Unit (ERU), and authorizing the Contra Costa County Flood Control & Water Conservation District to adopt Stormwater Utility Area (SUA) levies based on said amount for Fiscal Year 2018-19.

BACKGROUND – CLEAN WATER UPDATE

Under the 1987 amendments to the Federal Water Pollution Control Act (Clean Water Act), all jurisdictions in the United States are responsible for ensuring compliance with the National Pollutant Discharge Elimination System (NPDES) program. The State Water Resources Control Board grants regulatory responsibilities for water quality to the Regional Water Quality Control Boards in nine regions throughout California. In the Bay Area, the San Francisco Regional Water Quality Control Board (Water Board) regulates the discharge of stormwater runoff from the municipal separate storm sewer systems (MS4) draining into San Francisco Bay through a Municipal Regional Permit (MRP). The MRP covers Alameda, Contra Costa, Santa Clara and San Mateo counties, as well as the cities of Fairfield, Suisun and Vallejo. In Contra Costa County, the Contra Costa Clean Water Program (CWP) coordinates compliance and collaborates on programmatic components of the MRP. The CWP is comprised of Contra Costa County, its 19 incorporated cities and towns, and the County Flood Control and Water Conservation District. Working with the member jurisdictions, the CWP provides services designed to protect water quality by keeping trash and other pollutants from entering drainage systems that ultimately make their way into local creeks, reservoirs, lakes, and the Bay.

Municipal Regional Permit

Municipal Regional Permit Order No. R2-2015-0049, was adopted on November 15, 2015 and became effective January 1, 2016, superseding and rescinding the previous MRP (2009). The new permit continues and expands the previous permit requirements to conduct comprehensive stormwater monitoring and specific stormwater management

actions regarding trash load reduction, Clean Water Act 303(d) listed pollutants¹, and other pollutants of concern (POCs). The current permit will be active through 2020, however, additional requirements for compliance are anticipated to come under the new permit (MRP 3.0), beginning in 2021.

As reported in previous years' Clean Water reports to City Council, the current permit (MRP 2.0) contains provisions with significantly enhanced compliance conditions that affect the City of El Cerrito's operations. This year, the City's Clean Water Program is continuing to focus on expanding activities to meet the following four permit requirements:

- Provision C.3, (New development and Redevelopment) requires the City to develop and submit an approved Green Infrastructure Plan, in September 2019. This plan is intended to outline how the City will meet future pollutant load reduction milestones through the incorporation of Low Impact Design (LID) systems, such as rain gardens, on public and private streets, roads, parking lots, and building roofs. The provision also requires the City to adopt policies, ordinances or other legal mechanisms to ensure implementation of its Green Infrastructure Plan. The Plan will help the City prioritize investments in projects that have the greatest impact in reducing pollutant loads and provide additional benefits to the community. Ultimately, additional funding may be needed from grants and other sources in order to meet the Green Infrastructure targets, as set by the Water Board. A framework for the City's Green Infrastructure Plan was approved by the El Cerrito City Council on May 16, 2017 (Resolution 2017-32).

Development of the City's Green Infrastructure Plan is being informed by several on-going storm water management efforts: the current update to the City's Storm Drain Master Plan and Contra Costa County's Stormwater Resources Plan. Along with additional work being completed by the County's Clean Water Program, including mapping, development projections, rain garden design standards, etc., these Plans will provide a strong technical foundation for the development of the City's Green Infrastructure Plan. It is anticipated that staff will be circulating a draft Green Infrastructure Plan for public comment in Spring of 2019 in order to bring to City Council for consideration in Summer 2019.

- Provision C.10, regarding the reduction of trash entering the storm drain system, mandated a 70% trash load reduction by July 2017, an 80% reduction by July 2019, and 100% by July 2022. In order to receive compliance credits towards these goals, permittees are required to perform and document on-land visual trash load assessments, monitor receiving waters for trash, and/or install and maintain Full Trash Capture Devices in the storm drain system. Finally, it requires mapping and managing trash litter on private lands greater than 10,000 square feet by July 2018. El Cerrito is ahead of schedule in reaching these compliance goals, achieving a

¹ The Federal Clean Water Act (CWA) section 303(d) requires states to identify waters that do not meet applicable water quality standards and schedule such waters for development of Total Maximum Daily Loads (TMDLs). The states are required to assemble and evaluate all existing and readily available water quality-related data and information to develop the list and to provide documentation for listing.

79% trash load reduction rate as of July 2017. The City's trash load reduction credit is attributable to the installation and maintenance of 92 Full Trash Capture Devices since 2013, weekly litter and illegal dumping removal in public areas by City Maintenance staff and contractors, the successful implementation of the City's 2014 plastic bag and poly-styrene food container bans, and creek clean-up events, which are largely performed by volunteers. The City plans to continue these activities, including the installation and maintenance of additional Full Trash Capture Devices, to assure on-going trash load reduction compliance.

- Provision C.11 (Mercury Controls) and C.12 (Polychlorinated Biphenyls Controls - PCBs) require numeric weight reductions and tracking of Mercury and PCBs through the management of building demolition activities, installation of Green Infrastructure (per C.3 above) and the identification of properties that contain high and moderate Mercury and PCBs removal opportunities. To achieve reduction targets, the City may be required to adopt an ordinance outlining procedures to control PCBs in the building demolition process. PCB removal is also a main driver of Green Infrastructure, as it is needed to help the City meet specific pollutant load reduction targets.

Specific Clean Water Program activities are coordinated and carried out primarily by the Public Works Department, with assistance from the Community Development Department and the Fire Department. A comprehensive review of the City's activities and annual accomplishments are detailed in an Annual Report prepared each summer for submittal to the Water Board.

Statewide Funding Efforts

As the MRP requirements have increased over the years, efforts have been made to increase funding for the compliance activities of local governments. In 2012, the County CWP attempted to raise new funds through a county-wide property-owner mail-in ballot election. Although this initiative failed on a county-wide basis, support in El Cerrito was 54 percent, demonstrating local support for the clean water activities.

Since that time, a coalition of various agencies, including the California State Association of Counties, the League of Cities, and local governments have sought legislative solutions to bridge the funding gap between increasing NPDES compliance requirements and corresponding costs and the lack of funding sources available to pay for these. In October 2017, Governor Brown signed Senate Bill 231 (Hertzberg) Local Government: Fees and Charges, which provides local governments with greater authority to fund stormwater improvements.² The legislature did this by clarifying, and thereby expanding the definition of "sewer" under Proposition 218, allowing cities to fund stormwater projects in the same manner as other public works utilities, such as water, sanitary sewer, and solid waste. However, local governments are proceeding cautiously in implementing any related fees, as the new law has yet to be tested in the courts.

² On June 6, 2017, the El Cerrito City Council approved a recommendation authorizing the Mayor to send a letter in support of the bill.

ANALYSIS – STORMWATER UTILITY AREA ASSESSMENT

Currently, El Cerrito's NPDES compliance activities are funded by a combination of a countywide Stormwater Utility Area (SUA) assessment funds, the City's Measure J Storm Drain funds and the General Fund. The SUA is levied in CWP jurisdictions and provides funds for clean water activities in each of the member jurisdictions as well as activities at the countywide level. Specific SUA assessments are calculated through determining Equivalent Runoff Units (ERUs). An ERU is a value that reflects the amount of impervious (paved) surface of a given parcel. Impervious surfaces result in stormwater runoff to the storm drain system, which potentially carry pollutants to the Bay and into the groundwater. Parcels that contain large areas of paved surfaces are assigned a greater number of ERUs. Residential lots in El Cerrito between 5,000 to 20,000 square feet in size are assigned one (1) ERU. Industrial or commercial parcels with paved parking or other impervious surfaces are assigned two (2) or more ERUs depending on their size.

In 1993, when the County SUA was established, El Cerrito's assessment was \$14 per ERU. The City's current rate of \$38.00 per ERU was approved by Council in Fiscal Year (FY) 2004-05. Per the County Ordinance adopting the SUA, \$38 is the maximum rate that can be assessed in El Cerrito. The total annual amount generated countywide by the SUA is approximately \$15 million.

In FY 2018-19, the County estimates that El Cerrito's rate of \$38.00 will generate about \$402,762 for NPDES compliance. Of these revenues, an estimated 16.4% (\$66,053) is allocated for CWP regional compliance activities and 83.6% (\$336,709) is allocated to El Cerrito to fund local compliance activities. The City's allocation is projected to decrease in FY 2019-20 to approximately 80.4% due to the increased costs of MRP 2.0 regional compliance activities. Costs of compliance are expected to rise again in the next permit term (MRP 3.0), starting in 2021.

The CWP uses its portion of the SUA funds to assist local jurisdictions with MRP compliance by performing work that is more cost-effective when done on the countywide level. Examples include regional public outreach campaigns, regional water quality and creeks monitoring, development of a Geographical Information System tracking tool for reporting pollutant load reductions, the C.3 Guidebook for developers and staff, municipal staff training, support in development and submittal of the Annual Report, and other activities that assist member agencies in complying with the MRP. The CWP also pays dues, on behalf of the local jurisdictions, to the Bay Area Stormwater Management Agencies Association, to the San Francisco Bay Regional Monitoring Program for Trace Substances, and to the California Stormwater Quality Association. These groups provide training, monitoring and research activities that are mandated under the MRP, as well as expertise in representing local interests at the regional and state levels.

Each year the per parcel rate for the SUA must be re-established by the County Board of Supervisors, which acts as the governing body for the Flood Control and Water Conservation District and, thus, the CWP. Each local jurisdiction must first adopt a resolution determining the appropriate assessment for its jurisdiction and then forward that instructing resolution to the Contra Costa County Flood Control and Water

Conservation District. The resolution must be adopted by the City no later than April 15 in order for the County to have sufficient time to place the assessment on the property tax roles for the following fiscal year.

STRATEGIC PLAN CONSIDERATIONS

Maintaining existing funding for the City's Clean Water Program activities fulfills Strategic Plan Goal E to "Ensure the public health and safety" and Goal F to "Foster environmental sustainability citywide." These activities are mandated by both Federal and State regulations to help maintain clean water standards. Implementation of the Clean Water Program not only promotes good water quality, it also protects the health and sustainability of the City's waterways and ecology. Continued funding of the ERU rate at the maximum allowable level will help to fund current NPDES activities, including managing the City's clean water program, municipal maintenance activities, as well as regional CWP activities such as water quality monitoring and illicit discharge detection and elimination. Non-compliance with the Municipal Regional NPDES Permit exposes jurisdictions to penalties, fines, and other enforcement actions.

ENVIRONMENTAL CONSIDERATIONS

Establishing the annual amount and authorizing the Contra Costa County Flood Control & Water Conservation District to adopt SUA levies does not constitute a "project" as defined in the California Environmental Quality Act (CEQA) and its Guidelines, under the general rule that CEQA applies only to actions that have the potential to cause a significant effect on the environment. In this case, the Council is only authorizing the amount of the annual parcel assessment for the NPDES program. Additionally, pursuant to Section 15273 of the CEQA Guidelines, the establishment of charges for the purpose of meeting operating expenses is categorically exempt. Any potential project funded by the annual assessment will be reviewed under CEQA prior to approval.

FINANCIAL CONSIDERATIONS

Staff is proposing once again, adoption of the maximum rate of \$38.00 per ERU for FY 2018-19, which would generate an estimate \$402,762, of which 83.6% (\$336,709) will be returned to the City and included in the FY 2018-19 under the NPDES Fund (202). If adopted by City Council, the Contra Costa County Board of Supervisors will adopt the annual property assessments for the FY 2018-19 tax rolls.

Starting in the FY 2015-16 to address an operating deficit in NPDES, some clean water expenses were moved to the General Fund. Transferring of these expenses restored some of the General Fund support to Public Works services, which had been reduced over the prior few years when eligible expenses were shifted to several Special Funds, including NPDES, as a short-term solution. As costs for permit compliance and personnel continue to increase, the revenue generated by the fixed ERU rate of \$38.00 are not expected to keep pace with increasing costs. Additional funding sources may need to be identified potentially starting as soon as FY 2020-21 in order to continue to meet requirements for Clean Water Program activities and the higher requirements that are expected in the next permit term.

LEGAL CONSIDERATIONS

The proposed actions are consistent with established processes for City adoption of the annual ERU rate. The City Attorney has reviewed and approved the proposed action.

Reviewed by:



Scott Hanin
City Manager

Attachments:

1. Resolution
2. SUA-CWP Return to Source 2016 - 2021
3. SUA-CWP Return to Source Methodology
4. SUA Formation County Engineer Report

RESOLUTION NO. 2018-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO ESTABLISHING THE ANNUAL PARCEL ASSESSMENT FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PROGRAM AND DRAINAGE MAINTENANCE ACTIVITIES AT THE CURRENT RATE OF \$38.00 PER EQUIVALENT RUNOFF UNIT, AND AUTHORIZING THE CONTRA COSTA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT TO ADOPT STORMWATER UTILITY AREA LEVIES BASED ON SAID AMOUNT IN FISCAL YEAR 2018-19

WHEREAS, under the Federal Water Pollution Control Act, prescribed discharges of stormwater require a permit from the appropriate California Regional Water Quality Board under the National Pollutant Discharge Elimination System (NPDES) program; and

WHEREAS, Order No. R2-2015-0049, NPDES Permit No. CAS12008, issuing waste discharge requirements under the San Francisco Bay Municipal Regional Stormwater Permit (MRP) to the Cities, Flood Control Districts and County agencies located in Alameda, Contra Costa, Santa Clara, San Mateo Counties, as well as the cities of Fairfield, Suisun and Vallejo, includes the implementation of selected Best Management Practices to minimize or eliminate pollutants from entering storm waters; and

WHEREAS, it is the intent of the City of El Cerrito to utilize funds received from its Stormwater Utility Area (SUA) for implementation of the NPDES program and drainage maintenance activities; and

WHEREAS, at the request of the City of El Cerrito, the Contra Costa County Flood Control and Water Conservation District (District) has completed the process for formation of a SUA, including the adoption of the Stormwater Utility Assessment Drainage Ordinance No. 93-47; and

WHEREAS, the SUA and Program Group Costs Payment Agreement between the City of El Cerrito and the District requires that the City of El Cerrito annually, by April 15, determine the rate to be assessed to a single Equivalent Runoff Unit (ERU) for the forthcoming fiscal year.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby determines that the rate to be assigned to a single ERU for Fiscal Year 2018-19 shall be set at \$38.00.

BE IT FURTHER RESOLVED, the City Council of the City of El Cerrito hereby requests the District to adopt SUA levies based on said amount.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon passage and adoption.

I CERTIFY that at a regular meeting on April 3, 2018 the City Council of the City of El Cerrito passed this Resolution by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on April XX, 2018.

Cheryl Morse, City Clerk

APPROVED:

Gabriel Quinto, Mayor

EXHIBIT D

Contra Costa Clean Water Program											
Stormwater Utility Assessment (SUA) Revenue, Cost Allocations, and SUA Revenue Return-to-Source (RTS) Percentages (3/14/18)											
Stormwater Utility Assessment (SUA) Revenue ¹ (FY 2017/18)		Adopted		Adopted		Proposed		Projected ⁶			
		FY 16/17 Net Budget \$2,625,516		FY 17/18 Net Budget \$3,052,932		FY 18/19 Budget \$3,059,693		FY 19/20 Budget \$3,552,498		FY 20/21 Budget \$3,503,606	
		Allocation ²	% RTS ⁵	Allocation ³	% RTS ⁵	Allocation ⁴	% RTS ⁵	Allocation ⁴	% RTS ⁵	Allocation ⁴	% RTS ⁵
Antioch	\$ 1,174,748	\$257,816	78.1	\$307,042	73.9	\$306,747	73.9	\$364,718	69.0	\$328,264	72.1
Brentwood		\$134,488		\$159,772		\$163,938		\$189,785		\$170,815	
Clayton	\$ 126,299	\$26,872	78.7	\$30,466	75.9	\$30,299	76.0	\$36,188	71.3	\$32,571	74.2
Concord	\$ 2,050,163	\$300,122	85.3	\$352,538	82.8	\$344,685	83.2	\$418,760	79.6	\$376,904	81.6
Danville	\$ 565,424	\$104,012	81.6	\$116,505	79.4	\$116,412	79.4	\$138,390	75.5	\$124,558	78.0
El Cerrito	\$ 401,545	\$57,820	85.6	\$66,258	83.5	\$66,053	83.6	\$78,705	80.4	\$70,838	82.4
Hercules	\$ 329,300	\$58,980	81.8	\$67,381	79.5	\$68,940	79.1	\$80,038	75.7	\$72,038	78.1
Lafayette	\$ 459,965	\$59,882	86.9	\$67,742	85.3	\$67,662	85.3	\$80,467	82.5	\$72,424	84.3
Martinez	\$ 626,800	\$88,997	85.8	\$100,719	83.9	\$101,115	83.9	\$119,639	80.9	\$107,681	82.8
Moraga	\$ 355,690	\$39,199	86.4	\$44,882	87.4	\$44,777	87.4	\$53,312	85.0	\$47,984	86.5
Oakley	\$ 504,720	\$92,342	81.4	\$109,102	78.4	\$110,623	78.1	\$129,595	74.3	\$116,642	76.9
Orinda	\$ 382,310	\$44,308	88.4	\$50,959	86.7	\$50,842	86.7	\$60,531	84.2	\$54,481	85.7
Pinole	\$ 318,568	\$45,103	85.7	\$50,932	84.0	\$50,950	84.0	\$60,499	81.0	\$54,452	82.9
Pittsburg	\$ 1,117,359	\$160,997	85.5	\$184,324	83.5	\$187,468	83.2	\$218,948	80.4	\$197,063	82.4
Pleasant Hill	\$ 491,835	\$81,327	83.5	\$92,620	81.2	\$93,057	81.1	\$110,018	77.6	\$99,021	79.9
Richmond		\$255,550		\$300,003		\$300,153		\$356,356		\$320,738	
San Pablo	\$ 421,374	\$70,776	83.2	\$83,792	80.1	\$83,380	80.2	\$99,532	76.4	\$89,583	78.7
San Ramon	\$ 1,200,486	\$187,024	84.2	\$212,987	82.3	\$216,284	82.0	\$252,995	78.9	\$227,708	81.0
Walnut Creek	\$ 1,190,378	\$159,187	86.6	\$190,306	84.0	\$190,571	84.0	\$226,054	81.0	\$203,459	82.9
CC County	\$ 3,581,052	\$400,713	88.3	\$465,102	87.0	\$465,739	87.0	\$552,469	84.6	\$497,248	86.1

1. Total Stormwater Utility Assessment (SUA) revenue based on FY 2017/18 actual collected (parcel-based). SUA revenue may increase annually due to new development activity.

2. Allocation of costs based on CA Department of Finance Population Figures - January 1, 2015.

3. Allocation of costs based on CA Department of Finance Population Figures - January 1, 2016.

4. Allocation of costs based on CA Department of Finance Population Figures - January 1, 2017.

5. Percentage of Stormwater Utility Assessment (SUA) revenue Returned-to-Source (RTS).

6. Projected based on no use of reserves.

 = No SUA. Stormwater funding from other sources.

**CONTRA COSTA CLEAN WATER PROGRAM
GROUP COSTS ALLOCATION METHODOLOGY
FOR FISCAL YEAR 2018/19**

City/County/State	Population January 1, 2016	Population January 1, 2017 ⁽¹⁾	Percent Change	Prorata % of Program Cost ⁽²⁾	Cost ⁽³⁾ Allocation
CONTRA COSTA COUNTY	1,126,824	1,139,513	1.13%		\$ 3,059,693
ANTIOCH	113,495	114,241	0.66%	10.03%	\$ 306,747
BRENTWOOD	59,058	61,055	3.38%	5.36%	\$ 163,938
CLAYTON	11,262	11,284	0.20%	0.99%	\$ 30,299
CONCORD	128,280	128,370	0.07%	11.27%	\$ 344,685
DANVILLE	43,287	43,355	0.16%	3.80%	\$ 116,412
EL CERRITO	24,490	24,600	0.45%	2.16%	\$ 66,053
HERCULES	24,909	25,675	3.08%	2.25%	\$ 68,940
LAFAYETTE	25,041	25,199	0.63%	2.21%	\$ 67,662
MARTINEZ	37,224	37,658	1.17%	3.30%	\$ 101,115
MORAGA	16,581	16,676	0.57%	1.46%	\$ 44,777
OAKLEY	40,327	41,199	2.16%	3.62%	\$ 110,623
ORINDA	18,838	18,935	0.51%	1.66%	\$ 50,842
PINOLE	18,827	18,975	0.79%	1.67%	\$ 50,950
PITTSBURG	68,133	69,818	2.47%	6.13%	\$ 187,468
PLEASANT HILL	34,232	34,657	1.24%	3.04%	\$ 93,057
RICHMOND	110,886	111,785	0.81%	9.81%	\$ 300,153
SAN PABLO	30,972	31,053	0.26%	2.73%	\$ 83,380
SAN RAMON	78,729	80,550	2.31%	7.07%	\$ 216,284
WALNUT CREEK	70,340	70,974	0.90%	6.23%	\$ 190,571
UNINCORP. COUNTY	171,913	173,454	0.90%	15.22%	\$ 465,739
				<u>100.00%</u>	<u>\$ 3,059,693</u>

1. Population estimate based on State of California Department of Finance (E-1) City/County projections- January 1, 2016 and 2017.

Figures are updated in May of each year.

2. Percentages based on prorata of population.

3. Cost Allocation amounts are the prorata portion of the FY 2018/19 Group Program Budget, which includes contingency.

TO: BOARD OF SUPERVISORS, AS THE GOVERNING BODY OF CONTRA COSTA
COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

FROM: J. MICHAEL WALFORD, CHIEF ENGINEER

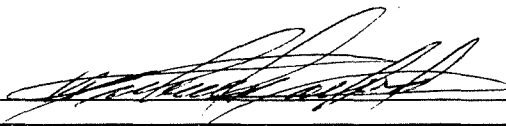
DATE: June 22, 1993

SUBJECT: CHIEF ENGINEER'S REPORT ON FORMATION OF STORMWATER UTILITY AREAS AND
ADOPTION OF ANNUAL ASSESSMENTS

SPECIFIC REQUEST(S) OR RECOMMENDATION(S) & BACKGROUND AND JUSTIFICATION

I. **Recommended Action:**

1. ACCEPT Chief Engineer's report on the tabulation of the protests against the proposed Stormwater Utility Assessments;
2. FIND that the number of protests received for each Stormwater Utility Area represent less than fifty (50) percent of the area;
3. DETERMINE the formation of the Stormwater Utility Areas is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b)(3) Article 5, CEQA Guidelines. DIRECT the Community Development Director to file a notice of Exemption.
4. APPROVE the resolutions establishing the seventeen (17) Stormwater Utility Areas; and
5. ADOPT the Ordinance establishing Stormwater Utility Assessments in the seventeen (17) Stormwater Utility Areas with the stipulation that the Equivalent Runoff Unit (ERU) rate for the unincorporated County area shall be \$16.20 for Fiscal Year 1993-94 (a ten percent reduction from the proposed rate of \$18/ERU.)

Continued on Attachment: XSIGNATURE: 

☐ RECOMMENDATION OF COUNTY ADMINISTRATOR
☐ RECOMMENDATION OF BOARD COMMITTEE
☐ APPROVE ☐ OTHER

SIGNATURE(S):

ACTION OF BOARD ON JUN 22 1993 APPROVED AS RECOMMENDED X OTHER ☐

VOTE OF SUPERVISORS

X UNANIMOUS (ABSENT _____)
AYES: _____ NOES: _____
ABSENT: _____ ABSTAIN: _____

MFK:lv:fp:sj
c:NPDES\22.16

Orig. Div: Public Works (FC)
Contact: Milton Kubicek, 313-2203
cc: County Administrator
County Auditor
County Counsel
PW - Flood Control

I hereby certify that this is a true and correct copy of
an action taken and entered on the minutes of the
Board of Supervisors on the date shown.

ATTESTED: JUN 22 1993
PHIL BATCHELOR, Clerk of the Board
of Supervisors and County Administrator

By Barbara Sidari, Deputy

II. Financial Impact:

The proposed Stormwater Utility Assessments will raise approximately \$8,052,900 to fund the National Pollutant Discharge Elimination System (NPDES) permit activities including drainage system maintenance for the following cities and unincorporated Contra Costa County areas:

Antioch	El Cerrito	Moraga	Pleasant Hill
Clayton	Hercules	Orinda	San Pablo
Concord	Lafayette	Pinole	San Ramon
Danville	Martinez	Pittsburg	Walnut Creek

III. Reasons for Recommendations and Background:

Contra Costa County, its incorporated cities and the Contra Costa County Flood Control and Water Conservation District decided approximately two years ago to collectively apply for a Joint Municipal National Pollutant Discharge Elimination System (NPDES) Permit. This is federally mandated through the Clean Water Act which was amended in 1987 to specifically address stormwater pollution. There are three parts to the Permit. The Part I Application representing reconnaissance level activities by each municipality was submitted to the San Francisco Bay and Central Valley Regional Water Quality Control Boards on May 18, 1992. The Part II Application represented the development of each municipality's Stormwater Management Plan which was submitted to the Regional Boards on May 17, 1993. The Stormwater Management Plan seeks to reduce or radically eliminate pollutants from entering or reaching the storm sewer system. The third phase of the process is the actual promulgation of the Permit.

The Permit is for five years (1993 to 1998) requiring each municipality to implement their approved Stormwater Management Plan. The Regional Boards have indicated the need for a "restricted" funding source to finance implementation costs. Therefore, Contra Costa County proposed legislation providing a financing option for municipalities to use through the Contra Costa County Flood Control and Water Conservation District. The bill, AB 2768 (Campbell), was passed by the legislature and signed by Governor Pete Wilson on August 30, 1992. The legislation specifically allows a municipality to request formation of a Stormwater Utility Area within their incorporated boundaries and establish an assessment to pay for implementation costs.

The Board of Supervisors, acting as the Contra Costa County Flood Control and Water Conservation District, provided public notice to all affected property owners before considering the establishment of the Stormwater Utility Areas and assessments. The Board of Supervisors acting on behalf of Contra Costa County has also taken specific actions establishing the Stormwater Utility Area and assessment for the unincorporated portion of the County. Should there be a fifty percent (50%) protest against the Stormwater Utility Areas formations and assessments, the Board of Supervisors would have to abandon this form of financing. Due to the inability to create any new assessments for the 1993-94 Fiscal Year, the likely alternative funding source would be the General Fund.

Public notices were sent to approximately 238,234 parcel owners. State legislation (SB1977 - Bergeson) requires at least 45 day notice to parcel owners before the governing board considers any new or increased assessments. This requirement was met and informed parcel owners of two public hearings which were held on June 10 and 15, 1993. Approximately 28,170 recorded protests have been received. This represents approximately 11.8% of the total number of parcel owners who received public notices. The recorded protest includes those legally acceptable and those that appear acceptable but presently are questionable. The reason this figure is used is to provide a "worse case" scenario to the Board of Supervisors regarding the amount of protests per stormwater utility area. A copy of all written protests are retained in the office of the Contra Costa County Clerk of the Board located at 651 Pine Street, Martinez, California. A majority protest by the owners of more than 50% in area of the territories to be included in the stormwater utility area would cause the assessment to be abandoned for that particular area. This has not occurred. The following two charts highlight the total "assessable" and "total" area per stormwater utility area:

Tax Rate Area	Area Protested	Total Assessable Area	Percentage*
01 City of Antioch	806	5,542	14.5
02 City of Concord	1,278	8,235	15.5
03 City of El Cerrito	150	1,801	8.3
04 City of Hercules	165	1,380	12.0
05 City of Martinez	703	3,392	20.7
06 City of Pinole	191	1,570	12.2
07 City of Pittsburg	775	3,964	19.5
09 City of Walnut Creek	785	5,979	13.1
11 City of San Pablo	194	1,408	13.8
12 City of Pleasant Hill	419	2,830	14.8
13 City of Clayton	138	1,307	10.5
14 City of Lafayette	587	4,833	12.1
15 Town of Moraga	599	2,386	25.1
16 Town of Danville	501	4,548	11.0
17 City of San Ramon	577	3,677	15.7
18 City of Orinda	361	3,440	10.5
50 Unincorporated County	5,358	31,050	17.2

Tax Rate Area	Area Protested	Total Area	Percentage*
01 City of Antioch	806	18,000	4.4
02 City of Concord	1,278	14,954	8.5
03 City of El Cerrito	150	2,706	5.5
04 City of Hercules	165	4,115	4.0
05 City of Martinez	703	7,196	9.7
06 City of Pinole	191	3,105	6.1
07 City of Pittsburg	775	10,221	7.5
09 City of Walnut Creek	785	14,511	5.4
11 City of San Pablo	194	1,711	11.3
12 City of Pleasant Hill	419	3,708	11.3
13 City of Clayton	138	3,185	4.3
14 City of Lafayette	587	9,583	6.1
15 Town of Moraga	599	9,579	6.2
16 Town of Danville	501	11,037	4.5
17 City of San Ramon	577	9,351	6.1
18 City of Orinda	361	10,521	3.4
50 Unincorporated County	5,358	417,315	1.2

The "total assessable area" provides the worse case scenario for determining if a majority protest exists. Based on these amounts, a majority protest does not exist for any stormwater utility area.

The process used to record protests included a specific database based on the 1992 equalized tax roll indicating parcel ownership, address, notification address, acreage, land use, proposed assessment, etc. Two "hotlines" were established so the general public could have immediate access to information. During the ten weeks between mailing of the public notices and the June 15th public hearing, approximately 500 telephone call were received. Two trained operators were able to handle the majority of the problems. Questions that were encountered were based primarily on the accuracy of the Land Information and the Public Works Automated Mapping Systems. These included problems dealing with parcel ownership, acreage of the parcel and the appropriate land use. Should the Board of Supervisors approve the Stormwater Utility Areas and Assessments than field inspection activities would immediately commence. All known problems will be reviewed and corrections made prior to the promulgation of the assessments for the 1993-94 Fiscal Year. Specific problems pertaining to reclamation districts, the Oakley-Knightsen area and St. Mary's College will be resolved prior to this promulgation.

IV. Consequences of Negative Action:

The Environmental Protection Agency promulgated the National Pollutant Discharge Elimination Discharge System (NPDES) Permit Application Regulations for stormwater discharges on November 16, 1990 (40 CFR Parts 122, 123 and 124). Contra Costa County and the City of Concord were specifically identified in the Federal Register as needing a Municipal NPDES Permit. The legislation also permitted the State of California to make a finding if stormwater discharge was a "... significant contributor of pollutants to the waters of the United States" then these municipalities would also need to obtain a Municipal NPDES Permit. Such a finding was made requiring all municipalities within the San Francisco Bay Regional Water Quality Control Board's jurisdiction in Contra Costa County to obtain Municipal NPDES Permits.

All affected municipalities excluding the City of Richmond have opted to utilize the financing method contained in Assembly Bill 2768 (Campbell). This means each municipality is specifically requesting the formation of a Stormwater Utility Area within their incorporated boundaries, have established an assessment for Fiscal Year 1993-94 and set a maximum rate of assessment. Should the Board of Supervisors acting as the Contra Costa County Flood Control and Water Conservation District fail to proceed with this assessment, then it would create immediate financial chaos. All participating municipalities are expecting the Board of Supervisors to approve the formation of Stormwater Utility Areas and assessments if a majority protest does not materialize. If the AB 2768 financing mechanism is not implemented, then municipalities would need to resort to general revenue financing. This would further exasperate the financial dilemma all municipalities are facing with cut-backs from the State to local governments.

ORDINANCE NO. 93-47

AN ORDINANCE OF THE CONTRA COSTA COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
IMPOSING STORM WATER UTILITY ASSESSMENTS FOR
STORMWATER UTILITY AREAS:

1-(Antioch), 2-(Clayton), 3-(Concord), 4-(Danville), 5-(El Cerrito),
6-(Hercules), 7-(Lafayette), 8-(Martinez), 9-(Moraga), 10-(Orinda),
11-(Pinole), 12-(Pittsburg), 13-(Pleasant Hill), 14-(San Pablo),
15-(San Ramon), 16-(Walnut Creek), and 17-(Unincorporated County)

The Board of Supervisors of Contra Costa County, acting as the governing board of the Contra Costa County Flood Control and Water Conservation District, ordains as follows:

ARTICLE I

Section 1. Title.

This Ordinance shall be known as the "Stormwater Utility Assessment Ordinance" of the Contra Costa County Flood Control and Water Conservation District.

Section 2. Purpose.

The United States Environmental Protection Agency (the "EPA") has, consistent with Section 402 of the Federal Clean Water Act, as amended, promulgated the National Pollutant Discharge Elimination System Regulations (the "NPDES Regulations") pursuant to which the EPA, through the appropriate California Regional Water Quality Control Board (the "CRWQCB"), has required the Contra Costa County Flood Control and Water Conservation District (the "District") and other affected public entities to secure a National Pollutant Discharge Elimination System Stormwater Permit (the "NPDES Permit") and to develop, implement and manage identified programs dealing with stormwater runoff. The parcels of land within the respective watersheds within the District's jurisdiction for which a NPDES Permit is required will benefit from these programs. Further, the local drainage facilities falling under the NPDES program requires routine maintenance if they are to continue to serve the developed areas for which they were installed. Collectively, these two activities, NPDES and general drainage maintenance, represent the city's and County's stormwater management Programs. The Board of Supervisors of the District has determined, pursuant to the Contra Costa County Flood Control and Water Conservation Act (the "District Act"), which is Chapter 63, Section 12.8, as amended, of the California Water Code Appendix, to form certain Stormwater Utility Areas in which the

District will annually levy assessments to pay the cost of these programs required by the NPDES Permit. The Board of Supervisors of the District, consistent with Sections 11 and 12.8 of the District Act and Section 54954.6 of the Government Code, held noticed public hearings at which time all testimony, oral and written, was considered. At the conclusion of the public hearings, the Board of Supervisors of the District adopted resolutions forming the Stormwater Utility Areas. The provisions of this Ordinance confirming the formation of the Stormwater Utility Areas and providing for the annual levy of a Utility Assessment are consistent with the District Act and the reports prepared by the Chief Engineer of the District and accepted by the Board of Supervisors of the District.

The Board of Supervisors of the District finds that the Utility Assessment to be annually levied shall be based on the proportional amount of impervious surface on each lot or Parcel within the Stormwater Utility Area. Revenues derived from the Utility Assessments shall be applied exclusively to pay the District's administrative costs in collecting the assessments and the respective city or County stormwater management Program costs for the Stormwater Utility Area in which they are collected.

ARTICLE II

DEFINITIONS

Unless otherwise specifically provided or required by the context, certain terms or expressions used herein have the meanings set forth below:

- a. "Board of Supervisors" means the Board of Supervisors of the Contra Costa County Flood Control and Water Conservation District.
- b. "Chief Engineer" means the Chief Engineer of the Contra Costa County Flood Control and Water Conservation District.
- c. "County" means the County of Contra Costa, State of California.
- d. "CRWQCB" means the California Regional Water Quality Control Board for the region in which the Stormwater Utility Area has been formed.
- e. "District" means the Contra Costa County Flood Control and Water Conservation District.
- f. "District Act" means the Contra Costa County Flood Control and Water Conservation District Act, which is codified in West's California Water Code Appendix, Chapter 63, as amended from time to time.

- g. "EPA" means the United States Environmental Protection Agency, which pursuant to the Clean Water Act of 1972, as amended by the Water Quality Act of 1987, has jurisdiction to establish the National Pollutant Discharge Elimination System (NPDES) and promulgate regulations pursuant thereto.
- h. "NPDES Permit" means the permit, issued by the CRWQCB, dealing with stormwater runoff in association with the National Pollutant Discharge Elimination System (NPDES) and the regulations promulgated by the EPA.
- i. "NPDES Regulations" means the final regulations dated November 16, 1990, and any subsequent amendments thereto promulgated by the EPA governing the National Pollutant Discharge Elimination System (NPDES).
- j. "Ordinance" means this Ordinance No. 93-47 of the Contra Costa County Flood Control and Water Conservation District.
- k. "Parcel" means a parcel of property identified by Assessor parcel number as shown on the equalized tax rolls of the County of Contra Costa, State of California.
- l. "Program" means all the activities required under or in connection with the NPDES Permit, including without limitation drainage system maintenance and Program administration.
- m. "Stormwater Utility Area" means a benefit assessment area formed pursuant to Section 12.8 of the District Act by the Board of Supervisors and identified in Article III of this Ordinance.
- n. "Utility Assessment" means the annual assessment to be levied on each Parcel within a Stormwater Utility Area pursuant to Article V of this Ordinance.

ARTICLE III

FORMATION OF STORMWATER UTILITY AREAS

Section 1. Formation of Stormwater Utility Areas.

Pursuant to Sections 11 and 12.8 of the District Act and Section 54954.6 of the Government Code, the Board of Supervisors noticed public hearings to consider the establishment of individual Stormwater Utility Areas for each of the 16 cities and the unincorporated County area to fund Program costs. At the conclusion of the hearings, the Board of Supervisors adopted Resolutions Nos. 93/352, 93/353, 93/354, 93/355, 93/356, 93/357, 93/358, 93/359, 93/360, 93/361, 93/362, 93/363, 93/364, 93/365, 93/366, 93/367, and 93/368, which formed, respectively, Stormwater Utility Areas 1-(Antioch), 2-

(Clayton), 3-(Concord), 4-(Danville), 5-(El Cerrito), 6-(Hercules), 7-(Lafayette), 8-(Martinez), 9-(Moraga), 10-(Orinda), 11-(Pinole), 12-(Pittsburg), 13-(Pleasant Hill), 14-(San Pablo), 15-(San Ramon), 16-(Walnut Creek), and 17-(Unincorporated County). The legal boundary of each Stormwater Utility Area shall be congruent with the legal boundary of the associated city or County entity as of July 1st of each year in which a Utility Assessment is levied.

Section 2. Additional Stormwater Utility Areas.

The District may form additional Stormwater Utility Areas, if requested by resolution of the governing board of the area to be formed. To form an additional Stormwater Utility Area, the District shall comply with provisions of the District Act then governing the formation of a Stormwater Utility Area.

ARTICLE IV

**REPORT OF CHIEF ENGINEER; HEARING THEREON;
CONFIRMATION OF UTILITY ASSESSMENT BY THE
BOARD OF SUPERVISORS**

Section 1. Report.

The Chief Engineer shall cause to be prepared annually a written report indicating, for each Stormwater Utility Area, the Utility Assessment to be levied, as requested by the city or County governing board having jurisdiction over the area defined by the Stormwater Utility Area and shall file the report with the Clerk of the Board of Supervisors.

Section 2. Content of the Report.

The report shall contain the District's estimate of its administrative costs and the Program costs for the respective city or County agency for each of the Stormwater Utility Areas for the ensuing fiscal year. Said estimate of costs shall be apportioned to each Parcel on the basis of proportionate impervious surface assignable to each Parcel to be assessed. Only Parcels not otherwise exempted by this Ordinance or the NPDES Regulations shall have a Utility Assessment levied on them. The report shall identify all Parcels by Assessor parcel number on which a Utility Assessment is to be levied and the amount of the assessment.

Section 3. Resolution Accepting Report and Noticing Public Hearing.

Upon the report being filed with the Clerk of the Board of Supervisors, the Board of Supervisors is, by resolution, to accept, if appropriate, the report and to set a date, time

and place for a hearing on said report. Notice of the hearing date shall be given as required by applicable law.

Section 4. Hearing.

The Board of Supervisors shall hear the matter on the date and at the time specified in the notice, or as continued for good cause. At the hearing, the Board of Supervisors shall hear and consider all testimony, oral and written, presented, including all written protests. At the conclusion of the hearing, the Board of Supervisors may revise, change, reduce or modify any Utility Assessment and shall determine an appropriate rate for each Stormwater Utility Area identified in the report. Thereafter, by resolution, it shall confirm the assessments. Such confirming resolutions shall be adopted no later than August 10 of each fiscal year in which the Utility Assessment is to be levied and collected.

Section 5. Enrollment.

The District shall provide certified copies of the confirming resolutions and the roll of confirmed Utility Assessments, in an acceptable format, to the Auditor-Controller of the County on or before August 10 of each fiscal year.

ARTICLE V

LEVY OF UTILITY ASSESSMENT

Section 1. Determination of the Amount to Be Assessed.

The District shall estimate, for the fiscal year in which the Utility Assessment is to be levied, the total number of Equivalent Runoff Units and the administrative costs for each Stormwater Utility Area. The administrative costs shall be combined with the costs of implementing the city or County Program for the various Stormwater Utility Areas. This total cost is to be apportioned among the Parcels within each respective Stormwater Utility Area in direct proportion to the number of Equivalent Runoff Units assigned to each Parcel. The Utility Assessment levied and collected within each Stormwater Utility Area may only be applied toward the costs incurred for Program costs for the Stormwater Utility Area. If, at the conclusion of any fiscal year, there remains in the account for a Stormwater Utility Area unexpended funds, the remaining balance shall be applied toward the estimated costs for the next fiscal year. Utility Assessments levied and collected pursuant to this Ordinance may not be applied toward any other costs or expenses of the District or the city or County receiving funds from the Stormwater Utility Area nor may they be applied to the costs of a Stormwater Utility Area other than the Stormwater Utility Area for which they were levied and collected.

Section 2. Determination of Equivalent Runoff Unit and Amount of Utility Assessment to Be Levied.

- a. Equivalent Runoff Unit. The Chief Engineer has submitted a report entitled "Report on Stormwater Utility Assessment" and dated March 1993. The report establishes standard impervious surface amounts for various land uses and Parcel sizes and establishes Equivalent Runoff Units (ERUs) for each type of land use. The report and the standard amounts specified therein are adopted by the Board and are incorporated herein by reference. The standard against which all property is to be measured shall be a single-family residential Parcel of 8,900 square feet in size to which a standard of 3,300 square feet of impervious surface is ascribed and shall be called a Equivalent Runoff Unit (ERU). All other land uses shall be compared to this standard and the number of Equivalent Runoff Units assigned to the Parcel shall be in direct proportion to 3,300 square feet of impervious surface (SFIS). The number of Equivalent Runoff Units per Parcel for each of the classes listed in subsection (b) below are as follows:

Group A	1.0 ERU/unit	Group G	7 ERU/acre
Group B	.7 ERU/unit	Group H	9 ERU/acre
Group C	1.7 ERU/unit	Group I	10 ERU/acre
Group D	.2 ERU/acre	Group J	12 ERU/acre
Group E	1.5 ERU/acre	Group K	1 ERU/3,300 SFIS
Group F	4.5 ERU/acre	Group L	Exempt

- b. Classification of Parcels. All Parcels shall be assigned to one of the following classifications based on land use:

- Group A: Single family residential on a Parcel having an area between 5,000 square feet and 20,000 square feet.
- Group B: Single family residential on a Parcel having an area less than 5,000 square feet and all multiple family residential Parcels.
- Group C: Single family residential on a Parcel having an area greater than 20,000 square feet.
- Group D: Golf courses and cemeteries.
- Group E: Miscellaneous improvements creating less than 25 percent impervious surfaces by Parcel area.
- Group F: Miscellaneous improvements creating between 25 percent and 50 percent impervious surfaces by Parcel area.

Group G: Community centers, churches, schools and cultural facilities.

Group H: Office buildings, medical-dental offices, financial buildings, research and development offices, miscellaneous industrial improvements, convalescent hospitals and rest homes, mortuaries, fraternal and service organization buildings, retirement housing complex.

Group I: Hotels, motels, and mobile home parks.

Group J: Mini warehouses, industrial parks, light industrial parks, heavy industry, utility properties (corporation yards), bowling alleys, theaters, restaurants, car lots, hospitals, convenience markets, supermarkets, shopping centers, drive-in restaurants, parking facilities, service stations and car washes.

Group K: Boat marinas, partially developed properties.

Group L: Vacant land, agricultural land, and government-owned properties used for public purposes.

c. Exempted Land Uses. All land uses expressly exempted by the NPDES Regulations will be exempted from the levy of a Utility Assessment pursuant to this Ordinance. Those land uses exempted are:

- (1) Agricultural uses, including dairies, poultry, livestock, groves, orchards, row crops, field crops, vines or dry farming.
- (2) Vacant, undeveloped Parcels.
- (3) Publicly-owned Parcels which are Parcels owned by a federal, state or local public entity or agency and used for public purposes.

d. Determination of Equivalent Runoff Units Per Parcel. Once a Parcel is classified and its acreage or number of units is determined, the appropriate standard Equivalent Runoff Unit amount for the classification will be multiplied by the acreage or the number of units to determine the total Equivalent Runoff Units for the Parcel.

e. Determination of Utility Assessment to Be Levied Per Equivalent Runoff Unit. The aggregate number of Equivalent Runoff Units within a Stormwater Utility Area will be divided into the estimated Program costs for the Stormwater Utility Area to determine the amount of Utility Assessment to be levied per Equivalent Runoff Unit. The Utility Assessment to be levied on a Parcel is determined by the number of Equivalent Runoff Units ascribed to the Parcel and the assessment value of each unit.

- f. Maximum Utility Assessment to Be Levied Per Equivalent Runoff Unit. The Board hereby adopts the following maximum amounts of annual Utility Assessment per Equivalent Runoff Unit that can be levied without further individual Parcel owner notification for each of the following Stormwater Utility Areas:

1-(Antioch)	\$25.00	10-(Orinda)	\$35.00
2-(Clayton)	\$29.00	11-(Pinole)	\$35.00
3-(Concord)	\$35.00	12-(Pittsburg)	\$30.00
4-(Danville)	\$30.00	13-(Pleasant Hill)	\$30.00
5-(El Cerrito)	\$38.00	14-(San Pablo)	\$45.00
6-(Hercules)	\$35.00	15-(San Ramon)	\$35.00
7-(Lafayette)	\$35.00	16-(Walnut Creek)	\$35.00
8-(Martinez)	\$30.00	17-(Unincorporated	
9-(Moraga)	\$35.00	County)	\$30.00

- g. Utility Assessment to Be Levied for Fiscal Year 1993-94. The Utility Assessment to be levied per Parcel in Fiscal Year 1993-94 in the various Stormwater Utility Areas shall be based on the assigned dollar amount for a single Equivalent Runoff Unit as indicated below:

1-(Antioch)	\$20.00	10-(Orinda)	\$23.00
2-(Clayton)	\$23.00	11-(Pinole)	\$29.40
3-(Concord)	\$26.00	12-(Pittsburg)	\$24.00
4-(Danville)	\$22.00	13-(Pleasant Hill)	\$25.00
5-(El Cerrito)	\$14.00	14-(San Pablo)	\$33.00
6-(Hercules)	\$26.00	15-(San Ramon)	\$23.00
7-(Lafayette)	\$15.00	16-(Walnut Creek)	\$27.50
8-(Martinez)	\$20.00	17-(Unincorporated	
9-(Moraga)	\$25.00	County)	\$16.20

ARTICLE VI

COLLECTION OF UTILITY ASSESSMENT

Section 1. Collection by Treasurer/Tax Collector.

The confirmed Utility Assessment for each Parcel shall appear as a separate item on the tax bill issued by the Treasurer/Tax Collector of the County. The Utility Assessment shall be levied and collected at the same time and in the same manner as the general ad valorem property taxes and shall be subject to the same penalties and the same procedures for sale in case of delinquency. If, for the first year the Utility Assessment is levied, the property on which the Utility Assessment is levied has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for

value has been created and attached thereon, prior to the date on which the first installment of ad valorem property taxes would become delinquent, the Utility Assessment shall not result in a lien against the real property but shall be transferred to the unsecured roll.

Section 2. Applicable Law.

All laws applicable to the levy, collection and enforcement of ad valorem property taxes shall be applicable to Utility Assessments, except as otherwise provided herein.

Section 3. Validity of Utility Assessment Not Affected by Time Limits.

Failure to meet the time limits set forth in this Ordinance for whatever reason shall not invalidate any Utility Assessment levied hereunder.

ARTICLE VII

CORRECTION OR CHANGE TO THE TAX ROLL

Section 1. Initiation of the Correction or Change.

A correction or change to the tax roll with respect to a Utility Assessment may be made by the Chief Engineer, either on his/her own initiative, or on application by a property owner (the "Assessee").

Section 2. Initiation by Flood Control Engineer.

The Chief Engineer may initiate a correction or change to the tax roll at any time within two (2) years of the date of the resolution or ordinance of the Board of Supervisors confirming Utility Assessments placed upon the tax roll.

Section 3. Initiation by the Assessee.

The Assessee may initiate a correction or change to the tax roll by filing a written application with the Chief Engineer within sixty (60) days following his/her receipt of the tax bill reflecting the Utility Assessment. The application shall contain or include the following information, together with such additional information deemed relevant by the Assessee or requested by the Chief Engineer:

- a. Assessor parcel number.
 - b. Gross acreage.
 - c. Use of property as of the preceding March 1.
 - d. Copy of the tax bill containing the benefit assessment.
- 1610 date*

- e. Basis for requested correction or change.

Section 4. Categories of Corrections or Changes.

Upon approval of the Chief Engineer, corrections or changes shall be made with respect to:

- a. Ownership of a Parcel;
- b. Address of an owner of a Parcel;
- c. Subdivision of an existing Parcel;
- d. Land use category of all or part of a Parcel;
- e. Computation of the area of a Parcel;
- f. Erroneous computation of the Utility Assessment.

Corrections to the tax roll shall not be valid unless and until approved by the Board of Supervisors. All corrections or changes must be reported by the Chief Engineer to the Auditor-Controller of the County, who shall (1) refund the amount of the assessment overcharge by check without amendment of the bill if the amount of overcharge is less than one hundred dollars, or (2) prepare an amended billing to correct the overcharge, as the case may be. The Chief Engineer shall give written notice to the Assessee of the action taken on the application.

If the Assessee disagrees with the Chief Engineer's determination, he/she may file an appeal with the Stormwater Utility Assessment Appeal Board within thirty (30) days after receipt of the written notice. The appeal shall be initiated by a written letter submitted to the Stormwater Utility Assessment Appeal Board, c/o the Chief Engineer for refund of all or part of the Stormwater Utility Assessment. The Stormwater Utility Assessment Appeal Board shall contain at least three members and shall be appointed by the Board of Supervisors.

If the Assessee disagrees with the Stormwater Utility Assessment Appeal Board's determination, he/she may file an appeal with the Board of Supervisors within thirty (30) days after receipt of the written notice. The appeal shall be initiated by a written application filed with the Clerk of the Board of Supervisors for refund of all or part of the Utility Assessment. The application shall include payment of a one hundred dollar appeal fee which shall be returned if the Assessee's appeal is upheld by the Board. The decision of the Board of Supervisors shall be final and shall complete the administrative process. Any further action by the Assessee for recovery of any part of the Utility Assessment shall be by complaint for refund filed in the Superior Court.

ARTICLE VIII

EFFECTIVE DATE OF ORDINANCE

This Ordinance shall become effective thirty (30) days after passage, and within fifteen (15) days of passage, shall be published once with the names of the Supervisors voting for and against it in the Contra Costa Times, a newspaper of general circulation published in this County.

PASSED and ADOPTED on June 22, 1993 by the following vote:

AYES:	Supervisors Powers, Smith, Bishop, McPeak and Torlakson
NOES:	None
ABSENT:	None
ABSTAIN:	None

Attest: Phil Batchelor, Clerk of the Board
of Supervisors and County Administrator

By:

Barbara Sidasi

Deputy

Tom Torlakson

Board Chair



AGENDA BILL

Agenda Item No. 7(B)

Date: April 3, 2018

To: El Cerrito City Council

From: Michael J. Bond, Fire Marshall,
Lance J. Maples, Fire Chief

Subject: Hazard Mitigation Plan

ACTION REQUESTED

Adopt a resolution accepting all of Volume 1 and the City of El Cerrito's portion of Volume 2 of the Contra Costa County Operational Area Hazard Mitigation Plan Update.

BACKGROUND

Hazard Mitigation Planning in Contra Costa County:

In November of 2016, a coalition of Contra Costa County cities and special districts embarked on a planning process to prepare for and lessen the impacts of specified natural hazards by updating the Contra Costa County Operational Area Hazard Mitigation Plan. Responding to federal mandates in the Disaster Mitigation Act of 2000 (Public Law 106-390), the partnership was formed to pool resources and to create a uniform hazard mitigation strategy that can be consistently applied to the defined planning area and used to ensure eligibility for specified grant funding success.

This effort represents the third comprehensive update to the initial hazard mitigation plan, approved by the Federal Emergency Management Agency (FEMA) in November of 2005 and developed in partnership with the Association of Bay Area Governments (ABAG), as well as a return to a truly regional effort following the 2010 planning process. The 35-member coalition of partners involved in this program includes unincorporated Contra Costa County, 14 city and town governments and 20 special purpose districts. The planning area for the hazard mitigation plan was defined as the Contra Costa County Operational Area. The result of the organizational effort will be a FEMA and California Office of Emergency Services (CalOES) approved multi-jurisdictional, multi-hazard mitigation plan.

Mitigation is defined in this context as any sustained action taken to reduce or eliminate long-term risk to life and property from a hazard event. Mitigation planning is the systematic process of learning about the hazards that can affect the community, setting clear goals, identifying appropriate actions and following through with an effective mitigation strategy. Mitigation encourages long-term reduction of hazard vulnerability and can reduce the enormous cost of disasters to property owners and all levels of

government. Mitigation can also protect critical community facilities, reduce exposure to liability, and minimize post-disaster community disruption.

The hazard identification and profiling in the Hazard Mitigation Plan addresses the following hazards of concern within the planning area:

1. Dam failure
2. Drought
3. Earthquake
4. Flood
5. Landslide
6. Severe weather
7. Tsunami
8. Wildfire

Climate change is incorporated as a summary assessment of current and anticipated impacts for each identified hazard of concern.

With the exception of dam failure, this plan does not provide a full risk assessment of human-caused hazards. However, brief, qualitative discussions of the following hazards of interest are included: terrorism, cyber threats, hazardous materials release, pipeline and tank failure, airline incidents.

A planning team consisting of local officials has taken the lead in developing the hazard mitigation plan. All participating local jurisdictions have been responsible for assisting in the development of the hazard and vulnerability assessments and the mitigation action strategies for their respective jurisdictions and organizations. The plan presents the accumulated information in a unified framework to ensure a comprehensive and coordinated plan covering the entire Contra Costa County Operational Area planning area. Each jurisdiction has been responsible for the review and approval of their individual sections of the plan.

Additionally, the plan has been aligned with the goals, objectives and priorities of the State's multi-hazard mitigation plan.

A 13-member Steering Committee (SC) composed of representative stakeholders was formed early in the planning process to guide the development of the plan. In addition, residents were asked to contribute by sharing local knowledge of their individual area's vulnerability to natural hazards based on past occurrences. Public involvement has been solicited via a comprehensive public outreach campaign that included two rounds of public meetings, web-based information, a questionnaire, and multiple social media updates.

ANALYSIS

Once the Hazard Mitigation Plan is adopted by all of the jurisdictional partners and approved by FEMA, the partnership will collectively and individually become eligible to

apply for hazard mitigation project funding from both the Pre-Disaster Mitigation Grant Program (PDM) and the Hazard Mitigation Grant Program (HMGP).

What is the Pre-Disaster Mitigation competitive grant program? The PDM competitive grant program provides funds to State, tribal, and local governments for pre-disaster mitigation planning and projects primarily addressing natural hazards. Cost-effective pre-disaster mitigation activities reduce risk to life and property from natural hazard events before a natural disaster strikes, thus reducing overall risks to the population and structures, while also reducing reliance on funding from actual disaster declarations. Funds will be awarded on a competitive basis for mitigation planning and project applications intended to make local governments more resistant to the impacts of future natural disasters (*For more details on this program see Attachment 2*).

What is the Hazard Mitigation Grant Program? Authorized under Section 404 of the Stafford Act, the HMGP administered by FEMA provides grants to states and local governments to implement long-term hazard mitigation measures after a major disaster declaration. The purpose of the program is to reduce the loss of life and property due to natural disasters and to enable mitigation measures to be implemented during the immediate recovery from a disaster (*For more details on this program see Attachment 2*).

Where do we go from here? Upon adoption of Volume 1 and the City of El Cerrito's Annex of Volume 2, chapter six (6) of the Contra Costa County Operational Area Hazard Mitigation Plan Update (HMP) and subsequent approval of said plan by CalOES and FEMA, the City of El Cerrito will be eligible to apply for specified grants. The grant funds are made available to states and local governments and can be used to implement the long-term hazard mitigation measures specified within the City of El Cerrito's annex of the HMP before and after a major disaster declaration. The HMP is considered a living document such that, as awareness of additional hazards develop, and new strategies and projects are conceived to offset or prevent losses due to natural disasters, the HMP will be evaluated and revised on a continual five-year time frame.

STRATEGIC PLAN CONSIDERATIONS

Accepting of this Hazard Mitigation Plan will help fulfill the following City of El Cerrito Strategic Plan Goals:

- Goal B: "Achieve Long-term Financial Sustainability"
- Goal D: "Develop and Rehabilitate Public Facilities as Community Focal Points"
- Goal E: "Ensure the Public's Health and Safety"

ENVIRONMENTAL CONSIDERATIONS

The LHMP being adopted here tonight has no direct environmental impacts as this is a guiding document. During the development of this plan, several discussions took place and input from FEMA was requested. After all input was reviewed and evaluated, the steering committee determined the plan itself does not require any CEQA action. Any

CEQA requirements and actions will be met during the grant proposals and prior to any specific grant projects.

FINANCIAL CONSIDERATIONS

Currently, there are no financial requirements in the adoption of this plan. Minimal future financial obligations may be incurred if the City elects to pay for plan maintenance.

LEGAL CONSIDERATIONS

The City Attorney has reviewed and approved the process.

Reviewed by:



Scott Hanin
City Manager

Attachments:

1. Resolution
2. Hazard Mitigation Grant Program (HMGP) and Pre-Disaster Mitigation Grant Program (PDM) Fact Sheet
3. Volume 1 and the City of El Cerrito's portion of Volume 2, Chapter 6 of the Contra Costa County Operational Area Hazard Mitigation Plan

RESOLUTION NO. 2018-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO AUTHORIZING THE ADOPTION OF THE CONTRA COSTA COUNTY OPERATIONAL AREA HAZARD MITIGATION PLAN UPDATE VOLUME 1 AND THE CITY OF EL CERRITO'S LOCAL ANNEX IN VOLUME 2, CHAPTER 6, AND THE APPENDICES TO VOLUME 2

WHEREAS, all of Contra Costa County has exposure to natural hazards that increase the risk to life, property, environment and the City's economy; and

WHEREAS, pro-active mitigation of known hazards before a disaster event can reduce or eliminate long term risk to life and property; and

WHEREAS, the Disaster Mitigation Act of 2000 (Public Law 106-390) establishes new requirements for pre- and post-disaster mitigation programs; and

WHEREAS, a coalition of Contra Costa County, Cities, Towns and Special Districts with like planning objectives has been formed to pool resources and create consistent mitigation strategies within the Contra Costa County Operational Area planning area; and

WHEREAS, the coalition has completed the planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy. The completed planning document, entitled, "Contra Costa County Operational Area Hazard Mitigation Plan," is on file with the City.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby:

1. Adopts the following portions of the Contra Costa County Operational Area Hazard Mitigation Plan ("HMP"): Volume 1 in its entirety, including the introduction, the City of El Cerrito's jurisdictional annex, which is Chapter 6 of Volume 2 of the HMP; and the appendices of Volume 2.
2. Will use the adopted and approved portions of the HMP to guide its efforts concerning identified pre- and post – disaster mitigation hazards.
3. Will coordinate the strategies identified in the HMP with other planning programs and mechanisms under its jurisdiction authority.
4. Will continue its support of the Steering Committee and continue to participate in the Planning Partnership as described by the HMP.
5. Will help to promote and support the mitigation successes of all HMP Planning Partners.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon passage and adoption.

I CERTIFY that at a regular meeting on April 3, 2018 the City Council of the City of El Cerrito passed this Resolution by the following vote:

Agenda Item No. 7(B)
Attachment 1

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on April XX, 2018.

Cheryl Morse, City Clerk

APPROVED:

Gabriel Quinto, Mayor

Attachment 2
Hazard Mitigation Grant Program (HMGP)
Pre-Disaster Mitigation Grant Program (PDM)

FACT SHEET

I. HAZARD MITIGATION GRANT PROGRAM (HMGP)

What is the Hazard Mitigation Grant Program?

HMGP is authorized by Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (the Stafford Act), Title 42, United States Code (U.S.C.) 5170c. The key purpose of HMGP is to provide the opportunity to take critical mitigation measures to reduce future loss of life and property during the reconstruction process following a disaster.

HMGP is available, when authorized under a Presidential major disaster declaration, in the Tribe or areas of the State requested by the Governor. The amount of HMGP funding available is based upon the estimated total Federal assistance provided by FEMA for disaster recovery under the Presidential major disaster declaration.

Who is eligible to apply?

Hazard Mitigation Grant Program funding is only available to applicants that reside within a Presidentially declared disaster area. Eligible applicants are

- State and local governments
- Indian tribes or other tribal organizations
- Certain non-profit organizations

What types of projects can be funded by the HMGP?

HMGP funds may be used to fund projects that will reduce or eliminate the losses from future disasters. Projects must provide a long-term solution to a problem, for example, elevation of a home to reduce the risk of flood damages as opposed to buying sandbags and pumps to fight the flood. In addition, a project's potential savings must be more than the cost of implementing the project. Funds may be used to protect either public or private property or to purchase property that has been subjected to, or is in danger of, repetitive damage. Examples of projects include, but are not limited to:

- Acquisition of real property for willing sellers and demolition or relocation of buildings to convert the property to open space use
- Retrofitting structures and facilities to minimize damages from high winds, earthquake, flood, wildfire, or other natural hazards
- Elevation of flood prone structures
- Safe room construction
- Development and initial implementation of vegetative management programs
- Minor flood control projects that do not duplicate the flood prevention activities of other Federal agencies
- Localized flood control projects, such as certain ring levees and floodwall systems, that are designed specifically to protect critical facilities
- Post-disaster building code related activities that support building code officials during the reconstruction process

What are the minimum project criteria?

There are five issues you must consider when determining the eligibility of a proposed project.

- Does your project conform to your State's Hazard Mitigation Plan?
- Does your project provide a beneficial impact on the disaster area i.e. the State?
- Does your application meet the environmental requirements?
- Does your project solve a problem independently?
- Is your project cost-effective?

II. **PRE-DISASTER MITIGATION GRANT PROGRAM (PDM)**

What is the Pre-Disaster Mitigation competitive grant program?

The Pre-Disaster Mitigation (PDM) competitive grant program provides funds to State, Tribal, and local governments for pre-disaster mitigation planning and projects primarily addressing natural hazards. Cost-effective pre-disaster mitigation activities reduce risk to life and property from natural hazard events before a natural disaster strikes, thus reducing overall risks to the population and structures, while also reducing reliance on funding from actual disaster declarations. Funds will be awarded on a competitive basis to successful applicants for mitigation planning and project applications intended to make local governments more resistant to the pacts of future natural disasters.

Who can apply for a PDM competitive grant?

Eligible PDM competitive grant applicants include state and territorial emergency management agencies, or a similar office of the State, District of Columbia, U.S. Virgin Islands, Commonwealth of Puerto Rico, Guam, American Samoa, Commonwealth of the Northern Mariana Islands, and Federally-recognized Indian Tribal governments.

- ✓ Eligible Sub-applicants include State agencies; Federally-recognized Indian Tribal governments; and local governments (including State recognized Indian Tribal governments and Alaska native villages).
- ✓ Applicants can apply for PDM competitive grant funds directly to FEMA, while Sub-applicants must apply for funds through an eligible Applicant.
- ✓ Private non-profit organizations are not eligible to apply for PDM but may ask the appropriate local government to submit an application for the proposed activity on their behalf.

What are eligible PDM projects?

Multi-hazard mitigation projects must primarily focus on natural hazards but also may address hazards caused by non-natural forces. **Funding is restricted to a maximum of \$3M Federal share per project.** The following are eligible mitigation projects:

- ✓ Acquisition or relocation of hazard-prone property for conversion to open space in perpetuity;
- ✓ Structural and non-structural retrofitting of existing buildings and facilities (including designs and feasibility studies when included as part of the construction project) for wildfire, seismic, wind or flood hazards (e.g., elevation, flood proofing, storm shutters, hurricane clips);
- ✓ Minor structural hazard control or protection projects that may include vegetation management, Stormwater management (e.g., culverts, floodgates, retention basins), or shoreline/landslide stabilization; and,

- ✓ Localized flood control projects, such as certain ring levees and floodwall systems, that are designed specifically to protect critical facilities and that do not constitute a section of a larger flood control system.

Mitigation Project Requirements

Projects should be technically feasible (see Section XII. Engineering Feasibility) and ready to implement. Engineering designs for projects must be included in the application to allow FEMA to assess the effectiveness and feasibility of the proposed project. The project cost estimate should complement the engineering design, including all anticipated costs. FEMA has several formats that it uses in cost estimating for projects. Additionally, other Federal agencies' approaches to project cost estimating can be used as long as the method provides for a complete and accurate estimate. FEMA can provide technical assistance on engineering documentation and cost estimation (see Section XIII.D. Engineering Feasibility).

Mitigation projects also must meet the following criteria:

1. Be cost-effective and substantially reduce the risk of future damage, hardship, loss, or suffering resulting from a major disaster, consistent with 44 CFR 206.434(c)(5) and related guidance, and have a Benefit-Cost Analysis that results in a benefit-cost ratio of 1.0 or greater (see Section X. Benefit-Cost Analysis). **Mitigation projects with a benefit-cost ratio less than 1.0 will not be considered for the PDM competitive grant program;**
2. Be in conformance with the current FEMA-approved State hazard mitigation plan;
3. Solve a problem independently or constitute a functional portion of a solution where there is assurance that the project as a whole will be completed, consistent with 44 CFR 206.434(b)(4);
4. Be in conformance with 44 CFR Part 9, Floodplain Management and Protection of Wetlands, and 44 CFR Part 10, consistent with 44 CFR 206.434(c)(3);
5. Not duplicate benefits available from another source for the same purpose, including assistance that another Federal agency or program has the primary authority to provide (see Section VII.C. Duplication of Benefits and Programs);
6. Be located in a community that is participating in the NFIP if they have been identified through the NFIP as having a Special Flood Hazard Area (a FHBM or FIRM has been issued). In addition, the community must not be on probation, suspended or withdrawn from the NFIP; and,
7. Meet the requirements of Federal, State, and local laws.

What are examples of Ineligible PDM Projects?

The following mitigation projects are **not** eligible for the PDM program:

- ✓ Major flood control projects such as dikes, levees, floodwalls, seawalls, groins, jetties, dams, waterway channelization, beach nourishment or re-nourishment;
- ✓ Warning systems;
- ✓ Engineering designs that are not integral to a proposed project;
- ✓ Feasibility studies that are not integral to a proposed project;
- ✓ Drainage studies that are not integral to a proposed project;
- ✓ Generators that are not integral to a proposed project;
- ✓ Phased or partial projects;
- ✓ Flood studies or flood mapping; and,
- ✓ Response and communication equipment.

April 3, 2018
El Cerrito City Council Meeting

Agenda Item No. 7(B)

Attachment 3

**The City of El Cerrito Jurisdictional Annex of the Contra Costa County
Operational Area Hazard Mitigation Plan Update, Chapter 6**

Documents are available for review at:

<https://www.contracosta.ca.gov/6842/Draft-Local-Hazard-Mitigation-Plan-Update>

The above link is to Volume 1 and Volume 2. The El Cerrito Annex is in Volume 2, Chapter 6.

Office of the City Clerk
10890 San Pablo Avenue
El Cerrito, CA
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and

The El Cerrito Library
6510 Stockton Avenue
El Cerrito, CA