



AGENDA

REGULAR CITY COUNCIL MEETING
Tuesday, April 4, 2017 – 7:00 p.m.
City Council Chambers

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

Janet Abelson – Mayor

Mayor Pro Tem Gabriel Quinto
Councilmember Greg Lyman

Councilmember Paul Fadelli
Councilmember Rochelle Pardue-Okimoto

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 Gabriel Quinto.*

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 No. 4(A) through 4(J)

A. Approval of Minutes

Approve the March 21, 2017 Special City Council and March 21, 2017 Regular City Council meeting minutes.

B. Earth Day Proclamation

Approve a proclamation designating April 22, 2017 as “Earth Day” in the City of El Cerrito and encouraging all residents and businesses to help make El Cerrito a greener, healthier, more sustainable place for all.

C. Public, Educational and Government (PEG) Fee Reauthorization Ordinance

Adopt Ordinance No. 2017–03, an ordinance of the City of El Cerrito reauthorizing the public, educational and government (PEG) fee on state cable franchisees operating with the City and amending Section 14.12.170 of the El Cerrito Municipal Code. *First reading on March 21, 2017. Approved by unanimous vote.*

D. Annual Parcel Assessment for the National Pollution Discharge Elimination System (NPDES) Program and Drainage Maintenance Activities for Fiscal Year 2017-18

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 levies based on said amount for Fiscal Year 2017-18.

E. Calendar Years 2014 and 2015 Growth Management Program Compliance Checklist

Adopt a resolution approving the Calendar Years 2014 and 2015 Growth Management Program (GMP) Compliance Checklist for allocation of Fiscal years 2015-16 and 2016-17 Measure J, Local Street Maintenance and Improvement Funds by the Contra Costa Transportation Authority.

F. Cost Allocation Plan and Community Development User Fee Study Award

Adopt a resolution authorizing the City Manager to execute a Professional Services Agreement between the City of El Cerrito and Willdan Financial Services in an amount not to exceed \$29,275 to prepare a Cost Allocation Plan and Community Development User Fee Study and to approve potential change orders not to exceed \$3,000.

G. Authorize Annual Report for Landscape and Lighting Assessment District for Fiscal Year 2017-18

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 2017-18

H. Support for SCA 3(Dodd) Local Government Finance – Libraries

At the request of Mayor Abelson, authorize the Mayor to send a letter on behalf of the City Council, which expresses the Council’s support for SCA 3 (Dodd) Local Government Finance: Libraries – Voter Approval. Committee date March 29, 2017.

I. Opposition to the Proposed Expansion of the West Contra Costa Detention Facility

At the request of Councilmember Pardue-Okimoto, approve a recommendation authorizing the Mayor to send a letter to the California Board of State and Community Corrections opposing the \$70 million grant proposal from the Contra Costa Sheriff’s Office for the expansion of the West County Detention Facility in Richmond.

J. Environmental Quality Committee Appointment

Approve an Environmental Quality Committee recommendation to appoint Rebecca Miller to the Environmental Quality Committee, effective April 4, 2017.

5. PRESENTATIONS

El Cerrito Strategic Plan Goals and Strategies Report – *Presentation by Karen Pinkos, Assistant City Manager.*

6. PUBLIC HEARINGS – None

7. POLICY MATTERS

A. Fiscal Year 2016-17 Mid-Year Budget Update

Receive an update on city revenues and expenditures for the first six months of the fiscal year through December 31, 2016 and adopt a resolution authorizing amendments to the Fiscal Year 2016-17 budget and approving new spending limits.

B. El Cerrito Wall of Fame Council Subcommittee

Confirm the Mayor's appointment of two members of the City Council to an El Cerrito Wall of Fame Subcommittee for the purposes of reviewing nominations received this year and return to the City Council with a recommendation by May 15, 2017. Additionally, conduct a review of Resolution No. 2008-77 selection and appointment guidelines and return to the City Council in Fall 2017 with recommendations, if any.

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 18, 2017 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/ind-ex.aspx?NID=114>. Copies of the agenda bills and other written documentation relating to items of business referred to on the agenda are on file and available for public inspection in the Office of the City Clerk, at the El Cerrito Library and posted on the City's website at www.el-cerrito.org prior to the meeting.
- In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk, (510) 215-4305. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title I).
- ***The Deadline for agenda items and communications*** is eight days prior to the next meeting by 12 noon, City Clerk's Office, 10890 San Pablo Avenue, El Cerrito, CA. Tel: 215-4305 Fax: 215-4379, email cmorse@ci.el-cerrito.ca.us
- IF YOU CHALLENGE A DECISION OF THE CITY COUNCIL IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE COUNCIL MEETING. ACTIONS CHALLENGING CITY COUNCIL DECISIONS SHALL BE SUBJECT TO THE TIME LIMITATIONS CONTAINED IN CODE OF CIVIL PROCEDURE SECTION 1094.6.

- The City Council believes that late night meetings deter public participation, can affect the Council's decision-making ability, and can be a burden to staff. City Council Meetings shall be adjourned by 10:30 p.m., unless extended to a specific time determined by a majority of the Council.

EL CERRITO CITY COUNCIL

MINUTES

SPECIAL CITY COUNCIL MEETING
Tuesday, March 21, 2017 – 6:00 p.m.
Hillside Conference Room

REGULAR CITY COUNCIL MEETING
Tuesday, March 21, 2017 – 7:00 p.m.
City Council Chambers

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

Janet Abelson – Mayor

Mayor Pro Tem Gabriel Quinto
Councilmember Greg Lyman

Councilmember Paul Fadelli
Councilmember Rochelle Pardue-Okimoto

6:00 p.m. **ROLL CALL**

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

CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Abelson convened the special City Council meeting at 6:02 p.m.

ORAL COMMUNICATIONS FROM THE PUBLIC – No speakers.

COMMISSION INTERVIEWS, STATUS AND APPOINTMENTS

Conduct interviews of candidates for city boards and commissions. Interviews may result in an announcement of appointment at the meeting. The City Council may also discuss and determine the scheduling and structure of future interviews.

Speakers: Cordell Hindler, Richmond, advocated for more youth involvement on the Crime Prevention Committee.

Action: Six interviews completed. The City Council, by mutual consensus, made the following appointments:

Patrick Riley is appointed to the Design Review Board for a four year term ending March 1, 2021.

Jessica Laird is appointed to the Human Relations Commission to fill an unexpired vacancy ending March 1, 2018.

ADJOURNED SPECIAL CITY COUNCIL SESSION at 6:57 p.m.

7:00 p.m. ROLL CALL

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

CONVENE REGULAR CITY COUNCIL MEETING

Mayor Abelson convened the regular City Council meeting at 7:04 p.m.

1. PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF MOMENT OF SILENCE was led by Councilmember Rochelle Pardue-Okimoto.

2. COUNCIL / STAFF COMMUNICATIONS

Mayor Pro Tem Quinto reported that he and Councilmember Pardue-Okimoto attended a meeting at Berkeley City Hall along with other Councilmembers and Mayors who represent cities along the San Pablo Avenue corridor. Everyone pledged to do whatever is possible to keep Alta Bates Hospital in Berkeley open. It is important for West County and El Cerrito residents to know that we need to keep Alta Bates Hospital open. Mayor Pro Tem Quinto also attended an East Bay Regional Parks District economic forum at the newly restored BridgeYard building (the historic Interurban Electric Railway Bridge Yard Shop) in Oakland with Councilmember Fadelli and encouraged residents to take a look at the new building.

Councilmember Fadelli reported that the Warm Springs BART Station will be opening in Fremont on March 25. Councilmember Fadelli will be attending a ribbon cutting ceremony with Mayor Abelson and Mayor Pro Tem Quinto on March 24.

Mayor Abelson stated that she met the new chancellor of the Contra Costa College system, Fred Woods, yesterday. Mayor Abelson said she believes that Chancellor Woods will serve the colleges well. Mayor Abelson also represented the city at the memorial service of Dr. Sally Williams, wife of St. Peter Christian Methodist Episcopal Church's pastor. Mayor Abelson reported that the El Cerrito Senior Center is doing many interesting things and offering new programming and presentations for seniors. Senior Center Manager, Janet Bilbas and her staff are doing a fantastic job.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Cordell Hindler, Richmond, said that the managers of Walgreens and McDonalds have complained about people hanging around in front of their businesses who bother customers and also noted that rents for commercial sites are high and that Alta Bates Hospital should be saved.

Dave Weinstein, El Cerrito, on behalf of Trail Trekkers, reported that work crews cleared a lot of brush and trees at Fairview Open Space and destroyed riparian and upland habitat along one of the most beautiful creeks in El Cerrito. Mr. Weinstein urged the City to prevent this type of damage from happening again. Mr. Weinstein, on behalf of the Historical Society, urged the City Council to direct staff to work on a historic preservation ordinance and prepare a survey of all historical places in the City.

Elli Matelka, El Cerrito, reported that she attended Lunafest at El Cerrito High School and it was a great event. Ms. Matelka encouraged the City to continue to host associations and events like Lunafest.

4. PRESENTATIONS

West Contra Costa County High Capacity Transit Study – *Presented by John Nemeth, WCCTAC Executive Director; Leah Greenblat, WCCTAC Project Manager; and Rebecca Kohlstrand, WSP/Parsons Brinckerhoff Project Manager.*

Speaker: Cordell Hindler, Richmond, said there is a good opportunity for different transit choices.

Action: Received presentation.

5. ADOPTION OF THE CONSENT CALENDAR – Item No. 5(A) through 5(D)

Moved, seconded (Lyman/Quinto) and carried to approve Consent Calendar Item Nos. 5(A) through 5(D) as indicated below.

A. Approval of Minutes

Approve the March 4, 2017 Special City Council and March 7, 2017 Special City Council Closed Session and Regular City Council meeting minutes.

Action: Approved minutes.

B. Consulting Services Agreement with Restoration Design Group, Inc. for the Fairmont Park Phase 1 Improvements Project, City Project No. C5037

Adopt a resolution authorizing the City Manager to execute a consulting services agreement with Restoration Design Group, Inc., (“Consultant”) to provide design services for the Fairmont Park Phase I Improvements Project, City Project No. C5037, in an amount not to exceed \$55,095. *Project falls under the Urban Greening Plan’s Initial Study/Mitigated Negative Declaration and is in compliance with Section 15097 of CEQA.*

Action: Adopted Resolution No. 2017-12.

C. Computer Aided Dispatch Software

Adopt a resolution authorizing the City Manager to enter into an agreement with Tiburon to provide Computer Aided Dispatch Software in an amount not to exceed \$114,954 with terms and conditions to be approved by the City Manager and City Attorney.

Action: Adopted Resolution No. 2017-13.

D. 2015 and 2016 General Plan Annual Progress Reports

Action: Received and filed.

6. PUBLIC HEARINGS – None

7. POLICY MATTERS

A. Affirming the City’s Values and Declaring El Cerrito a Sanctuary City and Supporting Senate Bill 54, the California Values Act

The Human Relations Commission requests that the City Council take the following actions: 1) Adopt a resolution affirming the City’s commitment to the values of dignity, inclusivity and respect for all individuals regardless of ethnic or national origin, gender identity, race, religious affiliation, sexual orientation, age, disability, or immigration status and declaring El Cerrito a Sanctuary City; and 2) Adopt a resolution supporting Senate Bill 54, “The California Values Act” (de León).

Presenters: Georgina Edwards, Chair, Human Relations Commission and Karen

Pinkos, Assistant City Manager.

Speakers: Cordell Hindler, Richmond, said he trusts the police because they honor and serve the community and that he agrees with Police Chief Keith. Mr. Hindler urged the City Council to adopt the resolution.

Margaret Cunningham, California Sanctuary Campaign, Oakland, urged the City Council to pass the resolution and support Senate Bill 54 and encouraged the City to provide education, workshops and fund legal aid. Ms. Cunningham urged the City Council to look at the ACLU Freedom Cities Model Rules posted on peoplepower.org.

Jean Rabovsky, El Cerrito, encouraged the City Council to declare the City a Sanctuary City and support SB 54.

Judith Tannenbaum, El Cerrito, said she strongly supports the resolution and thanked everyone who worked so hard together on the resolution.

Jess Laird, El Cerrito, encouraged the City Council to pass a resolution opposing County level cooperation with the United States Immigration and Customs Enforcement Department (ICE) and to help make the County and State a safe place for all.

Janaki Sullivan, El Cerrito, encouraged the City Council to support the resolution and SB 54 and encourage the Human Relations Commission to look at ways to work with the City's vulnerable populations. Ms. Sullivan also said the County should be dissuaded from contracting with ICE.

Sherry Drobner, El Cerrito, encouraged the City Council to support the resolution and to also dissuade the County from contracting with ICE and oppose the West County jail expansion.

Carl Groch, El Cerrito, urged the City Council to pass the resolution

Ted Lam, El Cerrito, expressed his support for the resolution and SB 54.

Pam Ramirez, Richmond, Wellstone Democratic Club and California Nurses Association, notified the City Council that Richmond sponsored a "Know Your Rights" forum, including Spanish translation, and that the Nurses Association supports the resolution and SB 54. Ms. Ramirez also urged support for SB 562, Single-Payer health coverage.

Paul Hughes, El Cerrito, said he has dear friends that are at risk of deportation, that they are among the finest people he has ever known, and that he supports the resolution and SB 54 and opposes ICE and the West County jail expansion.

George McRae, El Cerrito, representing Del Norte Indivisible, expressed support for the resolution and urged the City Council to declare El Cerrito a Sanctuary City.

Michelle Mitchell, El Cerrito, encouraged the City Council to declare the City a Sanctuary City, adopt the resolution and support SB 54.

Cesar Zepeda, Richmond, encouraged the City Council to declare the City a Sanctuary City, adopt the resolution and support SB 54.

Sue Goldberg, El Cerrito, encouraged the City Council to declare the City a Sanctuary City, adopt the resolution and support SB 54.

Miguel Gravelle, El Cerrito, encouraged the City Council to declare the City a Sanctuary City, adopt the resolution, support SB 54 and oppose the West County jail expansion.

Carrie Cangelesi, El Cerrito, encouraged the City Council to declare the City a Sanctuary City, adopt the resolution and support SB 54.

Actions: Moved, seconded (Lyman/Quinto) and carried to adopt Resolution No. 2017–14 as amended by Councilmember Lyman to add an additional enacting clause to state, “BE IT FURTHER RESOLVED that the mayor sign a letter transmitting the resolution to the Contra Costa County Board of Supervisors requesting that it adopt a comparable resolution.” and as further amended by Councilmember Pardue-Okimoto to add a Section 6 to the enacting clause which states, “the El Cerrito Police Department will report back to the City Council at least annually regarding the implementation of this resolution.”

Moved, seconded (Fadelli/Pardue-Okimoto) to adopt Resolution No. 2017-15 supporting Senate Bill 54, “The California Values Act” (de León).

B. Reauthorization of the Public, Educational and Governmental Fee on State Cable Franchisees Operating within the City of El Cerrito

The City Attorney requests that the City Council: 1) Waive the reading of and adopt, by a four-fifths vote, an Urgency Ordinance reauthorizing the Public, Educational and Governmental (PEG) fee on state cable franchisees operating within the City of El Cerrito; and 2) Waive the reading of and introduce an Ordinance reauthorizing the Public, Educational, and Governmental (PEG) fee on state cable franchises operating within the City of El Cerrito and amending Section 14.12.170 of the El Cerrito Municipal Code.

Presenter: Sky Woodruff, City Attorney.

Actions: Moved, seconded (Lyman/Quinto) and carried to approve Ordinance No. 2017–02, an ordinance reauthorizing the Public, Educational and Governmental (PEG) fee on state cable franchisees operating within the City of El Cerrito. *Second reading scheduled for consideration on April 4, 2017.*

Moved, seconded (Quinto/Lyman) and carried to adopt Ordinance No. 2017–03, an urgency ordinance reauthorizing the Public, Educational and Governmental (PEG) fee on state cable franchisees operating within the City of El Cerrito and amending Section 14.12.170 of the El Cerrito Municipal Code.

C. Public Safety Dispatch Services

Adopt a resolution authorizing the City Manager or his designee to enter into agreements with the Office of the Sheriff of Contra Costa County and the Contra Costa County Fire Protection District for the provision of public safety dispatch services from July 1, 2017 to June 30, 2022 for police dispatch and June 1, 2017 to December 31, 2019 for fire dispatch.

Presenter: Paul Keith, Chief of Police.

Speakers: Cordell Hindler, Richmond, encouraged the City Council to adopt the resolution.

Action: Moved, seconded (Lyman/Quinto) and carried to adopt Resolution No. 2017–16.

8. CITY COUNCIL LOCAL AND REGIONAL LIAISON ASSIGNMENTS

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

Councilmember Pardue-Okimoto reported on her attendance at the Gilman Fields Joint Powers Authority Board meeting. One of the issues the Board will be voting on soon is the replacement of artificial turf. There is a public meeting scheduled for 10:00 a.m. on March 25, 2017 at San Pablo Park in Berkeley to discuss the various types of artificial turf that are being proposed.

Mayor Pro Tem Quinto reported that he will be attending an Association of Bay Area Governments / Metropolitan Transportation Commission workshop with Councilmember Fadelli in Sacramento on March 22.

Councilmember Lyman reported that he attended the West County Integrated Waste Management Authority Joint Powers Authority Board meeting on March 9. The Authority Board discussed the Joint Powers Authority agreement at length. The Authority Board may not have given staff enough direction to resolve comments raised by the City of Richmond. Richmond's representatives on the Board said that Richmond will withdraw from the Authority if comments and concerns raised last December are not addressed. Councilmember Lyman said that if costs for El Cerrito continue to rise and are not commensurate with services provided, staff may have to evaluate the cost and time that is put into the Authority.

Councilmember Fadelli reported on his participation in Arbor Day. The City Arborist and some Tree Committee members and students from Prospect Sierra planted some coast live oak trees. The Committee also expressed concerns with the brush cutting that was done at Fairview Park.

9. ADJOURNED REGULAR CITY COUNCIL MEETING at 10:25 p.m.

SUPPLEMENTAL COMMUNICATIONS I

Item No. 7(A) Affirming the City's Values and Declaring El Cerrito a Sanctuary City and Supporting Senate Bill 54, the California Values Act

1. Petition in support of the resolution – Submitted by Wendy Fiering, El Cerrito.
2. Comments in support of proposed resolution – *Submitted by Rachel Henderson, El Cerrito.*
3. Comments in support of proposed resolution – *Submitted by Sandy Davis, El Cerrito.*
4. Comments in support of proposed resolution – *Submitted by Carrie Cangelosi, El Cerrito.*
5. Sample support letter for SB 29 (Lara) – Immigration Detention – *Submitted by Judith Tannenbaum, El Cerrito.*

Other:

6. Statement from Trail Trekkers about damage to Fairview Open Space – *Submitted by David Weinstein, El Cerrito.*
7. Preserving El Cerrito's Heritage: A proposal from the El Cerrito Historical Society – Submitted by David Weinstein, El Cerrito.

SUPPLEMENTAL COMMUNICATIONS 2 *(Received after Supplemental No. 1 was printed or received at the City Council meeting.)*

Item No. 7(A) Affirming the City's Values and Declaring El Cerrito a Sanctuary City and Supporting Senate Bill 54, the California Values Act

8. Comments in support of proposed resolution – *Submitted by Megan Cooper, El Cerrito.*
9. Comments in support of proposed resolution – *Submitted by George McRae on behalf of Poinsett Indivisible.*

Other:

10. East Bay Regional Park District Informational Packet – *Submitted by Councilmember Quinto.*

***EL CERRITO CITY COUNCIL PROCLAMATION
Designating Saturday, April 22, 2017 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 more “green.”

NOW THEREFORE, the City Council of the City of El Cerrito does hereby proclaim Saturday, April 22, 2017 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 4, 2017

Janet Abelson, Mayor

ORDINANCE NO. 2017-03

AN ORDINANCE OF THE CITY OF EL CERRITO REAUTHORIZING THE PUBLIC, EDUCATIONAL, AND GOVERNMENT (PEG) FEE ON STATE CABLE FRANCHISEES OPERATING WITHIN THE CITY AND AMENDING SECTION 14.12.170 OF THE EL CERRITO MUNICIPAL CODE

WHEREAS, the City Council previously adopted Section 14.12.170 of the El Cerrito Municipal Code ("ECMC"), which imposes a public, educational, and governmental ("PEG") fee on state cable franchisees operating within the City as authorized in the Digital Infrastructure and Video Competition Act of 2006; and

WHEREAS, Section 5870(n) of the California Public Utilities Code states that a PEG fee ordinance must be reauthorized upon expiration of an applicable state franchise; and

WHEREAS, AT&T California ("AT&T") operates within the City under a state franchise that expires on March 30, 2017; and

WHEREAS, the City Council wishes to adopt an ordinance expressly declaring that the City's PEG fee is reauthorized and amending ECMC Section 14.12.170.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL CERRITO DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. PEG Fee Reauthorization.

The City's PEG access fee authorized in Section 14.12.170 of the El Cerrito Municipal Code is hereby reauthorized to the extent required by Section 5870(n) of the California Public Utilities Code.

Section 2. Addition of Subsection (G) to Section 14.12.170 of the El Cerrito Municipal Code.

ECMC Section 14.12.170 shall be amended to add the following Subsection (G) to read as follows:

G. Notwithstanding subdivision (n) of Public Utilities Code Section 5870, upon the expiration of any state franchise, without any action of the City Council, this section shall be deemed to have been automatically reauthorized unless the state franchise holder has given the City Council and City Manager written notice sixty (60) days prior to the expiration of its state franchise that this section will expire pursuant to the terms of subdivision (n) of Public Utilities Code Section 5870.

The remaining provisions of Section 14.12.170 shall remain unchanged and in full force and effect.

Section 3. Severability.

The provisions of this Ordinance are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or

Agenda Item No. 4(C)

impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Ordinance or their applicability to other persons or circumstances.

Section 4. Effective Date.

This Ordinance shall take effect and be in force thirty days following its adoption.

Section 5. Publication or Posting.

The City Clerk of the City of El Cerrito shall cause this Ordinance to be published or posted as required in Section 36933 of the Government Code of the State of California.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2017

AYES:

NOES:

ABSENT:

ABSTAIN:

Janet Abelson, Mayor

ATTEST:

City Clerk



AGENDA BILL

Agenda Item No. 4(D)

Date: April 4, 2017
To: El Cerrito City Council
From: Stephen Prée, Environmental Programs Manager
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 2017-18

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 levies based on said amount for Fiscal Year 2017-18.

BACKGROUND

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 the 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 helps in providing 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. An important function of the CWP is to assist its members in maintaining compliance with the MRP.

Municipal Regional Permit

Municipal Regional Permit Order No. R2-2015-0049, was adopted 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, and 303(d) listed pollutants¹, other pollutants of concern (POCs).

As reported in last year's Clean Water report to City Council, the new Permit contains four provisions with significantly enhanced compliance conditions:

- Provision C.3, (New development and Redevelopment) requires the City to prepare a workplan that describes specific tasks and time frames for development of a Green Infrastructure Plan. The MRP requires a framework for the Green Infrastructure Plan to be approved by the City's governing body by June 30, 2017. A Green Infrastructure Plan is intended to 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 a Green Infrastructure Plan for submittal in September 2019. Per these deadlines, staff will be bringing the framework for the Green Infrastructure Plan for City Council consideration later this fiscal year.
- Provision C.10, regarding the reduction of trash entering the storm drain system, mandates 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 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.
- 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 (C.3) and the identification of properties that contain high and moderate Mercury and PCBs removal opportunities.

Statewide Funding Efforts

As the MRP requirements have increased over the years, efforts have been made to increase funding for compliance activities. In 2012, the CWP attempted to raise new funds through a county-wide property-owner mail-in ballot election. Although this regional initiative failed, support in El Cerrito was 54 percent, demonstrating local support for the clean water activities. In December 2015, a coalition consisting of the California State Association of Counties, the League of Cities, and the Association of California Water Agencies filed Constitutional Amendment language with the Attorney General's office as a potential ballot Initiative for the November 2016 election. It would

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.

have amended Article X of the California Constitution to create a new, optional funding method that local agencies could use to fund local stormwater services and flood control projects and to establish conservation-based or lifeline water rates to assist low-income customers. The effort, called “The California Water Conservation, Flood Control and Stormwater Management Act of 2016,” failed to make the ballot due to low polling results. However, those polling results indicated that voters are concerned by the rising costs of complying with the NPDES permit and the lack of funding sources available to pay for these increased costs. The County Engineers Association of California, one of the primary supporters of the ballot measure, plans to develop a strategic plan this year to present a future ballot measure. City staff will track the status of these efforts and provide updates to City Council.

ANALYSIS

The countywide Stormwater Utility Area (SUA) assessment, which is levied in each of the participating CWP jurisdictions, provides funds for the 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 ERU. Industrial or commercial parcels with paved parking or other impervious surfaces are assigned two 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 2017-18, the County estimates that El Cerrito’s rate of \$38.00 will generate \$400,832 for NPDES compliance. Of these revenues, an estimated 16.3% (\$65,335) is allocated for CWP regional compliance activities and 83.7% (\$335,496) is allocated to El Cerrito to fund local compliance activities. The City’s allocation is projected to decrease to approximately 82.3% by FY 2019-2020 due to the increased costs of MRP 2.0 regional compliance activities by CWP.

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 urban creeks monitoring, development of a GIS tracking tool for reporting pollutant load reductions, the C.3 Guidebook for developers and staff, municipal staff training, water-quality monitoring, support in development and submittal of the Annual Report, Green Infrastructure framework development, and other activities that assist member agencies such as El Cerrito 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 FY 2017-2018.

El Cerrito's Clean Water Program

The SUA funds that are returned to El Cerrito also fund a portion of the City's clean water activities. El Cerrito's Clean Water Program includes meeting multiple NPDES Permit provisions through activities that can be grouped into five general areas. Below is a brief description of each program area. Specific annual accomplishments are detailed in an Annual Report prepared each summer for submittal to the Water Board. The activities are coordinated and carried out primarily by the Public Works Department, with assistance from the Building Division, Code Enforcement, and the Fire Department as needed.

- 1) New Development and Construction Control Activities prevent pollutants from entering storm drains during new development, construction activities, and for the life of each project. Measures to achieve this include integrating and inspecting temporary and permanent stormwater pollution prevention measures during construction of public and private projects. Permanent stormwater pollution prevention measures, such as bioswales, are commonly referred to as "C.3" provisions.
- 2) Public Education and Industrial Outreach Activities (PEIO) educate residents, businesses, and school-age children about the causes and effects of stormwater pollution, the difference between the sanitary sewer and the storm drain system, and the effect of pollutants on our local watersheds. The City aims to encourage these audiences to participate in ongoing creek protection and restoration efforts and to adopt less-polluting practices.
- 3) Municipal Maintenance Performance Activities include optimizing pollutant removal during routine maintenance activities, such as street sweeping and storm drain facility maintenance, and using Best Management Practices, such as Integrated Pest Management (IPM) strategies, to prevent or minimize discharges to storm drains and watercourses from the maintenance of roads, parks, and other publicly owned facilities.
- 4) Industrial and Commercial Inspection Activities aim to reduce or eliminate discharges to the storm drain system from industrial and commercial facilities. On

November 19, 2013, the City Council adopted Resolution No. 2013-61 that designated the West County Wastewater District to perform the City's commercial and industrial inspections, via a contract coordinated by the Clean Water Program. This program inspects 40 El Cerrito businesses annually for compliance with best management practices for stormwater pollution prevention.

- 5) Illicit Discharge Control Activities prevents pollution from entering storm drains and creeks through either intentional or accidental spills. Public Works maintenance staff conducts regular inspections of all open creek segments, trash racks, and headwalls on public property as part of routine procedure. Staff also responds to, mitigates and tracks illicit discharges on an emergency basis.
- 6) Trash Load Reduction Activities aim to reduce trash, litter, and other debris from entering storm drains and other water courses, consistent with Provision C10 of the MRP. As discussed above, the MRP mandates 70% trash load reduction by July 2017, 80% reduction by July 2019, and 100% by July 2022. El Cerrito is ahead of schedule in reaching these compliance goals, achieving a 79% trash load reduction rate as of July 2016. The City's trash load reduction credit is attributable to the installation and maintenance of 83 Full Trash Capture Devices since 2013, the successful implementation of the City's 2014 plastic bag and poly-styrene food container bans, and to 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 trash load reduction compliance.

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 of 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 action funded by the annual assessment will be reviewed under CEQA prior to approval.

FINANCIAL CONSIDERATIONS

Staff is proposing adoption of the maximum rate of \$38.00 per ERU for FY 2017-2018, which would generate an estimated \$400,832, of which 83.7% (\$335,496) will be returned to the City in FY 2017-2018. If adopted by the City Council, the Contra Costa County Board of Supervisors will adopt the annual property assessments for the FY 2017-2018 tax rolls.

In past fiscal years, expenses in the NPDES Fund (202) have exceeded revenues creating an operating deficit in the fund. To address the fund deficit, starting in the FY 2015-16, some clean water expenses were moved to the General Fund. Transferring these expenses restored some of the General Fund support to Public Works services, which had been reduced over the last several 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 will not keep pace with increasing costs. Additional funding sources will need to be identified potentially starting as soon as FY 2017-18 in order to continue to meet requirements for Clean Water Program activities.

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 as to form the attached resolution.

Reviewed by:



Scott Hanin
City Manager

Attachments:

1. Accompanying Resolution
2. SUA-CWP Return to Source Five Year Forecast
3. SUA Formation County Engineer Report

RESOLUTION NO. 2017-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 2017-18.

WHEREAS, under the Federal Water Pollution Control Act, prescribed discharges of storm water 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 15th, determine the rate to be assessed to a single Equivalent Runoff Unit (ERU) for the forthcoming fiscal year.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of El Cerrito does determine that the rate to be assigned to a single ERU for Fiscal Year 2017-8 shall be set at \$38.00.

BE IT FURTHER RESOLVED, that the City Council of the City of El Cerrito does hereby request 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.

Agenda Item No. 4(D)
Attachment 1

I CERTIFY that at a regular meeting on April 4, 2017 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, 2017.

Cheryl Morse, City Clerk

APPROVED:

Janet Abelson, Mayor

Contra Costa Clean Water Program											
Stormwater Utility Assessment (SUA) Revenue, Cost Allocations, and SUA Revenue Return-to-Source (RTS) Percentages (3/24/17)											
Stormwater Utility Assessment (SUA) Revenue ¹ (FY 2016/17)		Adopted		Proposed		Forecast					
		FY 16/17 Net Budget \$2,625,516		FY 17/18 Net Budget \$3,053,432		FY 18/19 Budget \$3,551,945		FY 19/20 Budget \$3,552,498		FY 20/21 Budget \$3,503,606	
		Allocation ²	% RTS ⁴	Allocation ³	% RTS ⁴	Allocation ³	% RTS ⁴	Allocation ³	% RTS ⁴	Allocation ³	% RTS ⁴
Antioch	\$ 1,174,827	\$ 257,816	78.1	\$ 302,948	74.2	\$345,567	70.6	\$364,718	69.0	\$328,264	72.1
Brentwood		\$ 134,488		\$ 157,642		\$179,819		\$189,785		\$170,815	
Clayton	\$ 126,328	\$ 26,872	78.7	\$ 30,059	76.2	\$34,288	72.9	\$36,188	71.4	\$32,571	74.2
Concord	\$ 2,046,895	\$ 300,122	85.3	\$ 347,838	83.0	\$396,771	80.6	\$418,760	79.5	\$376,904	81.6
Danville	\$ 564,287	\$ 104,012	81.6	\$ 114,952	79.6	\$131,123	76.8	\$138,390	75.5	\$124,558	77.9
El Cerrito	\$ 400,832	\$ 57,820	85.6	\$ 65,375	83.7	\$74,572	81.4	\$78,705	80.4	\$70,838	82.3
Hercules	\$ 324,223	\$ 58,980	81.8	\$ 66,482	79.5	\$75,835	76.6	\$80,038	75.3	\$72,038	77.8
Lafayette	\$ 456,215	\$ 59,882	86.9	\$ 66,839	85.3	\$76,242	83.3	\$80,467	82.4	\$72,424	84.1
Martinez	\$ 625,067	\$ 88,997	85.8	\$ 99,376	84.1	\$113,357	81.9	\$119,639	80.9	\$107,681	82.8
Moraga	\$ 287,367	\$ 39,199	86.4	\$ 44,283	84.6	\$50,513	82.4	\$53,312	81.4	\$47,984	83.3
Oakley	\$ 496,958	\$ 92,342	81.4	\$ 107,647	78.3	\$122,790	75.3	\$129,595	73.9	\$116,642	76.5
Orinda	\$ 381,466	\$ 44,308	88.4	\$ 50,280	86.8	\$57,353	85.0	\$60,531	84.1	\$54,481	85.7
Pinole	\$ 316,067	\$ 45,103	85.7	\$ 50,253	84.1	\$57,322	81.9	\$60,499	80.9	\$54,452	82.8
Pittsburg	\$ 1,112,211	\$ 160,997	85.5	\$ 181,866	83.6	\$207,451	81.3	\$218,948	80.3	\$197,063	82.3
Pleasant Hill	\$ 491,953	\$ 81,327	83.5	\$ 91,385	81.4	\$104,241	78.8	\$110,018	77.6	\$99,021	79.9
Richmond		\$ 255,550		\$ 296,003		\$337,644		\$356,356		\$320,738	
San Pablo	\$ 421,046	\$ 70,776	83.2	\$ 82,675	80.4	\$94,305	77.6	\$99,532	76.4	\$89,583	78.7
San Ramon	\$ 1,184,945	\$ 187,024	84.2	\$ 210,148	82.3	\$239,711	79.8	\$252,995	78.6	\$227,708	80.8
Walnut Creek	\$ 1,188,597	\$ 159,187	86.6	\$ 187,769	84.2	\$214,184	82.0	\$226,054	81.0	\$203,459	82.9
CC County	\$ 3,425,806	\$ 400,713	88.3	\$ 458,901	86.6	\$523,458	84.7	\$552,469	83.9	\$497,248	85.5

¹. Total Stormwater Utility Assessment (SUA) revenue based on FY 2016/17. 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. Percentage of Stormwater Utility Assessment (SUA) revenue Returned-to-Source (RTS).

 = No SUA. Stormwater funding from other sources.

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

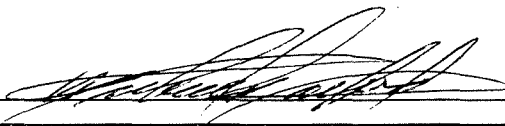
SUBJECT: CHIEF ENGINEER'S REPORT ON FORMATION OF STORMWATER UTILITY AREAS AND
ADOPTION OF ANNUAL ASSESSMENTS

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: X

SIGNATURE: 

☐ 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

☒ 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. 4(E)

Date: April 4, 2017
To: El Cerrito City Council
From: Yvetteh Ortiz, Public Works Director/City Engineer
Subject: Calendar Years 2014 and 2015 Growth Management Program Compliance Checklist

ACTION REQUESTED

Adopt a resolution approving the Calendar Years 2014 and 2015 Growth Management Program (GMP) Compliance Checklist for allocation of Fiscal Years 2015-16 and 2016-17 Measure J, Local Street Maintenance and Improvement Funds by the Contra Costa Transportation Authority (CCTA).

BACKGROUND

In 1988, voters in Contra Costa County approved Measure C imposing a half-cent sales tax to generate revenue for transportation improvement projects over 20 years. In 2004, the voters approved Measure J extending the sales tax for another 25 years. A portion of the sales tax funds, referred to as the “18 Percent Local Street Maintenance and Improvement (LSM) program” funds, is allocated by the CCTA to cities on a formula basis. To receive these funds and to be eligible for funds from the Transportation for Livable Communities program, Measure J requires each jurisdiction in Contra Costa to comply with all the components of its Growth Management Program (GMP). The CCTA assesses compliance with the GMP through the review and approval of a jurisdiction’s GMP Compliance Checklist. Each jurisdiction must complete and approve the checklist. On April 7, 2015, the City Council adopted Resolution No. 2015-24 approving the Calendar Years 2012 and 2013 GMP Compliance Checklist for allocation of Fiscal Years 2013-14 and 2014-15 Measure J Funds.

ANALYSIS

The current GMP Compliance Checklist, attached as Exhibit A, is for the reporting period of Calendar Years 2014 and 2015, and allocation period of Fiscal Years 2015-16 and 2016-17. This GMP Compliance Checklist must be submitted to the CCTA prior to June 30, 2017. The Measure J GMP currently requires compliance in the following areas:

- Implementation of the West County Action Plan for Routes of Regional Significance (2014)
- Continued Development Mitigation Programs
- Housing Options
- Traffic Impact Studies

- Multi-Jurisdictional Planning
- Minimum Five-Year Capital Improvement Program
- Transportation Systems Management (TSM) Ordinance
- Growth Management Element for General Plan
- Urban Limit Line

Since the last reporting period, there have been no changes and/or required actions in regards to the Growth Management Element, TSM Ordinance, or Urban Limit Line. The City has satisfied the requirements of Measure J in all other areas. More specifically, during this reporting period, the City actively participated in the West Contra Costa Transportation Advisory Committee (WCCTAC) and the implementation of the West County Action Plan for Routes of Regional Significance. The City also continued to implement the Subregional Transportation Mitigation Program as part of its adopted Master Fee Schedule and maintained an adopted ten-year Capital Improvement Program. The City continued to make progress in achieving the objectives of the Housing Element. Of particular note, in September 2014, the City adopted the San Pablo Avenue Specific Plan including a General Plan amendment and Environmental Impact Report. The City complied with the West County Action Plan and CCTA technical procedures for preparation of the associated traffic impact study as well as with the notification and circulation of the Environmental Impact Report. Finally, due to the passage of the City's own half-cent sales tax (Measure A) in 2008, the City provided funding of street improvement projects, specifically pavement resurfacing, using non-Measure J funds thus exceeding the minimum funding required by Measure J.

The City Council is required to review and approve the GMP Compliance Checklist for submittal to the CCTA. The GMP Compliance Checklist will then be reviewed by the CCTA's Citizens Advisory Committee and Planning Committee. After review by these two committees, the GMP Compliance Checklist is reviewed for final approval by the CCTA Board.

STRATEGIC PLAN CONSIDERATIONS

The City's compliance with the various components of the Measure J GMP is consistent with El Cerrito Strategic Plan Goal B – *Achieve long-term financial sustainability*. The GMP is designed to help Contra Costa County plan for and accommodate the continued increases in population, households, and jobs that are expected to occur through the year 2035. One of the key principles underlying the GMP is to ensure that future residential, business, and commercial development pay for the transportation facilities required to meet the demands resulting from that growth, while sales tax revenues be used to alleviate existing congestion. This provides a source of funding for required transportation improvements on both a regional and subregional level.

FINANCIAL CONSIDERATIONS

If the CCTA finds the City in compliance with requirements of Measure J for Calendar Years 2014 and 2015, the CCTA will allocate \$435,424 in Fiscal Year 2015-16 funds and a similar amount in Fiscal Year 2016-17 funds. The amounts are subject to change

primarily based on actual sales tax receipts through June 30, 2017. The payment of Fiscal Year 2016-17 funds will occur automatically on the one-year anniversary of the Fiscal Year 2015-16 payment date.

Reviewed by:



Scott Hanin
City Manager

Attachments:

1. Resolution
2. Exhibit A – GMP Compliance Checklist

RESOLUTION NO. 2017-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO APPROVING THE CALENDAR YEARS 2014 AND 2015 GROWTH MANAGEMENT PROGRAM COMPLIANCE CHECKLIST FOR ALLOCATION OF FISCAL YEARS 2015-16 AND 2016-17 MEASURE J, LOCAL STREET MAINTENANCE AND IMPROVEMENT FUNDS BY THE CONTRA COSTA TRANSPORTATION AUTHORITY

WHEREAS, in 1988 Contra Costa County voters approved Measure C imposing a half-cent sales tax to generate revenue for transportation improvement projects over 20 years and approved Measure J in 2004 extending the sales tax for another 25 years; and

WHEREAS, to receive 18 Percent Local Street Maintenance and Improvement (LSM) program funds and to be eligible for funds from the Transportation for Livable Communities program, Measure J requires each jurisdiction in Contra Costa to comply with all components of its Growth Management Program (GMP); and

WHEREAS, the Contra Costa Transportation Authority requires that local jurisdictions complete a biennial Growth Management Program Compliance Checklist (Compliance Checklist) to demonstrate compliance with Measure J; and

WHEREAS, the City has satisfied all requirements necessary to be in compliance with Measure J including those involving implementation of the West County Action Plan for Regional Routes of Regional Significance (2009), continued development mitigation programs; housing options; traffic impact studies; multi-jurisdictional planning; minimum five-year Capital Improvement Program; Transportation Systems Management (TSM) Ordinance; Growth Management Element for General Plan; and Urban Limit Line.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby finds the actions, policies and programs of the City to be in conformance with the provisions of Measure J Contra Costa Growth Management Program and hereby approves the Calendar Years 2014 and 2015 GMP Compliance Checklist, attached and incorporated herein by reference as Exhibit A, for allocation of Fiscal Years 2015-16 and 2016-17 funds.

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

I CERTIFY that at a regular meeting on April XX, 2017 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(E)
Attachment 1

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on April XX, 2017.

Cheryl Morse, City Clerk

APPROVED:

Janet Abelson, Mayor

Compliance Checklist Attachments

Agenda Item No. 4(E)
Attachment 2

Reporting Jurisdiction: City of El Cerrito

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

Measure J Growth Management Program Compliance Checklist

1.	Action Plans	YES	NO	N/A
a.	Is the jurisdiction implementing the actions called for in the applicable Action Plan for all designated Routes of Regional Significance within the jurisdiction?	☒	☐	☐
b.	Has the jurisdiction implemented the following procedures as outlined in the <i>Implementation Guide</i> and the applicable Action Plan for Routes of Regional Significance?			
i.	Circulation of environmental documents,	☒	☐	☐
ii.	Analysis of the impacts of proposed General Plan amendments and recommendation of changes to Action Plans, and	☒	☐	☐
iii.	Conditioning the approval of projects consistent with Action Plan policies?	☒	☐	☐
c.	Has the jurisdiction followed the procedures for RTPC review of General Plan Amendments as called for in the <i>Implementation Guide</i> ?	☒	☐	☐
2.	Development Mitigation Program	YES		NO
a.	Has the jurisdiction adopted and implemented a local development mitigation program to ensure that new development pays its fair share of the impact mitigation costs associated with that development?	☒		☐
b.	Has the jurisdiction adopted and implemented the regional transportation mitigation program, developed and adopted by the applicable Regional Transportation Planning Committee, including any regional traffic mitigation fees, assessments, or other mitigation as appropriate?	☒		☐

Compliance Checklist Attachments

Reporting Jurisdiction: City of El Cerrito

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

3. Housing Options and Job Opportunities	YES	NO
a. Has the jurisdiction prepared and submitted a report to the Authority demonstrating reasonable progress in providing housing opportunities for all income levels under its Housing Element? The report can demonstrate progress by (1) comparing the number of housing units approved, constructed or occupied within the jurisdiction over the preceding five years with the number of units needed on average each year to meet the housing objectives established in its Housing Element; or (2) illustrating how the jurisdiction has adequately planned to meet the existing and projected housing needs through the adoption of land use plans and regulatory systems which provide opportunities for, and do not unduly constrain, housing development; or (3) illustrating how its General Plan and zoning regulations facilitate improvement or development of sufficient housing to meet the Element's objectives. <i>Note: A copy of the local jurisdiction's annual report to the state Department of Housing and Community Development (HCD) is sufficient.</i>	☒	☐
b. Does the jurisdiction's General Plan—or other adopted policy document or report—consider the impacts that its land use and development policies have on the local, regional and countywide transportation system, including the level of transportation capacity that can reasonably be provided?	☒	☐
c. Has the jurisdiction incorporated policies and standards into its development approval process that support transit, bicycle and pedestrian access in new developments?	☒	☐

Compliance Checklist Attachments

Reporting Jurisdiction: City of El Cerrito

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

4. Traffic Impact Studies	YES	NO	N/A
a. Using the Authority's <i>Technical Procedures</i> , have traffic impact studies been conducted as part of development review for all projects estimated to generate more than 100 net new peak-hour vehicle trips? (Note: Lower traffic generation thresholds established through the RTPC's Action Plan may apply).	☒	☐	☐
b. If the answer to 4.a. above is "yes", did the local jurisdiction notify affected parties and circulate the traffic impact study during the environmental review process?	☒	☐	☐
5. Participation in Cooperative, Multi-Jurisdictional Planning	YES	NO	
a. During the reporting period, has the jurisdiction's Council/Board representative regularly participated in meetings of the appropriate Regional Transportation Planning Committee (RTPC), and have the jurisdiction's local representatives to the RTPC regularly reported on the activities of the Regional Committee to the jurisdiction's council or board? (Note: Each RTPC should have a policy that defines what constitutes regular attendance of Council/Board members at RTPC meetings.)	☒	☐	
b. Has the local jurisdiction worked with the RTPC to develop and implement the Action Plans, including identification of Routes of Regional Significance, establishing Multimodal Transportation Service Objectives (MTSOs) for those routes, and defining actions for achieving the MTSOs?	☒	☐	
c. Has the local jurisdiction applied the Authority's travel demand model and <i>Technical Procedures</i> to the analysis of General Plan Amendments (GPAs) and developments exceeding specified thresholds for their effect on the regional transportation system, including on Action Plan MTSOs?	☒	☐	

Compliance Checklist Attachments

Reporting Jurisdiction: City of El Cerrito

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

	YES	NO	
d. As needed, has the jurisdiction made available, as input into the countywide transportation computer model, data on proposed improvements to the jurisdiction's transportation system, including roadways, pedestrian circulation, bikeways and trails, planned and improved development within the jurisdiction, and traffic patterns?	☒	☐	
6. Five-Year Capital Improvement Program	YES	NO	
Does the jurisdiction have an adopted five-year capital improvement program (CIP) that includes approved projects and an analysis of project costs as well as a financial plan for providing the improvements? (The transportation component of the plan must be forwarded to the Authority for incorporation into the Authority's database of transportation projects)	☒	☐	
7. Transportation Systems Management Program	YES	NO	
Has the jurisdiction adopted a transportation systems management ordinance or resolution that incorporates required policies consistent with the updated model ordinance prepared by the Authority for use by local agencies or qualified for adoption of alternative mitigation measures because it has a small employment base?	☒	☐	
8. Adoption of a voter-approved Urban Limit Line	YES	NO	N/A
a. Has the local jurisdiction adopted and continually complied with an applicable voter-approved Urban Limit Line as outlined in the Authority's annual ULL Policy Advisory Letter?	☒	☐	☐

Compliance Checklist Attachments

Reporting Jurisdiction: City of El Cerrito

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

- b. If the jurisdiction has modified its voter-approved ULL or approved a major subdivision or General Plan Amendment outside the ULL, has the jurisdiction made a finding of consistency with the Measure J provisions on ULLs and criteria in the ULL Policy Advisory Letter after holding a noticed public hearing and making the proposed finding publically available? ☐ ☐ ☒

9. Adoption of the Measure J Growth Management Element

YES NO N/A

Has the local jurisdiction adopted a final GME for its General Plan that substantially complies with the intent of the Authority's adopted Measure J Model GME?

☒ ☐ ☐

10. Posting of Signs

YES NO N/A

Has the jurisdiction posted signs meeting Authority specifications for all projects exceeding \$250,000 that are funded, in whole or in part, with Measure C or Measure J funds?

☐ ☐ ☒

11. Maintenance of Effort (MoE)

YES NO

Has the jurisdiction met the MoE requirements of Measure J as stated in Section 6 of the Contra Costa Transportation Improvement and Growth Management Ordinance (as amended)? (See the Checklist Instructions for a listing of MoE requirements by local jurisdiction.)

☒ ☐

12. Submittal of LSM Reporting Form

YES NO

Has the local jurisdiction submitted a Local Street Maintenance and Improvement Reporting Form for eligible expenditures of 18 percent funds covering FY 2013-14 and FY 2014-15?

☒ ☐

Compliance Checklist Attachments

Reporting Jurisdiction: City of El Cerrito

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

13. Other Considerations

YES

NO

N/A

If the jurisdiction believes that the requirements of Measure J have been satisfied in a way not indicated on this checklist, has an explanation been attached below?

☐☐☒

14. Review and Approval of Checklist

This checklist was prepared by:



Signature

3/24/17

Date

Yvette Ortiz, Public Works Director

Name & Title (print)

(510) 215-4382

Phone

yortiz@ci.el-cerrito.ca.us

Email

The City Council of the City of El Cerrito has reviewed the completed checklist and found that the policies and programs of the jurisdiction as reported herein conform to the requirements for compliance with the Contra Costa Transportation Improvement and Growth Management Program.

Certified Signature (Mayor or Chair)

Date

Janet Abelson, Mayor

Name & Title (print)

Attest Signature (City Clerk)

Date

Cheryl Morse

Name (print)

Compliance Checklist Attachments

Reporting Jurisdiction: City of El Cerrito

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

Supplementary Information (Required)

1. Action Plans

- a. *Please summarize steps taken during the reporting period to implement the actions, programs, and measures called for in the applicable Action Plans for Routes of Regional Significance:*

The City of El Cerrito has taken numerous actions to implement the West County Action Plan for Routes of Regional Significance. Please see **Attachment 1**.

- b. *Attach, list and briefly describe any General Plan Amendments that were approved during the reporting period. Please specify which amendments affected ability to meet the standards in the Growth Management Element and/or affected ability to implement Action Plan policies or meet Traffic Service Objectives. Indicate if amendments were forwarded to the jurisdiction's RTPC for review, and describe the results of that review relative to Action Plan implementation:*

Attached as **Attachment 2** are the Amendments to the 1999 General Plan to Implement the San Pablo Avenue Specific Plan (SPASP). The SPASP along with the Complete Streets chapter of the SPASP is in compliance with the RTPC goals. The city has followed the procedures for RTPC review of the GPA as called for in the *Implementation Guide* by creating a Technical Advisory Group (TAG) to confer on the proposed San Pablo Avenue Complete Street Plan infrastructure improvements and MMLOS policies. The TAG has consisted of staff from Caltrans, AC Transit, BART, Contra Costa County Health Division, East Bay Bicycle Coalition, Richmond and Albany. City staff has also been actively involved in the update to the WCCTAC Action Plan where Multimodal Transportation Service Objectives (MTSOs) are established for all routes of regional significance, such as San Pablo Avenue. City council adopted the SPASP and Environmental Impact Report Certification in 2014 after seven years of planning and development with the TAG, see the agenda bill and supporting resolutions in **Attachment 2**.

Provide a summary list of projects approved during the reporting period and the conditions required for consistency with the Action Plan:

The sole project was the San Pablo Avenue Specific Plan, adopted in September 2014. The Plan developed and met multimodal performance measures for pedestrians, bicyclists,

Compliance Checklist Attachments

Reporting Jurisdiction: City of El Cerrito

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

transit and automobiles and prioritized transit and pedestrian modes of travel when trade-offs where necessary. The multimodal performance measure were consistent with those adopted in the Action Plan.

The Complete Streets element of the Plan provides general direction for the design of the public right-of-way along the Specific Plan area, as well as, identifies a range of multimodal improvements to help transform the area into a transit-friendly, walkable and bikeable corridor while at the same time addressing congestion hot-spots for automobile traffic. The existing right-of-way and traffic volumes vary along San Pablo Avenue, and therefore the Plan calls for varying improvements throughout the length of San Pablo Avenue. For example, in some of the more constrained right-of-way widths along San Pablo Avenue, such as the Downtown and Uptown section, it will not be possible to provide optimum facilities for all travel modes and when trade-offs are necessary, the Complete Streets Plan is prioritizing transit and pedestrian modes of travel. This is due to the corridor's importance as a transit route and as the City's main commercial and mixed-use corridor where walking between various uses and to transit are key. While transit and pedestrian modes are prioritized in the Plan, bicycle facilities are not allowed to remain with low service levels if measures to improve them exist such as in Mid-town where buffered bicycle lanes can be accommodated while maintain acceptable levels of service for all other modes including automobiles. The Complete Streets improvements will be achieved through coordinated implementation by the City, private developers, regional transit agencies and Caltrans.

2. Development Mitigation Program

- a. *Describe progress on implementation of the regional transportation mitigation program:*

The City adopted a revised Subregional Transportation Mitigation Program ordinance in 2006. Corresponding fees are part of the City's adopted Master Fee Schedule, and are collected at the issuance of building permits.

3. Housing Options and Job Opportunities

- a. *Please attach a report demonstrating reasonable progress in providing housing opportunities for all income levels. (Note: A copy of the local jurisdiction's annual report to the state Department of Housing and Community Development (HCD) is sufficient).*

Please see attached **Attachment 3**.

Compliance Checklist Attachments

Reporting Jurisdiction: City of El Cerrito

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

- c. *Please attach the jurisdiction's adopted policies and standards that ensure consideration of and support for walking, bicycling, and transit access during the review of proposed development.*

Please see attached **Attachment 3**.

4. **Traffic Impact Studies**

Please list all traffic impact studies that have been conducted as part of the development review of any project that generated more than 100 net new peak hour vehicle trips. (Note: Lower traffic generation thresholds established through the RTPC's Action Plan may apply). Note whether the study was consistent with the Authority's Technical Procedures and whether notification and circulation was undertaken during the environmental review process.

The sole project was the San Pablo Avenue Specific Plan, adopted in September 2014. The project net trip generation was estimated to be 740 AM peak hour trips and 1,590 PM peak hour trips. The traffic study was consistent with the Authority's Technical Procedures and notification and circulation was undertaken during the environmental review process including the following WCCTAC agencies directly in addition to WCCTAC: City of Richmond, Contra Costa County Conservation and Development Department, BART, and AC Transit.

5. **Participation in Cooperative, Multi-Jurisdictional Planning**

No attachments necessary.

6. **Five-Year Capital Improvement Program**

Please attach the transportation component of the most recent CIP version, if the Authority does not already have it. Otherwise, list the resolution number and date of adoption of the most recent five-year CIP.

Refer to **Attachment 4**. The latest CIP adopted by El Cerrito City Council during the CY 2014 and 2015 period was under Resolution 2014-26, dated June 18, 2014.

7. **Transportation Systems Management Program**

Please attach a copy of the jurisdiction's TSM ordinance, or list the date of ordinance or resolution adoption and its number.

Compliance Checklist Attachments

Reporting Jurisdiction: City of El Cerrito

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

Refer to **Attachment 5** for City of El Cerrito Ordinance 98-2 dated May 4, 1998.

8. Adoption of a voter-approved Urban Limit Line

The local jurisdiction's adopted ULL is on file at the Authority offices. Please specify any actions that were taken during the reporting period with regard to changes or modifications to the voter-approved ULL, which should include a resolution making a finding of consistency with Measure J and a copy of the related public hearing notice.

No actions were taken during this reporting period with regard to the voter-approved ULL.

9. Adoption of the Measure J Growth Management Element

Please attach the adopted Final Measure J Growth Management Element to the local jurisdiction's General Plan.

There have been no updates to the previously submitted Growth Management Element. See **Attachment 6**.

10. Posting of Signs

Provide a list of all projects exceeding \$250,000 within the jurisdiction, noting which ones are or were signed according to Authority specifications.

There were no projects under construction exceeding \$250,000, funded in whole or in part by Measure C/J/

11. Maintenance of Effort (MoE)

Please indicate the jurisdiction's MoE requirement and MoE expenditures for the past two fiscal years (FY 2013-14 and FY 2014-15). See the Instructions to identify the MoE requirements.

Compliance Checklist Attachments

Reporting Jurisdiction: City of El Cerrito

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

The MoE Requirement for the City of El Cerrito, which is based on average annual amount of transportation expenditures based on amendments made in 1997, is \$464,912.

- \$1,081,349 in FY 2013-14
- \$685,793 in FY2014-15

12. Submittal of LSM Reporting Form

Please see **Attachment 7** for the LSM Reporting Form for FY 2013-14 and 2014-15.

13. Other Considerations

Please specify any alternative methods of achieving compliance for any components for the Measure J Growth Management Program

None.

Attachment 1 – West County Action Plan Implementation

City of El Cerrito Measure J Growth Management Program Checklist for FY 2015-16 and 2016-17 Reporting Period CY 2014 and 2015

The City of El Cerrito has taken the actions summarized in the table below to implement the 2009 West County Action Plan for Routes of Regional Significance. The actions listed are the responsibility of local agencies on a region-wide basis as well as those related to Routes of Regional Significance in El Cerrito, which include San Pablo Avenue, Central Avenue and Carlson Boulevard.

Action #	Area-wide Actions	City Implementation
2.i	Maintain pavement management systems/schedules to manage and monitor pavement needs.	In 2008, El Cerrito residents passed Measure A, "El Cerrito Pothole Repair, Local Street Improvement and Maintenance Measure", which is a half-cent sales tax to provide dedicated funding for a comprehensive street pavement repair and maintenance program for City streets. Prior to 2008, the City faced a backlog of street maintenance and repairs. The Measure A accelerated work plan was a multi-year, intensive program designed to improve El Cerrito's street system and to complete the repairs in the most efficient and quickest way possible. The Measure A accelerated work plan involved repairing or resurfacing at least 70% of local streets in El Cerrito within four years. The City uses the standard Pavement Condition Index (PCI) to rate streets on a 100-point scale, with failed streets rated at 0 and excellent streets at 100. A goal of the Measure A program was to raise the City's average PCI rating from about 52 in 2007 to about 70 by 2012. This goal was surpassed in 2010 when the City achieved a score of 85. As of 2015, the City of El Cerrito is among the top three cities in Bay Area for pavement conditions and was recently awarded the "2015 Best All-Around Pavement Management Program" Award from the Metropolitan Transportation Commission (MTC). The award recognizes the City's sustained investment in our roads and the greatest improvement in pavement conditions of any Bay

Action #	Area-wide Actions	City Implementation
		Area city over the last several years. In 2014 and 2015, using the City's Measure A funds, the City continued to provide on-going street maintenance and rehabilitation program to ensure the streets remain in good pavement condition and to address a handful of streets that remain in the poor category. The City completed the 2013/2014 Street Improvement Program (which leveraged State funds), 2014 Pavement Rehabilitation Project (which leveraged federal OBAG funds), and the 2015 Slurry Seal and Curb Ramp Project.
2.ii	Seek funding for roadway maintenance.	The City regularly participates in WCCTAC discussions regarding various issues including ways to increase revenue to maintain transportation facilities. In late 2015, the City adopted Resolution No. 2015-60 urging the State of California Governor and Legislature to provide sufficient and stable sources of funding for local and state transportation infrastructure to ensure the safe and efficient mobility of the traveling public and the economic vitality of California. As indicated under Action 2.i, the City's Measure A funds are also an on-going source of funds for roadway maintenance.
4.i	Support and seek increased transit service funding for, but not limited to, the following: • Improve cross-county service and coordination. • Expand bus service to/from Pinole, Hercules, Rodeo, and Crockett. • Procure and operate vehicles for expanded services and neighborhood feeders. • Improve service to new developments and emerging markets (e.g. aging population). • Address under-served, low-income transit needs (e.g. welfare-to-work program). • Educate and encourage transit ridership to reduce environmental impacts. • Install and monitor bus signal priority systems to increase	In 2014, the City adopted the San Pablo Avenue Specific Plan including the Complete Streets Plan to develop a multi-modal vision for San Pablo Avenue. AC Transit, among other agencies, served on the Technical Advisory Committee. The Plan introduced multi-modal performance metrics, prioritized transit use and walking as modes of travel, identified transit-oriented improvements, most specifically far-side bus platforms, and is projected to result in travel time reductions for AC Transit buses. The Plan serves as an important tool for the City to seek funding for these improvements. In 2014 and 2015, City staff participated in the AC Transit Major Corridors study specifically serving on the Technical Advisory Committee. The study consisted of a review of AC Transit service, infrastructure, and policies to create a near and long-term vision for investment. San Pablo Avenue was

Action #	Area-wide Actions	City Implementation
	bus schedule reliability and maintain traffic flow. • Improve bus stop and bus shelter security. • Provide and maintain bus stops with lighting, shelters, telephones, trash/recycling receptacles, bus pads, information kiosks with advanced traveler information systems (ATIS) capabilities, and directional/transit signage. • Ensure that all students have a barrier free travel route to school. • Prioritize short- and long-term service improvement options such as a wBART extension, light rail, additional commuter rail, or additional express buses in the I-80 corridor. • Plan and implement local, regional, and express bus improvements. • Expand bus service along Richmond Parkway to close existing service gaps. • Implement ten-minute all day frequencies on the San Pablo Avenue corridor from the El Cerrito del Norte BART station to AC • Transit's northern terminus. • Extend hours of transit service and improve frequency.	one of the corridors on which the study focused. The City also continued to participate in the I-80 Integrated Corridor Mobility Project, a multiagency effort to ease congestion on Interstate 80. This project is an effort of Caltrans in cooperation with ten municipalities, two transit agencies and four regional agencies. It provided several HOV lanes at the newly install ramp meters along the corridor.
5.i	Develop a bicycle and/or pedestrian plan for West County using the update to the County-wide Bicycle and Pedestrian Plan as a baseline for analysis.	In 2014 and 2015, the City, with funding from the Metropolitan Transportation Commission's Transportation Development Act Article 3 Pedestrian and Bicycle Project program, was developing an Active Transportation Plan, which served as a comprehensive update to the 2007 Circulation Plan for Bicyclists and Pedestrians. Intended to reflect current best practices, the update builds off the City's 2009 ADA Transition Plan, and 2013 Climate Action Plan, and takes into account the 2009 County-wide Bicycle and Pedestrian Plan, City of Richmond's Bicycle Master Plan and the City of Albany's Active Transportation Plan. The Active Transportation Plan includes nine detailed projects, revised bicycle and pedestrian networks, a policy toolkit and program framework to make walking and biking easier in

Action #	Area-wide Actions	City Implementation
		El Cerrito.
5.ii	Continue focus on ADA compliance for pedestrians (e.g., improvements for the visually impaired).	In 2014 and 2015, the City completed construction and/or began construction on various projects that included installation and modification of curb ramps and repair or installation of sidewalk to improve accessibility including the following projects:: • 2015 Slurry Seal and Curb Ramp Program, including the installation and/or modification of curb ramps on Arlington Blvd – Barrett to Cutting, Kearney at Wall, Tamalpais at Jordan, Terrace Drive Hancock to Stockton, and San Diego Street – Belmont to Yosemite. • 2014 Pavement Rehabilitation Project, including the installation and/or modification of curb ramps on Colusa Avenue – Terrace Drive to Errol Drive, Fairmount Avenue – Richmond Street to Colusa Avenue, Manila Avenue – Richmond Street to Kearney Avenue, and Arlington Blvd – Arbor Drive to Villa Nueva Drive • 2013/2014 Street Improvement Program, including the installation and/or modification of curb ramps on 15 street segments including Bay Tree Lane, Carquinez Ave, Cutting Blvd, Edwards Ave, Jordan Ave, Julian Dr/Ct, Knott, Potrero, Regency, Scott, Tamalpais, Yuba and Waldo. The City has an annual Access Improvement Program to implement ADA improvements in the public right-of-way per the City's 2009 ADA Transition Plan. This program was coordinated with various projects listed above. Specific locations and scopes of work are determined based on guidance from the City's ADA Working Group. Additionally, in 2014 and 2015, the City completed construction on various projects that included other pedestrian safety improvements including the following: • Ohlone Greenway Major Street Crossing Safety Improvements Project at Cutting, Potrero, Moeser, Stockton and Central; and • Ohlone Greenway Natural Area and Rain Gardens (Fairmount to

Action #	Area-wide Actions	City Implementation
		Brighton Avenues) Project.
5.iii	Work with CCTA and MTC to seek funding for bicycle and pedestrian improvements to: • Complete the San Francisco Bay Trail and connectors between Alameda County and the Carquinez Bridge. • Close gaps in the pedestrian system through installation of improvements such as crosswalks, sidewalks, curb cuts, islands or “holding areas”, and bus shelters. • Support streetscape enhancements, where feasible, and maintenance funding. • Study bicycle and pedestrian safety enhancements at the Point Molate/Bay Trail/Chevron property near the Richmond-San Rafael Bridge toll plaza.	In 2014, the City adopted the San Pablo Avenue Specific Plan including the Complete Streets Plan to develop a multi-modal vision for San Pablo Avenue. The Plan includes design standards and guidelines to ensure that Complete Streets are provided for pedestrians and bicyclists. The design standards and guidelines are the articulation of the City’s intent to transform its streetscapes into public spaces that provide a high level of service for all users, thereby creating places for living, walking and biking and not just driving. The core principals of these standards and guidelines are to: A. Design to accommodate all users B. Design using the appropriate speed for the surrounding context C. Design for safety D. Create new types of street environments that reflect the values and desires of all users As part of the above effort, in 2015, the City developed a Multi-Modal Capital Improvement Program (CIP) within a ½ mile of both BART station. The CIP included a funding strategy for implementation of pedestrian and bicycle improvements. The Plan and the Multi-Modal CIP serve as important tools for the City to seek funding for these improvements. Also, in 2014 and 2015, the City, continued development of an Active Transportation Plan, which served as a comprehensive update to the 2007 Circulation Plan for Bicyclists and Pedestrians and included pedestrian and bicycle design considerations on a citywide basis. It includes a funding strategy for implementation of various projects, and also serves as an important tool for the City to seek funding. One of the goals of the Active Transportation Plan is to enhance access through and across key barriers, such as freeway interchanges and to achieve goals such as improved Bay Trail access, pursue multi-jurisdictional

Action #	Area-wide Actions	City Implementation
		funding applications with neighboring cities and other potential partners, including BART, East Bay Regional Park District, City of Richmond, City of Albany, Contra Costa County, AC Transit, and Caltrans. The plan's recommended actions are the following: • Establish a policy for pedestrian crossings at barrier locations, such as safe crossing every ¼ or ½ mile • Implement the San Pablo Avenue Specific Plan to addresses San Pablo Avenue as a barrier • Collaborate with the City of Richmond and Caltrans to address I-80 barriers Under the Active Transportation Plan, one of the detail project concepts developed was a connection to the Bay Trail via Central Avenue as well as several other streets and paths. The project concept includes various improvements including a Class I trail underneath the freeway overpass. Also, in 2014 and 2015, the City of El Cerrito continued to work in concert with the City of Richmond on the Richmond-Ohlone Greenway Gap Closure Project. The project includes the third phase of the Richmond Greenway Project, which will provide a continuous bicycle and pedestrian pathway from South Garrard Boulevard and the Richmond Parkway in Richmond to San Pablo Avenue in El Cerrito. The project results in connecting the San Francisco Bay Trail at the west with the Ohlone Greenway in El Cerrito at the east. The project improvements includes installation of the new multi-use trail, a new crosswalk and traffic signal on San Pablo Avenue, and a new bridge over realigned Baxter Creek as well as associated improvements and landscaping.
A.i	Encourage adoption of General Plan components that: • Support a jobs/housing balance. • Support the preservation of open space and in-fill developments. • Support high-density transit oriented development of	In 2014, the City adopted the San Pablo Avenue Specific Plan, which is intended to prioritize the del Norte and Plaza BART Areas as two key nodes for higher-intensity, transit-oriented development. The San Pablo Avenue Specific Plan integrated the Complete Streets Plan, and Programmatic Environmental Impact Report. In addition, in 2015, the City continued

Action #	Area-wide Actions	City Implementation
	residential, commercial, and mixed use development, especially around rail stations and transit hubs. • Incorporate transit-supporting goals and policies in the circulation element, such as designation of a network of transit streets. • Monitor development and implement projects on or near the San Pablo Avenue corridor and the El Cerrito BART stations, as a designated ABAG FOCUS Priority Development Area.	development of a Multi-Modal Capital Improvement Program (CIP) within a ½ mile of both BART stations. The Complete Streets Plan and Multi-Modal CIP are partially funded by Measure J TLC and Measure J TOD Access Improvements at El Cerrito Plaza and del Norte BART Stations Project, respectively. The San Pablo Avenue Specific Plan (SPASP) facilitates the development of high-density housing and new commercial spaces. The Specific Plan area has long been designated for development. The SPASP's new Form-Based Code (FBC) significantly increased the allowed building heights, decreased parking requirements and eliminated maximum densities to create inviting mixed-use, walkable, and bikeable neighborhoods around transit. The ability for the City to adopt integrated performance measure that supports current and future multimodal mobility needs is not only supportive of the City's goals for reducing vehicle-miles traveled and achieving a balanced transportation system, but makes pursuing TOD a more feasible.
C.i	Work with schools/Districts to prepare a needs assessment of the sidewalk and bicycle facilities along school routes to promote safe access to schools.	In 2014, City staff participated in the needs and resource assessment portions of CCTA's SR2S Master Plan by providing project descriptions and cost information, and reviewing various reports. In 2015, the City applied for and fortunately received technical assistance from the CCTA's consultant for a Safe Routes to School assessment for Korematsu Middle School's new campus. The City of El Cerrito sought to encourage walking and biking as a mode of transportation to the new middle school campus in order to reduce typical automobile congestion around middle schools, as well as, to fulfill various goals of the City's Strategic Plan, Climate Action Plan, and Active Transportation Plan, which all support biking and walking as being practical, healthy, and environmentally-sustainable modes of transportation. Based on this assessment, in late 2015, the City subsequently applied for a TDA, Article 3 grant funding for implementation of crosswalk improvements and a portion of a bicycle boulevard leading to the school.
C.ii	Continue support of Street Smarts Program to promote	In 2014 and 2015, the City worked with Contra Costa County Health Division

Action #	Area-wide Actions	City Implementation
	increase in public safety education and reduction in pedestrian and bicycle injury incidents and actively seek State and Federal Safe Routes to School and Safe Routes to Transit grant funding.	to support Safe Routes to School Programs in El Cerrito. The program provides public education about pedestrian and bicycle safety to school age children. The Active Transportation Plan, under development, included the following goal and objectives: Goal 4: Support infrastructure investments with targeted bicycle and pedestrian education, encouragement, enforcement, and evaluation programs Policy 4-1: Coordinate with the El Cerrito Police Department, Bike East Bay, and Contra Costa Health Services Safe Routes to School Program to provide funding and support for the expansion of education, encouragement, enforcement, and evaluation programs recommended in this Plan. Policy 4-2: Identify funding gaps, volunteer support needs, and community champions within bicycle and pedestrian outreach programs. Policy 4-3: Conduct bicycle and pedestrian counts and surveys whenever vehicle counts are conducted to gauge the effectiveness of various improvements and programs and to develop a monitoring program. Store the count data in City-maintained databases. The Plan includes a funding strategy for implementation of various projects, and also serves as an important tool for the City to seek State and Federal grant funding.

Action #	I-80 Actions	City Implementation
2.i	Identify full funding for the I-80 interchanges with San Pablo Dam Road, Central Avenue, and State Route 4, including funding for long-term operations and maintenance.	Refer to Area-wide Action 2.ii
2.ii A.i	Utilize the I-80 ICM project to enhance the current Transportation Management System along the I-80 Corridor by using State of the Practice solutions to build an integrated, balanced, responsive and equitable system that will monitor and maintain optimum traffic flow along the network to	In 2014 and 2015, the City of El Cerrito collaborated with Caltrans, Alameda CTC and CCTA to implement the I-80 Integrated Corridor Mobility Project, also known as the I-80 SMART Corridor Project. The I-80 Smart Corridor Project is one of the most sophisticated Intelligent Transportation Systems in the state, is implementing a network of integrated electronic signs, ramp

Action #	I-80 Actions	City Implementation
	regulate speed, reduce delays, and reduce incidents to improve the safety and mobility for all users.	meters and other state-of-the-art elements between the Carquinez Bridge and the Bay Bridge to enhance motorist safety, improve travel time reliability and reduce accidents and associated congestion. Real-time traffic information, such as variable speed signs and blocked lane signs, will allow drivers to make informed decisions in the event of an incident. Additional improvements include real-time ramp metering on 44 on-ramps to reduce merging conflicts and manage traffic volumes on I-80. Ramp meters and real-time message signs along the corridor will contribute to optimized roadway operations and improved safety, and will be integrated with, and managed from, the Traffic Management Center at the Caltrans Bay Area headquarters in Oakland. The City previously entered into the I-80 Integrated Corridor Mobility Project, Memorandum of Understanding (MOU) between all project stakeholders to support the implementation of active traffic management measures including ramp metering and lane use control on the freeway and trailblazer signs, signal coordination and intersection operational improvements along and near San Pablo Avenue and Central Avenue to improve overall corridor mobility and minimize impacts on local streets. In late 2014, the City entered into I-80 Integrated Corridor Mobility Project Operations and Maintenance Cooperative Agreement No. 07W.04 between the CCTA and local jurisdictions along the corridor for funding the operations and maintenance (O&M) of project components.
B.i	Partner with participating agencies to complete design, funding, and construction of I-80 interchanges with San Pablo Dam Road, Central Avenue, and SR-4.	CCTA initiated work on a Project Study Report in late 2006 to analyze access improvements from/to I-80 at Central Avenue. Sixteen alternatives were examined but were later dropped due to public input, limited benefits, significant community impacts and high cost. Instead, two smaller projects were recommended that would provide near term congestion relief and improved traffic operations: A near-term "Operational Modifications Project" and a longer-term "Local Roads Realignment Project". In 2014 and 2015, the City of El Cerrito continued to partner with the CCTA and City of Richmond to complete design for the near-term "Operational Modifications

Action #	I-80 Actions	City Implementation
		Project". This includes, in late 2014, entering into a Cooperative Agreement No. 07W.02 between the CCTA, the City of El Cerrito, and the City of Richmond to complete Plans, Specifications and Estimate (final design), perform a before and after traffic study, and perform design services during construction for the I-80/Central Avenue Operational Improvements Project (Phase 1) This "Operational Modifications Project" aimed at eliminating the blockage of through traffic along westbound Central Avenue caused by vehicles turning left onto I-80 westbound (toward SF). During weekend peak hours (11 am – 3 pm) and through the use of mainly electronic signs, the project will redirect this traffic turning left from westbound Central Avenue to use the I-580 eastbound on-ramp at Rydin Road. The project will also replace the all-way STOP signs at the I-580 ramps with coordinated traffic signals.
C.i	Complete initial planning process for El Cerrito del Norte BART station and El Cerrito Plaza TOD.	Refer to Area-wide Action A.i. In addition, the city is working on obtaining funding for the Del Norte TOD Infrastructure Improvements project and is in coordination with the San Pablo Avenue Specific Plan/Complete Streets Plan. The project includes planning, engineering and construction of various public infrastructure improvements to facilitate transit-oriented development in the Del Norte Area including parking facilities; bicycle, pedestrian, and/or bus transit access improvements; signage; lighting; improvements to station access or station waiting areas; ADA improvements; improvements to adjacent streets, street crossings, or signals; and/or Ohlone Greenway improvements. Future efforts will build on the San Pablo Ave Specific Plan/Complete Streets Plan and BART Plan.

Action #	San Pablo Avenue Actions	City Implementation
1.i	Study traffic improvement and management options to discourage diversion from I-80 and encourage diverted traffic to return to I-80 on the next downstream feeder road. Clearly identify feeder roads to motorists that will take them back to I-80, particularly at Appian Way, Hilltop Drive, El Portal Drive, and San Pablo Dam Road. Include study of diversion traffic and reduction in diversion traffic as part of the I-80 ICM project and San Pablo SMART corridor.	Refer to I-80 Action 2.ii. Specific improvements along San Pablo Avenue as part of the I-80 Integrated Corridor Mobility Project have included trailblazer signs, intersection operational improvements, and signal coordination. These improvements are intended to reduce impacts of diverted traffic.
A.i	Work with the CCTA and MTC to seek funding to: • Develop bike route links to the Bay Trail such as the Richmond Greenway, Wildcat Creek Trail, Pinole Valley Road, and John Muir Parkway as alternate bicycle facilities to San Pablo Avenue. • Improve bicycle and pedestrian access to the West County BART stations.	Refer to Area-wide Action 5.iii. Also, in 2015, the city awarded a contract for the design of the Ohlone Greenway BART Station Access, Safety and Placemaking Improvements Project. The goals of the project are to: improve bicycle and pedestrian routes leading to transit, commercial nodes and housing; bring new vibrancy to the areas around the BART stations to encourage housing development specifically within a regionally-designated Priority Development Area; increase safety and accessibility for BART riders and Greenway users; and improve the integration of the El Cerrito Plaza and El Cerrito del Norte BART Stations with the surrounding community. In 2015, the city was awarded grant funding from the CCTA's Measure J Transportation for Livable Communities and the State's Affordable Housing & Sustainable Communities Program for the Ohlone Greenway Pedestrian & Bicycle Wayfinding Project. The project will improve the well-used Ohlone Greenway, which runs along the eastern edge of the San Pablo Avenue corridor. The project scope includes installation of comprehensive bicycle and pedestrian signage and amenities along the entire length of the Ohlone Greenway. The project will cost-effectively enhance the access, safety, security and convenience for pedestrians and bicyclists by providing clear information and direction to and from key destinations - two BART stations, AC Transit bus stops, schools and community facilities, and directly serves the San Pablo Avenue Priority Development Area.

Action #	San Pablo Avenue Actions	City Implementation
C.i	Complete a corridor-wide specific plan for San Pablo Avenue through coordination of each partner jurisdiction, building upon the specific plans prepared by the cities of Richmond and El Cerrito as well as the County of Contra Costa (and potentially San Pablo).	Refer to Area-wide Action A.i, and I-80 Action C.i.
D.i	Partner with ABAG on development of San Pablo Avenue, El Cerrito del Norte BART station, Hercules New Town Center, and Hercules Waterfront as well as other Priority Development Areas.	Since 2014, the City has been coordinating with BART on its El Cerrito del Norte BART Station Modernization Plan. The Plan envisions improvements to upgrade and modernize the station's function, safety, capacity, sustainability, and appearance, and improve the customer and employee experience. In 2015, the City received a presentation at a council meeting from BART Planning + Development regarding the El Cerrito del Norte BART Station Improvement Plan. Concurrently, the city has been working with BART to improve the Ohlone Greenway at the El Cerrito del Norte and El Cerrito Plaza BART stations as part of the Ohlone Greenway Access, Safety & Placemaking Improvements Project. The goals of the project are to: improve bicycle and pedestrian routes leading to transit, commercial nodes and housing; bring new vibrancy to the areas around the BART stations to encourage housing development specifically within a regionally-designated Priority Development Area; increase safety and accessibility for BART riders and Greenway users; and improve the integration of the El Cerrito Plaza and El Cerrito del Norte BART Stations with the surrounding community.
F.i	Seek funding for SMART Corridors O&M.	Refer to I-80 Action 2.ii

Action #	Central Ave. Actions	City Implementation
1.i	Seek grant funding to develop and implement a signal coordination plan for Central Avenue between the intersections of San Pablo Avenue and I-580.	Refer to I-80 Action 2.ii. Specific improvements along Central as part of the I-80 Integrated Corridor Mobility Project have included trailblazer signs, intersection operational improvements, and signal coordination.
A.i	Plan, design, fund, and implement improvements to I-80/Central Avenue interchange.	Refer to I-80 Action B.i.

Action #	Cutting Blvd. Actions	City Implementation
1.i	Continue study of improvements at the intersection of Cutting Boulevard and San Pablo Avenue and the adjacent intersection of Cutting Boulevard and I-80 with the following focus areas: • Mitigate impacts of any new development project near this location. • Improve intersection vehicular and bus congestion through signal timing and coordination. • Improve intersection pedestrian and bicycle safety through consolidation, removal, or improvement of existing crossing locations.	In 2014, the City adopted the San Pablo Avenue Specific Plan including the Complete Streets Plan to develop a multi-modal vision for San Pablo Avenue. The Complete Streets element provides general direction for the design of the public right-of-way along the Specific Plan area, as well as, identifies a range of multimodal improvements to help transform the area into a transit-friendly, walkable and bikeable corridor while at the same time addressing congestion hot-spots for automobile traffic, which includes the intersection of San Pablo Avenue and Cutting Blvd. The Complete Streets improvements will be achieved through coordinated implementation by the City, private developers, regional transit agencies and Caltrans. In addition, in 2015, the San Pablo Avenue Multi-Modal Capital Improvement Program (CIP) provided conceptual design for pedestrian and bicycle improvements on Cutting Boulevard approaching and under the I-80 Overcrossing.

AMENDMENTS TO THE 1999 GENERAL PLAN TO IMPLEMENT THE SAN PABLO AVENUE SPECIFIC PLAN

These amendments supersede the text in the 1999 General Plan

AMENDED 2014

CHAPTER 2: STRATEGIC APPROACH

Page 2-4

5. San Pablo Avenue Specific Plan

Page 2-6

Primary Action Strategies: San Pablo Avenue Specific Plan

Page 2-12

5. San Pablo Avenue Specific Plan

... The San Pablo Avenue Corridor contains El Cerrito's main north-south arterial, with extensive commercial development based on automobile access. This development pattern is consistent with development along San Pablo Avenue as it continues through the neighboring communities of Richmond, Albany, and Berkeley. The San Pablo Avenue Specific Plan, including Form-Based Code, Complete Streets Plan and Infrastructure Analysis, provides direction for the enhancement of existing business and the development of new business opportunities. These improvements will create an attractive and functional development pattern that meets today's retail and office needs.

The Form Based Code addresses transit-oriented mixed-use commercial development, high-density residential uses, public spaces, and streetscapes design. Plan guidelines address density and development intensity, parking, multimodal access and circulation, signage, open space and setback requirements, land use buffer areas, and building design and image characteristics.

Complete Streets guidelines recommend the use of landscaping, street furniture, and lighting to improve the experiences of pedestrian, bicycle, transit and automobile users of San Pablo Avenue. The pedestrian experience will be further improved by creating public open spaces such as pocket parks, plazas, midblock connections, greenways, and repurposed and temporary open spaces, and creating a stronger buffer between the sidewalk and automobile traffic. Streetscape design guidelines include standards for pedestrian crossing and intersection design, sidewalk widths, street tree planting, and other functional issues such as ease of movement, pedestrian safety and security, and accessibility.

Responsible Organization: City of El Cerrito

Participating Organizations: City of Richmond

Caltrans
West Contra Costa Transportation Advisory Committee
(WCCTAC)
AC Transit

Time Frame: Mid-Term (3-5 years)

Potential Funding Sources: City of El Cerrito
Caltrans
Various regional, State and federal grants

CHAPTER 4: COMMUNITY DEVELOPMENT AND DESIGN

Page 4-4

Growth Strategy

This General Plan calls for a balanced growth strategy with emphasis on retail and office uses. In 1999, the Plan assumes that all commercial growth and most residential growth will take place within the San Pablo Avenue corridor. Specifically, the Plan assumes 189,350 square feet of additional retail space, 166,570 square feet of additional office space, and 775 new housing units. More specifically, in 2014, the development regulations of the San Pablo Specific Plan would result in a net new development capacity of 1706 new dwelling units and 243,112 square feet of new commercial space by the year 2040. The only development assumed to be outside the Specific Plan area are 90 housing units, which represent a combination of accessory units and infill of vacant lots.

Page 4-6

footnote to Table 4-1: Land Area by Type of Use,

***In 2014, the 174. San Pablo Avenue Specific Plan area in El Cerrito includes: 29.4 acres of Residential, 108.5 acres of Commercial, 5.2 acres of Mixed-Use, 12.2 acres of Public, 4.9 acres of Parks, 10.6 acres of Parking and 3.2 acres of vacant land. The Plan re-zones all parcels within the Plan area to Transit-Oriented Mixed-Use and includes reduced automobile parking standards and privately-owned public open space requirements.*

Page 4-12

San Pablo Avenue Specific Plan Area

The San Pablo Avenue Specific Plan articulates a vision for the future of San Pablo Avenue, identifies improvements, and adopts context-sensitive regulations that can be applied along its length and to adjacent areas. The Plan's Form-Based Code regulates land use and development standards based on Transect Zone, Transit-Oriented High-Intensity Mixed Use (TOHIMU) and Transit-Oriented Mid-Intensity Mixed-Use (TOMIMU), designed to encourage vertical and horizontal mixed-use. The TOHIMU zone emphasizes commercial uses on the ground floor with upper residential uses to activate the pedestrian right-of-way and cluster services near transit nodes. The TOMIMU zone allows for "flex" spaces on the bottom floors to accommodate ground floor

commercial where needed, but emphasizing mid-intensity residential uses to increase housing along the transportation corridor to encourage walking, biking and public transit use.

Page 4-13

Development Densities and Intensities

The density and intensity ranges for the above land use categories are as shown on Table 4-2. Residential and mixed-use projects shall comply with both the floor-area ratio (FAR) requirements and the density requirements, except that the FAR for projects built pursuant to state-mandated density bonuses may be increased beyond the city's allowable limits if necessary to accommodate the increased density. Projects located within the San Pablo Avenue Specific Plan Area will not have to comply with FAR requirements, but will instead be regulated by form-based regulations including a maximum building height, ground floor and upper floor setbacks, and open space requirements. Projects consistent as an affordable housing project as defined by State law are eligible for a height increase.

Page 4-14

For purposes of interpreting Table 4-2, the following definitions apply:

- Density is the number of permanent residential dwelling units per total net acre of land in the development site, except in the San Pablo Avenue Specific Plan Area where density is defined in terms of height.
- Floor area ratio (FAR) is the gross floor area, excluding the area devoted exclusively to parking, divided by the total net area of the development site.
- Incentives may include density bonuses, FAR bonuses, and other benefits that the City may grant in return for special benefits provided by the development project to the City; density and FAR bonuses may only be given pursuant to the criteria contained in the City's zoning or other land use regulations.

In order to convert density expressed in units per acre to density expressed in persons per acre, multiply by 2.32, the 1998 estimate by the California Department of Finance for the average number of persons per household in El Cerrito.

Table 4-2: Density and Intensity Ranges

	Density (du/acre)			Intensity (FAR)	
	Normal Range	With City Incentives per Zoning Ordinance Section 19.23	With State-Mandated Density Bonuses	Normal Range	With City Incentives
Residential					
Very Low Density	Up to 6	NA	Up to 7.5	NA	NA
Low Density	7-10	NA	7-12.5	NA	NA
Medium Density	11-20	11-25	11-25	NA	NA
High Density	21-35	21-45*	21-45	NA	NA
Mixed-Use Commercial					
General	Up to 35	Up to 45*	Up to 45	Up to 2.0	Up to 3.0
Neighborhood Commercial	Up to 20	Up to 25	Up to 25	Up to 1.0	NA
San Pablo Avenue Specific Plan Area					
Transit-Oriented High Intensity Mixed-Use (TOHIMU)	Up to 65'***	NA**	Up to 85'***	NA	NA
Transit-Oriented Mid-Intensity Mixed-Use (TOMIMU)	Up to 55'***	NA**	Up to 65'***		
Parks and Open Space	NA	NA	NA	Up to 0.1	Up to 0.5
Institutional and Utilities	NA	NA	NA	Up to 1.0	Up to 2.0

*Within the High Density Residential and Mixed-Use Commercial land use categories, up to 70 dwelling units per acre may be allowed through a city density-bonus incentive program for housing for elderly and handicapped persons where there is a commitment to provide services such as congregate care, onsite counseling, or medical services for residents.

**The San Pablo Avenue Specific Plan includes a Form-Based Code that does not prescribe building densities based on dwelling units per acre, but instead regulates the physical form of the building. Within the Plan Area, there is a building height limit of 65' in the Transit-Oriented Higher Intensity Mixed Use Transect and 55' in the Transit-Oriented Mid- Intensity Mixed Use Transect. Height bonuses may be allowed through a Tier IV Entitlement Process or through the State-Mandated Density Bonus program.

The City has an incentives program in place (Zoning Ordinance Chapter 19.23, adopted 1977, amended 2008). Under the program, development incentives may be granted for a project where the incentives will promote closer adherence to City objectives. Incentives may include increased density reduced parking, greater building height, or other deviations from regular zoning standards. In exchange for such incentives, the City will require desirable features, such as exceptional design, creative design of off-street parking, enhancements to public amenities, environmental benefits such as creek restoration, and similar benefits to the community. The program most frequently has been used for minor density increases in projects ranging from 5 to 20 dwelling units, never exceeding 40 units per acre. The program has allowed more substantial density increases for projects for the elderly and disabled, up to 76 units per acre. Some of those projects have also been granted increased height, reduced parking, and reduced setbacks. Appendix G is a tabulation of the results of

applying the Incentives Program from 1983 through 1997. Projects within the San Pablo Avenue Specific Plan Area should refer to the Administration of the Regulating Code section of the Specific Plan for further information on development incentives.

Page 4-16 – 4-23

Amend Land Use Goals and Policies to:

Goal LU1: A high-quality residential character within El Cerrito.

- | | | |
|--------------|--|---|
| LU1.5 | Suitable Housing. Promote suitably located housing and services for all age groups within the city. Within the San Pablo Avenue Specific Plan area, allow ground floor residential development and increased land use intensity close to existing transit infrastructure to promote residential infill development and catalyze mode shift. | <ul style="list-style-type: none"> • Development Regulations (zoning) • Housing Program • San Pablo Avenue Specific Plan |
| LU1.7 | Maximum Density. Maintain the maximum multifamily density at 35 dwelling units per acre, except in the San Pablo Avenue Specific Plan area and as otherwise provided in this Plan. | <ul style="list-style-type: none"> • Development Regulations (zoning) |

Goal LU2: A land use pattern and mix of uses that contribute to the financial health and stability of the community.

- | | | |
|--------------|--|---|
| LU2.1 | San Pablo Avenue Specific Plan Area. Promote retail, office, and mixed uses within the San Pablo Avenue Specific Plan Area to provide more tax revenues to the city. | <ul style="list-style-type: none"> • Development Regulations (zoning) • Economic Development Strategy • San Pablo Avenue Specific Plan |
| LU2.5 | Maximum FARS. Allow a maximum floor-area-ratio of 2.0 in all commercial areas except the neighborhood commercial centers where the maximum is 1.0 and the San Pablo Avenue Specific Plan area where FARs are not defined and except as otherwise provided in this Plan. | <ul style="list-style-type: none"> • Development Regulations (zoning) • San Pablo Avenue Specific Plan |

Goal LU3: A development pattern that enhances a strong sense of community.

LU3.1	Commercial/Residential Interaction. Encourage easy access and a strong sense of place to local businesses as focal points for neighborhood social interaction.	• • Development Regulations (zoning) • Development Review
LU3.2	Midtown. Attract additional mixed-use residential development with enhanced pedestrian and bicycle connectivity within the civic and community-oriented Midtown zone of the San Pablo Avenue Specific Plan area.	• Development Regulations (zoning) • Capital Improvements Program • Economic Development Strategy • San Pablo Avenue Specific Plan

Goal LU4: A safe, attractive, and interesting community

LU4.3	Street Frontages. Encourage attractive and accessible street frontages that contribute to the retail vitality of all commercial or mixed-use centers.	• Development Regulations (zoning) • Development Review • San Pablo Avenue Specific Plan
-------	--	--

Goal LU5: A land use pattern and types of development that support alternatives for the movement of people, goods, and ideas.

LU5.1	BART Station Areas. Encourage higher densities and a mix of uses near the city's two BART stations to take advantage of the transit opportunities they provide.	• Development Regulations (zoning) • San Pablo Avenue Specific Plan
LU5.2	Mixed-Use Centers. Encourage mixed-use centers along San Pablo Avenue – including development along Fairmount Avenue, Stockton Avenue and Moeser Lane, between San Pablo Avenue and the Ohlone Greenway – that provide the	• Development Regulations (zoning) • Economic

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

	opportunity for people to walk among businesses, employment, and residences.	Development Strategy • San Pablo Avenue Specific Plan
LU5.3	Mixed-Use Projects. Encourage mixed uses, especially offices or housing over ground-floor retail uses, where commercial uses are allowed.	• Development Regulations (zoning) • San Pablo Avenue Specific Plan
LU5.5	Pedestrians, Bicycles, and Access. Ensure that business areas have adequate and attractive pedestrian and bicycle facilities and accessibility for persons with disabilities, and that easy connections to transit are available wherever possible.	• Development Regulations (zoning) • Development Review • Capital Improvements Program • San Pablo Avenue Specific Plan
LU5.6	Development Along the Ohlone Greenway. New or substantially altered development abutting the Ohlone Greenway will be evaluated with respect to how the development enhances the aesthetics and ambiance of this important linear recreational and transportation facility, and how the development contributes to the security of users of the Greenway. The City will expect frontage along the Greenway to be treated as if it were public street frontage, with commensurate attention to design quality and access. The San Pablo Avenue Specific Plan designates the Ohlone Greenway as a Street Type within its Regulating Plan. Projects within the Plan Area abutting the Greenway are subject the development standards of this Street Type.	• Development Regulations (zoning) • Development Review • San Pablo Avenue Specific Plan

Goal LU6: Development patterns that promote energy efficiency, conservation of natural resources, and use of renewable rather than nonrenewable resources.

LU6.2	Circulation Alternatives. To the extent possible, encourage alternatives to the use of private automobiles. Encourage a full range of transportation options – driving, transit, walking and	• Development Regulations (zoning)
-------	---	--

biking – without allowing any one to preclude the others. On San Pablo Avenue, in many constrained right-of-ways, it is not possible to provide optimum facilities for all user groups and in the event that trade-offs are necessary, transit users and pedestrians are the highest priority.

- Redevelopment Program
- San Pablo Avenue Specific Plan

Page 4-29

The San Pablo Avenue Specific Plan Area

The San Pablo Avenue Specific Plan Area centers on the portion of San Pablo Avenue, State Route 123, that extends for approximately two and one-half miles from El Cerrito Plaza and the border with the City of Albany in the south and continuing to Baxter Creek Gateway Park in the north. The Avenue carries both heavy regional through-traffic and local traffic accessing the Avenue's mix of commercial services, civic uses and BART stations. At the southern end of the Plan Area, the boundary extends east to include the El Cerrito Plaza BART station and west along Central Avenue to the interstate 80. While most of the parcels within the Plan Area are within the City of El Cerrito, some on the west side of San Pablo Avenue and in the northern part of the Plan Area are within the City of Richmond. The Specific Plan supports the community vision to create a vibrant, walkable, sustainable and transit-oriented corridor that respects surrounding neighborhoods by identifying and providing design strategies for three unique destinations within the Specific Plan Area: Downtown, Midtown, and Uptown.

A variety of transportation options, including mass transit, automobiles, walking and biking, contribute to the character of the San Pablo Avenue corridor. Besides being a high-traffic vehicular thoroughfare, the Plan Area is well-served by transit including two BART stations, numerous AC Transit bus lines and other regional bus connections. The del Norte BART station serves as a major bus transit hub with multiple regional and local bus lines converging at the station.

The majority of the Plan Area is bordered to the east by the Ohlone Greenway, which serves as a major north-south bicycle and pedestrian circulation spine with dedicated pockets of open space that connects El Cerrito with the neighboring cities of Albany and Richmond.

Several recent public and private investments have enhanced the Avenue including the Ohlone Greenway improvements, San Pablo Avenue streetscape improvements, bicycle and pedestrian infrastructure projects, a new City Hall, the restored Cerrito Theater, and new residential and commercial developments.

Page 4-30

Uptown (Del Norte Area)

Uptown is a mixed-use commercial area that serves as the northern gateway to the City. Positioned within a ½ of the del Norte BART Station, a regional multi-modal center, this district is characterized by larger lots and building footprints. The area has potential to be humanized to be a stronger neighborhood that is more walkable and bikeable, while still serving as a transportation hub. Significant opportunities exist to: improve pedestrian and bicycle connectivity and close circulation gaps on large blocks; encourage a sense-of-place through active ground floor commercial uses and

public open spaces; and, construct higher density development on large underutilized lots in proximity to the BART station.

Downtown (El Cerrito Plaza)

Downtown is an entertainment/theater and shopping district that serves as the southern gateway to the City. Positioned within a ½ mile of the El Cerrito Plaza BART Station, this district is characterized by constrained lots, the El Cerrito Plaza shopping center and adjoining residential. New development potential primarily includes smaller infill projects with “fine grain” character, as well as the El Cerrito Plaza BART surface parking lot or eventual redevelopment of the El Cerrito Plaza shopping center. Significant opportunities exist to: create an identifiable green southern gateway to the City where Cerrito Creek meets San Pablo Avenue; encourage a sense-of-place through active ground floor commercial uses and public open spaces; connect destinations to the Bay Trail through pedestrian and bicycle improvements; construct higher-intensity mixed-use developments in proximity to the BART station; and, improve connectivity to San Pablo Avenue and through the El Cerrito Plaza shopping center.

Midtown (City Center)

Midtown is a civic and community-oriented zone with two neighborhood-scale commercial nodes at Stockton and Moeser. Characterized by longer blocks next to BART tracks, the district has both recent and planned mixed-use and residential investment. The area has strong potential to attract additional mixed-use residential development with enhanced pedestrian and bicycle connectivity. Significant opportunities exist to: provide midblock connections to improve pedestrian and bicycle connectivity on large blocks; enhance the Moeser and Stockton neighborhood commercial nodes to promote economic activity; construct a mix of mid-density residential and mixed-use developments along the corridor; and, create a continuous cycle track to improve bicycle safety, access and connectivity.

Page 4-35

Three Major Activity Centers

The San Pablo Avenue corridor provides virtually all the development opportunities for new office work places and shopping. Recent development trends reflect that retail development forms are shifting from suburban strip commercial and community malls to more pedestrian friendly, transit oriented villages. El Cerrito’s unique location provides an opportunity to take advantage of these changing marketing trends.

El Cerrito has the potential to create three major centers—Downtown (the El Cerrito Plaza Area), Uptown (the Del Norte Area), and a Midtown Area. These three major activity centers are envisioned as pedestrian friendly, mixed-use villages, with ground floor retail uses and upper floors of office and residential uses. Both El Cerrito Plaza and Del Norte Center take advantage of their regional location next to the BART stations.

These three major centers are connected along San Pablo Avenue, BART and the Ohlone Greenway with additional office, retail, and housing uses in between. Each center has its own unique character and function. The Plaza provides an opportunity for smaller, “fine grain” retail infill projects. Del Norte provides an opportunity for new regional large-scale commercial opportunities provided by

proximity to the freeway and office, retail and residential mixed-use developments. The Midtown Center provides an opportunity to cluster development around new civic functions and neighborhood-serving commercial districts.

Page 4-37 to Page-47

Goal CD1: A city organized and designed with an overall attractive, positive image and “sense of place.”

- | | | |
|--------------|--|---|
| CD1.2 | Design Concept. Plan and construct development within development activity centers and neighborhood commercial centers according to an overall design concept for each center. | <ul style="list-style-type: none">• Grant Funds• San Pablo Avenue Specific Plan |
| CD1.3 | High-Quality Design. Encourage higher-quality design through the use of well-crafted and maintained buildings and landscaping, use of higher-quality building materials, and attention to the design and execution of building details and amenities in both public and private projects. | <ul style="list-style-type: none">• Development Review• Development Incentives• Development Regulations (zoning)• San Pablo Avenue Specific Plan |
| CD1.6 | Entrances to the City. Improve the major entrances into the city with landmark entry features, signs, and gateways to enhance the sense of community and improve the City’s image. | <ul style="list-style-type: none">• City Entry Design Program• San Pablo Avenue Specific Plan |
| CD1.7 | Views and Vistas. Preserve and enhance major views and vistas along major streets and open spaces, providing areas to stroll and benches to rest and enjoy views. | <ul style="list-style-type: none">• Development Regulations (zoning)• Beautification Program• San Pablo Avenue Specific Plan |
| CD1.9 | Building Design. A variety of attractive images will be achieved by encouraging a variety of building styles and designs, within a unifying context of consistent “pedestrian” scale along streets and compatibility among neighboring land uses. | <ul style="list-style-type: none">• Development Review• San Pablo Avenue Specific Plan |

Goal CD2: A city with attractive, safe, and functional streets, parking areas, and pedestrian walkways.

-
- | | | |
|--------------|---|--|
| CD2.1 | Street Frontages. Encourage street frontages that are safe, by allowing for surveillance of the street by people inside buildings and elsewhere, and are interesting for pedestrians. Require buildings in the San Pablo Avenue Specific Plan area to be directly abutting sidewalks, with window openings, entries and high levels of transparency along the pedestrian frontage. | <ul style="list-style-type: none">• Development Review• Development Regulations (zoning)• Grant Funds• San Pablo Avenue Specific Plan |
|--------------|---|--|

CD2.2	San Pablo Avenue. Implement the improvements and context-sensitive regulations identified in the San Pablo Avenue Specific Plan to create an overall coordinated image and character of the street from north to south.	• Parking Districts • San Pablo Avenue Specific Plan
CD2.4	Multi-Modal Transportation Network. Ensure that streets, paths, and bikeways contribute to the system of a fully connected transportation network to all major destinations in the City. The design of these streets and pathways should encourage pedestrian and bicycle uses by being spatially defined by buildings, trees, lighting, and street furniture. Pedestrian and bicycle pathways and auto routes should be compatible.	• Design Guidelines • Street Tree Program • Beautification Program • San Pablo Avenue Specific Plan
CD2.6	Parking Layout. Encourage the development of common parking areas and common access for adjoining lots.	• Parking Districts • Development Regulations (zoning) • San Pablo Avenue Specific Plan
CD2.7	Accessible Design. Site and building design must meet basic accessibility needs of the community and not be exclusively oriented to those who arrive by car.	• Development Review • San Pablo Avenue Specific Plan
CD2.8	City Sidewalk and Pedestrian Walkways. City streets and pedestrian walkways should be designed to be safe, accessible, convenient, comfortable, and functionally adequate at all times, including the design of pedestrian crossings, intersection design, sidewalk widths, street tree planting, street furniture, and signal timing.	• Streetscape Improvement Program • Street Tree Program • Beautification Program • San Pablo Avenue Specific Plan
Goal CD3: A city with attractive landscaping of public and private properties, open space, and public gathering spaces.		
CD3.2	Usable Open Spaces. Require the provision of usable open space in the form of ground-floor patios, upper-floor decks, and balconies, as well as common recreational facilities and amenities.	• Development Regulations • Development Review • San Pablo Avenue Specific Plan
CD3.3	Site Landscaping. Improve the appearance of the community by requiring aesthetically designed screening and landscaping on public and private sites. Ensure that public landscaping includes entry areas, street medians,	• Development Regulations (zoning) • Development Review • Capital Improvements

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

	parks, and schools. Require landscaping for all private sites, yard spaces, parking lots, plazas, courtyards, and recreational areas.	• Program • San Pablo Avenue Specific Plan
CD3.8	Public Spaces. Require projects within the San Pablo Avenue Specific Plan area to provide on-site public and private open space to: incentivize development of multifunctional new public open space; encourage urban open spaces; allow private open space for residential buildings; customize the design of open space to site context; and, increase safety by providing more “eyes on the street”.	• Development Review • Development Incentives • San Pablo Avenue Specific Plan
CD3.9	Ohlone Greenway. Enhance the usability and aesthetic appeal of the Ohlone Greenway by integrating it into the fabric of the City. Design buildings with entries, yards, patios, and windows to open onto and face the Ohlone Greenway. Avoid blank walls, backs of buildings, and large parking lots adjacent to the greenway.	• Development Review • San Pablo Avenue Specific Plan
CD3.11	Streetscape Design. Streetscape design (street trees, lighting, and pedestrian furniture) should be used to lend character and continuity with commercial districts and residential neighborhoods.	• Streetscape Improvement Program • City Entry Design Program • Sign Ordinance • San Pablo Avenue Specific Plan

Goal CD4: Well designed buildings that are compatible with their surroundings.

CD4.1	Compatibility in Building Scale. Avoid big differences in building scale and character between developments on adjoining lots.	• Development Review • San Pablo Avenue Specific Plan
CD4.2	Building Articulation. Ensure that buildings are well articulated. Avoid large unarticulated shapes in building design. Ensure that building designs include varied building facades, rooflines, and building heights to create more interesting and differentiated building forms and shapes. Encourage human scale detail in architectural design. Do not allow unarticulated blank walls or unbroken series of garage doors on the facades of buildings facing the street or the Ohlone Greenway.	• Development Review • San Pablo Avenue Specific Plan

Goal CD5: A design process that achieves design objectives while being efficient and allowing for flexibility.

- CD5.3 Design Guidelines and Regulations.** Make development and design regulations more understandable with use of illustrations, photos, drawings, diagrams, or other graphic and visually oriented regulations, such as a “form code.”
- Development Regulations (zoning)
 - San Pablo Avenue Specific Plan

Goal CD6: An urban form that sustains a vital commercial community to meet the diverse needs of the local and regional population.

- CD6 Affordable Commerce.** El Cerrito’s urban form should allow site opportunities for commerce by local entrepreneurs – small business spaces in close proximity to other businesses with easy visibility from the street and close to abundant pedestrian traffic.
- Development Regulations (zoning)
 - San Pablo Avenue Specific Plan

Page 4-54

Certain areas of the city need to be planned comprehensively, but in more detail than can be done in a general plan. A specific plan can integrate land use, design, transportation, utilities and other issues into an action strategy.

San Pablo Avenue Specific Plan: The purpose of the San Pablo Avenue Specific Plan, including a Form- Based Code, Complete Streets Plan and Infrastructure Analysis, is to articulate a vision for the future of San Pablo Avenue from the southern entrance to the northern entrance of the City, east to the El Cerrito Plaza BART Station and west along Central Avenue to Interstate 80. The Plan identifies public improvements and context-sensitive regulations to create a multimodal corridor that provides a multitude of opportunities for living, working and community life.

2013 GROWTH MANAGEMENT ELEMENT UPDATE

Page 4-51

The Growth Management Element establishes a comprehensive, long-range program that matches demand for public facilities generated by new development with policies and standards for traffic level of service (LOS) and performance criteria for fire, police, parks, sanitary facilities, water supplies, and flood control; in the San Pablo Avenue Specific Plan area, this includes a multi-modal level of service (MMLOS). The Growth Management Element is concerned with maintaining defined urban service levels; it is not intended to limit growth or to direct growth into certain areas of the community on a priority basis. Most importantly, the Element's policies ensure that new development impacts that threaten to degrade established traffic performance or public service thresholds are mitigated through project modification, capital improvement programming, or contributions to improvements.

Page 4-55

San Pablo Avenue

In El Cerrito, San Pablo Avenue is an urbanized thoroughfare between the southern City limits at Cerrito Creek near Carlson Boulevard to the northern city limits just south of McDonald Avenue with two lanes in each direction. San Pablo Avenue serves as the primary transit spine of the region, traveling through all of the West County cities where in many cases it functions as "Main Street", and is the alternative primary reliever route to the I-80, providing a variety of transportation options during periods of heavy freeway congestion.

From its southern extent to Cutting Boulevard, the Avenue is part of State Route (SR) 123 and is operated and maintained by the California Department of Transportation (Caltrans). At most intersections there are left turns operating with left-turn signal phasing. The speed limit is 30 MPH. Average daily traffic volumes on San Pablo Avenue are greatest at its southerly extreme in the County. Near Cutting Boulevard, the highest average daily volume is 29,900 vehicles. During the AM peak period, the highest volumes occur near Potrero Avenue at 2,275 vehicles per hour. The highest PM peak hour period volumes occur near Barrett Avenue in Richmond, and frequently cause traffic backup into El Cerrito.

Page 4-56

Regional Action Plans

Local jurisdictions participated in the development of programs to control regional traffic impacts on these routes through a series of Action Plans approved by one of the Regional Transportation Planning Committees created under Measure C. El Cerrito has been working closely with the WCCTAC (West Contra Costa County Traffic Advisory Committee to update to the West County Action Plan, which has been transmitted to the Contra Costa Transportation Authority for incorporation into the 2014 Countywide Comprehensive Transportation Plan. It is anticipated that the updated West County Action Plan will be formally adopted by WCCTAC at the end of 2014. Both the current (adopted in 2009) Action Plan and the updated Action Plan call for cooperation between partner agencies to improve traffic congestion on San Pablo Avenue, and emphasize the importance of better serving all corridor users by enhancing transit services, including the Rapid Bus, and improving bicycle and pedestrian facilities. Both the current and the updated Action Plans specify that the multi-modal transportation service objective (MTSO) for San Pablo Avenue is to maintain

LOS E or better at all signalized intersections. In addition, the updated Action Plan specifies that this LOS MTSO will not be applied within ½-mile of a BART station, and instead the performance measures in the relevant specific plan(s) for the area will be followed.

Additional objectives from the updated Action Plan include:

- Enhance local and regional transit service, particularly in terms of connections to BART.
- Increase the use of active transportation modes.
- Implement Complete Streets enhancements identified in local plans.
- Actively manage growth to support regional land use and transportation goals.

Basic Routes

All roads not indicated on the map of Routes of Regional Significance are Basic Routes. Although Measure J no longer requires the adoption of Level of Service standards for Basic Routes (non-regional routes), the City is maintaining LOS standards for Basic Routes in this chapter until alternative performance measures for correlating the circulation element with the land use element of the General Plan are developed.

Pages 4-61 – 4-70

Amend text to Growth Management Goals and Policies

Goal GM2: Compliance with applicable level of service standards.

GM2.1	Application of Standards. Strive to maintain the minimum V/C performance standard for each signalized intersection on Basic Routes as described in Table 4-4. Level of Service Standards are considered to be met if measurement of actual conditions at the intersection indicates that operations are equal to or better than the specified minimum performance standard, or if El Cerrito's Capital Improvement Program includes projects which, when constructed, will result in performance better than or equal to the specified minimum standard. Refer to Transportation and Circulation Element for other standards related to the San Pablo Avenue Specific Plan area.	• Capital Improvements Program • Development Regulations (zoning)
GM2.2	Achieving Level of Service Standards. Consider amendments to the General Plan Land Use Element or Map, Zoning Ordinance, or other relevant plans and policies to alter land use intensity or vehicle trip activity so that any Basic Route signalized intersection which does not meet the minimum service level standard in Policy GM2.2 can be brought into compliance with said standard. Alternately, consider amendments to the Capital Improvement Program or other relevant programs and policies which will improve the capacity or efficiency of intersections not meeting the service standards through	• Development Regulations (zoning) • Capital Improvements Program • San Pablo Avenue Specific Plan.

physical construction and improvements.

Refer to Transportation and Circulation Element for other standards related to the San Pablo Avenue Specific Plan area.

Goal GM6: Support land use patterns that make more efficient use of the transportation system

- | | | |
|--------------|---|---|
| GM6.2 | Mixed-Use Centers. Encourage mixed-use centers along San Pablo Avenue – including development along Fairmount Avenue, Stockton Avenue and Moeser Lane, between San Pablo Avenue and the Ohlone Greenway – that provide the opportunity for people to walk among businesses, employment, and residences. (LU5.2) | <ul style="list-style-type: none">• Development Regulations (zoning)• San Pablo Avenue Specific Plan |
| GM6.3 | Pedestrians, Bicycles, and Access. Ensure that business areas have adequate and attractive pedestrian and bicycle facilities and accessibility for persons with disabilities, and that easy connections to transit are available wherever possible. (LU5.5) | <ul style="list-style-type: none">• Capital Improvements Program• San Pablo Avenue Specific Plan |
| GM6.4 | Circulation Alternatives. To the extent possible, encourage alternatives to the use of private automobiles. Encourage a full range of transportation options – driving, transit, walking and biking – without allowing any one to preclude the others.

On San Pablo Avenue, in many constrained right-of-ways, it is not possible to provide optimum facilities for all user groups and in the event that trade-offs are necessary, transit users and pedestrians are the highest priority. (LU6.2) | <ul style="list-style-type: none">• Transportation Demand Management• San Pablo Avenue Specific Plan |
| GM6.5 | Multi-Modal Transportation Network. Ensure that streets, paths, and bikeways contribute to the system of a fully connected transportation network to all major destinations in the City. The design of these streets and pathways should encourage pedestrian and bicycle uses by being spatially defined by buildings, trees, lighting, and street furniture. Pedestrian and bicycle pathways and auto routes should be compatible. (CD2.4) | <ul style="list-style-type: none">• Capital Improvements Program• San Pablo Avenue Specific Plan |
| GM6.6 | Balanced Transportation System. Create and maintain a balanced transportation system with choice of transit, bicycle, pedestrian, and private automobile modes, including on regionally significant arterials such as San Pablo Avenue. In many constrained right-of-ways, it is not possible to provide optimum facilities for all user groups | <ul style="list-style-type: none">• Capital Improvements Program• San Pablo Avenue Specific Plan |

and in the event that trade-offs are necessary, transit and pedestrians are the highest priority for San Pablo Avenue. (T1.1)

GM6.7

Transit System. Encourage transit providers to improve and increase existing transit routes, frequency, and level of service. Encourage a public transit system that provides convenient transfers between transit services and other modes of travel. On San Pablo Avenue, provide transit shelters with benches, lighting, bike racks and crosswalks (on San Pablo Avenue) such that transit amenities represent a ‘High’ Built Environment Factors (BEF) throughout the corridor. Facilitate transit flow along San Pablo Avenue such that transit corridor travel time is reduced by 5 percent relative to current conditions. Where possible, provide far-side transit stops at signalized intersections with bus bulbs such that transit vehicles stop in-lane, thereby reducing transit delay associated with re-entry into traffic. (T1.2)

- Capital Improvements Program
- Intergovernmental Coordination
- San Pablo Avenue Specific Plan

GM6.8

Bicycle Circulation. Create a complete, interconnected bicycle circulation system. Provide a bicycle system that serves commuter as well as recreational travel. Improve bicycle routes and access to and between major destinations. On San Pablo Avenue, improve local bicycle access, including access on San Pablo Avenue and adjacent roadways. Provide a ‘Medium’ to ‘High’ BEF for bicyclists on San Pablo Avenue. Through transit and pedestrian MMLOS is the main priority, bicycle facilities should not be allowed to remain ‘Low’ if measures to improve them to ‘Medium’ are available. Emphasize the placemaking qualities of bikeways, particularly separated bikeways/cycletracks. Though no delay-based bicycle LOS metric is identified, seek to reduce bicycle delay at signalized intersections and when considering changes to intersections, consider bicycle delay. (T1.3)

- Capital Improvements Program
- San Pablo Avenue Specific Plan

GM6.9

Pedestrian Circulation. Provide a safe, convenient, continuous and interconnected pedestrian circulation system throughout the City. Ensure safe pedestrian access to local schools. Improve crossing opportunities, enhance crosswalks, and improve sidewalks to maintain a consistent ‘High’ Pedestrian BEF on San Pablo Avenue. Emphasize the placemaking qualities of the streetscape, including sidewalk and curb extensions. Though no delay-based pedestrian LOS metric is identified, seek to reduce pedestrian delay at signalized intersections and when considering changes to intersections, consider pedestrian

- Capital Improvements Program
- San Pablo Avenue Specific Plan

delay. (T1.4)

Page 4-72

10. Development Review

The development review process includes discretionary review by the Planning Commission and the Design Review Board, based on consideration of General Plan objectives and policies, and criteria established by the zoning and subdivision ordinances and other city regulations and adopted guidelines. Most discretionary actions are subject to the requirements of the California Environmental Quality Act (CEQA). The development review process also includes administrative review of projects to verify compliance with Planning Commission and Design Review Board requirements, as well as standards set by the City through adoption of building and fire codes, engineering standards, and other regulations and ordinances. Development review should be used to assess the impact of new development on the demand for transportation and public facility improvements and to implement mitigation measures and other mechanisms to help finance needed improvements. Use the multi-modal level of service calculation sheets for developers to determine the existing and proposed level of service for pedestrians, transit users, and bicyclists in the vicinity of the development parcel.

Page 4-75

24. Specific Plans

Certain areas of the city need to be planned comprehensively, but in more detail than can be done in a general plan. A specific plan can integrate land use, design, transportation, utilities and other issues into an action strategy.

San Pablo Avenue Specific Plan: The purpose of the San Pablo Avenue Specific Plan, including a Form-Based Code, Complete Streets Plan and Infrastructure Analysis, is to articulate a vision for the future of San Pablo Avenue from the southern entrance to the northern entrance of the City, east to the El Cerrito Plaza BART Station and west along Central Avenue to Interstate 80. The Plan identifies public improvements and context-sensitive regulations to create a multimodal corridor that provides a multitude of opportunities for living, working and community life.

Page 4-76

28. Travel Demand Management (TDM)

Support and promote TDM measures to reduce the percentage of person trips made by automobile and to reduce the annual vehicle miles of travel. Reduce the percentage of trips made by automobile and provide the opportunity and facilities to divert trips from automobiles to other modes. Encourage small businesses in areas of employment concentration to form cooperatives that can collectively provide effective TDM options to employees. Require new developments along San Pablo Avenue to provide basic TDM measures for residents and businesses as appropriate; additional TDM measures may be required where adjustments to the parking requirements are proposed to incentivize alternative modes of travel.

CHAPTER 5: TRANSPORTATION AND CIRCULATION

Page 5-4

Multimodal Transportation Operations

Figure 7 identifies existing and projected (under General Plan build-out conditions) daily traffic volumes on area streets and highways. The operation of transportation facilities (freeways, roadways, intersections) is classified in six “level-of-service” categories. Level of service (LOS) is defined in terms of a letter grade ranging from A to F. LOS A is the best level of operation, representing free flow conditions, and LOS F is the worst level of operation, representing excessive delays, long vehicle queues, and generally intolerable conditions. The City of El Cerrito policy calls for achievement of LOS D or better conditions except for San Pablo Avenue as indicated below.

The City of El Cerrito has traditionally maintained a standard of LOS D for signalized intersections along San Pablo Avenue. However, the San Pablo Avenue Specific Plan includes Multimodal Level of Service (MMLOS) standards to evaluate the impacts of development projects and roadway improvement projects on all modes of transportation including pedestrians, bicyclists and transit users. The MMLOS methodology instead provides a Built Environment Factors (BEF) Assessment and Person Delay Calculations. This methodology takes a qualitative checklist approach to measuring the quality of service provided to users of the pedestrian, bicycle and transit facilities. This methodology measures the presence and, in some cases, quality of specific features of the built environment that benefit non-auto modes. Depending on mode, such features might include presence of a separated bikeway to provide comfortable, dedicated bicycle space; curb extensions to reduce pedestrian crossing distances; and bus bulbs to reduce delay for buses by allowing them to stop in the travel lane.

As indicated above, traditional automobile LOS is assigned letter grades of A through F. For pedestrians, bicyclists and transit, the BEF metric consolidates those six letter grades into three categories based on a 0 to 10 point scale that corresponds to three ratings: either ‘High’ (8-10 points), ‘Medium’ (6-7 points), or ‘Low’ (5 or fewer points). A designation of ‘No Facilities’ applies where there are no facilities available, which allows the City to distinguish between this condition and a ‘Low’ condition, where some facilities may be provided even if they are not sufficient to reach a Medium or High rating. Built environment factors are not assessed for automobiles under the assumption that the existing roadway meets the minimum design standards for auto traffic. While consideration for all modes is important, transit and pedestrian modes are identified as the priority modes for San Pablo Avenue. This is due to the importance of the corridor as a transit route serving the City’s downtown and two BART stations, and its role as the City’s main commercial and mixed use corridor, where walking between residential, retail, and office uses

as well as walking trips to BART should be promoted. Thus, a High rating is desired for these modes, and a Medium to High rating is the goal for the bicycle mode. Although transit and pedestrian MMLOS is the main priority, bicycle facilities should not be allowed to remain ‘Low’ if measures to improve them to ‘Medium’

are available. This is because the corridor functions as El Cerrito’s main street, with shopping and employment destinations all along the corridor; furthermore, as residential development occurs as part of the Specific Plan, more bicycle trips will originate on the corridor and many of these will take place entirely on San Pablo Avenue.

The Person Delay Calculation uses person-delay for autos (using an estimated auto occupancy), pedestrians (using pedestrian counts and the signal timing plan) and bicycles (based on bicycle counts and the signal timing plan). For transit riders, the transit person delay is not reported on an intersection-specific basis, but as a corridor-long travel time, for the northbound and southbound directions. This allows a more meaningful measure of the change in transit delay. As with the BEF metric, the Specific Plan prioritizes minimizing person delay for bus riders, pedestrians and bicyclists over drivers, with bus riders and pedestrians being the highest priority. Following are the person-delay standards:

- Autos: LOS E / <80 seconds of delay, when achievable and in consideration of the goals and priorities for other modes
- Pedestrian and Bicyclists: Person-delay calculated for information only, to assess impacts of vehicle capacity improvements on non-motorized delay, and to support the decision making process when weighing improvements benefitting different modes.
- Transit: Reduce corridor travel time by 5 percent relative to the No Project case

Most intersections in El Cerrito currently operate at LOS C or better. All City operated intersections (not along San Pablo Avenue) operate at LOS A. Traffic operation in the Del Norte area, other portions of San Pablo Avenue, and the Central Avenue Interchange can be as bad as LOS E or F conditions when an incident on Interstate 80 results in a higher-than-normal diversion of regional traffic and during weekend peak periods. As of 1999, traffic on Central Avenue can be quite backed up.

The San Pablo Avenue Specific Plan presents the current Multimodal Level of Service (MMLOS) conditions along San Pablo Avenue.

Page 5-20

Amend text of Transportation and Circulation Goals and Policies to:

Goal T1: A transportation system that allows safe and efficient travel by a variety of modes and promotes the use of alternatives to the single-occupant vehicle.

T1.1	Balanced Transportation System. Create and maintain a balanced transportation system with choice of transit, bicycle, pedestrian, and private automobile modes, including on regionally significant arterials such as San Pablo Avenue. In many constrained right-of-ways, it is not possible to provide optimum facilities for all user groups and in the event that trade-offs are necessary, transit and pedestrians are the highest priority for San Pablo Avenue.	• Transportation System Performance Measures • Travel Demand Management • Bicycle Master Plan • Pedestrian Circulation Plan • Development Review • Traffic Monitoring • San Pablo Avenue Specific Plan
T1.2	Transit System. Encourage transit providers to improve and increase existing transit routes,	• Intergovernmental Coordination

frequency, and level of service. Encourage a public transit system that provides convenient transfers between transit services and other modes of travel. On San Pablo Avenue, provide transit shelters with benches, lighting, bike racks and crosswalks (on San Pablo Avenue) such that transit amenities represent a 'High' BEF throughout the corridor. Facilitate transit flow along San Pablo Avenue such that transit corridor travel time is reduced by 5 percent relative to conditions without a development or transportation project. Where possible, provide far-side transit stops at signalized intersections with bus bulbs such that transit vehicles stop in-lane, thereby reducing transit delay associated with re-entry into traffic.

- Transit First Policy
- San Pablo Avenue Specific Plan

T1.3

Bicycle Circulation. Create a complete, interconnected bicycle circulation system. Provide a bicycle system that serves commuter as well as recreational travel. Improve bicycle routes and access to and between major destinations. On San Pablo Avenue, improve local bicycle access, including access on San Pablo Avenue and adjacent roadways. Provide a 'Medium' to 'High' BEF for bicyclists on San Pablo Avenue. Though transit and pedestrian MMLOS is the main priority, bicycle facilities should not be allowed to remain 'Low' if measures to improve them to 'Medium' are available. . Emphasize the placemaking qualities of bikeways, particularly separated bikeways/cycletracks. Though no delay-based bicycle LOS metric is identified, seek to reduce bicycle delay at signalized intersections and when considering changes to intersections, consider bicycle delay.

- Bicycle Master Plan
- Pavement Management Plan
- San Pablo Avenue Specific Plan

T1.4

Pedestrian Circulation. Provide a safe, convenient, continuous and interconnected pedestrian circulation system throughout the City. Ensure safe pedestrian access to local schools. Improve crossing opportunities, enhance crosswalks, and improve sidewalks to maintain a consistent 'High' Pedestrian BEF on San Pablo Avenue. Emphasize the placemaking qualities of the streetscape, including sidewalk and curb extensions. Though no delay-based pedestrian LOS metric is identified, seek to reduce pedestrian delay at signalized intersections and when considering changes to intersections, consider pedestrian delay.

- Pedestrian Circulation Plan
- San Pablo Avenue Specific Plan

Goal T2: A land use pattern that encourages walking, bicycling, and public transit use.

T2.1	Land Use Patterns. Recognize the link between land use and transportation. Promote land use and development patterns that encourage walking, bicycling, and transit use. Emphasize high-density and mixed land use patterns that promote transit and pedestrian travel. Where feasible, emphasize the following land use measures: 1. Promote conveniently located neighborhood complexes that provide housing and commercial services near employment centers and within transit corridors. 2. Promote land use patterns that maximize trip-linking opportunities by assembling uses that allow people to take care of a variety of daily needs. 3. Encourage pedestrian-oriented land use and urban design that can have a demonstrable effect on transportation choices. 4. Direct growth to occur along transit corridors. 5. Encourage retail, commercial, and office uses in ground floor space in combination with upper-floor housing along San Pablo Avenue.	• Development Review • San Pablo Avenue Specific Plan
T2.2	Project Design. Projects should be designed to include features that encourage walking, bicycling, and transit use.	• Development Review • Transit First Policy • San Pablo Avenue Specific Plan

Goal T3: A transportation system that maintains and improves the livability of the City.

T3.1	Vehicle Circulation. Improve circulation in locations with high levels of congestion, but avoid major increases in street capacities unless necessary to remedy severe traffic congestion, and not at the expense of pedestrian circulation For signalized intersections, maintain LOS D or better based on vehicle delay except for the San Pablo Avenue Specific Plan area maintain LOS E. Also in the San Pablo Avenue Specific Plan area for unsignalized intersections, maintain LOS E or better for all movements and where movements degrade to	• Capital Improvement Program • Development Review • Traffic Monitoring • San Pablo Avenue Specific Plan
-------------	--	---

LOS F consider signalization. If signal warrants are not met, LOS F may be considered acceptable if it does not increase delays for pedestrians, bicyclists and transit users. Improve vehicle circulation in locations with high levels of congestion, but avoid increases in street capacities that would encourage speeds or degrade MMLOS for transit, pedestrians or bicycles.

T3.6	Maintenance of San Pablo. Coordinate with Caltrans to ensure the timely maintenance of San Pablo Avenue. Review signal timing changes to assure they are consistent with the MMLOS metrics described above.	• Intergovernmental Coordination
-------------	---	--

Goal T4: A minimum amount of land used for parking and minimal parking intrusion in neighborhoods.

T4.1	Parking Requirements. Develop parking requirements that are consistent with the goals for increased use of alternative transportation modes, and acknowledge shared parking opportunities.	• Development Review • Parking Regulations • San Pablo Avenue Specific Plan
-------------	---	---

Page 5-27

4. **Development Review.** Undertake development reviews to ensure compliance with applicable local, regional, state, and federal laws and adopted policies. Use the multi-modal level of service calculation sheets for developers to determine the existing and proposed level of service for pedestrians, transit users, and bicyclists in the vicinity of the development parcel in the San Pablo Avenue Specific Plan area. Ensure that developers contribute funding for on-site and off-site improvements, where the MMLOS does not meet the City standards. Adopt an ordinance requiring developers to do the following:
 - a. Construct transportation improvements along their property frontages when appropriate; and
 - b. Fund traffic impact studies that identify on-site and off-site effects and mitigation measures.

Page 5-28

In addition to, and in support of, these regional key items, the following are City of El Cerrito interagency coordination positions:

- a. As opportunities present themselves, improve freeway access to El Cerrito, particularly around the Del Norte area and at the Central Avenue interchange.
- b. Oppose transportation projects that would diminish access to Interstate 80 from El Cerrito.

- c. Oppose regional capacity enhancements to San Pablo Avenue except when the improvements serve local traffic and do not degrade bus, pedestrian and bicycle travel below the City MMLOS standards.
- d. Support physical enhancements to San Pablo Avenue to make it a transit, bicycle and pedestrian friendly multi-modal street.

Encourage the City of Richmond and Caltrans to conduct a detailed operations analysis of the Central Avenue interchange and be an active participant in this study. This study should address an existing base year condition as well as a 20-year growth forecast including expected growth from development in El Cerrito, Richmond and Albany. It should also address weekday and Saturday conditions. It should be conducted using a detailed operations analysis such as Synchro and/or CORSIM.

Page 5-29

Pedestrian Circulation Plan. Review existing pedestrian circulation within the City to identify constraints to walking, develop improvement plans at constrained locations (including pedestrian street crossings), and incorporate pedestrian enhancement projects into the City Capital Improvement Program (CIP). Encourage local access to BART stations by walking as an alternative to short-distance driving. Develop new sidewalk width standards consistent with the type and intensity of adjacent land use. Attention should be paid to the issue of tree damage to sidewalks and obstruction of sidewalks by signs. On San Pablo Avenue, maintain and create a 'High' Pedestrian MMLOS.

Page 5-31

- 15. Transportation System Performance Measures.** Develop a level-of-service standard for multi-modal operations that assesses service levels for all street users, including buses riders, pedestrians, and bicycles, as well as private automobile users. For areas outside of the San Pablo Avenue Specific Plan area, consider modifying the City's current LOS D standard to allow for higher levels of automobile congestion during peak hours in order to reduce the need for improvements that decrease opportunities for alternative transportation modes or reduce parking supply.

Using a level of service standard worse than LOS D maybe considered acceptable where:

- e. Upstream or downstream bottlenecks control the flow of traffic through an intersection such that capacity enhancements (i.e., improvements) would have marginal benefit;
- f. Retaining a bottleneck would discourage regional or semi-regional traffic from using a facility; or
- g. Traffic capacity enhancements would degrade pedestrian, transit or bicycle conditions (i.e., additional lanes increases pedestrian crossing distances).

In order to maintain consistency with the Congestion Management Plan, LOS E is the worst level of service standard that could be adopted for San Pablo Avenue.

For the San Pablo Avenue Specific Plan area, adopt multi-modal level of service (MMLOS) thresholds that use Person Delay and Built Environment Factors methodologies to determine level of service based on modal facility types, dimensions, and connectivity.

Page 5-32

17. Travel Demand Management (TDM). Support and promote TDM measures to reduce the percentage of person trips made by automobile and to reduce the annual vehicle miles of travel. Reduce the percentage of trips made by automobile and provide the opportunity and facilities to divert trips from automobiles to other modes. Encourage small businesses in areas of employment concentration to form cooperatives that can collectively provide effective TDM options to employees. Require new developments along San Pablo Avenue to provide basic TDM measures for residents and businesses as appropriate; additional TDM measures may be required where adjustments to the parking requirements are proposed to incentivize alternative modes of travel.

Page 5-32

18. San Pablo Avenue Specific Plan. The purpose of the San Pablo Avenue Specific Plan, including a Form-Based Code, Complete Streets Plan and Infrastructure Analysis, is to articulate a vision for the future of San Pablo Avenue from the southern entrance to the northern entrance of the City, east to the El Cerrito Plaza BART Station and west along Central Avenue to Interstate 80. The Plan identifies improvements and context-sensitive regulations to create a multimodal corridor that provides a multitude of opportunities for living, working and community life. The Plan includes a multi-modal level of service (MMLOS) analysis to understand the impacts of proposed streetscape improvements on all users of the Avenue to better ensure that projects improve circulation within the Plan area.

2007-2014 HOUSING ELEMENT

Housing Element Page 44

Designation	Description	Permitted Density
San Pablo Avenue Specific Plan	The Specific Plan's Form-Based Code regulates land use and development standards based on Transect Zone, Transit-Oriented High-Intensity Mixed Use (TOHIMU) and Transit-Oriented Mid-Intensity Mixed-Use (TOMIMU), designed to encourage vertical and horizontal mixed-use. The TOHIMU zone emphasizes commercial uses on the ground floor with upper residential uses to activate the pedestrian right-of-way and cluster services near transit nodes. The TOMIMU zone allows for "flex" spaces on the bottom floors to accommodate ground floor commercial where needed, but emphasizing mid-intensity residential uses to increase housing along the transportation corridor to encourage walking, biking and public transit use.	TOHIMU: maximum of 65' TOMIMU: maximum of 55'

Housing Element Page 44

Add Land Use Control b. San Pablo Avenue Specific Plan:

b. San Pablo Avenue Specific Plan

The San Pablo Avenue Specific Plan, adopted by the City in (date TDB), articulates a vision for the future of San Pablo Avenue, identifies improvements, and adopts context sensitive regulations that can be applied within the Specific Plan Area. The Plan's key principles are to deepen a sense of place and community identity, attract private investment, strengthen partnerships, enhance the public realm, promote the everyday use of transit, walking, and biking and foster environmental sustainability. The Plan establishes a Form-Based Code that regulates land use and development standards based on Transit-Oriented High-Intensity Mixed Use (TOHIMU) and Transit-Oriented Mid-Intensity Mixed-Use (TOMIMU) Transect Zones

Goals and strategies of the Plan include:

- Maximize Transit-Oriented Development (TOD) potential along the corridor;
- Allow ground floor residential development to provide flexibility and expand the Plan Area's residential base;
- Promote residential infill development through increased land use intensity close to existing transit infrastructure; and
- Increase the supply, diversity and affordability of housing in proximity to existing or planned transportation investments.

c. Zoning Code

The Zoning Code is the primary tool for implementing the General Plan. It is designed to protect and promote public health, safety and welfare, as well as to promote quality

design and quality of life. The City of El Cerrito's residential zoning designations control both the use and development standards of each residential parcel.

Table III-2 summarizes permitted residential uses in residential districts. Residential zoning includes six main districts: RS, RD, RM, TOM, CC and CN and the TOHIMU and TOMIMU Transect Zones of the San Pablo Avenue Specific Plan. The RS District is split into four separate subsets guiding the minimum size of each lot and other development standards such as minimum lot depth and width and setbacks—RS-5 would be a minimum lot size of 5,000 square feet, RS-7.5 = 7,500 square feet, RS-10 = 10,000 square feet, and RS-20 = 20,000 square feet.

Single-family units are permitted as a matter of right in all single-family residential districts. New single family uses are not allowed in the RM, TOM, CC, CN districts. Multiple family dwellings are permitted by right in the RM, TOM, CC, CN zones and San Pablo Avenue Specific Plan Transect Zones. Multiple family dwellings are not permitted on the ground floor of the Theater Overlay Block of the San Pablo Avenue Specific Plan.

Housing Element Page 45

Zone	Single-Family Detached	Multi-family	Second Unit	Duplex	Transitional or Homeless Shelter
San Pablo Avenue Transit-Oriented High-Intensity Mixed-Use (TOHIMU)	--	P		--	P
San Pablo Avenue Transit-Oriented Mid-Intensity Mixed-Use (TOMIMU)	--	P		--	P

Housing Element Page 45 Residential Development Standards

The City regulates the type, location, density, and scale of development through the General Plan, San Pablo Avenue Specific Plan and the Zoning Ordinance. Provisions in the Zoning Ordinance specify minimum lot areas, setbacks, coverage, FAR, height limits, and parking (see Tables III-2, III-3, and III-4). The San Pablo Avenue Specific Plan specifies height, parking, setbacks, access and building length. El Cerrito regulations are comparable to those of similar cities. In addition to the base zoning districts described in the following tables, applicants can request rezoning to a customized Planned Development (PD) District that allows deviation from the normal regulations where a development project is consistent with the General Plan and meets other community objectives.

El Cerrito's zoning regulations are not restrictive and do not create a financial or physical constraint to residential development due to a wide range of densities permitted by the City and flexible parking requirements.

Housing Element Page 48

Amend Table III-4 Multi-Family Residential Development Standards in Commercial Zones

	CN	CC	TOM	San Pablo Avenue TOHIMU	San Pablo Avenue TOMIMU
Minimum Lot Size (sq. ft.)	5,000 2,000 for commercial	5,000	5,000		
Minimum Residential Density	--	--	35 units per acre within 300 feet of the BART stations		
Maximum Residential Density – lot area per unit (sq. ft.) (may be in addition to non-residential FAR)					
Base Density	20 units per acre	35 units per acre	35 units per acre	NA	NA
Density for Mixed Use Development	--	--	35 units per acre	NA	NA
Density with Incentives	25 units per acre	45 units per acre	45 units per acre; up to 70 du/ac for housing for elderly and disabled persons if services are provided.	NA	NA
Density with State Affordable Housing Bonuses	27 units per acre	48 units per acre	48 units per acre; up to 70 du/ac for housing for elderly and disabled persons if services are provided.	Affordable Housing Bonuses will be granted through height increases	Affordable Housing Bonuses will be granted through height increases
Maximum Building Height (ft.)	35	35, up to 50 with CUP	50, up to 65 with CUP in Del Norte & Plaza areas 35, up to 45 with CUP in Midtown node	65, up to 85 with State Affordable Housing Bonuses	55, up to 65 with State Affordable Housing Bonuses
Minimum Building Height	--	--	2 stories, exceptions may be granted with a CUP	3 stories Residential (except constrained lots) 2 stories commercial (exceptions granted with CUP)	3 stories Residential (except constrained lots) 2 stories commercial (exceptions granted with CUP)

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

	CN	CC	TOM	San Pablo Avenue TOHIMU	San Pablo Avenue TOMIMU
Building Setback on Street Frontages	0 - 10 feet	0 - 10 feet, more with a CUP	0 - 10 feet	0 – 15, front setback is regulated by Street Type. See Section 2.04.01 Regulation by Street Type of the San Pablo Avenue Specific Plan	0 – 15, front setback is regulated by Street Type. See Section 2.04.01 Regulation by Street Type of the San Pablo Avenue Specific Plan
Minimum Yard Requirements (ft.) – None unless adjacent to a residential district					
Building Transition Zone Adjacent to Residential Districts	For any portion of a structure adjacent to a residential district boundary), the minimum required setbacks of the residential district shall apply. To protect privacy and minimize sunlight blockage, structures shall not intercept a 45-degree daylight plane inclined inward starting from a height of 35 feet above existing grade at the setback line. Exceptions to the above requirements are permitted for a one-story parking or garage structure that does not exceed 10 feet in height in a side or rear yard that does not front on a street.			To minimize impacts of shadows on adjacent residential districts, buildings shall not cast shadows onto adjacent existing residential uses on December 21st greater than 14' deep at 1:30 pm on adjacent parcels to the east. To protect privacy and minimize additional sunlight blockage, structures shall not intercept a 45-degree daylight plane inclined inward starting from a height of 35 feet above existing grade at the setback line.	To minimize impacts of shadows on adjacent residential districts, buildings shall not cast shadows onto adjacent existing residential uses on December 21st greater than 14' deep at 1:30 pm on adjacent parcels to the east. To protect privacy and minimize additional sunlight blockage, structures shall not intercept a 45-degree daylight plane inclined inward starting from a height of 35 feet above existing grade at the setback line.
Required Off Street Parking	RM & CC Zones: 2 spaces per dwelling unit for each unit of two or more bedrooms. TOM Zones: 1.5 spaces per dwelling unit for each unit of two or more bedrooms. At least one space per unit must be located in a garage or carport. In the TOM district, required parking reduced by 25% within ¼ mile of a BART station.			Residential: up to 1 auto space/unit Commercial Buildings: < 3,000 sf - no parking required > 3,000 sf – up to 1 auto space/1,000 sf	Residential: up to 1.5 auto space/unit Commercial Buildings: < 3,000 sf - no parking required > 3,000 sf – up to 1 auto space/500 sf

Housing Element Page 49

Use Classification	Required Off-Street Parking Spaces	Additional Regulations
Single Family Dwelling	2 spaces per dwelling unit for each unit of two or more bedrooms. 1 space per studio or 1-bedroom unit.	19.06.030(N), Limitations on Parking and Garage Frontage. All required spaces must be located in a garage or carport.
Second Unit	1 space for the Second Unit in addition to the spaces required for the primary dwelling unit.	Section 19.20.190(D), Second Units.
Two-Family Dwelling; Multiple Family Residential	1 space per unit for each studio or 1-bedroom unit. RD, RM & CC Zones: 2 spaces per dwelling unit for each unit of two or more bedrooms. TOM Zones: 1.5 spaces per dwelling unit for each unit of two or more bedrooms.	19.06.030(N), Limitations on Parking and Garage Frontage At least one space per unit must be located in a garage or carport.
Transit-Oriented High-Intensity Mixed-Use (TOHIMU)	up to 1 auto space/unit	All projects include basic Transportation Demand Management (TDM). Projects proposing 0-0.5 auto spaces/residential unit may be required to perform a parking study and/or provide additional TDM measures. See San Pablo Avenue Specific Plan for Parking Standards
Transit-Oriented Mid-Intensity Mixed-Use (TOMIMU)	up to 1.5 auto space/unit	All projects include basic Transportation Demand Management (TDM). Projects proposing 0-1 auto spaces/residential unit may be required to perform a parking study and/or provide additional TDM measures. See San Pablo Avenue Specific Plan for Parking Standards
Group Housing	0.5 per Unit	19.06.030(N), Limitations on Parking and Garage Frontage.

Use Classification	Required Off-Street Parking Spaces	Additional Regulations
Senior Citizen Housing	0.5 per unit	19.06.030(N), Limitations on Parking and Garage Frontage.
Transitional Housing	0.5 per unit	19.06.030(N), Limitations on Parking and Garage Frontage.

Housing Element Page 50

c. San Pablo Avenue Specific Plan

Projects within the San Pablo Avenue Specific Plan Area will be subject to the Administration regulations of the Specific Plan. The Plan Form-Based Code is designed to facilitate an increased intensity of residential development in proximity to transit. In the event that the development standards for the Transect Zones create an impediment to achieving multifamily residential development, the developer may submit an application for Site Plan and Design Review – Tier IV. The Tier IV Site Plan and Design Review process is meant to incentivize overarching community benefits, including affordable housing, as part of developments that would not otherwise be permitted under Specific Plan regulations but nevertheless comply with the intent of the Specific Plan.

Approval Findings for Tier IV Site Plan and Design Review include the following:

- That the project furthers the goals of this Specific Plan by encouraging practical and market-friendly development, ensuring return on investment, strengthening a sense of place, enhancing and humanizing the public realm, and catalyzing mode shift;
- That the project provides a public benefit which is consistent with the goals of the Specific Plan and furthers an important goal(s) stated in adopted city policy documents as identified by the Community Development Director. These documents include, but are not limited to:
 - o EL Cerrito Climate Action Plan
 - o El Cerrito Strategic Plan
 - o This General Plan, especially this Housing Element
 - o El Cerrito Economic Development Action Plan
 - o El Cerrito Urban Greening Plan
 - o El Cerrito Active Transportation Plan
- That the development will not have an undue adverse effect upon the Transect Zone in which it is located, and will be compatible with the design features and land uses permitted in the Transect Zone in which the project is located.
- That the proposed development complies with the intent of the Specific Plan, and;
- That the project implements applicable goals and policies of this General Plan.

Housing Element Page 53

4. Emergency Shelters, Transitional Housing and Single Room Occupancy Units

In 2008, a new State law was adopted (Government Code 65583 (a)(4)) requiring local jurisdictions to identify a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The City Zoning Ordinance allows emergency shelters as a permitted use under “Community Social

Service Facilities” within the Community Commercial (CC) zone. The definition of Community Social Service Facilities as listed in the City’s Zoning Ordinance is below:

Community Social Service Facilities. Any noncommercial facility, such as homeless shelters, emergency shelters and facilities providing social services such as job referral, housing placement and which may also provide meals, showers, and/or laundry facilities, typically for less than 30 days. Specialized programs and services related to the needs of the residents may also be provided. This classification excludes transitional housing facilities that provide living accommodations for a longer term.

As updated by the San Pablo Avenue Specific Plan, emergency shelters are also permitted in the TOHIMU and TOMIMU zones, subject to specified operational standards. The definition of Emergency Shelter as listed in the San Pablo Avenue Specific Plan is:

Emergency Shelters. Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person or family. No individual or household may be denied emergency shelter because of an inability to pay. Medical assistance, counseling and meals may be provided.

The City Zoning Ordinance allows transitional housing as a permitted use under “Transitional Housing” within the Community Commercial (CC) zone and as a conditional use in the Transit Oriented Mixed Use (TOM) zone. The definition of Transitional Housing as listed in the City’s Zoning Ordinance is below:

Transitional Housing. Establishments providing temporary housing in a structured living environment and where residents have access to various voluntary support services, such as health, mental health, education and employment/training services to obtain skills necessary for independent living. Living accommodations are shared living quarters with or without separate kitchen or bath facilities for each room or unit. The occupancy period shall be at least 30 days. This category excludes temporary housing that does not include support services and community social service facilities such as emergency shelters.

As updated in 2014 by the San Pablo Specific Plan, transitional housing and supportive housing are allowed in the TOHIMU and TOMIMU zones under the same standards as other types of permitted residential uses. The definitions of transitional housing and supportive housing contained within the San Pablo Specific Plan Land Use Definitions are:

Transitional Housing. Buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of assistance.

Supportive Housing, Housing with no limit on length of stay that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, where possible, work in the community.

The City Zoning Ordinance allows single room occupancy units (SRO) as a permitted use under “Group Housing” within the Community Commercial (CC) and, within the San Pablo Specific Plan Area, as an allowed use with an Administrative Use Permit in the TOHIMU and TOMIMU zones. The definition of Group Housing as listed in the City’s Zoning Ordinance and in the San Pablo Avenue Specific Plan is below:

Group Housing. Shared living quarters without separate kitchen or bathroom facilities for each room or unit. This classification includes rooming and boardinghouses, dormitories, and private residential clubs, offering shared living quarters, but excludes hotels, residential care facilities and transitional housing facilities.

Housing Element Page 59

For projects within the San Pablo Avenue Specific Plan, see the Master Fee Schedule for permit and design review fees.

Housing Element Page 59

For projects within the San Pablo Avenue Specific Plan Area, see Specific Plan Section 2.02 Administration of the Regulating Code for additional information on permit processing procedures.

Housing Element Page 61

For projects within the San Pablo Avenue Specific Plan Area, see Specific Plan Section 2.02.08 Application for Discretionary Actions Requiring a Public Hearing for additional Design Review requirements.

Housing Element Page 74 to 90

Policy 5:

Encourage the development of multi-family residential uses in mixed-use projects, in the redevelopment area, and near transit-oriented facilities to help meet ABAG's Regional Housing Needs Allocation for El Cerrito and so that housing and commercial uses can complement and support one another.

The City will encourage the construction of transit-oriented developments (TODs) that seek to maximize opportunities for the use of public transit and transportation corridors through high-density residential and mixed-use projects along those corridors in accordance with the San Pablo Avenue Specific Plan and the City's Incentives Program (Chapter 19.23 of the El Cerrito Zoning Ordinance

Program 5.1:

Maintain General Plan designations for mixed use and high-density residential housing, the Transit Oriented Mixed Use districts and implement the Transit-Oriented High-Intensity Mixed-Use (TOHIMU) and Transit-Oriented Mid-Intensity Mixed-Use (TOMIMU) Transect Zones of the Specific Plan in the development nodes of the City.

Responsibility: Planning Division

Time Frame: Ongoing

Funding: General Fund

Policy 19:

Promote fair housing opportunities for all people.

Program 19.4:

To comply with Senate Bill (SB) 2 the City will continue to maintain appropriate land use definitions of emergency shelters, transitional housing and supportive housing to homeless individuals and families and allow those uses by in the CC (Community Commercial) and the TOHIMU and TOMIMU zones.

Responsibility: Planning Division

Time Frame: Ongoing

Funding: General Fund

Policy 23:

Encourage the location of multi-family housing near transit centers where living and/or working environments are within walkable distances in order to reduce auto trips to work, roadway expansion and air pollution.

Program 23.1:

Continue to enforce the sections of the Zoning Ordinance that increase density, reduce parking requirements, and establish design and development standards to create inviting, mixed-use neighborhoods around transit. Enforce the San Pablo Avenue Specific Plan.

Responsibility: Planning Division

Time Frame: Ongoing
Funding: General Fund

**Appendix C Design and Development Guide of the General Plan is deleted.
It is superseded by the San Pablo Avenue Specific Plan.**



AGENDA BILL

Agenda Item No. 6(B)

Date: September 22, 2014

To: El Cerrito City Council

From: Melanie Mintz, Interim Community Development Director
Yvetteh Ortiz, Public Works Director
Margaret Kavanaugh-Lynch, Development Services Manager

Subject: San Pablo Avenue Specific Plan Adoption and Environmental Impact
Report Certification

ACTION REQUESTED

Conduct a public hearing and upon conclusion, take the following actions related to the San Pablo Avenue Specific Plan:

- Adopt a resolution certifying the Environmental Impact Report and approving the Mitigation Monitoring and Reporting Program;
- Adopt a resolution amending the General Plan, to assure consistency between the Specific Plan and General Plan;
- Adopt a resolution approving the San Pablo Avenue Specific Plan;
- Introduce by title, waive any further reading beyond the title and approve an ordinance revising the Zoning Map to incorporate the San Pablo Avenue Plan Area; and
- Introduce by title, waive any further reading and approve an ordinance revising the Municipal Code to incorporate the San Pablo Avenue Specific Plan regulations.

BACKGROUND

The proposed San Pablo Avenue Specific Plan (Plan) has been underway since 2007 when the former El Cerrito Redevelopment Agency and the City of Richmond undertook an effort to develop a shared vision for the future of San Pablo Avenue. (Redevelopment Agency Resolution No. 563) The Plan has aimed to achieve and develop clear and consistent guidelines to stimulate investment and achieve economic and community vitality along San Pablo Avenue. The Plan before City Council tonight represents the culmination of seven-plus years of community input and responds to issues identified by City Council at its March 7 and November 21, 2011 and November 15, 2013 study sessions to develop a Plan which focused on implementation and was reflective of contemporary land use planning strategies along transit-corridors. These

Agenda Item No. 6(B)

strategies include increased heights and densities, lower parking minimums, and a flexible approach to mixed-use development, e.g. allowing ground floor residential in most cases.

The Plan before Council tonight incorporates a Form Based Code, a Complete Streets Plan, an Infrastructure Analysis, technical appendices and is accompanied by an Environmental Impact Report (EIR), prepared pursuant to the California Environmental Quality Act (CEQA). The collection of elements was authorized at the April 2, 2013 City Council meeting (Resolution 2013-17) and is funded by a combination of sources, including the City's Municipal Services Corporation, the Contra Costa Transportation Authority (CCTA) Measure J/Transportation for Livable Communities and Measure J/Transit Oriented Development Access Improvements. The Multimodal Capital Improvement Program, authorized at that time, will be completed after adoption of the Plan to further implementation of the various multimodal improvements (e.g. bicycle, vehicle, transit and automobile transportation infrastructure improvements) that have been identified as needed within ½ mile of both BART stations to support the goals of the Plan.

The Plan incorporates best practices and community input received through this planning effort and parallel regional and local planning processes. It directly implements a number of city goals, including:

1. **1999 General Plan Strategic Framework** which includes development of San Pablo Avenue Corridor Design Guidelines and revitalization strategies for the Del Norte, Midtown and El Cerrito Plaza area among its most important strategies for accomplishing the vision for El Cerrito.
2. **2006 Economic Development Action Plan** which specifies creating a consistent vision of El Cerrito's transition to an urban lifestyle along San Pablo Avenue to attract high quality development and sustain a strong sense of community as key to achieving the City's Economic Development goals.
3. **2013 Strategic Plan** which identified the following goals and strategies:
 - a. Attracting and maximizing opportunities for new/expanding businesses as a strategy for achieving *long-term financial sustainability*
 - b. Reimagining underdeveloped and underutilized properties and encouraging use of alternative modes of transportation as strategies to *deepen a sense of place and community identity*
 - c. Implementing the City's Climate Action Plan and reducing vehicle-miles traveled through improved transit-oriented form to *foster environmental sustainability*
4. **2013 Climate Action Plan** which identified encouraging more compact, higher density infill development along transportation corridors and increasing the local

Agenda Item No. 6(B)

economic base as key Sustainable Community Goals to reduce overall vehicle miles travelled in the City.

The Plan also directly responds to and implements the goals of SB375, the *Sustainable Communities and Climate Protection Act of 2008* and *Plan Bay Area*, the Bay Area's Sustainable Community Strategy, which both call for integrating transportation and land-use planning to help the State achieve its greenhouse gas emissions targets.

Finally, the Plan shares goals with the City of Richmond's draft *Livable Corridors Form Based Code* which articulates the City of Richmond's vision for creating walkable mixed-use neighborhoods consistent with its General Plan. Although the EIR before Council tonight incorporates the impacts of anticipated development in the City of Richmond within the Plan area, regulatory changes on parcels that fall within the City of Richmond will take place through Richmond's amendment and adoption of its proposed Livable Corridors Form Based Code.

Parallel Planning Efforts: In addition to directly implementing adopted City goals, the Plan is informed by and works in tandem with parallel planning and capital projects underway, including the Citywide Urban Greening and Active Transportation Plan, several phases of the I-80/Central Avenue Interchange Improvements Project, improvement to multimodal and intermodal transportation facilities at both BART stations funded through the City's One Bay Area Grant and BART's Caltrans Planning grant, and upcoming Safe Routes to Transit and Priority Development Area planning grants which include development of ongoing parking and transportation management strategies. The multiple planning projects underway aim to assure that the Plan's elements are well-coordinated with partner agencies, such as AC Transit, BART, Caltrans and neighboring jurisdictions and that Plan implementation will be complemented by parallel efforts to improve overall livability for existing and future El Cerrito residents. Furthermore, the multiple planning efforts underway, and especially the proposed San Pablo Avenue Specific Plan will catalyze private investment in the area and continue to make El Cerrito competitive for outside funding to fully implement the Plan vision. During the planning process, Community Development staff hosted a workshop with developers and architects to assure the proposed Plan's provisions achieved its goals of encouraging practical and market-friendly development.

Public Engagement: Public engagement throughout the planning process has included surveys, informal interaction with staff and decision-makers, the San Pablo Avenue Advisory Committee which met from 2007-2011, and numerous public meetings and Planning Commission, Design Review Board and City Council study sessions as documented in the Plan. Public comment on the draft Plan and draft Environmental Impact Report (DEIR) was taken June 3-July 21, 2014. Responses to DEIR comments have been incorporated in the Final Environmental Impact Report (FEIR). Public comment was also received in relation to the September 4, 2014 Planning Commission consideration of the proposed Plan and entitlements and in relation to the item before Council tonight. Comments received regarding tonight's requested action prior to September 15 are included as Attachment 7. Comments received afterwards will be distributed to City Council at the dais.

Agenda Item No. 6(B)

Planning Commission: In addition to commenting on and being involved in previous drafts of the Plan, the Planning Commission received project updates and held study sessions on July 17 and November 20, 2013, and July 16, 2014. At its September 4 meeting, the Commission voted 5-1 to recommend the proposed Specific Plan and associated resolutions and ordinances be adopted by City Council. Twenty members of the public spoke at that meeting, representing a range of opinions on the Plan. A number of minor changes to the Plan were requested by the Planning Commission prior to their vote, which are included in an updated Errata (Attachment 6).

Interagency-Interdepartmental Coordination: Throughout the development of the proposed Plan, the City has met with outside agencies and internal City departments to assure the Plan's provisions met shared goals and were feasible. An ongoing Technical Advisory Committee (TAC), consisting of the City's Police and Fire departments, Caltrans, the cities of Albany and Richmond, AC Transit, BART, Bike East Bay (formerly the East Bay Bicycle Coalition) and Contra Costa Public Health Department has been convened and will continue to meet throughout the Plan's implementation.

Below is a concise summary of each of the Plan's elements and the EIR, as well as a summary of key issues raised during the public comment period. More detail about each of the Plan's elements can be found in the Plan itself.

Form Based Code: The Form Based Code (FBC) provides development regulations and design guidelines for new development and changes to the built environment on San Pablo Avenue. The code aims to provide clarity to those wishing to improve their properties along the Avenue while promoting quality development that meets the City's goals for high-quality development that promotes walkability, livability and economic vitality. The Code includes several subsections, including:

1. *Code Intent, Use and Administration:* Includes summaries of the regulating plan and development standards; land use regulations; approval procedures and public noticing requirements.
2. *Regulating Plan:* Establishes the transect zones for the Plan Area which establishes building heights, parking requirements, open space and land use requirements; and Street Types which in tandem with the transect zones regulates building placement, form, articulation and character.
3. *Development Standards:* Illustrates and establishes building placement, form, articulation and character including sidewalk requirements, set back requirements, pedestrian and vehicle access requirements etc.
4. *Supplemental Development Standards:* Specifies site layout requirements and guidelines, building articulations standards, frontage types, parking, signage and landscaping standards, guidelines for sustainable design elements and public art and regulations and intent as it applies to cultural and historic resources.

Agenda Item No. 6(B)

5. *General Public and Private Open Space Standards:* Establishes public, private and common open spaces requirements for non-residential and residential projects and provides guidelines to incentivize types of open space.

Complete Streets: The Complete Streets Plan provides general direction for the design of the public right-of-way within the Specific Plan area, as well as, identifies a range of specific improvements to help transform the area into a transit-friendly, walkable and bikeable corridor while at the same time addressing congestion hot-spots for automobile traffic. In order to design for and track success of the Complete Street Plan over time, new multimodal level of service (MMLOS) metrics have been developed. The current level of service (LOS) methodology employed by the City considers only automobile delay and therefore neglects to account for the multimodal impacts of land use development and infrastructure improvement projects.

The existing right-of-way and traffic volumes vary along San Pablo Avenue, and therefore the Plan calls for varying improvements throughout the length of San Pablo Avenue. For example, in some of the more constrained right-of-way widths along San Pablo Avenue, such as the Downtown and Uptown section, it will not be possible to provide optimum facilities for all travel modes. When trade-offs are necessary, the Complete Streets Plan prioritizes adding transit and pedestrian infrastructure over new bicycle infrastructure. This is due to the corridor's importance as a transit route and as the City's main commercial and mixed-use corridor where walking between various uses and to transit are key. While transit and pedestrian modes are prioritized in the Plan, bicycle facilities are not allowed to remain with low service levels if measures to improve them exist such as in Midtown where buffered bicycle lanes can be accommodated while maintaining acceptable levels of service for all other modes including automobiles.

As a part of this process, staff has convened a Technical Advisory Group (TAG) to discuss our Complete Streets strategies. The TAG has consisted of staff from Caltrans, AC Transit, BART, Contra Costa County Health, Bike East Bay (formerly East Bay Bicycle Coalition), BART, Richmond and Albany.

City staff has also been actively involved in the update to the WCCTAC Action Plan, which maintains LOS E along San Pablo Avenue, which is a route of regional significance, except within a 1/2 mile of a BART station where it defers to any MMLOS established by area specific plans.

The Complete Streets improvements will be achieved through coordinated implementation by the City, private developers, regional transit agencies and Caltrans.

Infrastructure Systems: The Infrastructure Systems section of the Plan identifies utility providers and infrastructure systems along the Avenue. For water, wastewater and storm drainage utilities, the Plan also provides a general review of potential limitations in the currently installed systems and recommends feasibility-level improvements and associated costs. The Plan provides general information regarding dry utilities including gas, electric and cable. Individual projects will work with the utility agencies to assess

Agenda Item No. 6(B)

improvements needed for their connection to the systems. Where long-term capacity information is lacking, the City will partner with the agencies to seek funding to develop capacity information and identify funding to remedy deficiencies, including developer impact fees where the improvements are related to the demands of new development.

Environmental Impact Report (EIR): California Environmental Quality Act (“CEQA”) Guidelines require preparation of an EIR when a lead agency determines that there is evidence that a plan or project may have a significant effect on the environment. The City, as lead agency, determined that preparation of a program-level EIR for the Specific Plan was warranted to assure all environmental impacts were adequately analyzed, as permitted in Section 15060(d) of the CEQA Guidelines.

The Draft EIR was made available for public and agency review on June 3, 2014. The Draft Environmental Impact Report (SCH #2014042025) analyzed the potential environmental impacts that could result with the implementation of the Specific Plan. The CEQA-mandated 45-day public comment period for the Draft EIR ended on July 21, 2014. The comments on the Draft EIR, changes to the Draft EIR, and the written responses were incorporated into a Final EIR that was published on August 28, 2014. Copies of the Final EIR were made available at El Cerrito City Hall, on the City’s website, and at the El Cerrito Library and at Richmond City Hall and Richmond library.

For every impact identified, mitigations have been proposed. There are five areas of study that were not able to be mitigated to the point that their impacts could be found to be less than significant. Due to the nature of specific plans, this outcome is not unusual. Each of these five areas are briefly discussed below and also noted in detail in **Attachment 1, Exhibit B**.

1. *Views:* Specific Plan implementation could interfere with scenic views of Mt. Tamalpais, the Golden Gate Bridge, the San Francisco skyline, the East Bay Hills, and Albany Hill from public rights-of-way (roadways and sidewalks), the two BART station platforms (El Cerrito Plaza and El Cerrito Del Norte), and areas of lower elevation hillside homes located in El Cerrito and Richmond.

The mitigation states that future City decision-making actions for individual project proposals under the Specific Plan, Specific Plan Section 2.02 (Administration of Regulating Code) shall be implemented as it applies to the proposal’s potential effect on scenic vistas. Whenever a project may create this impact, the City shall require evaluation (including visual simulations, if deemed necessary) of the proposal’s visual effect as viewed from important on-site and off-site viewpoints, including public rights-of-way of east-west streets (roadways and sidewalks) and the two BART station platforms in the Specific Plan area. Adjustments to design to frame or retain partial views may be leveraged.

Because the outcome of this decision-making process for any individual, future proposals cannot be guaranteed, the impact under CEQA is considered significant and unavoidable. Some loss of these views may occur as a result of any project. It is important to note that this could happen under the current Zoning Ordinance. However,

Agenda Item No. 6(B)

because the impact cannot be precluded, mitigation to a level of insignificance is infeasible. That finding is acceptable under the California Environmental Quality Act (“CEQA”) Guidelines. The City Council will be asked to consider this issue as part of their required findings included in **Attachment 1, Exhibit A**.

2. Historic Resources: There may be one or more properties or features within the plan area that meet the CEQA definition of a historic resource, including properties or features already listed, or properties or features eligible for listing, in a local, State, or Federal register of historic resources. Future development projects that are otherwise consistent with the proposed Specific Plan may cause substantial adverse changes in the significance of one or more such historic resources. This is not the preferred intent of the City of El Cerrito, but it is impossible to preclude the possibility.

When reviewing any individual discretionary project within the Specific Plan area that the City determines may involve a property that contains a potentially significant historic resource (e.g., a recorded historic resource or an unrecorded building or structure 50 years or older) the resource shall be evaluated by City staff, and if warranted, shall be assessed by a qualified professional consultant. If, based on the recommendation of the qualified professional, the City determines that the project may have a potentially significant effect, the City shall require the applicant to implement the following mitigation measures:

1. The applicant will be strongly encouraged to retain the resource on site and integrate it into the new development in a way that is consistent with the Department of the Interior Standards.
2. If the resource cannot be retained on site, the applicant shall be strongly encouraged to move it to a new location compatible with the original character and use of the historical resource, and its historic features and compatibility in orientation, setting, and general environment shall be retained, such that the resource retains its eligibility for listing on the California Register.

If neither #1 nor #2 is feasible, a project-specific EIR shall be required to ensure that the appropriate analysis is completed.

This conservative approach provides the incentive for developers to integrate historic buildings into the new development in a way that does not have a negative impact on the historic resource. If a developer decides that the resource cannot be integrated into their project, they will not be able to rely on the programmatic EIR; rather, they will have to do a significant amount of additional analysis to create a project level EIR specific to their proposal. This approach makes a clear statement that it is the priority of the City of El Cerrito to preserve historic resources whenever it is feasible to do so. If a project cannot meet this goal the applicant will have to complete a focused EIR, just as they would have to do under the current code. However, because the impact cannot be precluded from occurring, mitigation to a level of insignificance is infeasible. That finding is acceptable under the California Environmental Quality Act (“CEQA”)

Agenda Item No. 6(B)

Guidelines. The City Council will be asked to consider this issue as part of their required findings included in **Attachment 1, Exhibit A**.

3. Noise and 4. Vibration: Businesses and residences would be intermittently exposed to high levels of noise and vibration throughout the 2040 plan horizon during construction.

A list of constraints and conditions have also been incorporated into the mitigations that will lessen the effects identified in the EIR, although not to a level of insignificance. Even with the mitigation measures it may not be possible to avoid some noise disturbance as well as the use of pile drivers, vibratory rollers, and tampers entirely during construction. Due to the density of development in the area, some of these activities may take place near sensitive areas. In these cases, the mitigation measures listed above may not be sufficient to reduce noise and groundborne vibrations below a level of significance. Because the impact cannot be completely avoided, mitigation to a level of insignificance is infeasible. That finding is acceptable under the California Environmental Quality Act (“CEQA”) Guidelines. The City Council will be asked to consider this issue as part of their required findings included in **Attachment 1, Exhibit A**.

5. Cumulative Traffic Impact at San Pablo Avenue/Cutting Boulevard: Cumulatively, the Plan may have an impact, relative to the City’s current LOS standard of D, at San Pablo Avenue/Cutting Boulevard, which would fall from LOS D in the Cumulative No Project case to LOS E in the Cumulative with Project case.

Adoption and full implementation of the San Pablo Avenue Specific Plan/Complete Streets Plan is projected to reduce auto trips relative to the baseline assumption in the impact analysis, which would reduce this impact to a less-than-significant level. However, because the projected mode shift cannot be guaranteed, and adoption of the proposed new multi-modal LOS goals as defined in the draft plan cannot be assured, the City cannot determine with certainty that this mitigation measure would reduce the potential cumulative traffic impacts to a less-than-significant level. Because the impact reduction cannot be completely guaranteed, mitigation to a level of insignificance is infeasible. That finding is acceptable under the California Environmental Quality Act (“CEQA”) Guidelines. The City Council will be asked to consider this issue as part of their required findings included in **Attachment 1, Exhibit A**.

Issues

The major issues raised by the public in response to the proposed Plan concern traffic, height and parking. Below is a summary of the major concerns staff has heard, and a response from staff on how the issue is addressed in the Plan, its implementation and parallel efforts.

- 1. Building Height:* The increased height limits are too tall causing significant shading or canyon effect on San Pablo Avenue.

Agenda Item No. 6(B)

Staff Response: Height limits will increase from 35 feet to as high as 65 feet in the Downtown and Uptown areas and 55 feet in the Midtown area for market priced housing in El Cerrito. The height limit on parcels in the City of Richmond in Midtown will be based upon Richmond's proposed Livable Corridors T4 Main Street standards of 3 stories. Richmond parcels Uptown and Downtown will correspond to T5 Main Street, which allows buildings up to 55' (and 85' in some areas.)

Current El Cerrito code typically allows a maximum height of 35 feet, with up to 65 feet if certain incentives were included in the project objectives. The proposed Plan allows for up to 65 feet (Midtown) and 85 feet (Uptown and Downtown) for projects that qualify for a density bonus in compliance with State density bonus regulations. (Current heights on San Pablo Avenue are a range, including Civic Plaza Apartments (35 ft), Del Norte Place (53 ft) and the Eskaton Hazel Shirley Manor (40 ft). City Hall is 50 feet at its highest point.) The proposed increase in heights are in response to both the desire to increase housing along transportation corridors and issues of development feasibility, as documented in the *El Cerrito Development Feasibility Analysis* presented to Council at its November 21, 2011 meeting. In addition, financial proformas that the City has reviewed for potential development projects as well as numerous Bay Area studies have informed the discussion on the topic. Anticipated rents, the cost of construction and other variables would be unlikely to result in much new construction along the San Pablo Avenue if market rate development continues to be capped at 35 feet.

However, it is also important to note, that the proposed Plan will not result in all new buildings being built to the maximum, due to parcel size constraints and those imposed by the proposed Form Based Code, such as shade limitations and daylight plane requirements for adjacent residential parcels. The Plan also limits lengths of buildings, requires mid-block connections, and other provisions that aim to result in an environment which is actually more human-scaled and livable than what is experienced today on San Pablo Avenue, even though some building heights exceed 35 feet.

Finally, the proposed Plan and EIR call for an additional 1,706 units to be built over the next decades within the Plan area, which includes the entire stretch of San Pablo Avenue in El Cerrito plus the portions within Richmond. As noted in the EIR, the 1,706 figure evaluated includes projects already in the "pipeline", such as the Creekside Walk project at El Cerrito Plaza, the anticipated project at Mayfair, Ohlone Gardens, Eden Senior Housing and development proposed along Central. (Note: The SPASP EIR does not specifically evaluate individual projects, but evaluates the impacts of all development in the SPASP at a "program-level" analysis under CEQA. The "pipeline" projects mentioned above will, or have, received the appropriate, project level of CEQA analysis before the City considers approval of each project.) It is anticipated that the change will be gradual and new significant development will likely take place on a small number of larger parcels, generally located near the BART stations and a few in Midtown. As mentioned above, new midrise development would only increase in size by one-to-two floors from the most recent mixed use projects in the City and adjacent communities. Additionally, it is

Agenda Item No. 6(B)

expected that the new development will help stimulate new restaurant, office and retail establishments and promote reinvestment in existing businesses.

2. *Traffic.* The result of adding 1,706 new dwelling units and adding infrastructure for bicycles to the area will make an already challenging vehicle environment, worse.

Staff Response: Local and national studies have found that mixed-use and transit-oriented neighborhoods generate fewer automobile trips and therefore reduce traffic impacts relative to single-use suburban development. These types of neighborhoods make walking safe and convenient, and are near developments that allow residents and workers to drive less. While the automobile level of service (LOS) analysis shows that congestion and delays are projected to increase slightly with the Plan due to the land use development included in the Plan and a small increase in regional traffic along San Pablo Avenue, the resulting peak hour service levels are generally projected to be at LOS D or better, the current City standard, with one exception (San Pablo Avenue/Cutting Boulevard in the Cumulative [2040] Plus Project case.) In addition, the projected mode shift of seven percent (from automobiles to transit, pedestrian and bicycle mode) that can be achieved with implementation of the Plan--i.e., all of the bicycle, pedestrian and transit policy and infrastructure improvements that together will support and promote alternatives to the automobile – would further reduce traffic impacts.

The Specific Plan would result in safer conditions for bicyclists and pedestrians, and a streetscape design that would better serve all travel modes - in particular buses, pedestrians, and bicyclists - while still accommodating vehicles and reducing conflicts between travel modes.

Finally, the City is working with neighboring and regional agencies on additional efforts outside the Plan area, including the I-80/Central Avenue Interchange Improvement Project, to ameliorate existing traffic problems.

3. *Parking.* There will not be enough parking. I live in the hills/cannot bicycle/walk and/or there is no adequate bus service. I will not be able to find parking.

Staff Response: On-street parking is considered an important amenity and will largely be preserved except for potentially along a few blocks between Potrero to Hill and Cutting Boulevard to Wall Street where a bike lane is proposed. During detailed design, it will be determined in this location whether Super Sharrows (that preserve parking) or a bicycle lane is the preferred option. The proposed buffered-bike lane and bus-platforms, aim to maintain the same amount of on-street parking that there is today. Studies on the topic indicate that aside from near the two BART stations, both on-street and off-street parking along San Pablo Avenue is largely underutilized. By requiring the appropriate amount of parking in new development, the land available for housing and commercial development is optimized. Existing off-street parking will remain unless and until a new project application is approved. As a component of Specific Plan implementation, the City will continue to develop parking and transportation demand management programs, as called for in the 2011

Agenda Item No. 6(B)

El Cerrito Parking Study as well as numerous regional publications, in order to assure that adequate parking is available. The largest impact to local parking is from the BART riders. The City will continue to work with BART to manage the impacts of this parking. Development fees proposed to implement the San Pablo Avenue Specific Plan, also under consideration tonight, will help fund new and ongoing parking and transportation demand management programs.

ANALYSIS

Actions before Council tonight include:

Certification of the Environmental Impact Report, Adoption of a Mitigation Monitoring and Reporting Program and Approval of a Statement of Overriding Consideration

The City Council, using its independent judgment must consider the findings and conclusions of the EIR (as discussed above and in **Attachment 1, Exhibit A**), certify that the EIR complies with CEQA, and adopt the Mitigation Monitoring and Reporting Program (MMRP). See *Environmental Considerations* below and **Attachment 1** for additional details about CEQA for the proposed Plan.

General Plan Amendment

Although technically a General Plan Amendment is required for the adoption of the Specific Plan, the Plan is consistent with the spirit and intent of most of the existing goals and policies identified in the General Plan for the San Pablo Avenue corridor. For example, in the Strategic Framework Section; there are seven Primary Action Strategies identified “as the most important steps to accomplishing the vision for El Cerrito”. The Plan completely implements *Strategy 5: The San Pablo Avenue Corridor Design Guidelines*. It provides significant guidance towards fulfilling *Strategy 1: Del Norte Area Transportation Access/Land Use Strategy*, *Strategy 2: Adopt a Midtown Area Revitalization Strategy*, *Strategy 3: Adopt the El Cerrito Plaza Revitalization Strategy*, and *Strategy 6: Create a Green Infrastructure Initiative* by laying out a vision for context sensitive development strategy that affords a balance of building intensity, open space creation, historic preservation and commercial vibrancy. It also forwards the goals of *Strategy 7: Create a Community Collaboration Initiative* by raising the bar for public outreach in terms of notification methods and time and for instituting early review of complex projects.

Many of the goals and policies found in the Community Development and Design, the Housing Element and the Transportation and Circulation Chapters are also being fulfilled by the Plan. Please reference the General Plan for specific details.

The changes to the General Plan address the metrics that it uses to measure intensity and growth. This includes references to Density and Floor Area Ratio, (FAR) and a switch from the current automobile Level of Service standard (LOS) of D to an automobile LOS E along with Multimodal Level of Service (MMLOS) standards for transit, pedestrian and bicycle uses. Traditionally, density and FAR are ways that planners used to describe and quantify the amount of housing units in an acre and overall building

Agenda Item No. 6(B)

intensity. Instead of using those more indirect building form controls, FBC uses building form regulation to control the configuration, features and architectural aspects of projects as they relate to the public realm.

The MMLOS is a way of evaluating the impacts of development projects and street infrastructure projects on all modes of transportation. While LOS reviewed only the impacts on motor vehicles, MMLOS adds metrics to consider pedestrians, bicyclists and transit. By allowing the measurement of all of these modes of transportation, it allows staff and city decision makers to make improvements that will serve all users of the Plan area. It is the goal of this Plan to allocate the highest level of service to transit and pedestrian uses while the automobile level of service standard is mildly decreased. The motor vehicle is a primary mode of transportation in our city. The Plan notes that fact and ensures that it will continue to be able to provide ample parking and ease of use for all vehicles. The MMLOS standards allow other users' needs to be measured and addressed.

Staff believes that is appropriate to amend the General Plan for the Plan area to adhere to the practices of FBC and MMLOS. It is in the public interest because it adopts context-sensitive regulations to be applied throughout the Plan area. Please see Attachment 2 to review the complete set of findings on this issue.

Zoning Ordinance and Map Amendment

The existing Zoning Ordinance and Map are required to be physically amended to reflect the new Plan Area. This action is often called rezoning. The Plan itself will be added to the El Cerrito Municipal Code as Section 19.15 as the San Pablo Avenue Specific Plan Special District. The existing Municipal Code shall remain in full effect throughout the city limits. Inside the Plan Area, the Specific Plan shall take precedence over the Zoning Ordinance. If the Plan is silent on any issue, the underlying zoning regulations still govern. For example, any definition that is not found in the Plan but exists in the zoning regulations, will be valid for the Plan Area, as well.

All existing specifications related to the construction and installation of structures and infrastructure shall continue to comply with the rules, regulations and requirements of the City of El Cerrito. Nothing in the San Pablo Avenue Specific Plan Special District should be interpreted to preclude the application and enforcement of other state and federal laws, including but not limited to the California Environmental Quality Act, the California Building Standards Code (as amended by local resolution), the California Fire Code, the Permit Streamlining Act, the California Density Bonus Law and the C.3 requirements of the California Regional Water Quality Control Board's Municipal Regional Permit. Attachment 4 and 5 provide the legal steps for this entitlement.

STRATEGIC PLAN CONSIDERATIONS

The City's strategic plan articulates the mission of the City to serve, lead and support our diverse community by providing exemplary and innovative services, public places and infrastructure, ensure public safety, and create an economically and environmentally sustainable future. The SPASP directly implements several of the goals and strategies,

Agenda Item No. 6(B)

and is consistent with the overall Strategic Plan. The primary goals and strategies furthered by the SPASP include:

- *Goal B: Achieve long-term financial sustainability*
 - Attract and maximize opportunities for new/expanding businesses
- *Goal C: Deepen a sense of place and community identity*
 - Re-imagine underdeveloped and underutilized properties through advance planning efforts that encourage investment and/or new development
 - Encourage use of alternative modes of transportation to connect people and create a sense of community
- *Goal F: Foster environmental sustainability citywide*
 - Implement the City's Climate Action Plan, including:
 - Reducing vehicle miles traveled (by creating a well connected, pedestrian, bicycle and transit-oriented urban form that will make it easier for residents and visitors to leave their car behind

ENVIRONMENTAL CONSIDERATIONS

California Environmental Quality Act ("CEQA") Guidelines require preparation of an EIR when a lead agency determines that there is evidence that a plan or project may have a significant effect on the environment. The City prepared an EIR Section pursuant to 15060(d) of the CEQA Guidelines.

On April 4, 2014, the City circulated a Notice of Preparation ("NOP") for 30 calendar days to help identify the type of impacts that could result from the Specific Plan, as well as potential areas of controversy.

On June 3, 2014, the Draft EIR was made available for public and agency review. The 45-day public comment period for the Draft EIR ended on July 21, 2014. All comments on the Draft EIR concerning environmental issues received during the public comment period were evaluated and responded to in writing by the City as the Lead Agency in accordance with Section 15088 of the CEQA Guidelines.

On August 28, 2014, the comments on the Draft EIR, changes to the Draft EIR, and the written responses were incorporated into a Final EIR and released to the public.

On September 4, 2014 the Planning Commission, having fully reviewed, considered and evaluated all the testimony and evidence submitted, voted affirmatively to recommend to the City Council to find that the Final EIR was prepared in compliance with CEQA.

FINANCIAL CONSIDERATIONS

There are no direct costs associated with the action requested tonight. Costs associated with processing development applications under the proposed Plan will be paid for through the San Pablo Avenue Specific Plan application fees, also under consideration tonight. Costs associated with ongoing Plan implementation, maintenance and

Agenda Item No. 6(B)

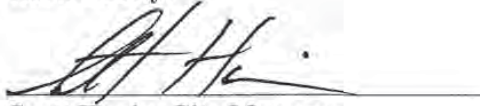
monitoring will be partially paid for by the proposed San Pablo Ave Specific Plan Maintenance fee, also under consideration tonight. Additional funds for ongoing Plan implementation will be sought by grants and conducted as a part of the normal operating budget of the City. Costs associated with development and implementation of Complete Streets will largely, if not entirely, be funded by outside grants and developer contributions and would not be appropriated until subsequent City Council decisions are made, e.g. to approve a design and award a contract. Costs associated with infrastructure needs for new development will be paid for by new development.

New revenues are anticipated as a result of the action in the form of Planning and Building fees, Plan Maintenance fees and increased sales tax and property tax revenues that would result from new commercial and residential development and increased economic activity.

LEGAL CONSIDERATIONS

The City Attorney has reviewed all of the documents, resolutions and ordinances associated with the action requested tonight.

Reviewed by:



Scott Hanin, City Manager

Attachments

- 1) Attachment 1 Draft Resolution Certifying the Environmental Impact Report, Adopting a Statement of Overriding Considerations, and Adopting a Mitigation Monitoring and Reporting Program
 - a. Exhibit A: Findings Required Under the Californian Environmental Quality Act
 - b. Exhibit B: Mitigation Monitoring and Reporting Program
- 2) Attachment 2 Draft Resolution to approve the General Plan Amendment
 - a. Exhibit A Amended General Plan Text
 - b. Exhibit B General Plan Map
- 3) Attachment 3 Draft Resolution to Adopt San Pablo Avenue Specific Plan
 - a. Draft San Pablo Avenue Specific Plan, dated August 2014 (Under Separate Cover and posted to the City's website at www.el-cerrito.org/SPASP)
- 4) Attachment 4 Draft Ordinance to approve Rezoning Properties in the Plan Area
 - a. Exhibit A: List of Property Owners
 - b. Exhibit B: Zoning Map
- 5) Attachment 5 Draft Ordinance Amending Title 19 of the Municipal Code

Agenda Item No. 6(B)

- 6) Errata (Dated September 11, 2014)
- 7) Public Comment received since the date of the Planning Commission meeting (September 4, 2014)
- 8) San Pablo Avenue Draft and Final Environmental Impact Reports and Mitigation Monitoring Program. (Collectively the EIR) (Under Separate Cover and on the City's website at www.el-cerrito.org/SPASP)
- 9) Powerpoint presentation

RESOLUTION 2014-50

A RESOLUTION OF THE CITY OF EL CERRITO CITY COUNCIL CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE SAN PABLO AVENUE SPECIFIC PLAN, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, on April 4, 2014, the City circulated a Notice of Preparation for an Environmental Impact Report (EIR) for the San Pablo Avenue Specific Plan (SPASP) pursuant to the California Environmental Quality Act ("CEQA") and the CEQA Guidelines; and

WHEREAS, on April 10, 2014, a public Scoping Meeting for the EIR was held at City Hall; and

WHEREAS, on June 3, 2014 the Draft EIR was circulated for public comment; and

WHEREAS, on July 9, 2014 the City of El Cerrito heard public comment on the Draft EIR; and

WHEREAS, on July 21, 2014, the public comment period for the Draft EIR closed; and

WHEREAS, on September 4, 2014 the Planning Commission recommended that the City Council certify of EIR.

NOW THEREFORE, BE IT RESOLVED:

The City Council of the City of El Cerrito finds that pursuant to CEQA Guidelines and Section 19.42 of the El Cerrito Municipal Code:

1. Pursuant to CEQA and the CEQA Guidelines, a Notice of Preparation of an Environmental Impact Report was circulated on April 4, 2014. A scoping meeting was held at City Hall on April 10, 2014. The Draft Environmental Impact Report (DEIR) was circulated on June 4, 2014. the public comment period on the DEIR ended on July 21, 2014. Pursuant to CEQA, comments received during the comment period have been responded to in the Final EIR which is now before the City Council for consideration.
2. The analysis contained in the EIR has been developed using experts in related fields to professional standards stipulated by the CEQA Guidelines and by prevailing CEQA case law.
3. The Final EIR was presented to the City Council prior to the September 22, 2014 meeting. The City Council reviewed the final EIR and has considered the analysis contained therein.
4. On September 22, 2014, the City Council held a public hearing and heard public comments and testimony regarding the Final EIR.

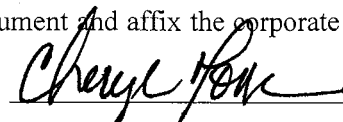
Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

5. The Final EIR has been developed by City of El Cerrito staff and the City's consultant, using the analysis of experts in related fields. The final EIR reflects the independent expert analysis the City of El Cerrito's independent judgment.
6. The City Council certifies that the Environmental Impact Report has been completed in compliance with CEQA and the CEQA Guidelines.
7. The City hereby makes the findings and adopts a statement of overriding considerations in compliance with Sections 15091, 15092, 15093, and 15097 of the CEQA Guidelines and Sections 21081, 21081.5, and 21081.6 of CEQA, as set forth in detail in the attached Exhibit A, and based on the above certified Final EIR and substantial evidence in the record.
8. The City Council hereby adopts the mitigation measures and the Mitigation Monitoring and Reporting Program (Mitigation Checklist) to be implemented for each mitigation measure as included in Exhibit B (Mitigation Checklist), in compliance with Section 15097 of the CEQA Guidelines.
9. The location of the documents that constitute the record of proceedings are available for public review during business hours at El Cerrito City Hall, Community Development Department, 10890 San Pablo Avenue, El Cerrito CA.

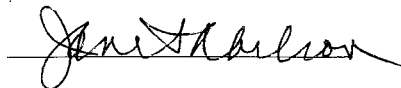
I CERTIFY that at a regular meeting on September 22, 2014, the El Cerrito City Council passed this Resolution by the following vote:

AYES: Councilmembers Benassini, Bridges, Lyman and Mayor Abelson
NOES: None
ABSTAIN: None
ABSENT: Councilmember Friedman

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on September 24, 2014.


Cheryl Morse, City Clerk

APPROVED:



Janet Abelson, Mayor

Attachments:

Exhibit A – Findings Required Under the California Environmental Quality Act
Exhibit B – Mitigation Monitoring and Reporting Program

**Resolution 2014-50
Exhibit A**

**FINDINGS REQUIRED UNDER
THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
FOR THE SAN PABLO AVENUE SPECIFIC PLAN
(Public Resources Code, section 21000 et. seq.)**

I. INTRODUCTION

The Specific Plan ("project") represents a collaborative planning effort between the cities of El Cerrito and Richmond to identify a shared vision for the future of San Pablo Avenue, identify improvement needs, and adopt implementing regulations that can be applied consistently in the Plan area. The project consists of (1) a Form-Based Code (FBC); (2) multi-modal transportation goals and policies, recommended streetscape design improvements, and design standards as part of the Complete Streets Plan; and (3) infrastructure improvements.

The Specific Plan:

1. Form-Based Code

The Specific Plan Form-Based Code (FBC) supports the community vision of a vibrant, walkable, sustainable, and transit-oriented corridor that respects surrounding neighborhoods. As discussed in chapter 3 (Project Description) of this EIR, the FBC is organized by Transect Zones within a framework of Downtown, Midtown, and Uptown areas. The Transect Zones regulate the building heights, parking requirements, and land uses for new development in the El Cerrito portion of the Plan area. The zones are defined primarily by walking distance to the BART stations.

2. Complete Streets Plan

The Complete Streets Plan provides direction for the redesign and development of the street right-of-way (ROW) in the Plan area, such as travel lanes, intersections, bike lanes, cycletracks, crosswalks, and medians. The Plan also provides guidance for the pedestrian realm of the ROW. The Complete Streets Plan aims to create a streetscape environment that balances the needs of all users and encourages "mode shift" to increase the percentage of pedestrians, cyclists, and transit users.

Resolution 2014-50
Exhibit A

3. Infrastructure Systems

The Specific Plan (especially the Infrastructure Systems chapter) includes infrastructure goals and policies, and recommends feasible improvements to infrastructure systems to support the Plan objectives. The systems evaluated in the plan include water, wastewater, storm drainage, and dry utilities (e.g., gas, electric, cable).

Development Capacity Assumptions

The Plan area development capacity assumptions used for the impact analyses in this program EIR are first based on projections provided by the Association of Bay Area Governments (ABAG) for the Plan area, then on entitled and planned projects in the City of El Cerrito and the City of Richmond, and projections for the construction of projects consistent with the Form-Based Code development standards. For the purpose of this EIR, ABAG Plan Bay Area growth projections were applied to the new development standards, including on-site parking, site layout and height parameters, to assume a realistic growth projection for the Specific Plan area. These design standards were developed to be consistent with the goals of Plan Bay Area: climate protection, adequate housing, healthy and safe communities, open space and agricultural preservation, equitable access, economic vitality, and transportation system effectiveness, but incorporate locally refined data more telling of the development feasibility of the Specific Plan than would be possible on a regional planning level (also see EIR chapter 14, Population and Housing). No site-specific, individual development proposals would be approved as part of the Specific Plan EIR certification process; any such individual project would be subject to its own CEQA review, including evaluation against the Specific Plan EIR.

The Specific Plan requires the following approvals:

Implementation of the San Pablo Avenue Specific Plan for the parcels within the City of El Cerrito's jurisdiction would require, but not be limited to, the following discretionary approvals:

- Certification of the Final Environmental Impact Report
- Adoption of a Mitigation Monitoring and Reporting Program
- Adoption of the San Pablo Avenue Specific Plan for the parcels within the City of El Cerrito; adoption of the Richmond Livable Corridors Form-Based Code development standards for the parcels within the City of Richmond, and amendment to the Richmond Livable Corridors Regulating Plan to add the areas within the Specific Plan
- Adoption of General Plan amendments and zoning changes as necessary to ensure consistency between the Specific Plan and each jurisdiction's respective General Plan and zoning code
- Discretionary review as necessary, including CEQA review, for future individual public and private development proposals in the Plan area

**Resolution 2014-50
Exhibit A**

II. PROJECT OBJECTIVES

The City Council has determined that the Project has been designed to meet the following objectives:

Goal A: Strengthen Sense of Place.

Strategy 1: Articulate the distinctive role and identity of each focus area: Downtown, Midtown, and Uptown.

Strategy 2: Reinforce a distinguishing sense of place by responding to existing assets such as the Ohlone Greenway and key views.

Strategy 3: Optimize placemaking in all developments.

Strategy 4: Attract pedestrian activity to key nodes to foster community and identify places of Interest

Goal B: Ensure Return on Investment.

Strategy 1: Maximize TOD (transit-oriented development) potential (BART and AC Transit).

Strategy 2: Stimulate investment in vacant/underutilized sites at key focus areas.

Strategy 3: Build on recent and planned private and public investments.

Strategy 4: Leverage all investments to catalyze new investments.

Strategy 5: Help the City achieve long-term financial sustainability.

Goal C: Encourage Practical and Market Friendly Development.

Strategy 1: Provide development clarity to encourage investment.

Strategy 2: Incorporate flexible development codes that respond to constrained parcels, surrounding context, and the market.

Strategy 3: Allow ground floor residential development to provide flexibility and expand the Specific Plan area's residential base.

Goal D: Enhance and Humanize the Public Realm.

Strategy 1: Design streets for living instead of just driving through reStreet placemaking principles.

Strategy 2: Make large blocks human-scale through midblock connections.

Strategy 3: Create new gathering places to serve the needs of existing and new users.

Strategy 4: Promote environmental sustainability.

Strategy 5: Celebrate and strengthen the unique natural context.

Goal E: Catalyze Mode Shift.

Strategy 1: Promote infill development through increased land use intensity close to existing transit infrastructure.

Strategy 2: Reduce parking requirements to encourage transit use and reduce reliance on the private automobile

Strategy 3: Strengthen pedestrian and bicycle connectivity through existing and new connections that provide more alternatives to single-occupancy vehicles.

Strategy 4: Integrate opportunities to create Complete Streets, multimodal travel ways that balance all users.

Resolution 2014-50
Exhibit A

Strategy 5: Improve connectivity between the Green Belt (Wildcat Canyon Trail) and the Blue Belt (Bay Trail) through pedestrian and bicycle connections.

Strategy 6: Improve walkability through more intensive and varied development that provides additional services and locates more future residents in service-rich nodes.

Strategy 7: Increase the supply, diversity and affordability of housing in proximity to existing or planned transportation investments.

Specific Plan Guiding Principles

- strengthen a sense of place;
- ensure return on investment;
- encourage practical and market friendly development;
- enhance and humanize the public realm; and
- catalyze mode shift.

III. GENERAL FINDINGS AND OVERVIEW

A. Procedural Background

California Environmental Quality Act ("CEQA") Guidelines require preparation of an EIR when a lead agency determines that there is evidence that a plan or project may have a significant effect on the environment. The City decided to prepare an EIR for the Specific Plan pursuant to state and local guidelines for implementing CEQA. The City elected not to prepare an Initial Study Checklist in favor of preparing a program-level EIR as permitted in Section 15060(d) of the CEQA Guidelines.

On April 4, 2014 the City circulated a Notice of Preparation ("NOP") for 30 calendar days to help identify the type of impacts that could result from the Specific Plan, as well as potential areas of controversy. The NOP was mailed to public agencies (including the State Clearinghouse), organizations, and individuals likely to be interested in the Specific Plan and its potential impacts, including those who requested to receive notices on the Plan. In addition, the NOP was posted on the City's website. A public scoping meeting was held on April 10, 2014. Comments received by the City on the NOP and at the public scoping meeting were considered during preparation of the Draft EIR.

The Draft EIR was made available for public and agency review on June 3, 2014. Copies of the Notice of Availability ("NOA") of the Draft EIR were mailed to public agencies (including the State Clearinghouse (SCH #2014042025)), organizations, and individuals likely to be interested in the Specific Plan and its potential impacts, including those who requested to receive notices about the Plan. In addition, copies of the Draft EIR were distributed to public agencies (including the State Clearinghouse). Copies of the Draft EIR were made available at the Community Development Department, at the El Cerrito Library, the Richmond Library and on the City's website.

A public comment session on the Draft EIR was held before the Planning Commission on July 9, 2014. The CEQA-mandated 45-day public comment period for the Draft EIR ended on July 21, 2014. All comments on the Draft EIR concerning environmental issues received during the

Resolution 2014-50
Exhibit A

public comment period were evaluated and responded to in writing by the City as the Lead Agency in accordance with Section 15088 of the CEQA Guidelines.

The comments on the Draft EIR, changes to the Draft EIR, and the written responses were incorporated into a Final EIR that was published on August 28, 2014. Copies of the Final EIR were made available at the Community Development Department, on the City's website, the El Cerrito Library and the Richmond Library.

A duly and properly noticed public hearing was scheduled before the Planning Commission of the City of El Cerrito on September 4, 2014, and all persons interested and expressing a desire to comment were heard. The Planning Commission, having fully reviewed, considered and evaluated all the testimony and evidence submitted, voted affirmatively to recommend to the City Council to find that the Final EIR was prepared in compliance with CEQA and to recommend that findings be made as required by CEQA.

A duly and properly noticed public hearing was scheduled before the City Council of the City of El Cerrito on September 22, 2014, and all persons interested and expressing a desire to comment were heard.

B. Record of Proceedings and Custodian of Record

For purposes of CEQA and these Findings, the record of proceedings consists of the following documents and testimony:

- (a) The NOP, comments received on the NOP or at the scoping meeting, and all other public notices issued by the City in conjunction with the Plan;
- (b) The Draft San Pablo Specific Plan released for public review on June 3, 2014 and the revised Draft San Pablo Specific Plan released on August 28, 2014;
- (c) The Draft EIR for the Project (June 3, 2014), appendices to the EIR, and technical materials cited in the document;
- (d) All comments submitted by agencies or members of the public during the public comment period on the Draft EIR;
- (e) The Final EIR for the Plan, including comments received on the Draft EIR, responses to those comments, text revisions to the Draft EIR, the technical appendices, and technical materials cited in the document, as well as all comments and staff responses entered into the record orally or in writing between June 3, 2014 and July 21, 2014;
- (f) The Mitigation Monitoring and Reporting Program (Mitigation Checklist) for the Plan;
- (g) All reports, studies, memoranda, maps, staff reports, or other planning documents related to the Plan prepared by the City, or consultants to the City with respect to the City's compliance with the requirements of CEQA and with respect to the City's action on the Plan;

Resolution 2014-50

Exhibit A

- (h) All documents submitted to the City (including the Planning Commission and City Council) by other public agencies or members of the public in connection with the EIR, up through the close of the public hearing on September 22, 2014;
- (i) Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the City in connection with the EIR;
- (j) All matters of common knowledge to the Commission and Council, including, but not limited to:
 - (i) The El Cerrito General Plan and other applicable policies;
 - (ii) The El Cerrito Zoning Ordinance and other applicable ordinances;
 - (iii) Information regarding the City's fiscal status; and
 - (iv) Applicable City policies and regulations; and
- (k) Any other materials required for the record of proceedings by Public Resources Code Section 21167.6(e).

The documents described above comprising the record of proceedings are located in the Community Development Department, City of El Cerrito, 10890 San Pablo Avenue, El Cerrito, CA 9453. The custodian of these documents is the Community Development Director or his/her designee.

C. Findings Are Determinative

These City of El Cerrito findings required under CEQA for the Specific Plan ("Findings") are the City's findings under CEQA (Pub. Resources Code, §21000 et seq.) and *CEQA Guidelines* (Cal. Code of Regulations, Title 14, §15000 et seq.) relating to the Plan. The Findings provide the written analysis and conclusions of the Council regarding the Plan's environmental impacts, mitigation measures and project alternatives that, in the Council's view, justify approval of the Plan. All mitigation measures listed below in this Findings document are included in a Mitigation Monitoring and Reporting Program ("MMRP").

In certifying the Final EIR, the City Council recognizes that there may be differences in and among the different sources of information and opinions offered in the document and testimony that make up the EIR and the administrative record; that experts disagree; and that the City Council must base its decision and these findings on the substantial evidence in the record that it finds most compelling. Therefore, by these findings, the City Council ratifies, clarifies, and/or makes insignificant modifications to the EIR and resolves that these findings shall control and are determinative of the significant impacts of the Project.

The mitigation measures proposed in the EIR have been adopted and included in the MMRP, substantially in the form proposed in the EIR, with such clarifications and non-substantive modifications as the City Council has deemed appropriate to implement the mitigation measures. The MMRP is expressly incorporated into the Project.

Resolution 2014-50

Exhibit A

The findings and determinations in this Exhibit A are to be considered as an integrated whole and, whether or not any subdivision of this Exhibit A fails to cross-reference or incorporate by reference any other subdivision of this Exhibit A, any finding or determination required or permitted to be made shall be deemed made if it appears in any portion of this document. All of the text included in this document constitutes findings and determinations, whether or not any particular caption sentence or clause includes a statement to that effect.

Each finding in this Exhibit A is based on the entire record. The omission of any relevant fact from the summary discussions below is not an indication that a particular finding is not based in part on the omitted fact.

Many of the mitigation measures identified in this Exhibit A may have the effect of mitigating multiple impacts (e.g., conditions imposed primarily to mitigate traffic impacts may also secondarily mitigate air quality impacts, etc.). The City Council has not attempted to exhaustively cross-reference all potential impacts mitigated by a particular mitigation measure; however, any failure to cross-reference shall not be construed as a limitation on the potential scope or effect of any such mitigation measure.

IV. FINDINGS AND RECOMMENDATIONS REGARDING SIGNIFICANT AND UNAVOIDABLE IMPACTS

A. SCENIC VISTAS

Aesthetics Impact 4-1: Project Impacts on Scenic Vistas.

Specific Plan implementation could interfere with scenic views of Mt. Tamalpais, the Golden Gate Bridge, the San Francisco skyline, the East Bay Hills, and Albany Hill from public rights-of-way (roadways and sidewalks), the two BART station platforms (El Cerrito Plaza and El Cerrito Del Norte), and areas of lower elevation hillside homes located in El Cerrito and Richmond.

Aesthetics Mitigation 4-1. For future City decision-making actions for individual project proposals under the Specific Plan, Specific Plan Section 2.02 (Administration of Regulating Code) shall be implemented as it applies to the proposal's potential effect on scenic vistas. The City shall require evaluation (including visual simulations, if deemed necessary) of the proposal's visual effect as viewed from important on-site and off-site viewpoints, including public rights-of-way of east-west streets (roadways and sidewalks) and the two BART station platforms in the Specific Plan area (El Cerrito Plaza and El Cerrito Del Norte). The evaluation shall address the proposal's effect on views of Mt. Tamalpais, the Golden Gate Bridge, the San Francisco skyline, the East Bay Hills, and Albany Hill. This mitigation shall be enforceable by its incorporation into the Specific Plan as a City-adopted policy and shall be implemented through subsequent permits, conditions, agreements, or other measures consistent with Specific Plan Section 2.02.

Mitigation Measure Aesthetics 4-1 has been incorporated into the MMRP.

Findings. Based upon the Final EIR and the entire record before the Planning Commission and City Council, the City Council finds that:

Resolution 2014-50
Exhibit A

1. Effects of Mitigation: Changes or alterations have been incorporated into the Project that lessen the significant environmental effects identified in the EIR, although not to a level of insignificance. Incorporation of this measure would reduce the impact on scenic vistas.
2. Remaining Impacts: Because the outcome of this decision-making process for any individual, future proposals cannot be guaranteed within the framework of this program EIR, the impact is considered significant and unavoidable.
3. Finding: Because the outcome of future decision making process is cannot be guaranteed to work within the framework of the program EIR, No alternative (including the No Project alternative) or additional mitigation measures have been identified that would reduce this impact to a level of insignificance, and as a consequence mitigation to a level of insignificance is infeasible. (14 California Code of Regulations §15091(a)(3))

CULTURAL AND HISTORIC RESOURCES.

Impact 7-1: Destruction/Degradation of Historic Resources.

There may be one or more properties or features within the plan area that meet the CEQA definition of a historic resource, including properties or features already listed, or properties or features eligible for listing, in a local, State, or Federal register of historic resources. Future development projects that are otherwise consistent with the proposed Specific Plan may cause substantial adverse changes in the significance of one or more such historic resources. Substantial adverse changes that may occur include physical demolition, destruction, relocation, or alteration of one or more historic resources or its immediate surroundings such that the resource is "materially impaired." The significance of a historic resource would be considered potentially "materially impaired" when and if an individual future development project proposes to demolish or materially alter the physical characteristics that justify the determination of its significance (CEQA Guidelines section 15064.5[b]).

Mitigation 7-1. For any individual discretionary project within the Specific Plan area that the City determines may involve a property that contains a potentially significant historic resource (e.g., a recorded historic resource or an unrecorded building or structure 50 years or older), the resource shall be evaluated by City staff, and if warranted, shall be assessed by a qualified professional on the California Historical Resources Information System (CHRIS) list of consultants who meet the Secretary of the Interior's Professional Qualifications Standards to determine whether the property is a significant historical resource and whether or not the project may have a potentially significant adverse effect on the historical resource. If, based on the recommendation of the qualified professional, the City determines that the project may have a potentially significant effect, the City shall require the applicant to implement the following mitigation measures: (a) Adhere to one or both of the following Secretary of the Interior's Standards:

- Secretary of Interior's *Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings*; or
- Secretary of Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*.

Resolution 2014-50

Exhibit A

The qualified professional shall make a recommendation to the City as to whether the project fully adheres to the Secretary of the Interior's Standards, and any specific modifications necessary to do so. The final determination as to a project's adherence to the Standards shall be made by the City body with final decision-making authority over the project. Such a determination of individual project adherence to the Secretary of the Interior's Standards will constitute mitigation of the project historic resource impacts to a *less than- significant level* (CEQA Guidelines section 15064.5).

(b) If measure (a) is not feasible, the historic resource shall be moved to a new location compatible with the original character and use of the historical resource, and its historic features and compatibility in orientation, setting, and general environment shall be retained, such that the resource retains its eligibility for listing on the California Register.

If neither measure (a) nor measure (b) is feasible, a project-specific EIR shall be required pursuant to CEQA Guidelines Section 15064.5, particularly in order for specific project alternatives to be designed and evaluated. If after that CEQA process, neither measure (a) nor (b) is found to be feasible, then the City shall, as applicable and to the extent feasible, implement the following measures in the following order:

(c) Document the historic resource before any changes that would cause a loss of integrity and loss of continued eligibility. The documentation shall adhere to the Secretary of the Interior's *Standards for Architectural and Engineering Documentation*. The level of documentation shall be proportionate with the level of significance of the resource. The documentation shall be made available for inclusion in the Historic American Building Survey (HABS) or the Historic American Engineering Record (HAER) Collections in the Library of Congress, the California Historical Resources Information System (CHRIS), and the Bancroft Library, as well as local libraries and historical societies, such as the El Cerrito Historical Society.

(d) Retain and reuse the historic resource to the maximum feasible extent and continue to apply the Secretary of the Interior's Standards to the maximum feasible extent in all alterations, additions, and new construction.

(e) Through careful methods of planned deconstruction to avoid damage and loss, salvage character defining features and materials for educational and interpretive use onsite, or for reuse in new construction on the site in a way that commemorates their original use and significance.

(f) Interpret the historical significance of the resource through a permanent exhibit or program in a publicly accessible location on the site or elsewhere within the Specific Plan Area.

Implementation of measures (b), (c), (d), (e), and/or (f) would reduce a significant impact on historic resources.

Mitigation Measure 7-1 has been incorporated into the MMRP.

Findings. Based upon the Final EIR and the entire record before the Planning Commission and City Council, the City Council finds that:

Resolution 2014-50
Exhibit A

1. Effects of Mitigation: Changes or alterations have been incorporated into the Project that lessen the significant environmental effects identified in the EIR, although not to a level of insignificance. This Program EIR is prohibited from speculating on the details of any future individual development proposal and its potential impact on a historic resource, and the City cannot determine with certainty that this mitigation measure would reduce the potential impact of any individual project on a historic resource to a less-than-significant level.
2. Remaining Impacts: The impacts to cultural and historic resources would remain significant and unavoidable.
3. Finding: No alternative (including the No Project alternative) or additional mitigation measure has been identified that would reduce this impact to a level of insignificance, and as a consequence mitigation to a level of insignificance is infeasible. (14 California Code of Regulations §15091(a)(3)).

NOISE

Impact 13-3: Construction Noise.

Businesses and residences would be intermittently exposed to high levels of noise throughout the 2040 plan horizon. Construction would elevate noise levels at adjacent businesses and residences by 15 to 20 dBA or more.

Mitigation 13-3.

Construction equipment shall be well-maintained and used judiciously to be as quiet as practical. The following measures, when applicable, are recommended to reduce noise from construction activities:

- Equip all internal combustion engine-driven equipment with mufflers that are in good condition and appropriate for the equipment.
- Utilize “quiet” models of air compressors and other stationary noise sources where technology exists.
- Locate stationary noise generating equipment as far as feasible from sensitive receptors when sensitive receptors adjoin or are near a construction area.
- Prohibit unnecessary idling of internal combustion engines.
- Pre-drill foundation pile holes to minimize the number of impacts required to seat the pile.
- Construct solid plywood fences around construction sites adjacent to operational business, residences, or noise sensitive land uses.
- A temporary noise control blanket barrier could be erected, if necessary, along building facades facing construction sites. This mitigation would only be necessary if conflicts occurred which were irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected.
- Route construction-related traffic along major roadways and as far as feasible from sensitive receptors
- Ensure that construction activities (including the loading and unloading of materials and truck movements) are limited to the hours of 7:00 a.m. to 6:00 PM on weekdays and

Resolution 2014-50

Exhibit A

between the hours of 8:00 AM and 5:00 PM on Saturdays. No construction work is allowed on Sundays and holidays.

- Ensure that excavating, grading, and filling activities (including warming of equipment motors) are limited to between the hours of 7:00 a.m. to 6:00 PM on weekdays and between the hours of 8:00 AM and 5:00 PM on Saturdays. No construction work is allowed on Sundays and holidays.
- Businesses, residences, or noise sensitive land uses adjacent to construction sites shall be notified of the construction schedule in writing. Designate a "construction liaison" who would be responsible for responding to any local complaints about construction noise. The liaison would address complaints (e.g., starting too early, bad muffler, etc.) and institute reasonable measures to correct the problem.
- Conspicuously post a telephone number for the liaison at the construction site.

Mitigation Measure 13-3 has been incorporated into the MMRP.

Findings. Based upon the Final EIR and the entire record before the Planning Commission and City Council, the City Council finds that:

1. Effects of Mitigation: Constraints to daily construction times have been noted and a list of ways to lessen noise impacts have been included. Changes or modifications have been incorporated into the Project that lessen the significant environmental effects identified in the EIR, although not to a level of insignificance.
2. Remaining Impacts: The impact of increased noise on businesses and residences during construction is significant and unavoidable.
3. Finding: No alternative (including the No Project alternative) or additional mitigation measure has been identified that would reduce this impact to a level of insignificance, and as a consequence mitigation to a level of insignificance is infeasible. (14 California Code of Regulations §15091(a)(3)).

Impact 13-4: Construction-Related Vibration.

Residences, businesses, and historic structures could be exposed to construction-related vibration during the excavation and foundation work of buildings.

Mitigation 13-4. The following measures are recommended to reduce vibration from construction activities:

- Avoid impact pile driving where possible. Drilled piles causes lower vibration levels where geological conditions permit their use.
- Avoid using vibratory rollers and tampers near sensitive areas.
- In areas where project construction is anticipated to include vibration-generating activities, such as pile driving, in close proximity to existing structures, site-specific vibration studies shall be conducted to determine the area of impact and to present appropriate mitigation measures that may include the following:
 - Identify sites that would include vibration compaction activities (such as pile driving) and have the potential to generate ground-borne vibration, and the sensitivity of nearby structures to ground-borne vibration.

Resolution 2014-50
Exhibit A

Vibration limits shall be applied to all vibration-sensitive structures located within 200 feet of the project. A qualified structural engineer should conduct this task.

- Develop a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions.
- Design construction contingencies that would be implemented when vibration levels approached the limits.
- At a minimum, conduct vibration monitoring during initial demolition activities and during pile driving activities. Monitoring results may indicate the need for more or less intensive measurements.
- When vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structures.
- Conduct post-survey on structures under either of these circumstances: (a) when construction monitoring has indicated high vibration levels or (b) when complaints of damage have been made due to construction activities. Make appropriate repairs or compensation when damage has resulted from construction activities.

Mitigation Measure 13-4 has been incorporated into the MMRP.

Findings. Based upon the Final EIR and the entire record before the Planning Commission and City Council, the City Council finds that:

1. Effects of Mitigation: Changes or alterations have been incorporated into the Project that lessens the significant environmental effects identified in the EIR, although not to a level of insignificance. Even with the above mitigation measures it may not be possible to avoid using pile drivers, vibratory rollers, and tampers entirely during construction facilitated by the San Pablo Avenue Specific Plan. Due to the density of development in the area, some of these activities may take place near sensitive areas. In these cases, the mitigation measures listed above may not be sufficient to reduce groundborne vibrations below a level of significance.
2. Remaining Impacts: The Specific Plan would have a significant and unavoidable impact resulting from construction related vibration.
3. Finding: No alternative (including the No Project alternative) or additional mitigation measures have been identified that would reduce this impact to a level of insignificance, and as a consequence mitigation to a level of insignificance is infeasible. (14 California Code of Regulations § 15091(a) (3))

B. TRANSPORTATION AND CIRCULATION

Impact 16-1: Cumulative Traffic Impacts. The Project would have a significant cumulative impact, relative to the City's current LOS standard of D, at San Pablo Avenue/Cutting Boulevard, which would fall from LOS D in the Cumulative No Project case to LOS E in the Cumulative with Project case.

Resolution 2014-50

Exhibit A

Mitigation 16-1. Adoption and full implementation of the San Pablo Avenue Specific Plan/Complete Streets Plan is projected to reduce auto trips relative to the baseline assumption in the impact analysis, which would reduce this impact to a less-than-significant level. Furthermore, adoption of the plan would change the City's LOS standard of D to an LOS goal of E, which should be considered in conjunction with the multi-modal LOS standards for transit, pedestrian and bicycle modes, with transit and pedestrian modes being the primary priorities in the corridor. This would also render the impact less-than-significant. However, because the projected mode shift cannot be guaranteed, and adoption of the proposed new multi-modal LOS goals as defined in the draft plan cannot be assured.

Mitigation Measure 16-1 has been incorporated into the MMRP.

Findings. Based upon the Final EIR and the entire record before the Planning Commission and City Council, the City Council finds that:

4. Effects of Mitigation: Changes or alterations have been incorporated into the Project that lessens the significant environmental effects identified in the EIR, although not to a level of insignificance. Because the projected mode shift cannot be guaranteed, and adoption of the proposed new multi-modal LOS goals as defined in the draft plan cannot be assured, the City cannot determine with certainty that this mitigation measure would reduce the potential impact cumulative traffic impacts to a less-than-significant level.
5. Remaining Impacts: The impacts to cumulative traffic would remain significant and unavoidable.
6. Finding: No alternative (including the No Project alternative) or additional mitigation measure has been identified that would reduce this impact to a level of insignificance, and as a consequence mitigation to a level of insignificance is infeasible. (14 California Code of Regulations §15091(a)(3)).

V. FINDINGS FOR SIGNIFICANT IMPACTS AVOIDED OR MITIGATED TO A LESS-THAN-SIGNIFICANT LEVEL

Potentially significant impacts of the Specific Plan are listed below with applicable mitigation measures, all of which are included in the Mitigation Monitoring and Reporting Plan. For each of the impacts listed, the City Council finds that changes or alterations have been required in the Specific Plan, through the adoption of the MMRP, to mitigate or avoid the significant impacts on the environment (14 California Code of Regulations §15091(a)(1)), as described in this Section V.

A. AESTHETICS AND VISUAL RESOURCES

Resolution 2014-50
Exhibit A

Impact 4-2: Project Light and Glare Impacts.

The San Pablo Avenue Specific Plan anticipates development on the surface parking lots around the El Cerrito Plaza and El Cerrito Del Norte BART stations. As part of this development, new parking structures for the BART stations and for other new development are anticipated. These parking structures may result in light and glare from vehicles using the parking structure at night. In addition, future multi-story buildings (or renovations) in the Specific Plan Area, if faced in reflective materials (e.g., reflective glass), could result in glare impacts on adjacent and nearby properties.

Mitigation 4-2. Project developers (including but not limited to BART) shall install landscaping and incorporate other measures into and around any Specific Plan Area future parking structure(s) (light source shielding, etc.) as necessary to ensure that potential light and glare from vehicles would be avoided toward the Ohlone Greenway, residential uses, and other sensitive uses, consistent with El Cerrito City Resolution 82-9 and the El Cerrito design review process.

Regarding reflective building materials, for all future development in the Specific Plan Area, facades shall be of non-reflective materials, and windows shall incorporate non-reflective coating.

Findings. Based upon the EIR and the entire record before the Planning Commission and City Council, the City Council finds that:

1. **Effects of Mitigation:** The mitigation has been incorporated in the Mitigation Monitoring and Reporting Program ("MMRP") and it will avoid or substantially lessen the significant environmental effect as identified in the EIR. The City finds that the utilizing the design review process and requiring facades to be constructed from non-reflective materials will cause the impact to be less than significant with implementation of the mitigation measure.
2. **Remaining Impacts:** Any remaining impacts related to impacts of light and glare would not be significant.

Impact 5-1: Construction Period Emissions. Implementation of the Specific Plan would result in short-term emissions from construction activities associated with subsequent development, including site grading, asphalt paving, building construction, and architectural coating. Emissions commonly associated with construction activities include fugitive dust from soil disturbance, fuel combustion from mobile heavy-duty diesel- and gasoline- powered equipment, portable auxiliary equipment, and worker commute trips. During construction, fugitive dust, the dominant source of PM₁₀ and PM_{2.5} emissions, is generated when wheels or blades disturb surface materials. Uncontrolled dust from construction can become a nuisance and potential health hazard to those living and working nearby. Demolition and renovation of buildings can also generate PM₁₀ and PM_{2.5} emissions. Off-road construction equipment is often diesel-powered and can be a substantial source of NO_x emissions, in addition to PM₁₀ and PM_{2.5} emissions. Worker commute trips and architectural coatings are dominant sources of ROG emissions. The BAAQMD CEQA Air Quality Guidelines do not identify plan-level thresholds that apply to construction. Although construction activities at individual project sites are expected to occur during a relatively

Resolution 2014-50

Exhibit A

short time period, the combination of temporary dust from activities and diesel exhaust from construction equipment poses both a health and nuisance impact to nearby receptors. In addition, NOX emissions during grading and soil import/export for large projects may exceed the BAAQMD NOX emission thresholds.

Mitigation 5-1. Implement the following BAAQMD-recommended measures to control particulate matter emissions during construction. These measures would reduce diesel particulate matter and PM₁₀ from construction to ensure that short-term health impacts to nearby sensitive receptors are avoided or reduced:

Dust (PM₁₀) Control Measures:

- Water all active construction areas at least twice daily and more often during windy periods. Active areas adjacent to residences should be kept damp at all times.
- Cover all hauling trucks or maintain at least two feet of freeboard.
- Pave, apply water at least twice daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas.
- Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas and sweep streets daily (with water sweepers) if visible soil material is deposited onto the adjacent roads.
- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (i.e., previously graded areas that are inactive for 10 days or more).
- Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles.
- Limit traffic speeds on any unpaved roads to 5 mph.
- Replant vegetation in disturbed areas as quickly as possible.
- Suspend construction activities that cause visible dust plumes to extend beyond the construction site.
- Post a publically visible sign(s) with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
- Additional Measures to Reduce Diesel Particulate Matter and PM_{2.5} and other construction emissions:
 - The developer or contractor shall provide a plan for approval by the City or BAAQMD demonstrating that the heavy-duty (>50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet- average 20 percent NOX reduction and 45 percent particulate reduction compared to the most recent CARB fleet average for the year 2011.

Resolution 2014-50
Exhibit A

- Clear signage at all construction sites shall be posted indicating that diesel and gasoline equipment standing idle for more than two minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate or other bulk materials. Rotating drum concrete trucks could keep their engines running continuously as long as they were on-site or adjacent to the construction site.
- The contractor shall install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g., compressors).
- Maintain written logs on site and available for review showing the maintenance of all gasoline and diesel engines on site to ensure low emissions.

Findings. Based upon the EIR and the entire record before the Planning Commission and City Council, the City Council finds that:

1. Effects of Mitigation: The mitigation has been incorporated in the MMRP. The City finds that implementing the following BAAQMD-recommended measures to control particulate matter emissions during construction will reduce the impacts caused by diesel particulate matter and PM₁₀ to ensure that short-term health impacts to nearby sensitive receptors are to a less-than-significant level.
2. Remaining Impacts: Any remaining impacts related to impacts of diesel particulate matter and PM₁₀ would not be significant.

Impact 5-2: Impacts of Toxic Air Contaminants (TACs) on Sensitive Receptors. Implementation of the Specific Plan would result in the potential construction of a variety of projects. This construction would result in short-term emissions of diesel particulate matter (DPM), a TAC. Construction would result in the generation of DPM emissions from the use of off-road diesel equipment required for site grading and excavation, paving, and other construction activities. The amount to which the receptors are exposed (a function of concentration and duration of exposure) is the primary factor used to determine health risk (i.e., potential exposure to TAC emission levels that exceed applicable standards). Health-related risks associated with diesel-exhaust emissions are primarily linked to long-term exposure and the associated risk of contracting cancer. The calculation of cancer risk associated with exposure to TACs is typically based on a 70-year period of exposure. The use of diesel-powered construction equipment, however, would be temporary and episodic and would occur over a relatively large area. Cancer risk and PM_{2.5} exposure would have to be analyzed through project-level analysis to identify the potential for significant impacts and measures to reduce those impacts to less-than-significant.

Mitigation 5-2. Require project-level construction health risk assessment. Construction health risk assessment shall be required on a project-by-project basis, either through screening or refined modeling, to identify impacts and, if necessary, include performance standards and industry-recognized measures to reduce exposure. Reduction in health risk can be accomplished through, though is not limited to, the following measures:

- Construction equipment selection;
- Use of alternative fuels and engine retrofits, temporary line power or electric equipment;

Resolution 2014-50
Exhibit A

- Modified construction schedule; and
- Implementation of BAAQMD Basic and/or Additional Construction Mitigation Measures for control of fugitive dust.

Findings. Based upon the EIR and the entire record before the Planning Commission and City Council, the City Council finds that:

1. Effects of Mitigation: The mitigation has been incorporated in the MMRP and will avoid or substantially lessen the significant environmental effect as identified in the EIR. The City finds that the requirement for a project-level construction health risk assessment is feasible and will reduce the impacts of TACs of sensitive receptors during construction to a less-than-significant level.
2. Remaining Impacts: Any remaining impacts related to impacts of TACs of sensitive receptors during construction would not be significant.

Impact 5-3: Toxic Air Contaminant Exposure - Long-Term Operations.

The Specific Plan would allow growth of new residential land uses that could include sensitive receptors, as well as new non-residential land uses that would be potential new emissions sources. Typically, these sources would be evaluated through the project-specific BAAQMD permit process or the CEQA process to identify and mitigate any significant exposures. However, some sources that would not be required to undergo such a review, such as truck loading docks or truck parking areas, may have the potential to cause significant increases in TAC exposure. While average daily traffic along Specific Plan Area surface streets is not readily available, the *roadway screening analysis tables* indicate that health risk from high volume surface streets such as Central Avenue, Carlson Boulevard, and Potrero Avenue would be less-than- significant at average daily traffic volumes (ADT) of 40,000 vehicles or less at a distance of 10 feet. If projects under the Specific Plan are located within close proximity to surface streets with daily traffic volumes higher than 40,000 ADT this would represent a potentially significant impact.

Mitigation 5-3. Implement the following measures in site planning and building designs to reduce TAC and PM_{2.5} exposure where new receptors are located within the overlay distances identified above:

- Future development under the Specific Plan that includes sensitive receptors (such as schools, hospitals, daycare centers, or retirement homes) located within the overlay distances from highways and stationary sources shall require site-specific analysis to determine the level of TAC and PM_{2.5} exposure, or for projects located near surface streets with daily traffic volumes exceeding 40,000 ADT. This analysis shall be conducted following procedures outlined by BAAQMD. If the site- specific analysis reveals significant exposures, such as cancer risk greater than 10 in one million or cumulative cancer risk greater than 100 in one million, additional measures shall be employed to reduce the risk to below the threshold. If this is not possible, the sensitive receptors shall be relocated.
- Future non-residential developments would be evaluated through the CEQA process or

**Resolution 2014-50
Exhibit A**

BAAQMD permit process to ensure that they do not cause a significant health risk in terms of excess cancer risk greater than 10 in one million, acute or chronic hazards with a Hazard greater than 1.0, or annual PM2.5 exposures greater than 0.3 µg/m3, or a significant cumulative health risk in terms of excess cancer risk greater than 100 in one million, acute or chronic hazards with a Hazard Index greater than 10.0 or annual PM2.5 exposures greater than 0.8 µg/m3.

- For significant cancer risk exposure, as defined by BAAQMD, indoor air filtration systems shall be installed to effectively reduce particulate levels to a less-than-significant level. Project sponsors shall submit performance specifications and design details to demonstrate that lifetime residential exposures would result in less-than-significant cancer risks (less than 10 in one million chances or 100 in one million for cumulative sources).
- Air filtration systems installed shall be rated MERV-13 or higher, and a maintenance plan for the air filtration system shall be implemented.
- Trees and/or vegetation shall be planted between sensitive receptors and pollution sources, if feasible. Trees that are best-suited to trapping particulate matter shall be planted, including the following: Pine (*Pinus nigra* var. *maritime*), Cypress (*X Cupressocyparis leylandii*), Hybrid poplar (*Populus deltoids X trichocarpa*), and Redwoods (*Sequoia sempervirens*).
- Sites shall be designed to locate sensitive receptors as far as possible from any freeways, roadways, diesel generators, distribution centers, and rail lines.
- Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall not be located immediately adjacent to a loading dock or where trucks concentrate to deliver goods.

Findings. Based upon the EIR and the entire record before the Planning Commission and City Council, the City Council finds that:

1. Effects of Mitigation: The mitigation has been incorporated in the MMRP and will avoid or substantially lessen the significant environmental effect as identified in the EIR. The City finds that the requirement for the following measures in site planning and building designs will reduce the impacts of TACs to a less-than-significant level.
2. Remaining Impacts: Any remaining long term impacts related to TACs would not be significant.

B. BIOLOGICAL RESOURCES

Impact 6-1: Potential Impacts on Nesting Birds and Roosting Bats.

The Specific Plan is intended to improve and expand the natural environment in the Specific Plan Area, including the use of native and drought-tolerant plants (a beneficial environmental measure). Without a proactive mitigation procedure in place, Specific Plan implementation could inadvertently result in the removal of existing trees containing nests or eggs of migratory birds,

Resolution 2014-50

Exhibit A

raptors, or bird species during the nesting season, which would be considered an "unlawful take" under the Federal Migratory Bird Treaty Act and USFW provisions protecting migratory and nesting birds. In addition, roosting bats, several species of which are protected under the federal and State Endangered Species Acts, might be disturbed.

Mitigation 6-1. (1) The removal of trees, shrubs, or weedy vegetation shall be avoided during the February 1 through August 31 bird nesting period to the extent possible. If no vegetation or tree removal is proposed during the nesting period, no further action is required. If it is not feasible to avoid the nesting period, the project applicant shall retain a qualified wildlife biologist to conduct a survey for nesting birds no sooner than 14 days prior to the start of removal of trees, shrubs, grassland vegetation, buildings, grading, or other construction activity. Survey results shall be valid for 21 days following the survey; therefore, if vegetation or building removal is not started within 21 days of the survey, another survey shall be required. The area surveyed shall include all construction sites, access roads, and staging areas, as well as areas within 150 feet outside the boundaries of the areas to be cleared or as otherwise determined by the biologist.

In the event that an active nest is discovered in the areas to be cleared, or in other habitats within 150 feet of construction boundaries, clearing and construction shall be postponed for at least two weeks or until a wildlife biologist has determined that the young have fledged (left the nest), the nest is vacated, and there is no evidence of second nesting attempts.

2) A qualified biologist shall conduct pre-construction surveys for bats and suitable bat roosting habitat at work sites where culverts, structures and/or trees would be removed or otherwise disturbed prior to the initiation of construction. If bats or suitable bat roosting habitat is detected, CDFW shall be notified immediately for consultation and possible on-site monitoring.

Actions (1) and (2) can be implemented simultaneously.

Findings. Based upon the EIR and the entire record before the Planning Commission and City Council, the City Council finds that:

1. **Effects of Mitigation:** The mitigation has been incorporated into the MMRP and will avoid or substantially lessen the significant environmental effect as identified in the EIR. The City finds that the pre-construction surveys and measures for the avoidance of active nests and bats are feasible and will reduce potential impacts to nesting birds and bats to a less-than-significant level.
2. **Remaining Impacts:** Any remaining impacts to nesting birds and bats would not be significant.

C. CULTURAL AND HISTORIC RESOURCES

Impact 7-2: Potential for Disturbance of Buried Archaeological Resources, Including Human Remains.

Development facilitated by the Specific Plan could disturb unrecorded sensitive archaeological resources in the plan area.

Resolution 2014-50
Exhibit A

Mitigation 7-2. During the City's standard project-specific environmental checklist review process for all future, discretionary, public improvement and private development projects in the Specific Plan area, the City shall determine the possible presence of, and the potential impacts of the action on, archaeological resources. For discretionary projects involving substantial ground disturbance (more than 2,500 square feet), the City shall require individual project applicants or environmental consultants to contact the California Historical Resources Information System (CHRIS) to determine whether the particular project is located in a sensitive area. Future discretionary development projects that CHRIS determines may be located in a sensitive area--i.e., on or adjoining an identified archaeological site--shall proceed only after the project applicant contracts with a qualified archaeologist to conduct a determination in regard to cultural values remaining on the site and warranted mitigation measures.

In general, to make an adequate determination in these instances, the archaeologist shall conduct a preliminary field inspection to (1) assess the amount and location of visible ground surface, (2) determine the nature and extent of previous impacts, and (3) assess the nature and extent of potential impacts. Such field inspection may demonstrate the need for some form of additional subsurface testing (e.g., excavation by auger, shovel, or backhoe unit) or, alternatively, the need for on-site monitoring of subsurface activities (i.e., during grading or trenching).

If a significant archaeological resource is identified through this field inspection process, the City and project applicant shall seek to avoid damaging effects on the resource. Preservation in place to maintain the relationship between the artifact(s) and the archaeological context is the preferred manner of mitigating impacts on an archaeological site.

Preservation may be accomplished by:

- Planning construction to avoid the archaeological site;
- Incorporating the site within a park, green space, or other open space element;
- Covering the site with a layer of chemically stable soil; or
- Deeding the site into a permanent conservation easement.

When in-place mitigation is determined by the City to be infeasible, a *data recovery plan*, which makes provisions for adequate recovery of culturally or historically consequential information about the site, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be submitted to the CHRIS Northwest Information Center. If Native American artifacts are indicated, the studies shall also be submitted to the Native American Heritage Commission.

Identified cultural resources shall be recorded on form DPR 422 (archaeological sites). Mitigation measures recommended by these two groups and required by the City shall be undertaken, if necessary, prior to and during construction activities.

A *data recovery plan* and data recovery shall not be required if the City determines that testing

Resolution 2014-50
Exhibit A

or studies already completed have adequately recovered the necessary data, provided that the data have already been documented in an EIR or are available for review at the CHRIS Northwest Information Center (CEQA Guidelines section 15126.4[b]).

In the event that subsurface cultural resources are otherwise encountered during approved ground-disturbing activities for a plan area construction activity, work in the immediate vicinity shall be stopped and a qualified archaeologist retained to evaluate the finds following the procedures described above. Project personnel shall not collect cultural resources.

If human remains are found, special rules set forth in State Health and Safety Code section 7050.5 and CEQA Guidelines section 15126.4(b) shall apply.

Findings. Based upon the EIR and the entire record before the Planning Commission and City Council, the City Council finds that:

1. **Effects of Mitigation:** The mitigations have been incorporated into the MMRP and will avoid or substantially lessen the significant environmental effect as identified in the EIR. The City finds that the requirement for a site-specific cultural resources study and technical report meeting state and federal requirements performed by a qualified archaeologist or equivalent cultural resources professional and treatment plans for identified resources as well as resources discovered during construction are feasible and will reduce potential impacts to archaeological resources to a less-than-significant level.
2. **Remaining Impacts:** Any remaining impacts to archaeological resources would not be significant.

Impact 7-3: Potential for Disturbance of Paleontological Resources.

Development facilitated by the Specific Plan could disturb unrecorded paleontological resources in the plan area.

Mitigation 7-3. During the City's standard project-specific environmental checklist review process for all future, discretionary, public improvement and private development projects in the Specific Plan area, the City shall determine the possible presence of, and the potential impacts of the action on, paleontological resources. For projects involving substantial ground disturbance (more than 2,500 square feet), the City shall require individual project applicants to carry out the following measures:

(1) *Education Program.* Project applicants shall implement a program that includes the following elements:

- Resource identification training procedures for construction personnel;
- Spot-checks by a qualified paleontological monitor of all excavations deeper than seven feet below ground surface; and
- Procedures for reporting discoveries and their geologic context.

Resolution 2014-50
Exhibit A

(2) *Procedures for Resources Encountered.* If subsurface paleontological resources are encountered, excavation shall halt in the vicinity of the resources, and the project paleontologist shall evaluate the resource and its stratigraphic context. The monitor shall be empowered to temporarily halt or redirect construction activities to ensure avoidance of adverse impacts to paleontological resources. During monitoring, if potentially significant paleontological resources are found, "standard" samples shall be collected and processed by a qualified paleontologist to recover micro vertebrate fossils. If significant fossils are found and collected, they shall be prepared to a reasonable point of identification. Excess sediment or matrix shall be removed from the specimens to reduce the bulk and cost of storage. Itemized catalogs of material collected and identified shall be provided to a local museum repository with the specimens. Significant fossils collected during this work, along with the itemized inventory of these specimens, shall be deposited in a local museum repository for permanent curatorship and storage. A report documenting the results of the monitoring and salvage activities, and the significance of the fossils, if any, shall be prepared. The report and inventory, when submitted to the City, shall signify the completion of the program to mitigate impacts on paleontological resources.

Findings. Based upon the EIR and the entire record before the Planning Commission and City Council, the City Council finds that:

1. Effects of Mitigation: The mitigation has been incorporated into the MMRP and will avoid or substantially lessen the significant environmental effect as identified in the EIR. The City finds that the requirement to educate earth moving crews on the appearance of fossils, procedures to follow if any are discovered, and ensuring that a paleontologist assess the significance of any fossil find, and recovers it, if appropriate are feasible and would reduce potential impacts to paleontological resources to a less-than- significant level.
2. Remaining Impacts: Any remaining impacts to paleontological resources would not be significant.

D. GEOLOGY AND SOILS

Impact 8-1: Potential Ground Instability Impacts. The potential for ground instability can depend on specific, highly localized underlying soil conditions. Determination of liquefaction, differential settlement, lateral spreading, and subsidence potential in the Specific Plan area would require site-specific geotechnical studies for future individual development proposals. Possible ground instability conditions, if not properly engineered for, could result in associated significant damage to project buildings and other improvements.

Mitigation 8-1. Subject to City review and approval, complete and implement the geotechnical mitigation recommendations identified in the required site-specific geotechnical investigations and engineering studies, in coordination with City grading permit and building permit performance standards.

Resolution 2014-50
Exhibit A

Findings. Based upon the EIR and the entire record before the Planning Commission and City Council, the City Council finds that:

1. Effects of Mitigation: The mitigation has been incorporated into the MMRP and will avoid or substantially lessen the significant environmental effect as identified in the EIR. The City finds that the requirement for site-specific geotechnical investigations and engineering studies would reduce potential impacts related to geologic stability to a less-than- significant level.
2. Remaining Impacts: Any remaining impacts related to geologic stability resources would not be significant.

E. NOISE

Impact 13-1: Noise and Land Use Compatibility. Residential land uses facilitated by the Specific Plan would be exposed to exterior noise levels exceeding 60 dBA L_{dn} from traffic noise and 70 dBA L_{dn} from BART noise. Future noise levels would exceed El Cerrito's noise and land use compatibility standards.

Mitigation 13-1. Future development would be exposed to outdoor noise levels exceeding acceptable levels as defined in the El Cerrito General Plan. Noise levels inside residential structures proposed in such noise environments would exceed 45 dBA L_{dn}, the local established land use compatibility threshold. In areas where residential developments would be exposed to an L_{dn} of greater than 60 dBA, El Cerrito General Plan Policy H3.9 requires the evaluation of mitigation measures for specific projects.

- Utilize site planning to minimize noise in residential outdoor activity areas (shared outdoor space in multi-family developments) by locating the areas behind noise barriers, the buildings, in courtyards, or orienting the terraces to alleyways rather than streets, whenever possible. The goal is a maximum noise level of 60 dBA L_{dn} from roadway traffic and 70 dBA L_{dn} from BART noise.

The City of El Cerrito requires project-specific acoustical analyses to achieve interior noise levels of 45 dBA L_{dn} or lower, and the adopted instantaneous noise levels in residential units exposed to exterior noise levels greater than 60 dBA L_{dn} should not exceed 50 dBA L_{max} in bedrooms and 55 dBA L_{max} in other rooms. Building sound insulation requirements would need to include the provision of forced-air mechanical ventilation in noise environments exceeding 60 dBA L_{dn} so that windows could be kept closed at the occupant's discretion to control noise. Special building construction techniques (e.g., sound rated windows and building facade treatments) may be required where exterior noise levels exceed 65 dBA L_{dn}. These treatments include, but are not limited to, sound rated windows and doors, sound rated exterior wall assemblies, acoustical caulking, etc. The specific determination of what treatments are necessary will be conducted on a unit-by-unit basis during project design. Results of the analysis, including the description of the necessary noise control treatments, will be submitted to the City, along with the building plans, which shall be revised as necessary or approved prior to issuance of a building permit. Feasible

Resolution 2014-50
Exhibit A

construction techniques such as these would adequately reduce interior noise levels to 45 dBA L_{dn} or lower and meet instantaneous noise limits.

- Similar to above, noise insulation features shall be considered on a case-by-case basis for noise-sensitive offices and commercial uses proposed where noise levels exceed 65 dBA L_{dn}, in order to meet adopted noise standards.

Findings. Based upon the EIR and the entire record before the Planning Commission and City Council, the City Council finds that:

1. Effects of Mitigation: The mitigation has been incorporated into the MMRP and will avoid or substantially lessen the significant environmental effect as identified in the EIR. The City finds that the requirement for site-specific consideration outside noise levels and appropriate requirement of project-specific acoustical analyses would reduce potential impacts to noise and land use compatibility to a less-than-significant level.
2. Remaining Impacts: Any remaining impacts to noise and land use compatibility resources would not be significant.

Impact 13-2: Commercial Development Noise. The Specific Plan would introduce commercial uses adjacent to residential land uses. Specific tenants for the commercial uses have not been identified, but uses would probably include retail stores, grocery stores, restaurants, or cafes. New commercial development proposed along with or next to residential development could result in noise levels exceeding City standards. Typical noise levels generated by loading and unloading would be similar to noise levels generated by truck movements on local roadways. Mechanical equipment would also have the potential to generate noise and would be a potential noise impact.

Mitigation 13-2. New commercial development proposed in the same building as or adjacent to residential development could result in noise levels exceeding City standards.

- Noise levels at residential property lines from commercial development shall be maintained not in excess of the general plan and municipal code limit for the City of El Cerrito. The approval of the commercial development shall require a noise study demonstrating how the business--including loading docks, refuse areas, and ventilation systems--would meet these requirements and would be consistent with the City's noise standards.
- Ensure that noise-generating activities, such as maintenance activities and loading and unloading activities are limited to the hours of 7:00 AM to 9:00 PM.

Findings. Based upon the EIR and the entire record before the Planning Commission and City Council, the City Council finds that:

1. Effects of Mitigation: The mitigation has been incorporated into the MMRP

Resolution 2014-50

Exhibit A

and will avoid or substantially lessen the significant environmental effect as identified in the EIR. The City finds that the requirement for approval of commercial development near residences to complete a noise study ensuring that the business would be consistent with the City's noise standards and reduce potential impacts to commercial development noise to a less-than-significant level.

2. Remaining Impacts: Any remaining impacts related to commercial development noise would not be significant.

VI. GROWTH INDUCING EFFECTS

The City Council finds that implementation of the Specific Plan could result in a net increase in housing and population in the Specific Plan Area over existing conditions, as explained in Section 3.5 (Development Capacity Assumptions) and Chapter 14 (Population and Housing) of this EIR. The net increases through the horizon year of 2040 would be approximately 1,706 residential units and 3,840 residents. This capacity forecast is based on entitled and planned projects included in the development capacity assumptions, plus the potential development of projects in the Plan Area consistent with the Form-Based Code development standards. The direct increase in residential units and population could have an indirect economic "multiplier" effect, generating additional employment in the broader region.

No substantial, detrimental, growth-inducing effect is expected. Specific Plan implementation would not extend roads or infrastructure through undeveloped or low-density areas; one of the main objectives of the Specific Plan is to facilitate new development efficiently and effectively in an area where roads and infrastructure already exist (see Chapter 3, Project Description).

Any future individual development proposals outside the Plan Area would require standard local review of associated development applications, including CEQA-mandated development specific environmental review, to ensure that any adverse environmental impacts are adequately addressed. These existing requirements and procedures would be expected to avoid or reduce the potential environmental impacts of such secondary growth inducement associated with the Specific Plan to less-than-significant levels, except where specific CEQA statements of overriding consideration are adopted.

VII. PROJECT ALTERNATIVES

A. Background - Legal Requirements

Section 15126.6(f) of the State CEQA Guidelines requires that an EIR include a "reasonable range of alternatives to the project, or to the location of the project, which would avoid or substantially lessen any significant effects of the project." Based on the analysis in the EIR, the Project would be expected to result in significant and unavoidable impacts in the impact areas of Scenic Vistas, Historic Resources; Construction Noise; Construction-Related Vibration; and Cumulative Traffic Impacts. The EIR alternatives were designed to avoid or reduce these significant unavoidable impacts, and to further reduce impacts that were found to be less than significant. The City

Resolution 2014-50

Exhibit A

Council has reviewed the significant impacts associated with the reasonable range of alternatives as compared to the Project, and in evaluating the alternatives has also considered each alternative's feasibility, taking into account a range of economic, environmental, social, legal, and other factors. In evaluating the alternatives, the City Council has also considered the important factors listed in the Statement of Overriding Considerations listed in Section IX below.

Public Resources Code Section 21081(b)(3) provides that when approving a project for which an EIR has been prepared, a public agency may find that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

**Resolution 2014-50
Exhibit A**

B. Identification of Project Objectives

The *CEQA Guidelines* state that the “range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one or more of the significant effects” of the project (*CEQA Guidelines §15126.6(a)*). The project objectives are listed in Section II of these Findings.

C. Alternatives Analysis in EIR

CEQA Guidelines §15126.6(c) states that the “range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one or more of the significant effects” of the project. The “range of alternatives” is governed by the “rule of reason” which requires the EIR to set forth only those alternatives necessary to permit an informed and reasoned choice by the decision-making body and informed public participation (CEQA Guidelines Section 15126.6(f)).

The Final EIR describes the alternatives considered and compares their impacts to the Project. The EIR evaluated four alternatives to the Project:

- The No Project Alternative,
- The Plan Bay Area 2040 Growth Allocations
- The Mitigation of Significant Unavoidable Impacts; and
- The Alternative Project Location.

Alternative 1: No Project Alternative

The No Project alternative is discussed on pages 20-3 to 20-6 of the EIR. Pursuant to CEQA Guidelines, Section 15126.6 (e)(3)(A), when a project is a revision to an existing land use or regulatory plan, the No Project alternative is the continuation of the existing land use or regulatory plan for the project site. The No Project alternative assumes existing General Plan designations and zoning would remain in place, and permitted building heights and development intensities would not increase. In addition, none of the public realm improvements called for in the Specific Plan (such as pocket parks, widened sidewalks, and parking garages) would be undertaken. Future development under the No Project alternative would occur, but would be undertaken in accordance with existing regulations including applicable project-specific environmental review.

Explanation: The No Project alternative would result in the continuation of existing conditions in the Plan area. Compared to the Specific Plan, the potential environmental impacts from the No Project alternative would be of lesser or similar intensity than the Specific Plan in the areas of air quality, biological resources geology, hazards, noise, transportation, cultural resources, population and housing, soils and seismicity, and public services and utilities. The No Project alternative could have slightly greater intensity of impacts than the Specific Plan in the areas of greenhouse gases and climate change, hydrology and water quality, although these would not increase so much as to

Resolution 2014-50
Exhibit A

create a new significant impact.

Compared to the other alternatives, the No Project alternative has several impacts at a lesser intensity than the Specific Plan. This alternative also has three resource areas that have a greater intensity of impact compared to the Specific Plan and is the only alternative to have greater impacts than the Specific Plan. However, this is also the only alternative that would avoid some significant and unavoidable cumulative traffic impacts.

Findings: Specific economic, legal, social, technological, or other considerations make infeasible the No Project Alternative, and therefore, this alternative is rejected for the following reasons:

1. With fewer new housing units, less population growth, and less pedestrian, bicycle, and transit circulation and connectivity (i.e., no Specific Plan), the No Project alternative would be less effective in achieving the project objectives (listed Section II of this document), especially Goal A, Goal B, Goal D, and Goal E.
2. The No Project alternative would also not realize many of the benefits proposed by the Specific Plan. The development allowed under the existing zoning and General Plan would provide many fewer residential opportunities in the Specific Plan area (*415 fewer new residential units* than what is included in the Specific Plan).
 - Revitalize underutilized parcels and buildings;
 - Expand shopping, dining and neighborhood services to ensure a vibrant downtown.
3. Finally, by not including shade and view considerations, the No Project alternative would be less likely to ensure that Plan area development is sensitive to and compatible with adjacent neighborhoods.

Alternative 2: Reduced Project

Under Alternative 2, the San Pablo Avenue Specific Plan would be adopted, but the net new residential development capacity assumptions for the plan area would be those listed in the Plan Bay Area "Final Forecast of Jobs, Population and Housing, Housing Growth by Jurisdiction and PDA/Investment Area, Contra Costa County" (July 2013). The boundaries of the San Pablo Avenue Corridor PDA described in Plan Bay Area match the Specific Plan area. Plan Bay Area shows growth of 1,010 net new residential units in the San Pablo Avenue Specific Plan Area between 2010 and 2040. Plan Bay Area does not provide population estimates for the PDAs; using the 2.25 persons per unit, population growth under Plan Bay Area would be 2,273. The proposed Specific Plan forecasts 1,706 net new residential units and population growth of 3,840 between 2010 and 2040 (see EIR Chapter 14, Population and Housing).

From a policy perspective, Alternative 2 is considered substantially consistent with the adopted El Cerrito General Plan.

Resolution 2014-50
Exhibit A

The Reduced Project alternative is discussed on pages 20-7 to 20-9 of the EIR. Alternative 2 would result in 696 fewer new residential units and 1,567 fewer new residents than the proposed Specific Plan. Under the alternative, the San Pablo Avenue Specific Plan would be adopted.

Explanation: The Reduced Project alternative would result in a land use plan similar to the Specific Plan, but with a reduced amount of total development. Compared to the Specific Plan, the potential impacts from the reduced project alternative would be less substantial than those of the Specific Plan in the areas of air quality, biology, geology, greenhouse gases and climate change and soils. It would be approximately the same in terms of aesthetics and visual resources, cultural resources, hydrology and water quality, noise, population and housing, and public services and utilities. One significant and unavoidable impact of cumulative traffic would be reduced to a level of insignificance. This alternative would not result in any impacts that would be greater in intensity than those of the Specific Plan.

CEQA requires the identification of an Environmentally Superior Alternative among the alternatives to the project. The Environmentally Superior Alternative is the alternative that would avoid or substantially lessen, to the greatest extent, the environmental impacts associated with the project while feasibly obtaining most of the major objectives of the project. Project Alternative 2 was determined to be the Environmentally Superior Alternative because it would lessen many of the impacts of the Specific Plan while meeting many of the project objectives.

Findings:

The Reduced Project Alternative is less desirable than the Project. Specific economic, legal, social, technological, or other considerations make infeasible the Reduced Project Alternative, and therefore, this alternative is rejected for the following reasons:

1. Although the Reduced Project Alternative has been found to be the environmentally superior alternative, it only reduces one significant and unavoidable impacts of the Project to a level of insignificance. Significant and unavoidable impacts regarding aesthetic and visual resources, cultural resources, and noise would remain.
2. While the Reduced Project Alternative lessens Project impacts, this reduction is due entirely to fewer people residing in, and less development in, the Plan area. Those not residing on this site would be displaced to housing located in other areas, which could be located at a greater distance from public transit, services and employment and generate per capita emissions of pollutants and greenhouse gases equal to or greater than those generated by the Project. Commercial development not occurring on the site would also be displaced to other areas. Consequently, environmental impacts may not be lessened on a statewide or regionwide basis. If the housing or commercial development is displaced to locations within the City, impacts on population and housing and public utilities and energy would remain essentially the same, and greenhouse gas emissions per service area population would likely be higher because there would be less access to public transit.
3. With fewer new housing units and less population growth, Alternative 2 would be less effective in achieving the project objectives (listed at the beginning of this chapter) related

Resolution 2014-50
Exhibit A

to maximizing pedestrian- and transit-oriented development (see Goal A, Goal B, Goal D, and Goal E.)

Alternative 3: Mitigation of Significant Unavoidable Impacts.

The Reduced Commercial/Retail Space Alternative is discussed on pages 20-9 to 20-11 of the EIR. Under Alternative 3, the San Pablo Avenue Specific Plan would be adopted, and the EIR development capacity assumptions would remain the same. However, EIR-identified significant unavoidable impacts would be reduced to less-than-significant levels. These significant unavoidable impacts are listed below; their full descriptions are in the appropriate EIR chapter (Impact 4-1 is in Chapter 4; Impact 7-1 is in Chapter 7, etc.).

- ***Impact 4-1: Project Impacts on Scenic Vistas***
- ***Impact 7-1: Destruction/Degradation of Historic Resources***
- ***Impact 13-3: Construction Noise***
- ***Impact 13-4: Construction-Related Vibration***
- ***Impact 16-1: Cumulative Traffic Impacts***

Both the proposed Specific Plan and Alternative 3 forecast 1,706 net new residential units and population growth of 3,840 between 2010 and 2040 (see EIR Chapter 14, Population and Housing). From a policy perspective, Alternative 3 is considered substantially consistent with the adopted El Cerrito General Plan. (see EIR Chapter 18, Project Consistency With Local and Regional Plans, Tables 18.1 and 18.2). Alternative 3 would result in revisions to the proposed Specific Plan in order to reduce the EIR-identified significant unavoidable impacts to less-than-significant levels. Under this alternative, a revised Specific Plan would be adopted.

Explanation: Under Alternative 3, the project's significant unavoidable impact on:

Scenic Vistas (Impact 4-1) would be reduced to a less-than-significant level by revising Form-Based Code (FBC) Section 2.05.03.01.03 (View Design Guidelines). The section would be revised to make those guidelines ***mandatory standards*** and not only "strongly recommended" guidelines. The revision would ***prohibit*** any new development that would interfere with scenic views of Mt. Tamalpais, the Golden Gate Bridge, the San Francisco skyline, the East Bay Hills, and Albany Hill from public rights-of-way (roadways and sidewalks), the two BART stations (El Cerrito Plaza and El Cerrito del Norte), and areas of lower elevation hillside homes located in El Cerrito and Richmond.

Historic Resources (Impact 7-1) would be reduced to a less-than-significant level by ***requiring*** that no historic resource be demolished and that changes to historic resources adhere to the Secretary of the Interior's *Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, or be moved to a new location such that the resource retains its eligibility for listing on the California Register (see Mitigation 7-1 [a and b]).

Resolution 2014-50

Exhibit A

Construction noise and construction-related vibration impacts (Impacts 13-3 and 13-4) would be reduced to less-than significant levels by adjusting the cumulative construction schedules of approved projects - including their locations, activities, and time periods - so that construction noise and vibration would be reduced to what the City would codify as a less-than-significant level (e.g., the City would prepare and adopt "cumulative construction noise and vibration regulations").

Traffic impacts, specifically the San Pablo Avenue/Cutting Boulevard intersection (Impact 16-1) would be reduced to a less-than-significant level by *mandating the mode shift* evaluated in Chapter 16 (Transportation and Circulation) of this EIR. This might be accomplished by requiring traffic monitoring for each future individual development, then requiring as necessary more aggressive Transportation Demand Management (TDM) strategies to meet the mode shift.

Findings:

The Mitigation of Significant Unavoidable Impacts Alternative is less desirable than the Project. Specific economic, legal, social, technological, or other considerations make infeasible the Mitigation of Significant Unavoidable Impacts Alternative, and therefore, this alternative is rejected for the following reasons:

1. The City of El Cerrito would like to state without exception that no view will be blocked, no historic resource removed, no exceptional construction related vibration or noise will occur and that everyone will meet or exceed our highest expectations for mode shift. However, that is simply not practical for three reasons. 1. There may be a project that is so compelling, the community decision makers may determine that is acceptable to allow one or more of those impacts to exist. 2. Mandating maximum compulsory mode shift is neither always possible nor enforceable. 3. Before the capacity of planning year horizon is met, future decision makers may have slightly different values than the one who authored this Plan.
2. Alternative 3 would be less effective in achieving Goal B and Goal C of the project objectives (listed at the beginning of this chapter) because the **mandated** reduction of the identified significant unavoidable impacts might be considered infeasible within the particular context of a future, site-specific development proposal. Related to Goals B (Ensure Return on Investment) and C (Encourage Practical and Market Friendly Development), the City might not attract a desired potential development if an applicant considers Alternative 3 too restrictive and lacking the flexibility to formulate innovative, feasible solutions between the City and the applicant.

Alternative 4: Alternatives Considered But Rejected, Alternative Project Location

The Reduced Residential alternative is discussed on pages 20-11 to 20-13 of the EIR. Section 15126.6(a) of the CEQA Guidelines states, "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic project objectives but would avoid or substantially lessen any of the significant effects of the project[.]" Further, section 15126.6(c) explains, "Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental effects." To help

Resolution 2014-50
Exhibit A

clarify the meaning of “feasibility,” CEQA Guidelines section 15126.6(f)(1) (Rule of Reason/Feasibility) states, “Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries...and whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site....No one of these factors establishes a fixed limit on the scope of reasonable alternatives.”

Explanation : El Cerrito is an incorporated city surrounded by other communities. The 174.1- acre Specific Plan area is surrounded by existing development. The San Pablo Avenue corridor has been identified in several adopted plans--including the El Cerrito General Plan and Plan Bay Area--as an area of growth due in part to its convenient location in the Bay Area and to the infrastructure already in place (e.g., transportation network, BART, utility systems). This situation provides an opportunity to accommodate projected growth while preserving existing, adjacent, single family and other low density neighborhoods. An alternative location for the San Pablo Avenue Specific Plan would not be feasible. In essence, implementation of the Specific Plan in an alternative location would result in a new mixed use neighborhood in another place more distant from the two El Cerrito BART stations and existing infrastructure. None of the proposed Specific Plan objectives related to enhancing the existing plan area environment--especially those pertaining to the plan area's location in, and contribution to, a regional network of communities and transportation opportunities—would be attained.

In addition, the CEQA Guidelines provide that the alternatives evaluated in an EIR should be selected based on their ability to avoid or substantially lessen the significant Impacts of the proposed project. Even if an alternative location for the project could implement the project objectives, only those locations that would avoid or substantially lessen any of the significant impacts of the project need to be considered in the EIR.

In the case of the proposed San Pablo Avenue Specific Plan, for identified significant unavoidable impacts, (1) these impacts cannot be avoided or substantially reduced by additional, feasible mitigation measures or (2) due to the programmatic EIR analysis appropriate for the long-term Specific Plan, the details of site-specific, future development proposals are not known at this time. Transferring these unavoidable and other potentially significant impacts to an alternative location would still substantially affect the environment, possibly worse than in the San Pablo Avenue Specific Plan area, where coordinated infrastructure, plans, regulations, and services are already in place to help mitigate potential environmental impacts.

Finding:

Because an alternative project location would be infeasible, would not achieve the project objectives, and would not necessarily avoid or lessen the significant impacts of the project and might result in new significant impacts, an alternative that would involve a different project location was eliminated from further detailed consideration. No further evaluation of alternative project locations is required under CEQA.

**VIII. CHANGES TO THE SPECIFIC PLAN, CIRCUMSTANCES AND
NEW INFORMATION**

Resolution 2014-50
Exhibit A

The City Council finds that no significant new information within the meaning of Public Resources Code § 21092.1 and State CEQA Guidelines § 15088.5 has been added to the EIR since the Draft EIR was circulated for public review. In responding to comments, CEQA does not require the EIR authors to conduct every test or perform all research or study suggested by commenters. Rather, the EIR authors need only respond to significant environmental issues and need not provide all of the information requested by the reviewers, as long as a good faith effort at full disclosure is made in the EIR (CEQA Guidelines sections 15088, 15132, and 15204). The City Council finds that the public has had a meaningful opportunity to comment upon all substantial adverse environmental effects of the Plan and all feasible ways to mitigate or avoid such effects.

As applicable to the CEQA process, the Draft EIR refers to components of the Specific Plan and summarizes or quotes those components. After public release of the June 2014 Specific Plan document and the Draft EIR, City of El Cerrito staff made revisions to the Specific Plan ("Revisions to June 2014 Final Draft"), including in response to concerns raised by the public. In some cases, revisions to the June 2014 Specific Plan have resulted in parallel revisions to the Draft EIR. These EIR revisions are included as part of Final EIR section 3 (Revisions to the Draft EIR). City Council finds that none of the criteria listed in CEQA Guidelines section 15088.5 (Recirculation of an EIR Prior to Certification) has been met as a result of the revisions.

**IX. STATEMENT OF OVERRIDING CONSIDERATIONS RELATED TO
THE PROJECT FINDINGS**

The City Council adopts and makes the following Statement of Overriding Considerations regarding the significant unavoidable impacts of the Project. After review of the entire administrative record, the City Council finds that, pursuant to CEQA section 21081(b) and CEQA Guidelines section 15093, specific economic, legal, social, technological and other benefits of the Project outweigh the Project's unavoidable adverse impacts and the City Council finds that the significant and unavoidable adverse impacts are acceptable in light of the Project's benefits.

A. Significant Unavoidable Impacts

With respect to the foregoing findings and in recognition of those facts that are included in the entire administrative record, the City has determined that the Project would result in significant unavoidable aesthetic, cultural, noise and transportation impacts, as described in Section IV of these Findings.

The City hereby finds that, where possible, changes or alterations have been required in or incorporated into the Project that substantially lessens the significant environmental effects identified in the EIR. The project and the MMRP incorporate all feasible mitigation measures to reduce potential environmental impacts to the greatest extent feasible. The City further finds that there are no additional feasible mitigation measures or alternatives that could be imposed or adopted to eliminate the significant and unavoidable impacts listed above. These impacts could not be reduced to a less-than-significant level by feasible changes, mitigation measures or alternatives to the Project.

**Resolution 2014-50
Exhibit A**

B. Overriding Considerations

The City Council has carefully balanced the benefits of the Project against any adverse impacts identified in the EIR that could not be feasibly mitigated to a level of insignificance. The City Council finds that each of the specific environmental, economic, fiscal, social, housing and other overriding considerations set forth below constitutes a separate and independent ground for a finding that the benefits of the Project outweigh its significant adverse environmental impacts and is an overriding consideration warranting approval of the Project. The City Council specifically adopts and makes this Statement of Overriding Considerations regarding the significant unavoidable impacts of the Project and the anticipated benefits of the Project.

Substantial evidence in the record demonstrates the City would derive the following substantial public benefits from adoption and implementation of the Project:

1. The Project is the product of a transparent, multi-year process designed to develop community consensus. The Project has benefitted from high levels of public outreach and participation, and has been informed by appropriate analyses. In addition to large attendance at the community workshops, the Planning Commission and City Council both conducted a detailed and public review of the Draft Specific Plan and provided clear direction that has been comprehensively addressed. As a result, the Project is reflective of the community's diverse preferences and goals.
2. The Project will enhance the public realm, through an integrated network of public spaces, including widened sidewalks, plazas and parks, that invites strolling and public gathering and allows for community life, identity and sense of place. The Project's comprehensive public space network supports a more active, vibrant downtown and healthier living by encouraging walking, biking and social gathering.
3. The Project will create a more active, vibrant urban area, with a mix of commercial and residential uses that complement and support one another and bring vitality, including increased retail sales, to the area. The addition of new commercial space will help to locate more opportunities for employment in El Cerrito. In addition, the Project will establish standards and guidelines that encourage development of underutilized and vacant land on San Pablo Avenue while ensuring a building character that is modulated visually interesting.
4. The Project recognizes and promotes healthy living and activity by encouraging walking, biking and access to transit as alternatives to vehicular use, supported by widened sidewalks and new bicycle facilities; enhanced public spaces; development intensity focusing on the two BART stations; and a greater mix and diversity of uses. The Project takes a comprehensive approach to sustainability and carbon emissions reduction, utilizing standards integrated with best practices and guidelines for both public and private improvements. The Project also encourages context sensitive design.

X. SEVERABILITY

Resolution 2014-50
Exhibit A

If any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the Plan, shall continue in full force and effect unless amended or modified by the City.

Resolution 2014-50
Exhibit B

MITIGATION MONITORING CHECKLIST--SAN PABLO AVENUE SPECIFIC PLAN

The environmental mitigation measures listed in column two below have been incorporated into the conditions of approval for the San Pablo Avenue Specific Plan in order to mitigate identified environmental impacts. A completed and signed chart will indicate that each mitigation requirement has been complied with, and that City and state monitoring requirements have been fulfilled with respect to Public Resources Code section 21081.6.

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
AESTHETICS AND VISUAL RESOURCES						
Impact 4-1: Project Impacts on Scenic Vistas. Specific Plan implementation could interfere with scenic views of Mt. Tamalpais, the Golden Gate Bridge, the San Francisco skyline, the East Bay Hills, and Albany Hill from public rights-of-way (roadways and sidewalks), the two BART station platforms (El Cerrito Plaza and El Cerrito Del Norte), and areas of lower elevation hillside homes located in El Cerrito and Richmond. This is considered a <i>potentially significant impact</i>.	Mitigation 4-1. For future City decision-making actions for individual project proposals under the Specific Plan, Specific Plan Section 2.02 (Administration of Regulating Code) shall be implemented as it applies to the proposal's potential effect on scenic vistas. The City shall require evaluation (including visual simulations, if deemed necessary) of the proposal's visual effect as viewed from important on-site and off-site viewpoints, including public rights-of-way of east-west streets (roadways and sidewalks) and the two BART station platforms in the Specific Plan area (El Cerrito Plaza and El Cerrito Del Norte). The evaluation shall address the proposal's effect on views of Mt. Tamalpais, the Golden Gate Bridge, the San Francisco skyline, the East Bay Hills, and Albany Hill. This mitigation shall be enforceable by its incorporation into the Specific Plan as a City-adopted policy and shall be implemented through subsequent permits, conditions, agreements, or other measures consistent with Specific Plan Section 2.02. Incorporation of this measure would reduce the impact on scenic vistas. However, because the outcome of this decision-making process for any individual, future proposal cannot be guaranteed within the framework of	City; Individual project applicants	City	During individual project review		

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

		MONITORING			VERIFICATION	
IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	this program EIR, the impact is considered <i>significant and unavoidable</i> .					
Impact 4-2: Project Light and Glare Impacts. The San Pablo Avenue Specific Plan anticipates development on the surface parking lots around the El Cerrito Plaza and El Cerrito Del Norte BART stations. As part of this development, new parking structures for the BART stations and for other new development are anticipated. These parking structures may result in light and glare from vehicles using the parking structure at night. In addition, future multi-story buildings (or renovations) in the Specific Plan area, if faced in reflective materials (e.g., reflective glass), could result in glare impacts on adjacent and nearby properties. These impacts related to light and glare are considered a <i>potentially significant</i> .	Mitigation 4-2. Project developers (including but not limited to BART) shall install landscaping and incorporate other measures into and around any Specific Plan area future parking structure(s) (light source shielding, etc.) as necessary to ensure that potential light and glare from vehicles would be avoided toward the Ohlone Greenway, residential uses, and other sensitive uses, consistent with El Cerrito City Resolution 82-9 and the El Cerrito design review process. With this requirement incorporated into the local design review process, the light and glare impact of future parking structures would be <i>less-than-significant</i> .	Individual project applicants	City	During individual project review; Condition of occupancy permit issuance		
	Regarding reflective building materials, for all future development in the Specific Plan area, facades shall be of non-reflective materials, and windows shall incorporate non-reflective coating. This requirement would reduce potential glare impacts of building materials to a <i>less-than-significant level</i> .	Individual project applicants	City	Condition of building permit issuance; Condition of occupancy permit issuance		
AIR QUALITY						
Impact 5-1: Construction Period Emissions. Implementation of the Specific Plan would result in short-term emissions from construction activities associated with subsequent development, including site grading, asphalt paving, building construction, and architectural coating. Emissions commonly associated with construction activities include fugitive dust from soil	Mitigation 5-1. Implement the following BAAQMD-recommended measures to control particulate matter emissions during construction. These measures would reduce diesel particulate matter, PM ₁₀ , and PM _{2.5} from construction to ensure that short-term health impacts to nearby sensitive receptors are avoided or reduced:	Individual project applicants	City	Condition of grading permit issuance; Condition of building permit issuance; Field verify implementation during grading and construction		

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
disturbance, fuel combustion from mobile heavy-duty diesel- and gasoline-powered equipment, portable auxiliary equipment, and worker commute trips. During construction, fugitive dust, the dominant source of PM₁₀ and PM_{2.5} emissions, is generated when wheels or blades disturb surface materials. Uncontrolled dust from construction can become a nuisance and potential health hazard to those living and working nearby. Demolition and renovation of buildings can also generate PM₁₀ and PM_{2.5} emissions. Off-road construction equipment is often diesel-powered and can be a substantial source of NO_x emissions, in addition to PM₁₀ and PM_{2.5} emissions. Worker commute trips and architectural coatings are dominant sources of ROG emissions. The BAAQMD CEQA Air Quality Guidelines do not identify plan-level thresholds that apply to construction. Although construction activities at individual project sites are expected to occur during a relatively short time period, the combination of temporary dust from activities and diesel exhaust from construction equipment poses both a health and nuisance impact to nearby receptors. In addition, NO_x emissions during grading and soil import/export for large projects may exceed the BAAQMD NO_x emission thresholds. Without application of appropriate control measures to reduce construction dust and exhaust, construction period impacts would be considered a potentially significant impact.	<i>Dust (PM₁₀ and PM_{2.5}) Control Measures:</i> - Water all active construction areas at least twice daily and more often during windy periods. Active areas adjacent to residences should be kept damp at all times. - Cover all hauling trucks or maintain at least two feet of freeboard. - Pave, apply water at least twice daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas. - Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas and sweep streets daily (with water sweepers) if visible soil material is deposited onto the adjacent roads. - Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (i.e., previously graded areas that are inactive for 10 days or more). - Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles. - Limit traffic speeds on any unpaved roads to 15 mph. - Replant vegetation in disturbed areas as quickly as possible.					

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	- Suspend construction activities that cause visible dust plumes to extend beyond the construction site. - Post a publically visible sign(s) with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. Additional Measures to Reduce Diesel Particulate Matter and PM_{2.5} and other construction emissions: - The developer or contractor shall provide a plan for approval by the City or BAAQMD demonstrating that the heavy-duty (>50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NO_x reduction and 45 percent particulate reduction compared to the most recent CARB fleet average for the year 2011. - Clear signage at all construction sites shall be posted indicating that diesel and gasoline equipment standing idle for more than five minutes shall be turned off. This would include trucks waiting to deliver or receive soil,					

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	aggregate, or other bulk materials. Rotating drum concrete trucks could keep their engines running continuously as long as they were on-site or adjacent to the construction site. - The contractor shall install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g., compressors). - Properly tune and maintain equipment for low emissions. Implementation of these measures would reduce project construction-related air quality impacts to a <i>less-than-significant level</i>.					
Impact 5-2: Impacts of Toxic Air Contaminants (TACs) on Sensitive Receptors. Implementation of the Specific Plan would result in the potential construction of a variety of projects. This construction would result in short-term emissions of diesel particulate matter (DPM), a TAC. Construction would result in the generation of DPM emissions from the use of off-road diesel equipment required for site grading and excavation, paving, and other construction activities. The amount to which the receptors are exposed (a function of concentration and duration of exposure) is the primary factor used to determine health risk (i.e., potential exposure to TAC emission levels that exceed applicable standards). Health-related risks associated with diesel-exhaust emissions are primarily linked to long-	Mitigation 5-2. Require project-level construction health risk assessment. Construction health risk assessment shall be required on a project-by-project basis, either through screening or refined modeling, to identify impacts and, if necessary, include performance standards and industry-recognized measures to reduce exposure. Reduction in health risk can be accomplished through, though is not limited to, the following measures: - Construction equipment selection; - Use of alternative fuels and engine retrofits, temporary line power or electric equipment; - Modified construction schedule; and	Individual project applicants	City	During individual project review (health risk assessment); Condition of grading permit issuance; Condition of building permit issuance; Field verify implementation during grading and construction		

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
term exposure and the associated risk of contracting cancer. The calculation of cancer risk associated with exposure to TACs is typically based on a 70-year period of exposure. The use of diesel-powered construction equipment, however, would be temporary and episodic and would occur over a relatively large area. Cancer risk and PM _{2.5} exposure would have to be analyzed through project-level analysis to identify the potential for significant impacts and measures to reduce those impacts to less-than-significant. Health risks associated with temporary construction would, therefore, be considered a potentially significant impact .	Implementation of BAAQMD Basic and/or Additional Construction Mitigation Measures for control of fugitive dust. Implementation of these industry-recognized measures would reduce TAC construction impacts to a less-than-significant level.					
Impact 5-3: Toxic Air Contaminant Exposure Long-Term Operations. The Specific Plan would allow growth of new residential land uses that could include sensitive receptors, as well as new non-residential land uses that would be potential new emissions sources. Typically, these sources would be evaluated through the project-specific BAAQMD permit process or the CEQA process to identify and mitigate any significant exposures. However, some sources that would not be required to undergo such a review, such as truck loading docks or truck parking areas, may have the potential to cause significant increases in TAC exposure. While average daily traffic along Specific Plan area surface streets is not readily available, the <i>roadway screening analysis tables</i> indicate that health risk from high volume surface streets such as Central Avenue, Carlson Boulevard, and Potrero Avenue would be less-than-significant at average daily traffic	Mitigation 5-3. Implement the following measures in site planning and building designs to reduce TAC and PM_{2.5} exposure where new receptors are located within the overlay distances identified above: Future development under the Specific Plan that includes sensitive receptors (such as schools, hospitals, daycare centers, or retirement homes) located within the overlay distances from highways and stationary sources shall require site-specific analysis to determine the level of TAC and PM_{2.5} exposure, or for projects located near surface streets with daily traffic volumes exceeding 40,000 ADT. This analysis shall be conducted following procedures outlined by BAAQMD. If the site-specific analysis reveals significant exposures, such as	Individual project applicants	City	During individual project review (site-specific analysis); Condition of building permit issuance		

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
volumes (ADT) of 40,000 vehicles or less at a distance of 10 feet. If projects under the Specific Plan are located within close proximity to surface streets with daily traffic volumes higher than 40,000 ADT this would represent a potentially significant impact .	cancer risk greater than 10 in one million or cumulative cancer risk greater than 100 in one million, additional measures shall be employed to reduce the risk to below the threshold. If this is not possible, the sensitive receptors shall be relocated. - Future non-residential developments would be evaluated through the CEQA process or BAAQMD permit process to ensure that they do not cause a significant health risk in terms of excess cancer risk greater than 10 in one million, acute or chronic hazards with a Hazard Index greater than 1.0, or annual $PM_{2.5}$ exposures greater than $0.3 \mu g/m^3$, or a significant cumulative health risk in terms of excess cancer risk greater than 100 in one million, acute or chronic hazards with a Hazard Index greater than 10.0, or annual $PM_{2.5}$ exposures greater than $0.8 \mu g/m^3$. - For significant cancer risk exposure, as defined by BAAQMD, indoor air filtration systems shall be installed to effectively reduce particulate levels to a less-than-significant level. Project sponsors shall submit performance specifications and design details to demonstrate that lifetime residential exposures would result in less-than-significant cancer risks (less than 10 in one million chances or 100 in one million for cumulative sources).					

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	- Air filtration systems installed shall be rated MERV-13 or higher, and a maintenance plan for the air filtration system shall be implemented. - Trees and/or vegetation shall be planted between sensitive receptors and pollution sources, if feasible. Trees that are best-suited to trapping particulate matter shall be planted, including the following: Pine (<i>Pinus nigra</i> var. <i>maritime</i>), Cypress (<i>X Cupressocyparis leylandii</i>), Hybrid poplar (<i>Populus deltoids X trichocarpa</i>), and Redwoods (<i>Sequoia sempervirens</i>). - Sites shall be designed to locate sensitive receptors as far as possible from any freeways, roadways, diesel generators, distribution centers, and rail lines. - Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall not be located immediately adjacent to a loading dock or where trucks concentrate to deliver goods. Implementation of these measures would reduce air quality impacts to a less-than-significant level.					

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
BIOLOGICAL RESOURCES						
Impact 6-1: Potential Impacts on Nesting Birds and Roosting Bats. The Specific Plan is intended to improve and expand the natural environment in the Specific Plan area, including the use of native and drought-tolerant plants (a beneficial environmental measure). Without a proactive mitigation procedure in place, Specific Plan implementation could inadvertently result in the removal of existing trees containing nests or eggs of migratory birds, raptors, or bird species during the nesting season, which would be considered an "unlawful take" under the Federal Migratory Bird Treaty Act and USFW provisions protecting migratory and nesting birds. In addition, roosting bats, several species of which are protected under the federal and State Endangered Species Acts, might be disturbed. This is considered a potentially significant impact.	Mitigation 6-1. (1) The removal of trees, shrubs, or weedy vegetation shall be avoided during the February 1 through August 31 bird nesting period to the extent possible. If no vegetation or tree removal is proposed during the nesting period, no further action is required. If it is not feasible to avoid the nesting period, the project applicant shall retain a qualified wildlife biologist to conduct a survey for nesting birds no sooner than 14 days prior to the start of removal of trees, shrubs, grassland vegetation, buildings, grading, or other construction activity. Survey results shall be valid for 21 days following the survey; therefore, if vegetation or building removal is not started within 21 days of the survey, another survey shall be required. The area surveyed shall include all construction sites, access roads, and staging areas, as well as areas within 150 feet outside the boundaries of the areas to be cleared or as otherwise determined by the biologist. In the event that an active nest is discovered in the areas to be cleared, or in other habitats within 150 feet of construction boundaries, clearing and construction shall be postponed for at least two weeks or until a wildlife biologist has determined that the young have fledged (left the nest), the nest is vacated, and there is no evidence of second nesting attempts. Implementation of this measure would reduce the impact to a less-than-significant level.	Individual project applicants	City	Condition of grading permit issuance; Field verify implementation during grading		

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	(2) A qualified biologist shall conduct pre-construction surveys for bats and suitable bat roosting habitat at work sites where culverts, structures and/or trees would be removed or otherwise disturbed prior to the initiation of construction. If bats or suitable bat roosting habitat is detected, CDFW shall be notified immediately for consultation and possible on-site monitoring. Implementation of this measure would reduce the impact to a <i>less-than-significant level</i>. Actions (1) and (2) can be implemented simultaneously.	Individual project applicants	City	Condition of grading permit issuance; Field verify implementation during grading		
CULTURAL AND HISTORIC RESOURCES						
Impact 7-1: Destruction/Degradation of Historic Resources. There may be one or more properties or features within the plan area that meet the CEQA definition of a historic resource, including properties or features already listed, or properties or features eligible for listing, in a local, State, or Federal register of historic resources. Future development projects that are otherwise consistent with the proposed Specific Plan may cause substantial adverse changes in the significance of one or more such historic resources. Substantial adverse changes that may occur include physical demolition, destruction, relocation, or alteration of one or more historic resources or its immediate surroundings such that the resource is "materially impaired." The significance of a historic resource would be considered potentially "materially impaired" when and if an individual future development project proposes to	Mitigation 7-1. For any individual discretionary project within the Specific Plan area that the City determines may involve a property that contains a potentially significant historic resource (e.g., a recorded historic resource or an unrecorded building or structure 50 years or older), the resource shall be evaluated by City staff, and if warranted, shall be assessed by a qualified professional on the California Historical Resources Information System (CHRIS) list of consultants who meet the Secretary of the Interior's Professional Qualifications Standards to determine whether the property is a significant historical resource and whether or not the project may have a potentially significant adverse effect on the historical resource. If, based on the recommendation of the qualified professional, the City determines that the project may have a potentially	City; Individual project applicants	City	During individual project review; Condition of grading permit issuance; Condition of building permit issuance; Field verify implementation during grading and construction; Condition of occupancy permit issuance		

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
demolish or materially alter the physical characteristics that justify the determination of its significance (CEQA Guidelines section 15064.5[b]). Such adverse changes in the significance of a CEQA-defined historic resource would be a significant impact .	significant effect, the City shall require the applicant to implement the following mitigation measures: (a) Adhere to one or both of the following Secretary of the Interior's Standards: - Secretary of Interior's <i>Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings</i>; or - Secretary of Interior's <i>Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings</i>. The qualified professional shall make a recommendation to the City as to whether the project fully adheres to the Secretary of the Interior's Standards, and any specific modifications necessary to do so. The final determination as to a project's adherence to the Standards shall be made by the City body with final decision-making authority over the project. Such a determination of individual project adherence to the Secretary of the Interior's Standards will constitute mitigation of the project historic resource impacts to a less-than-significant level (CEQA Guidelines section 15064.5). (b) If measure (a) is not feasible, the historic resource shall be moved to a new location compatible with the original character and use of the historical resource, and its historic					

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	features and compatibility in orientation, setting, and general environment shall be retained, such that the resource retains its eligibility for listing on the California Register. If neither measure (a) nor measure (b) is feasible, a project-specific EIR shall be required pursuant to CEQA Guidelines Section 15064.5, particularly in order for specific project alternatives to be designed and evaluated. If after that CEQA process, neither measure (a) nor (b) is found to be feasible, then the City shall, as applicable and to the extent feasible, implement the following measures in the following order: (c) Document the historic resource before any changes that would cause a loss of integrity and loss of continued eligibility. The documentation shall adhere to the Secretary of the Interior's <i>Standards for Architectural and Engineering Documentation</i>. The level of documentation shall be proportionate with the level of significance of the resource. The documentation shall be made available for inclusion in the Historic American Building Survey (HABS) or the Historic American Engineering Record (HAER) Collections in the Library of Congress, the California Historical Resources Information System (CHRIS), and the Bancroft Library, as well as local libraries and historical societies, such as the El Cerrito Historical Society. (d) Retain and reuse the historic resource to the maximum feasible					

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	extent and continue to apply the Secretary of the Interior's Standards to the maximum feasible extent in all alterations, additions, and new construction. (e) Through careful methods of planned deconstruction to avoid damage and loss, salvage character-defining features and materials for educational and interpretive use on-site, or for reuse in new construction on the site in a way that commemorates their original use and significance. (f) Interpret the historical significance of the resource through a permanent exhibit or program in a publicly accessible location on the site or elsewhere within the Specific Plan area. Implementation of measures (b), (c), (d), (e), and/or (f) would reduce a significant impact on historic resources. However, this program EIR is prohibited from speculating on the details of any future individual development proposal and its potential impact on a historic resource, and the City cannot determine with certainty that this mitigation measure would reduce the potential impact of any individual project on a historic resource to a less-than-significant level. Consequently, this impact may remain significant and unavoidable.					
Impact 7-2: Potential for Disturbance of Buried Archaeological Resources, Including Human Remains. Development facilitated by the Specific Plan could disturb unrecorded sensitive	Mitigation 7-2. During the City's standard project-specific environmental checklist review process for all future, discretionary, public improvement and private	City; Individual project applicants	City	During individual project review; Condition of grading permit issuance; Field		

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
archaeological resources in the plan area. This possibility represents a <i>potentially significant impact.</i>	development projects in the Specific Plan area, the City shall determine the possible presence of, and the potential impacts of the action on, archaeological resources. For discretionary projects involving substantial ground disturbance (more than 10,000 square feet), the City shall require individual project applicants or environmental consultants to contact the California Historical Resources Information System (CHRIS) to determine whether the particular project is located in a sensitive area. Future discretionary development projects that CHRIS determines may be located in a sensitive area--i.e., on or adjoining an identified archaeological site--shall proceed only after the project applicant contracts with a qualified archaeologist to conduct a determination in regard to cultural values remaining on the site and warranted mitigation measures. In general, to make an adequate determination in these instances, the archaeologist shall conduct a preliminary field inspection to (1) assess the amount and location of visible ground surface, (2) determine the nature and extent of previous impacts, and (3) assess the nature and extent of potential impacts. Such field inspection may demonstrate the need for some form of additional subsurface testing (e.g., excavation by auger, shovel, or backhoe unit) or, alternatively, the need for on-site monitoring of subsurface activities (i.e., during grading or trenching).			verify implementation during grading		

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	If a significant archaeological resource is identified through this field inspection process, the City and project applicant shall seek to avoid damaging effects on the resource. Preservation in place to maintain the relationship between the artifact(s) and the archaeological context is the preferred manner of mitigating impacts on an archaeological site. Preservation may be accomplished by: ▪ Planning construction to avoid the archaeological site; ▪ Incorporating the site within a park, green space, or other open space element; ▪ Covering the site with a layer of chemically stable soil; or ▪ Deeding the site into a permanent conservation easement. When in-place mitigation is determined by the City to be infeasible, a <i>data recovery plan</i>, which makes provisions for adequate recovery of culturally or historically consequential information about the site, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be submitted to the CHRIS Northwest Information Center. If Native American artifacts are indicated, the studies shall also be submitted to the Native American Heritage Commission. Identified cultural resources shall be recorded on form DPR 422					

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	(archaeological sites). Mitigation measures recommended by these two groups and required by the City shall be undertaken, if necessary, prior to and during construction activities. A <i>data recovery plan</i> and data recovery shall not be required if the City determines that testing or studies already completed have adequately recovered the necessary data, provided that the data have already been documented in an EIR or are available for review at the CHRIS Northwest Information Center (CEQA Guidelines section 15126.4[b]). In the event that subsurface cultural resources are otherwise encountered during approved ground-disturbing activities for a plan area construction activity, work in the immediate vicinity shall be stopped and a qualified archaeologist retained to evaluate the finds following the procedures described above. Project personnel shall not collect cultural resources. If human remains are found, special rules set forth in State Health and Safety Code section 7050.5 and CEQA Guidelines section 15126.4(b) shall apply. Implementation of this measure would reduce the impact to a <i>less-than-significant level</i>.					
Impact 7-3: Potential for Disturbance of Paleontological Resources. Development facilitated by the Specific Plan could disturb unrecorded paleontological resources in the plan	Mitigation 7-3. During the City's standard project-specific environmental checklist review process for all future, discretionary, public improvement and private	City; Individual project applicants	City	During individual project review; Condition of grading permit issuance; Field verify		

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
area. This possibility represents a potentially significant impact .	development projects in the Specific Plan area, the City shall determine the possible presence of, and the potential impacts of the action on, paleontological resources. For projects involving substantial ground disturbance (more than 10,000 square feet), the City shall require individual project applicants to carry out the following measures: (1) <i>Education Program</i>. Project applicants shall implement a program that includes the following elements: ▪ Resource identification training procedures for construction personnel; ▪ Spot-checks by a qualified paleontological monitor of all excavations deeper than seven feet below ground surface; and ▪ Procedures for reporting discoveries and their geologic context. (2) <i>Procedures for Resources Encountered</i>. If subsurface paleontological resources are encountered, excavation shall halt in the vicinity of the resources, and the project paleontologist shall evaluate the resource and its stratigraphic context. The monitor shall be empowered to temporarily halt or redirect construction activities to ensure avoidance of adverse impacts to paleontological resources. During monitoring, if potentially significant paleontological resources are found, "standard" samples shall be collected			implementation during grading		

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	and processed by a qualified paleontologist to recover micro vertebrate fossils. If significant fossils are found and collected, they shall be prepared to a reasonable point of identification. Excess sediment or matrix shall be removed from the specimens to reduce the bulk and cost of storage. Itemized catalogs of material collected and identified shall be provided to a local museum repository with the specimens. Significant fossils collected during this work, along with the itemized inventory of these specimens, shall be deposited in a local museum repository for permanent curatorship and storage. A report documenting the results of the monitoring and salvage activities, and the significance of the fossils, if any, shall be prepared. The report and inventory, when submitted to the City, shall signify the completion of the program to mitigate impacts on paleontological resources. Implementation of this measure would reduce the impact to a <i>less-than-significant level</i>.					
GEOLOGY AND SOILS						
Impact 8-1: Potential Ground Instability Impacts. The potential for ground instability can depend on specific, highly localized underlying soil conditions. Determination of liquefaction, differential settlement, lateral spreading, and subsidence potential in the Specific Plan area would require site-specific geotechnical studies for future individual development proposals. Possible ground instability conditions, if not properly engineered	Mitigation 8-1. Subject to City review and approval, complete and implement the geotechnical mitigation recommendations identified in the required site-specific geotechnical investigations and engineering studies, in coordination with City grading permit and building permit performance standards. Project incorporation of this mitigation requirement would reduce this impact to a <i>less-than-significant level</i>.	Individual project applicants	City	During individual project review; Condition of grading permit issuance; Condition of building permit issuance; Field verify implementation during grading and construction		

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
for, could result in associated significant damage to project buildings and other improvements, representing a potentially significant impact .						
NOISE						
Impact 13-1: Noise and Land Use Compatibility. Residential land uses facilitated by the Specific Plan would be exposed to exterior noise levels exceeding 60 dBA L_{dn} from traffic noise and 70 dBA L_{dn} from BART noise. Future noise levels would exceed both El Cerrito's and Richmond's noise and land use compatibility standards. This is a potentially significant impact .	Mitigation 13-1. Future development would be exposed to outdoor noise levels exceeding acceptable levels as defined in the El Cerrito and Richmond general plans. Noise levels inside residential structures proposed in such noise environments would exceed 45 dBA L_{dn} , the local established land use compatibility threshold. In areas where residential developments would be exposed to an L_{dn} of greater than 60 dBA, El Cerrito General Plan Policy H3.9 requires the evaluation of mitigation measures for specific projects. In Richmond General Plan Action SN4.A, new noise-sensitive uses that are located in an area with day-night average sound levels (L_{dn}) of 55 or greater require a noise study report; the report shall identify noise mitigation measures that limit noise to an acceptable level compared to existing conditions. Utilize site planning to minimize noise in residential outdoor activity areas (shared outdoor space in multi-family developments) by locating the areas behind noise barriers, the buildings, in courtyards, or orienting the terraces to alleyways rather than streets, whenever possible. The goal is a maximum noise level of 60 dBA L_{dn} from roadway traffic and 70 dBA L_{dn} from BART noise.	Individual project applicants	City	During individual project review; Condition of building permit issuance; Condition of occupancy permit issuance		

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	The City of El Cerrito requires project-specific acoustical analyses to achieve interior noise levels of 45 dBA L_{dn} or lower, and the adopted instantaneous noise levels in residential units exposed to exterior noise levels greater than 60 dBA L_{dn} should not exceed 50 dBA L_{max} in bedrooms and 55 dBA L_{max} in other rooms. Building sound insulation requirements would need to include the provision of forced-air mechanical ventilation in noise environments exceeding 60 dBA L_{dn} so that windows could be kept closed at the occupant's discretion to control noise. Special building construction techniques (e.g., sound rated windows and building facade treatments) may be required where exterior noise levels exceed 65 dBA L_{dn}. These treatments include, but are not limited to, sound rated windows and doors, sound rated exterior wall assemblies, acoustical caulking, etc. The specific determination of what treatments are necessary will be conducted on a unit-by-unit basis during project design. Results of the analysis, including the description of the necessary noise control treatments, will be submitted to the City, along with the building plans, which shall be revised as necessary or approved prior to issuance of a building permit. Feasible construction techniques such as these would adequately reduce interior noise levels to 45					

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	dBA L_{dn} or lower and meet instantaneous noise limits. - Similar to above, noise insulation features shall be considered on a case-by-case basis for noise-sensitive offices and commercial uses proposed where noise levels exceed 65 dBA L_{dn}, in order to meet adopted noise standards. - Implementation of these measures would reduce potential noise and land use compatibility impacts to a <i>less-than-significant level</i>.					
Impact 13-2: Commercial Development Noise. The San Pablo Avenue Specific Plan would introduce commercial uses adjacent to residential land uses. Specific tenants for the commercial uses have not been identified, but uses would probably include retail stores, grocery stores, restaurants, or cafes. New commercial development proposed along with or next to residential development could result in noise levels exceeding City standards. Typical noise levels generated by loading and unloading would be similar to noise levels generated by truck movements on local roadways. Mechanical equipment would also have the potential to generate noise and would be a potential noise impact. This is a <i>potentially significant impact</i>.	Mitigation 13-2. New commercial development proposed in the same building as or adjacent to residential development could result in noise levels exceeding City standards. - Noise levels at residential property lines from commercial development shall be maintained not in excess of the general plan and municipal code limits for the Cities of El Cerrito and Richmond. The approval of the commercial development shall require a noise study demonstrating how the business—including loading docks, refuse areas, and ventilation systems—would meet these requirements and would be consistent with the respective City's noise standards. - Ensure that noise-generating activities, such as maintenance activities and loading and unloading activities, are limited to the hours of 7:00 AM to 9:00 PM.	Individual project applicants	City	During individual project review; Condition of building permit issuance; Condition of occupancy permit issuance.		

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	Implementation of these measures would reduce the potential commercial development noise impacts to a <i>less-than-significant level</i> .					
Impact 13-3: Construction Noise. Businesses and residences would be intermittently exposed to high levels of noise throughout the 2040 plan horizon. Construction would elevate noise levels at adjacent businesses and residences by 15 to 20 dBA or more. This is a <i>significant impact</i> .	Mitigation 13-3. Construction equipment shall be well-maintained and used judiciously to be as quiet as practical. The following measures, when applicable, are recommended to reduce noise from construction activities: ▪ Equip all internal combustion engine-driven equipment with mufflers that are in good condition and appropriate for the equipment. ▪ Utilize "quiet" models of air compressors and other stationary noise sources where technology exists. ▪ Locate stationary noise-generating equipment as far as feasible from sensitive receptors when sensitive receptors adjoin or are near a construction area. ▪ Prohibit unnecessary idling of internal combustion engines. ▪ Pre-drill foundation pile holes to minimize the number of impacts required to seat the pile. ▪ Construct solid plywood fences around construction sites adjacent to operational business, residences, or noise-sensitive land uses.	Individual project applicants	City	Condition of grading permit issuance; Condition of building permit issuance; Field verify implementation during grading and construction		

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	- A temporary noise control blanket barrier could be erected, if necessary, along building facades facing construction sites. This mitigation would only be necessary if conflicts occurred which were irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected. - Route construction-related traffic along major roadways and as far as feasible from sensitive receptors. - Ensure that construction activities (including the loading and unloading of materials and truck movements) are limited to the hours of 7:00 AM to 7:00 PM on weekdays and between the hours of 9:00 AM and 8:00 PM on weekends and holidays. - Ensure that excavating, grading, and filling activities (including warming of equipment motors) are limited to between the hours of 7:00 AM to 7:00 PM on weekdays and between the hours of 9:00 AM and 8:00 PM on weekends and holidays. Businesses, residences, or noise-sensitive land uses adjacent to construction sites shall be notified of the construction schedule in writing. Designate a "construction liaison" who would be responsible for responding to any local complaints about construction noise. The liaison would					

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	determine the cause of the noise complaints (e.g., starting too early, bad muffler, etc.) and institute reasonable measures to correct the problem. Conspicuously post a telephone number for the liaison at the construction site. Although the above measures would reduce noise generated by construction, the impact would remain significant and unavoidable as a result of the extended period of time that adjacent receivers could be exposed to construction noise.					
Impact 13-4: Construction-Related Vibration. Residences, businesses, and historic structures could be exposed to construction-related vibration during the excavation and foundation work of buildings. This is a significant impact.	Mitigation 13-4. The following measures are recommended to reduce vibration from construction activities: - Avoid impact pile driving where possible. Drilled piles causes lower vibration levels where geological conditions permit their use. - Avoid using vibratory rollers and tampers near sensitive areas. - In areas where project construction is anticipated to include vibration-generating activities, such as pile driving, in close proximity to existing structures, site-specific vibration studies shall be conducted to determine the area of impact and to present appropriate mitigation measures that may include the following:	Individual project applicants	City	Condition of grading permit issuance; Condition of building permit issuance; Field verify implementation during grading and construction		

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	- Identify sites that would include vibration compaction activities (such as pile driving) and have the potential to generate ground-borne vibration, and the sensitivity of nearby structures to ground-borne vibration. Vibration limits shall be applied to all vibration-sensitive structures located within 200 feet of the project. A qualified structural engineer should conduct this task. - Develop a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. - Design construction contingencies that would be implemented when vibration levels approached the limits. - At a minimum, conduct vibration monitoring during initial demolition activities and during pile driving activities. Monitoring results may indicate the need for more or less intensive measurements. - When vibration levels approach limits, suspend construction and implement contingencies to					

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	either lower vibration levels or secure the affected structures. Conduct post-survey on structures under either of these circumstances: (a) when construction monitoring has indicated high vibration levels or (b) when complaints of damage have been made due to construction activities. Make appropriate repairs or compensation when damage has resulted from construction activities. It may not be possible to avoid using pile drivers, vibratory rollers, and tampers entirely during construction facilitated by the San Pablo Avenue Specific Plan. Due to the density of development in the area, some of these activities may take place near sensitive areas. In these cases, the mitigation measures listed above may not be sufficient to reduce ground-borne vibrations below a level of significance. Therefore, this impact would be significant and unavoidable.					
TRANSPORTATION AND CIRCULATION						
Impact 16-1: Cumulative Traffic Impacts. The project would have a significant cumulative impact, relative to the City's current LOS standard of D, at San Pablo Avenue/Cutting Boulevard, which would fall from LOS D in the Cumulative No Project case to LOS E in the Cumulative With Project case. This would be a significant project impact .	Mitigation 16-1. Adoption and full implementation of the San Pablo Avenue Specific Plan/Complete Streets Plan is projected to reduce auto trips relative to the baseline assumption in the impact analysis, which would reduce this impact to a less-than-significant level . Furthermore, adoption of the plan would change the City's LOS standard	City; Individual project applicants	City	Condition of occupancy permit issuance (fair-share of multi-modal improvements)		

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	of D to an LOS goal of E, which should be considered in conjunction with the multi-modal LOS standards for transit, pedestrian and bicycle modes, with transit and pedestrian modes being the primary priorities in the corridor. This would also render the impact <i>less-than-significant</i> . However, because the projected mode shift cannot be guaranteed, and adoption of the proposed new multi-modal LOS goals as defined in the draft plan cannot be assured, the impact relative to the current City LOS standard remains significant and unavoidable after mitigation.					

RESOLUTION 2014-51

A RESOLUTION OF THE CITY OF EL CERRITO CITY COUNCIL APPROVING OF A GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION FOR PROPERTY LOCATED IN SAN PABLO AVENUE SPECIFIC PLAN AREA

WHEREAS, in Resolution PC 14-12, Exhibit 1, the Planning Commission considered the Environmental Impact Report (EIR) for the San Pablo Avenue Specific Plan (SPASP) project and recommended that the City Council certify the EIR; and

WHEREAS, in Resolution PC 14-12 the Planning Commission considered the SPASP and recommended that the City Council adopt the SPASP; and

WHEREAS, in furtherance of the SPASP, the Planning Commission of the City of El Cerrito recommended that the City Council adopt an amendment to the General Plan to add the land use designation of the SPASP to provide for a vision for the future of San Pablo Avenue that adopts context-sensitive regulations to be applied throughout the Plan area. The Plan's key principles are to deepen a sense of place and community identity, attract private investment, strengthen partnerships, enhance the public realm, promote the everyday use of transit, walking, and biking, and foster environmental sustainability through a streamlined, tiered review process, increased development intensity thresholds, and supportive design guidelines; and

WHEREAS, the Planning Commission of the City of El Cerrito recommended that the City Council adopt an amendment to the General Plan to change the land use designation for certain property currently zoned/described as the 174 acres of the Plan that exist within the City of El Cerrito's jurisdiction. The Plan area extends for approximately 2.5 miles from El Cerrito Plaza and El Cerrito's border with the City of Albany on the south to the Ohlone Greenway near the BART tracks and Baxter Creek on the north. At the south end of the Plan area, the project boundary extends east to include the El Cerrito Plaza BART Station and west along Central Avenue to I-80. Generally, the Plan area includes the San Pablo Avenue roadway and the parcels fronting on the avenue; and

WHEREAS, the provisions of the Government Code, 65350, et. seq. have been complied with, including that the City has not previously adopted four amendments to the mandatory elements of the General Plan in calendar year 2014; and

WHEREAS, on September 22, 2014, the City Council held a duly noticed public hearing to consider the appeal; and

WHEREAS, at the September 22, 2014 meeting the City Council adopted Resolution 2014-50 certifying the Environmental Impact Report, adopting a Statement of Overriding Considerations, and Adopting a Mitigation Monitoring and Reporting Program for the SPASP; and

WHEREAS, based upon the evidence presented in the record on this matter, including the staff report and oral and written testimony and the proceedings before the Planning Commission, the Council has considered the General Plan Amendment.

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

NOW THEREFORE, BE IT RESOLVED:

The City Council of the City of El Cerrito finds that:

1. *The proposed amendment is deemed to be in the public interest.*

The SPASP is in the public interest because it adopts context-sensitive regulations to be applied throughout the Plan area. The Plan's key principles are to strengthen a sense of place, ensure return on investment, encourage practical and market friendly development, enhance and humanize the public realm and catalyze mode shift.

2. *The proposed amendment is consistent and compatible with the rest of the General Plan and any implementation programs that may be affected.*

The SPASP is consistent in all significant respects with the General Plan; in that supports the spirit and intent of all of the existing goals and policies listed in the General Plan related to the San Pablo Avenue corridor. It will greatly enhance the Del Norte, Midtown and El Cerrito Plaza areas of the city by establishing context based development parameters. In particular, the goals and policies listed in the Strategic Framework, The Community Development and Design, and the Transportation and Circulation Chapters.

3. *The potential impacts of the proposed amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare.*

The SPASP shall be implemented in compliance with all appropriate sections of the El Cerrito Municipal Code, including the Building and Fire Codes as well as in concert with its Programmatic Environmental Impact Report, ensuring that it will not be detrimental to the public's health, safety or welfare.

4. *The proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA).*

A Programmatic Environmental Impact Report was prepared for the San Pablo Specific Plan in full compliance with applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA) and the Planning Commission recommended that the City Council certify the EIR as set forth in Resolution 2014-50 and the City Council certified the EIR, adopted a Statement of Overriding Considerations, and adopted a Mitigation Monitoring and Reporting Program.

I CERTIFY that at a regular meeting on September 22, 2014, the El Cerrito City Council passed this Resolution by the following vote:

AYES:	Councilmembers Benassini, Bridges, Lyman and Mayor Abelson
NOES:	None
ABSTAIN:	None
ABSENT:	Councilmember Friedman

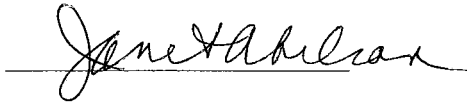
Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on September 24, 2014.

A handwritten signature in cursive script, appearing to read "Cheryl Morse", written over a horizontal line.

Cheryl Morse, City Clerk

APPROVED:

A handwritten signature in cursive script, appearing to read "Janet Abelson", written over a horizontal line.

Janet Abelson, Mayor

Exhibit A – General Plan Text

Exhibit B – General Plan Map

Resolution 2014-51
Exhibit A

**PROPOSED AMENDMENTS TO THE GENERAL PLAN TO
IMPLEMENT THE SAN PABLO AVENUE SPECIFIC PLAN**

Strikethrough indicates deletion; red indicates insertion

CHAPTER 2: STRATEGIC APPROACH

Page 2-4

Amend text to:

5. San Pablo Avenue ~~Corridor Design Guidelines~~ Specific Plan

Page 2-6

Amend Figure 1: Strategic Action Plan, to:

Primary Action Strategies: San Pablo Avenue ~~Corridor Design Guidelines~~ Specific Plan

Page 2-12

Amend text to:

5. San Pablo Avenue ~~Corridor Design Guidelines~~ Specific Plan

... The San Pablo Avenue Corridor contains El Cerrito's main north-south arterial, with extensive commercial development based on automobile access. This development pattern is consistent with development along San Pablo Avenue as it continues through the neighboring communities of Richmond, Albany, and Berkeley. The San Pablo Avenue Specific Plan, including Form-Based Code, Complete Streets Plan and Infrastructure Analysis, ~~Design Guidelines for San Pablo Avenue~~ will provides direction for the enhancement of existing business and the development of new business opportunities. These improvements will create an attractive and functional development pattern that meets today's retail and office needs.

The ~~design guidelines~~ Form Based Code ~~will~~ addresses transit-oriented mixed-use commercial development, high-density residential uses, public spaces, and streetscapes design. ~~Residential area guidelines will address density, parking, pedestrian access, noise, and open space needs for new and rehab of existing residential areas. Mixed use commercial area~~ Plan guidelines will address density and development intensity, parking, multimodal access (~~pedestrian and auto~~) and circulation, signage, open space and setback requirements, land use buffer areas, and building design and image characteristics.

~~Streetscape~~ Complete Streets guidelines ~~will~~ recommend the use of landscaping, street furniture, and lighting to improve the experiences of ~~both~~ pedestrian, bicycle, transit and automobile users of San Pablo Avenue. The pedestrian experience ~~can~~ will be further improved by creating public open spaces such as pocket parks, plazas, midblock connections, greenways, and repurposed and temporary open spaces, ~~courtyards, and street bulb-outs~~, and creating a stronger buffer between the sidewalk and automobile traffic. Streetscape design guidelines ~~should~~ include ~~on and off street~~

Resolution 2014-51
Exhibit A

~~parking strategies, standards for pedestrian crossing and intersection design, sidewalk widths, street tree planting, signal timing~~ and other functional issues such as ease of movement, pedestrian safety and security, and accessibility.

Responsible Organization: City of El Cerrito

Participating Organizations: City of Richmond
Caltrans
~~San Pablo Avenue Business Association~~
West Contra Costa Transportation Advisory Committee
(WCCTAC)
AC Transit
BART

Time Frame: Mid-Term (3-5 years)

Potential Funding Sources: City of El Cerrito
~~El Cerrito Redevelopment Agency~~
Caltrans
Various regional, State and federal grants

CHAPTER 4: COMMUNITY DEVELOPMENT AND DESIGN

Page 4-4

Amend text to:

Growth Strategy

This General Plan calls for a balanced growth strategy with emphasis on retail and office uses. The Plan assumes that all commercial growth and most residential growth will take place within the San Pablo Avenue corridor. Specifically, the Plan assumes 189,350 square feet of additional retail space, 166,570 square feet of additional office space, and 775 new housing units. The development regulations of the San Pablo Specific Plan would result in a net new development capacity of 1706 new dwelling units and 243,112 square feet of new commercial space by the year 2040. ~~Of these totals, the only development assumed to be someplace other than the San Pablo Avenue corridor~~ outside the Specific Plan area are 90 housing units, which represent a combination of accessory units and infill of vacant lots.

Page 4-6

Add footnote to Table 4-1: Land Area by Type of Use, to:

***In 2014, the 174.1 San Pablo Avenue Specific Plan area in El Cerrito includes: 29.4 acres of Residential, 108.5 acres of Commercial, 5.2 acres of Mixed-Use, 12.2 acres of Public, 4.9 acres of Parks, and 10.6 acres of Parking. The Plan re-zones all parcels within the Plan area to Transit-Oriented Mixed-Use and includes reduced automobile parking standards and privately-owned public open space requirements.*

Page 4-12

Add text:

San Pablo Avenue Specific Plan Area

The San Pablo Avenue Specific Plan articulates a vision for the future of San Pablo Avenue, identifies improvements, and adopts context-sensitive regulations that can be applied along its length and to adjacent areas. The Plan's Form-Based Code regulates land use and development standards based on Transect Zone, Transit-Oriented High-Intensity Mixed Use (TOHIMU) and Transit-Oriented Mid-Intensity Mixed-Use (TOMIMU), designed to encourage vertical and horizontal mixed-use. The TOHIMU zone emphasizes commercial uses on the ground floor with upper residential uses to activate the pedestrian right-of-way and cluster services near transit nodes. The TOMIMU zone allows for "flex" spaces on the bottom floors to accommodate ground floor commercial where needed, but emphasizing mid-intensity residential uses to increase housing along the transportation corridor to encourage walking, biking and public transit use.

Page 4-13

Amend text to:

Development Densities and Intensities

The density and intensity ranges for the above land use categories are as shown on Table 4-2. Residential and mixed-use projects shall comply with both the floor-area ratio (FAR) requirements

Resolution 2014-51
Exhibit A

and the density requirements, except that the FAR for projects built pursuant to state-mandated density bonuses may be increased beyond the city's allowable limits if necessary to accommodate the increased density. Projects located within the San Pablo Avenue Specific Plan Area will not have to comply with FAR requirements, but will instead be regulated by form-based regulations including a maximum building height, ground floor and upper floor setbacks, and open space requirements. Projects consistent as an affordable housing project as defined by State law are eligible for a height increase.

Page 4-14

Amend text to:

For purposes of interpreting Table 4-2, the following definitions apply:

- Density is the number of permanent residential dwelling units per total net acre of land in the development site, except in the San Pablo Avenue Specific Plan Area where density is defined in terms of height.
- Floor area ratio (FAR) is the gross floor area, excluding the area devoted exclusively to parking, divided by the total net area of the development site.
- Incentives may include density bonuses, FAR bonuses, and other benefits that the City may grant in return for special benefits provided by the development project to the City; density and FAR bonuses may only be given pursuant to the criteria contained in the City's zoning or other land use regulations.

In order to convert density expressed in units per acre to density expressed in persons per acre, multiply by 2.32, the 1998 estimate by the California Department of Finance for the average number of persons per household in El Cerrito.

Resolution 2014-51
Exhibit A

Table 4-2: Density and Intensity Ranges

	Density (du/acre)			Intensity (FAR)	
	Normal Range	With City Incentives per Zoning Ordinance Section 19.23	With State-Mandated Density Bonuses	Normal Range	With City Incentives
Residential					
Very Low Density	Up to 6	NA	Up to 7.5	NA	NA
Low Density	7-10	NA	7-12.5	NA	NA
Medium Density	11-20	11-25	11-25	NA	NA
High Density	21-35	21-45*	21-45	NA	NA
Mixed-Use Commercial					
General	Up to 35	Up to 45*	Up to 45	Up to 2.0	Up to 3.0
Neighborhood Commercial	Up to 20	Up to 25	Up to 25	Up to 1.0	NA
San Pablo Avenue Specific Plan Area					
Transit-Oriented High Intensity Mixed-Use (TOHIMU)	Up to 65'***	NA**	Up to 85'***	NA	NA
Transit-Oriented Mid-Intensity Mixed-Use (TOMIMU)	Up to 55'***	NA**	Up to 65'***		
Parks and Open Space	NA	NA	NA	Up to 0.1	Up to 0.5
Institutional and Utilities	NA	NA	NA	Up to 1.0	Up to 2.0

*Within the High Density Residential and Mixed-Use Commercial land use categories, up to 70 dwelling units per acre may be allowed through a city density-bonus incentive program for housing for elderly and handicapped persons where there is a commitment to provide services such as congregate care, onsite counseling, or medical services for residents.

**The San Pablo Avenue Specific Plan includes a Form-Based Code that does not prescribe building densities based on dwelling units per acre, but instead regulates the physical form of the building. Within the Plan Area, there is a building height limit of 65' in the Transit-Oriented Higher Intensity Mixed Use Transect and 55' in the Transit-Oriented Mid-Intensity Mixed Use Transect. Height bonuses may be allowed through a Tier IV Entitlement Process or through the State-Mandated Density Bonus program.

The City has an incentives program in place (Zoning Ordinance Chapter 19.2332, adopted 1977, amended 1997 2008). Under the program, development incentives may be granted for a project where the incentives will promote closer adherence to City objectives. Incentives may include increased density reduced parking, greater building height, or other deviations from regular zoning standards. In exchange for such incentives, the City will require desirable features, such as exceptional design, creative design of off-street parking, enhancements to public amenities, environmental benefits such as creek restoration, and similar benefits to the community. The program most frequently has been used for minor density increases in projects ranging from 5 to 20 dwelling units, never exceeding 40 units per acre. The program has allowed more substantial density increases for projects for the elderly and disabled, up to 76 units per acre. Some of those projects have also been granted increased height, reduced parking, and reduced setbacks. Appendix

**Resolution 2014-51
Exhibit A**

G is a tabulation of the results of applying the Incentives Program from 1983 through 1997. Projects within the San Pablo Avenue Specific Plan Area should refer to the Administration of the Regulating Code section of the Specific Plan for further information on development incentives.

Page 4-16 – 4-23

Amend Land Use Goals and Policies to:

Goal LU1: A high-quality residential character within El Cerrito.

- | | | |
|--------------|--|---|
| LU1.5 | Suitable Housing. Promote suitably located housing and services for all age groups within the city. Within the San Pablo Avenue Specific Plan area, allow ground floor residential development and increased land use intensity close to existing transit infrastructure to promote residential infill development and catalyze mode shift. | <ul style="list-style-type: none"> • Development Regulations (zoning) • Housing Program • Redevelopment Program • San Pablo Avenue Specific Plan |
| LU1.7 | Maximum Density. Maintain the maximum multifamily density at 35 dwelling units per acre, except in the San Pablo Avenue Specific Plan area and as otherwise provided in this Plan. | <ul style="list-style-type: none"> • Development Regulations (zoning) |

Goal LU2: A land use pattern and mix of uses that contribute to the financial health and stability of the community.

- | | | |
|--------------|--|---|
| LU2.1 | San Pablo Avenue Specific Plan Area. Promote retail, office, and mixed uses along within the San Pablo Avenue Specific Plan Area to provide more tax revenues to the city. | <ul style="list-style-type: none"> • Development Regulation s (zoning) • Redevelopment Program • Economic Development Strategy • Design Guidelines San Pablo Avenue Specific Plan |
| LU2.5 | Maximum FARS. Allow a maximum floor-area-ratio of 2.0 in all commercial areas except the neighborhood commercial | <ul style="list-style-type: none"> • Development Regulations |

Resolution 2014-51
Exhibit A

	centers where the maximum is 1.0 and the San Pablo Avenue Specific Plan area where FARs are not defined and except as otherwise provided in this Plan.	(zoning) • San Pablo Avenue Specific Plan
--	--	--

Goal LU3: A development pattern that enhances a strong sense of community.

LU3.1	Commercial/Residential Interaction. Encourage easy access and a strong sense of place to local businesses as focal points for neighborhood social interaction.	• • Development Regulations (zoning) • Design Guidelines • Development Review
LU3.2	Midtown Center. Promote the organization of properties along San Pablo Avenue from south of Mooser Lane to north of Manila Avenue into a "Midtown Center" which may include a civic center. Attract additional mixed-use residential development with enhanced pedestrian and bicycle connectivity within the civic and community-oriented Midtown zone of the San Pablo Avenue Specific Plan area.	• Development Regulations (zoning) • Specific Plans • Capital Improvements Program • Redevelopment Program • Economic Development Strategy • San Pablo Avenue Specific Plan

Goal LU4: A safe, attractive, and interesting community

LU4.3	Street Frontages. Encourage attractive and accessible street frontages that contribute to the retail vitality of all commercial or mixed-use centers.	• Development Regulations (zoning) • Design Guidelines • Development Review • San Pablo Avenue Specific Plan
--------------	--	---

**Resolution 2014-51
Exhibit A**

Goal LU5: A land use pattern and types of development that support alternatives for the movement of people, goods, and ideas.

LU5.1	BART Station Areas. Encourage higher densities and a mix of uses near the city's two BART stations to take advantage of the transit opportunities they provide.	➤ Development Regulations (zoning) ➤ Specific Plan ➤ Redevelopment Program ➤ San Pablo Avenue Specific Plan
LU5.2	Mixed-Use Centers. Encourage mixed-use centers along San Pablo Avenue – including development along Fairmount Avenue, Stockton Avenue and Moeser Lane, between San Pablo Avenue and the Ohlone Greenway – that provide the opportunity for people to walk among businesses, employment, and residences.	➤ Development Regulations (zoning) ➤ Specific Plan ➤ Redevelopment Program ➤ Economic Development Strategy ➤ San Pablo Avenue Specific Plan
LU5.3	Mixed-Use Projects. Encourage mixed uses, especially offices or housing over ground-floor retail uses, where commercial uses are allowed.	➤ Development Regulations (zoning) ➤ Design Guidelines ➤ San Pablo Avenue Specific Plan
LU5.5	Pedestrians, Bicycles, and Access. Ensure that business areas have adequate and attractive pedestrian and bicycle facilities and accessibility for persons with disabilities, and that easy connections to transit are available wherever possible.	• Development Regulations (zoning) • Development Review • Capital Improvements Program • Design Guidelines • San Pablo

**Resolution 2014-51
Exhibit A**

LU5.6

Development Along the Ohlone Greenway. New or substantially altered development abutting the Ohlone Greenway will be evaluated with respect to how the development enhances the aesthetics and ambiance of this important linear recreational and transportation facility, and how the development contributes to the security of users of the Greenway. The City will expect frontage along the Greenway to be treated as if it were public street frontage, with commensurate attention to design quality and access. The San Pablo Avenue Specific Plan designates the Ohlone Greenway as a Street Type within its Regulating Plan. Projects within the Plan Area abutting the Greenway are subject the development standards of this Street Type.

Avenue
Specific Plan

- Development Regulations (zoning)
- Development Review
- Design Guidelines
- San Pablo Avenue Specific Plan

Goal LU6: Development patterns that promote energy efficiency, conservation of natural resources, and use of renewable rather than nonrenewable resources.

LU6.2

Circulation Alternatives. To the extent possible, encourage alternatives to the use of private automobiles. Encourage a full range of transportation options – driving, transit, walking and biking – without allowing any one to preclude the others. On San Pablo Avenue, in many constrained right-of-ways, it is not possible to provide optimum facilities for all user groups and in the event that trade-offs are necessary, transit users and pedestrians are the highest priority.

- Development Regulations (zoning)
- ~~Specific Plans~~
- Redevelopment Program
- San Pablo Avenue Specific Plan

Page 4-29

Amend text to:

The San Pablo Avenue Commercial Corridor Specific Plan Area

~~San Pablo Avenue is a continuous suburban, strip commercial street. Typical of an older state highway, the strip has a variety of low scale commercial malls, surface parking, and older one and two story commercial and residential buildings in a variety of sizes, characters, ages, and styles. These conditions will require a cooperative effort with the City of Richmond to create an attractive and unified visual character.~~

~~The streetscape changes throughout its length, with a mix of landscaped median designs and sidewalk character. The west side of San Pablo Avenue from approximately Bay View Avenue on the north to San Jose Avenue on the south is outside the City limits. Sidewalks are in various states of disrepair. There are few benches or other pedestrian amenities, and maintenance is generally lacking. Landmarks, distinctive architecture, crosswalks, and unique commercial and public activity areas are~~

Resolution 2014-51

Exhibit A

~~lacking. San Pablo Avenue could benefit from a conscious strategy to create distinct nodes of higher density and activity with public space and pedestrian amenities.~~

~~With the mixed use Del Norte Place near one end of San Pablo Avenue and opportunities for El Cerrito Plaza redesign at the other end, El Cerrito's segment of the avenue has the unique potential for two lively and definable places adjacent to BART.~~

The San Pablo Avenue Specific Plan Area centers on the portion of San Pablo Avenue, State Route 123, that extends for approximately two and one-half miles from El Cerrito Plaza and the border with the City of Albany in the south and continuing to Baxter Creek Gateway Park in the north. The Avenue carries both heavy regional through-traffic and local traffic accessing the Avenue's mix of commercial services, civic uses and BART stations. At the southern end of the Plan Area, the boundary extends east to include the El Cerrito Plaza BART station and west along Central Avenue to the interstate 80. While most of the parcels within the Plan Area are within the City of El Cerrito, some on the west side of San Pablo Avenue and in the northern part of the Plan Area are within the City of Richmond. The Specific Plan supports the community vision to create a vibrant, walkable, sustainable and transit-oriented corridor that respects surrounding neighborhoods by identifying and providing design strategies for three unique destinations within the Specific Plan Area: Downtown, Midtown, and Uptown.

A variety of transportation options, including mass transit, automobiles, walking and biking, contribute to the character of the San Pablo Avenue corridor. Besides being a high-traffic vehicular thoroughfare, the Plan Area is well-served by transit including two BART stations, numerous AC Transit bus lines and other regional bus connections. The del Norte BART station serves as a major bus transit hub with multiple regional and local bus lines converging at the station.

The majority of the Plan Area is bordered to the east by the Ohlone Greenway, which serves as a major north-south bicycle and pedestrian circulation spine with dedicated pockets of open space that connects El Cerrito with the neighboring cities of Albany and Richmond.

Several recent public and private investments have enhanced the Avenue including the Ohlone Greenway improvements, San Pablo Avenue streetscape improvements, bicycle and pedestrian infrastructure projects, a new City Hall, the restored Cerrito Theater, and new residential and commercial developments.

Page 4-30

Amend text to:

Uptown (Del Norte Area)

~~The northern area, Del Norte, is more regional serving in character, providing a "big box" shopping destination around and north of the corner of Cutting and San Pablo Avenue. The Del Norte area is an area in transition. Some of the older retail stores are now vacant. Due to the direct freeway access, new "big box" retail uses are replacing the older strip commercial uses along this portion of San Pablo Avenue. The proximity to the Del Norte BART station, however, provides a unique opportunity for higher intensity, transit oriented development.~~

Uptown is a mixed-use commercial area that serves as the northern gateway to the City. Positioned within a ½ of the del Norte BART Station, a regional multi-modal center, this district is characterized by larger lots and building footprints. The area has potential to be humanized to be a stronger neighborhood that is more walkable and bikeable, while still serving as a transportation hub. Significant opportunities exist to: improve pedestrian and bicycle connectivity and close circulation

**Resolution 2014-51
Exhibit A**

gaps on large blocks; encourage a sense-of-place through active ground floor commercial uses and public open spaces; and, construct higher density development on large underutilized lots in proximity to the BART station.

Downtown (El Cerrito Plaza)

~~Some uses and stores in the El Cerrito Plaza are currently being remodeled. The current visual and design problems are evident: a sea of surface parking, blank building facades far from the street and sidewalk, no landscaping or pedestrian amenities, inhospitable buildings, single use with limited marketability, poor entries and signage, and an unattractive retaining wall. The importance of this site lies not only in its location at the door to El Cerrito, the commercial district, and BART, but also in its proximity to Cerrito Creek and its future development potential.~~

Downtown is an entertainment/theater and shopping district that serves as the southern gateway to the City. Positioned within a ½ mile of the El Cerrito Plaza BART Station, this district is characterized by constrained lots, the El Cerrito Plaza shopping center and adjoining residential. New development potential primarily includes smaller infill projects with “fine grain” character, as well as the El Cerrito Plaza BART surface parking lot or eventual redevelopment of the El Cerrito Plaza shopping center. Significant opportunities exist to: create an identifiable green southern gateway to the City where Cerrito Creek meets San Pablo Avenue; encourage a sense-of-place through active ground floor commercial uses and public open spaces; connect destinations to the Bay Trail through pedestrian and bicycle improvements; construct higher-intensity mixed-use developments in proximity to the BART station; and, improve connectivity to San Pablo Avenue and through the El Cerrito Plaza shopping center.

Midtown (City Center)

~~Some portions of San Pablo Avenue offer opportunities to create additional centers both large and small. The civic uses at San Pablo Avenue and Manila provide an opportunity to create a major Midtown City Center. Presently this is a single use destination. Adding mixed use retail activity, residential and office uses, and a public place for meeting and gatherings would enhance the site considerably.~~

Midtown is a civic and community-oriented zone with two neighborhood-scale commercial nodes at Stockton and Moeser. Characterized by longer blocks next to BART tracks, the district has both recent and planned mixed-use and residential investment. The area has strong potential to attract additional mixed-use residential development with enhanced pedestrian and bicycle connectivity. Significant opportunities exist to: provide midblock connections to improve pedestrian and bicycle connectivity on large blocks; enhance the Moeser and Stockton neighborhood commercial nodes to promote economic activity; construct a mix of mid-density residential and mixed-use developments along the corridor; and, create a continuous cycle track to improve bicycle safety, access and connectivity.

Page 4-35

Amend text to:

Three Major Activity Centers

The San Pablo Avenue corridor provides virtually all the development opportunities for new office work places and shopping. Recent development trends reflect that retail development forms are shifting from suburban strip commercial and community malls to more pedestrian friendly, transit

**Resolution 2014-51
Exhibit A**

oriented villages. El Cerrito's unique location provides an opportunity to take advantage of these changing marketing trends.

El Cerrito has the potential to create three major centers—Downtown (the El Cerrito Plaza Area), Uptown (the Del Norte Area), and a Midtown Area. These three major activity centers are envisioned as pedestrian friendly, mixed-use villages, with ground floor retail uses and upper floors of office and residential uses. Both El Cerrito Plaza and Del Norte Center take advantage of their regional location next to the BART stations.

These three major centers are connected along San Pablo Avenue, BART and the Ohlone Greenway with additional office, retail, and housing uses in between. Each center has its own unique character and function. The Plaza provides an opportunity for ~~larger, high end retail providing goods and services both locally and more regionally~~ smaller, "fine grain" retail infill projects. Del Norte provides an opportunity for ~~a new regional work place with new office space for smaller, entrepreneurial enterprises, live work, studios, R&D office space, and for traditional insurance and banking services~~ large-scale commercial opportunities provided by proximity to the freeway and office, retail and residential mixed-use developments. The Midtown Center provides an opportunity to cluster development around new civic functions and neighborhood-serving commercial districts.

Page 4-37 to Page-47

Amend text to Community Development Goals and Policies:

Goal CD1: A city organized and designed with an overall attractive, positive image and "sense of place."

- | | | |
|--------------|--|---|
| CD1.2 | Design Concept. Plan and construct development within development activity centers and neighborhood commercial centers according to an overall design concept for each center. | <ul style="list-style-type: none"> ➤ Specific Plans ➤ Design Guidelines ➤ Grant Funds ➤ San Pablo Avenue Specific Plan |
| CD1.3 | High-Quality Design. Encourage higher-quality design through the use of well-crafted and maintained buildings and landscaping, use of higher-quality building materials, and attention to the design and execution of building details and amenities in both public and private projects. | <ul style="list-style-type: none"> ➤ Development Review ➤ Design Guidelines ➤ Development Incentives ➤ Development Regulations (zoning) ➤ San Pablo Avenue Specific Plan |
| CD1.6 | Entrances to the City. Improve the major entrances into the city with landmark entry features, signs, and gateways to enhance the sense of community and improve the City's image. | <ul style="list-style-type: none"> • City Entry Design Program • San Pablo Avenue Specific Plan |
| CD1.7 | Views and Vistas. Preserve and enhance major views and vistas along major streets and open spaces, providing areas to stroll and benches to rest and enjoy views. | <ul style="list-style-type: none"> • Development Regulations (zoning) • Beautification Program • San Pablo Avenue Specific Plan |

**Resolution 2014-51
Exhibit A**

- CD1.9 Building Design.** A variety of attractive images will be achieved by encouraging a variety of building styles and designs, within a unifying context of consistent “pedestrian” scale along streets and compatibility among neighboring land uses.
- Design Guidelines
 - Development Review
 - Specific Plans
 - San Pablo Avenue Specific Plan

Goal CD2: A city with attractive, safe, and functional streets, parking areas, and pedestrian walkways.

- CD2.1 Street Frontages.** Encourage street frontages that are safe, by allowing for surveillance of the street by people inside buildings and elsewhere, and are interesting for pedestrians. Require buildings in development centers and neighborhood commercial centers along San Pablo Avenue in the San Pablo Avenue Specific Plan area to be directly abutting sidewalks, with window openings, entries and high levels of transparency along the pedestrian frontage.
- Specific Plans
 - Design Guidelines
 - Development Review
 - Development Regulations (zoning)
 - Grant Funds
 - San Pablo Avenue Specific Plan

- CD2.2 San Pablo Avenue.** ~~Develop a design concept for San Pablo Avenue that includes street landscaping and improvements, and design guidelines that~~ Implement the improvements and context-sensitive regulations identified in the San Pablo Avenue Specific Plan to create an overall coordinated image and character of the street from north to south. ~~Establish physical design standards for development in cooperation with Caltrans and, where required, subject to acceptance by Caltrans.~~
- Design Guidelines
 - Parking Districts
 - Specific Plans
 - San Pablo Avenue Specific Plan

- CD2.4 Multi-Modal Transportation Network.** Ensure that streets, paths, and bikeways contribute to the system of a fully connected transportation network to all major destinations in the City. The design of these streets and pathways should encourage pedestrian and bicycle uses by being spatially defined by buildings, trees, lighting, and street furniture. Pedestrian and bicycle pathways and auto routes should be compatible.
- Design Guidelines
 - Street Tree Program
 - Beautification Program
 - San Pablo Avenue Specific Plan

- CD2.6 Parking Layout.** Encourage the development of common parking areas and common access for adjoining lots.
- Design Guidelines
 - Parking Districts
 - Specific Plans
 - Development Regulations (zoning)
 - San Pablo Avenue Specific Plan

**Resolution 2014-51
Exhibit A**

CD2.7	Accessible Design. Site and building design must meet basic accessibility needs of the community and not be exclusively oriented to those who arrive by car.	• Design Guidelines • Development Review • Specific Plans • San Pablo Avenue Specific Plan
CD2.8	City Sidewalk and Pedestrian Walkways. City streets and pedestrian walkways should be designed to be safe, accessible, convenient, comfortable, and functionally adequate at all times, including the design of pedestrian crossings, intersection design, sidewalk widths, street tree planting, street furniture, and signal timing.	• Streetscape Improvement Program • Street Tree Program • Beautification Program • Specific Plans • Design Guidelines • San Pablo Avenue Specific Plan
Goal CD3: A city with attractive landscaping of public and private properties, open space, and public gathering spaces.		
CD3.2	Usable Open Spaces. Require the provision of usable open space in the form of ground-floor patios, upper-floor decks, and balconies, as well as common recreational facilities and amenities.	• Development Regulations • Design Guidelines • Development Review • San Pablo Avenue Specific Plan
CD3.3	Site Landscaping. Improve the appearance of the community by requiring aesthetically designed screening and landscaping on public and private sites. Ensure that public landscaping includes entry areas, street medians, parks, and schools. Require landscaping for all private sites, yard spaces, parking lots, plazas, courtyards, and recreational areas.	• Development Regulations (zoning) • Design Guidelines • Development Review • Capital Improvements Program • San Pablo Avenue Specific Plan
CD3.8	Public Spaces. Create specialized outdoor gathering places in the three main activity centers along San Pablo Avenue: Del Norte, Midtown, and El Cerrito Plaza. Encourage the design of these public spaces to accommodate activities that encourage the presence of people at all hours of the day and evenings. Require projects within the San Pablo Avenue Specific Plan area to provide on-site public and private open space to: incentivize development of multifunctional new public open space; encourage urban open spaces; allow private open space for residential buildings; customize the design of open space to site context; and, increase safety by	• Specific Plans • Design Guidelines • Development Review • Development Incentives • Redevelopment Program • San Pablo Avenue Specific Plan

**Resolution 2014-51
Exhibit A**

providing more “eyes on the street”.

- | | | |
|----------------------|--|--|
| <p>CD3.9</p> | <p>Ohlone Greenway. Enhance the usability and aesthetic appeal of the Ohlone Greenway by integrating it into the fabric of the City. Design buildings with entries, yards, patios, and windows to open onto and face the Ohlone Greenway. Avoid blank walls, backs of buildings, and large parking lots adjacent to the greenway.</p> | <ul style="list-style-type: none"> • Design Guidelines • Development Review • San Pablo Avenue Specific Plan |
| <p>CD3.11</p> | <p>Streetscape Design. Streetscape design (street trees, lighting, and pedestrian furniture) should be used to lend character and continuity with commercial districts and residential neighborhoods.</p> | <ul style="list-style-type: none"> • Streetscape Improvement Program • Specific plans • City Entry Design Program • Sign Ordinance • San Pablo Avenue Specific Plan |

Goal CD4: Well designed buildings that are compatible with their surroundings.

- | | | |
|---------------------|--|---|
| <p>CD4.1</p> | <p>Compatibility in Building Scale. Avoid big differences in building scale and character between developments on adjoining lots.</p> | <ul style="list-style-type: none"> ➤ Design Guidelines ➤ Development Review ➤ San Pablo Avenue Specific Plan |
| <p>CD4.2</p> | <p>Building Articulation. Ensure that buildings are well articulated. Avoid large unarticulated shapes in building design. Ensure that building designs include varied building facades, rooflines, and building heights to create more interesting and differentiated building forms and shapes. Encourage human scale detail in architectural design. Do not allow unarticulated blank walls or unbroken series of garage doors on the facades of buildings facing the street or the Ohlone Greenway.</p> | <ul style="list-style-type: none"> ➤ Design Guidelines ➤ Development Review ➤ San Pablo Avenue Specific Plan |

Goal CD5: A design process that achieves design objectives while being efficient and allowing for flexibility.

- | | | |
|---------------------|--|---|
| <p>CD5.3</p> | <p>Design Guidelines and Regulations. Make development and design regulations more understandable with use of illustrations, photos, drawings, diagrams, or other graphic and visually oriented regulations, such as a “form code.”</p> | <ul style="list-style-type: none"> ➤ Design Guidelines ➤ Development Regulations (zoning) ➤ San Pablo Avenue Specific Plan |
|---------------------|--|---|

Goal CD6: An urban form that sustains a vital commercial community to meet the diverse needs of the local and regional population.

Resolution 2014-51
Exhibit A

- CD6** **Affordable Commerce.** El Cerrito's urban form should allow site opportunities for commerce by local entrepreneurs – small business spaces in close proximity to other businesses with easy visibility from the street and close to abundant pedestrian traffic.
- Development Regulations (zoning)
 - Design Guidelines
 - Specific Plans
 - San Pablo Avenue Specific Plan

Page 4-54

Add text to Implementation Strategy 24. Specific Plans:

Certain areas of the city need to be planned comprehensively, but in more detail than can be done in a general plan. A specific plan can integrate land use, design, transportation, utilities and other issues into an action strategy. ~~Areas to be considered for a specific plan include the Midtown area along San Pablo Avenue, extending from south of Moeser to north of Manila Avenue, and the Del Norte BART station area. A specific plan for the El Cerrito Plaza area, including the BART station and the area along San Pablo Avenue between Fairmount and Central avenues, should be prepared to provide overall direction during the next 20 years.~~

San Pablo Avenue Specific Plan: The purpose of the San Pablo Avenue Specific Plan, including a Form- Based Code, Complete Streets Plan and Infrastructure Analysis, is to articulate a vision for the future of San Pablo Avenue from the southern entrance to the northern entrance of the City, east to the El Cerrito Plaza BART Station and west along Central Avenue to Interstate 80. The Plan identifies public improvements and context-sensitive regulations to create a multimodal corridor that provides a multitude of opportunities for living, working and community life.

2013 GROWTH MANAGEMENT ELEMENT UPDATE

Page 4-51

Amend text to:

The Growth Management Element establishes a comprehensive, long-range program that matches demand for public facilities generated by new development with policies and standards for traffic level of service (LOS) and performance criteria for fire, police, parks, sanitary facilities, water supplies, and flood control; in the San Pablo Avenue Specific Plan area, this includes a multi-modal level of service (MMLOS). The Growth Management Element is concerned with maintaining defined urban service levels; it is not intended to limit growth or to direct growth into certain areas of the community on a priority basis. Most importantly, the Element's policies ensure that new development impacts that threaten to degrade established traffic performance or public service thresholds are mitigated through project modification, capital improvement programming, or contributions to improvements.

Page 4-55

Amend text to:

San Pablo Avenue

In El Cerrito, San Pablo Avenue is an urbanized thoroughfare between the southern City limits at Cerrito Creek near Carlson Boulevard to the northern city limits just south of McDonald Avenue with two lanes in each direction. San Pablo Avenue serves as the primary transit spine of the region, traveling through all of the West County cities where in many cases it functions as "Main Street", and is the alternative primary reliever route to the I-80, providing a variety of transportation options during periods of heavy freeway congestion.

From its southern extent to Cutting Boulevard, the Avenue is part of State Route (SR) 123 and is operated and maintained by the California Department of Transportation (Caltrans). At most intersections there are left turns operating with left-turn signal phasing. The speed limit is 30 MPH. Average daily traffic volumes on San Pablo Avenue are greatest at its southerly extreme in the County. Near Cutting Boulevard, the highest average daily volume is 29,900 vehicles. During the AM peak period, the highest volumes occur near Potrero Avenue at 2,275 vehicles per hour. The highest PM peak hour period volumes occur near Barrett Avenue in Richmond, and frequently cause traffic backup into El Cerrito.

Page 4-56

Amend text to:

Regional Action Plans

Local jurisdictions participated in the development of programs to control regional traffic impacts on these routes through a series of Action Plans approved by one of the Regional Transportation Planning Committees created under Measure C. El Cerrito has been working closely with the WCCTAC (West Contra Costa County Traffic Advisory Committee) ~~to work on an update of the 2000 and 2009 action plans for the west county area. Once approved, the updated Action Plan will be combined by CCTA with other regionally recommended Action Plans to create a comprehensive transportation plan. The City recognizes that the success of attaining Action Plan objectives depends upon participation of other jurisdictions in both planning and funding of necessary improvements. to update to the West County Action Plan, which has been transmitted to the Contra Costa~~

**Resolution 2014-51
Exhibit A**

Transportation Authority for incorporation into the 2014 Countywide Comprehensive Transportation Plan. It is anticipated that the updated West County Action Plan will be formally adopted by WCCTAC at the end of 2014. Both the current (adopted in 2009) Action Plan and the updated Action Plan call for cooperation between partner agencies to improve traffic congestion on San Pablo Avenue, and emphasize the importance of better serving all corridor users by enhancing transit services, including the Rapid Bus, and improving bicycle and pedestrian facilities. Both the current and the updated Action Plans specify that the multi-modal transportation service objective (MTSO) for San Pablo Avenue is to maintain LOS E or better at all signalized intersections. In addition, the updated Action Plan specifies that this LOS MTSO will not be applied within ½-mile of a BART station, and instead the performance measures in the relevant specific plan(s) for the area will be followed.

Additional objectives from the updated Action Plan include:

- Enhance local and regional transit service, particularly in terms of connections to BART.
- Increase the use of active transportation modes.
- Implement Complete Streets enhancements identified in local plans.
- Actively manage growth to support regional land use and transportation goals.

Basic Routes

All roads not indicated on the map of Routes of Regional Significance are Basic Routes. ~~The Growth Management Element is required to assess the operating capacity of signalized intersections on Basic Routes, estimate future service impacts resulting from significant, foreseeable increases in home building and job formation, according to the city's General Plan land use and housing policies.~~ Although Measure J no longer requires the adoption of Level of Service standards for Basic Routes (non-regional routes), the City is maintaining LOS standards for Basic Routes in this chapter until alternative performance measures for correlating the circulation element with the land use element of the General Plan are developed.

Pages 4-61 – 4-70

Amend text to Growth Management Goals and Policies

Goal GM2: Compliance with applicable level of service standards.

GM2.1

Application of Standards. Strive to maintain the minimum V/C performance standard for each signalized intersection on Basic Routes as described in Table 4-4. Level of Service Standards are considered to be met if measurement of actual conditions at the intersection indicates that operations are equal to or better than the specified minimum performance standard, or if El Cerrito's Capital Improvement Program includes projects which, when constructed, will result in performance better than or equal to the specified minimum standard. Refer to Transportation and Circulation Element for other standards related to the San Pablo Avenue Specific Plan area.

- Capital Improvements Program
- Development Regulations (zoning)

GM2.2

Achieving Level of Service Standards. Consider

- Development

**Resolution 2014-51
Exhibit A**

amendments to the General Plan Land Use Element or Map, Zoning Ordinance, or other relevant plans and policies to alter land use intensity or vehicle trip activity so that any Basic Route signalized intersection which does not meet the minimum service level standard in Policy GM2.2 can be brought into compliance with said standard.

Alternately, consider amendments to the Capital Improvement Program or other relevant programs and policies which will improve the capacity or efficiency of intersections not meeting the service standards through physical construction and improvements.

Refer to Transportation and Circulation Element for other standards related to the San Pablo Avenue Specific Plan area.

- Regulations (zoning)
- Capital Improvements Program
- San Pablo Avenue Specific Plan.

Goal GM6: Support land use patterns that make more efficient use of the transportation system

- | | | |
|--------------|---|--|
| GM6.2 | Mixed-Use Centers. Encourage mixed-use centers along San Pablo Avenue – including development along Fairmount Avenue, Stockton Avenue and Moeser Lane, between San Pablo Avenue and the Ohlone Greenway – that provide the opportunity for people to walk among businesses, employment, and residences. (LU5.2) | <ul style="list-style-type: none"> • Development Regulations (zoning) • San Pablo Avenue Specific Plan |
| GM6.3 | Pedestrians, Bicycles, and Access. Ensure that business areas have adequate and attractive pedestrian and bicycle facilities and accessibility for persons with disabilities, and that easy connections to transit are available wherever possible. (LU5.5) | <ul style="list-style-type: none"> • Capital Improvements Program • San Pablo Avenue Specific Plan |
| GM6.4 | Circulation Alternatives. To the extent possible, encourage alternatives to the use of private automobiles. Encourage a full range of transportation options – driving, transit, walking and biking – without allowing any one to preclude the others.

On San Pablo Avenue, in many constrained right-of-ways, it is not possible to provide optimum facilities for all user groups and in the event that trade-offs are necessary, transit users and pedestrians are the highest priority. (LU6.2) | <ul style="list-style-type: none"> • Transportation Demand Management • San Pablo Avenue Specific Plan |
| GM6.5 | Multi-Modal Transportation Network. Ensure that streets, paths, and bikeways contribute to the system of a | <ul style="list-style-type: none"> • Capital Improvements |

**Resolution 2014-51
Exhibit A**

fully connected transportation network to all major destinations in the City. The design of these streets and pathways should encourage pedestrian and bicycle uses by being spatially defined by buildings, trees, lighting, and street furniture. Pedestrian and bicycle pathways and auto routes should be compatible.
(CD2.4)

- Program
- San Pablo Avenue Specific Plan

GM6.6

Balanced Transportation System. Create and maintain a balanced transportation system with choice of transit, bicycle, pedestrian, and private automobile modes, including on regionally significant arterials such as San Pablo Avenue. In many constrained right-of-ways, it is not possible to provide optimum facilities for all user groups and in the event that trade-offs are necessary, transit and pedestrians are the highest priority for San Pablo Avenue.
(T1.1)

- Capital Improvements Program
- San Pablo Avenue Specific Plan

GM6.7

Transit System. Encourage transit providers to improve and increase existing transit routes, frequency, and level of service. Encourage a public transit system that provides convenient transfers between transit services and other modes of travel. On San Pablo Avenue, provide transit shelters with benches, lighting, bike racks and crosswalks (on San Pablo Avenue) such that transit amenities represent a 'High' Built Environment Factors (BEF) throughout the corridor. Facilitate transit flow along San Pablo Avenue such that transit corridor travel time is reduced by 5 percent relative to current conditions. Where possible, provide far-side transit stops at signalized intersections with bus bulbs such that transit vehicles stop in-lane, thereby reducing transit delay associated with re-entry into traffic.
(T1.2)

- Capital Improvements Program
- Intergovernmental Coordination
- San Pablo Avenue Specific Plan

GM6.8

Bicycle Circulation. Create a complete, interconnected bicycle circulation system. Provide a bicycle system that serves commuter as well as recreational travel. Improve bicycle routes and access to and between major destinations. On San Pablo Avenue, improve local bicycle access, including access on San Pablo Avenue and adjacent roadways. Provide a 'Medium' to 'High' BEF for bicyclists on San Pablo Avenue. Through transit and pedestrian MMLOS is the main priority, bicycle facilities should not be allowed to remain 'Low' if measures to improve them to 'Medium' are available. Emphasize the placemaking qualities of bikeways, particularly separated bikeways/cycletracks. Though no delay-based bicycle LOS metric is identified, seek to reduce bicycle delay at signalized intersections and

- Capital Improvements Program
- San Pablo Avenue Specific Plan

**Resolution 2014-51
Exhibit A**

when considering changes to intersections, consider bicycle delay.

GM6.9

(T1.3)

Pedestrian Circulation. Provide a safe, convenient, continuous and interconnected pedestrian circulation system throughout the City. Ensure safe pedestrian access to local schools. Improve crossing opportunities, enhance crosswalks, and improve sidewalks to maintain a consistent 'High' Pedestrian BEF on San Pablo Avenue. Emphasize the placemaking qualities of the streetscape, including sidewalk and curb extensions. Though no delay-based pedestrian LOS metric is identified, seek to reduce pedestrian delay at signalized intersections and when considering changes to intersections, consider pedestrian delay.

- Capital Improvements Program
- San Pablo Avenue Specific Plan

(T1.4)

Page 4-72

Amend text of Implementation Measure 10. Development Review to:

10. Development Review

The development review process includes discretionary review by the Planning Commission and the Design Review Board, based on consideration of General Plan objectives and policies, and criteria established by the zoning and subdivision ordinances and other city regulations and adopted guidelines. Most discretionary actions are subject to the requirements of the California Environmental Quality Act (CEQA). The development review process also includes administrative review of projects to verify compliance with Planning Commission and Design Review Board requirements, as well as standards set by the City through adoption of building and fire codes, engineering standards, and other regulations and ordinances. Development review should be used to assess the impact of new development on the demand for transportation and public facility improvements and to implement mitigation measures and other mechanisms to help finance needed improvements. Use the multi-modal level of service calculation sheets for developers to determine the existing and proposed level of service for pedestrians, transit users, and bicyclists in the vicinity of the development parcel.

Page 4-75

Amend text of Implementation Measure 24. Specific Plans to:

24. Specific Plans

Certain areas of the city need to be planned comprehensively, but in more detail than can be done in a general plan. A specific plan can integrate land use, design, transportation, utilities and other issues into an action strategy.

~~The Draft San Pablo Avenue Specific Plan is currently being developed to address planning needs in the San Pablo Avenue corridor. As conditions change and as development proposals come forward, additional areas of the City may also need more detailed planning efforts.~~

Resolution 2014-51

Exhibit A

San Pablo Avenue Specific Plan: The purpose of the San Pablo Avenue Specific Plan, including a Form-Based Code, Complete Streets Plan and Infrastructure Analysis, is to articulate a vision for the future of San Pablo Avenue from the southern entrance to the northern entrance of the City, east to the El Cerrito Plaza BART Station and west along Central Avenue to Interstate 80. The Plan identifies public improvements and context-sensitive regulations to create a multimodal corridor that provides a multitude of opportunities for living, working and community life.

Page 4-76

Amend text of Implementation Measure 28. Travel Demand Management (TDM) to:

28. Travel Demand Management (TDM)

Support and promote TDM measures to reduce the percentage of person trips made by automobile and to reduce the annual vehicle miles of travel. Reduce the percentage of trips made by automobile and provide the opportunity and facilities to divert trips from automobiles to other modes. Encourage small businesses in areas of employment concentration to form cooperatives that can collectively provide effective TDM options to employees. Require new developments along San Pablo Avenue to provide basic TDM measures for residents and businesses as appropriate; additional TDM measures may be required where adjustments to the parking requirements are proposed to incentivize alternative modes of travel.

**Resolution 2014-51
Exhibit A**

- | | | |
|--------------------|---|--|
| <p>T1.2</p> | <p>Transit System. Encourage transit providers to improve and increase existing transit routes, frequency, and level of service. Encourage a public transit system that provides convenient transfers between transit services and other modes of travel. On San Pablo Avenue, provide transit shelters with benches, lighting, bike racks and crosswalks (on San Pablo Avenue) such that transit amenities represent a 'High' BEF throughout the corridor. Facilitate transit flow along San Pablo Avenue such that transit corridor travel time is reduced by 5 percent relative to conditions without a development or transportation project. Where possible, provide far-side transit stops at signalized intersections with bus bulbs such that transit vehicles stop in-lane, thereby reducing transit delay associated with re-entry into traffic.</p> | <ul style="list-style-type: none"> • Intergovernmental Coordination • Transit First Policy • San Pablo Avenue Specific Plan |
| <p>T1.3</p> | <p>Bicycle Circulation. Create a complete, interconnected bicycle circulation system. Provide a bicycle system that serves commuter as well as recreational travel. Improve bicycle routes and access to and between major destinations. On San Pablo Avenue, improve local bicycle access, including access on San Pablo Avenue and adjacent roadways. Provide a 'Medium' to 'High' BEF for bicyclists on San Pablo Avenue. Though transit and pedestrian MMLOS is the main priority, bicycle facilities should not be allowed to remain 'Low' if measures to improve them to 'Medium' are available. . Emphasize the placemaking qualities of bikeways, particularly separated bikeways/cycletracks. Though no delay-based bicycle LOS metric is identified, seek to reduce bicycle delay at signalized intersections and when considering changes to intersections, consider bicycle delay.</p> | <ul style="list-style-type: none"> • Bicycle Master Plan • Pavement Management Plan • San Pablo Avenue Specific Plan |
| <p>T1.4</p> | <p>Pedestrian Circulation. Provide a safe, convenient, continuous and interconnected pedestrian circulation system throughout the City. Ensure safe pedestrian access to local schools. Improve crossing opportunities, enhance crosswalks, and improve sidewalks to maintain a consistent 'High' Pedestrian BEF on San Pablo Avenue. Emphasize the placemaking qualities of the streetscape, including sidewalk and curb extensions. Though no delay-based pedestrian LOS metric is identified, seek to reduce pedestrian delay at signalized intersections and when</p> | <ul style="list-style-type: none"> • Pedestrian Circulation Plan • San Pablo Avenue Specific Plan |

**Resolution 2014-51
Exhibit A**

considering changes to intersections, consider pedestrian delay.

Goal T2: A land use pattern that encourages walking, bicycling, and public transit use.

- T2.1** **Land Use Patterns.** Recognize the link between land use and transportation. Promote land use and development patterns that encourage walking, bicycling, and transit use. Emphasize high-density and mixed land use patterns that promote transit and pedestrian travel. Where feasible, emphasize the following land use measures:
1. Promote conveniently located neighborhood complexes that provide housing and commercial services near employment centers and within transit corridors.
 2. Promote land use patterns that maximize trip-linking opportunities by assembling uses that allow people to take care of a variety of daily needs.
 3. Encourage pedestrian-oriented land use and urban design that can have a demonstrable effect on transportation choices.
 4. Direct growth to occur along transit corridors.
 5. Encourage retail, commercial, and office uses in ground floor space in combination with upper-floor housing along San Pablo Avenue.
- T2.2** **Project Design.** Projects should be designed to include features that encourage walking, bicycling, and transit use.
- Development Review
 - San Pablo Avenue Specific Plan
- Development Review
 - Transit First Policy
 - San Pablo Avenue Specific Plan

Goal T3: A transportation system that maintains and improves the livability of the City.

- T3.1** **Improve Vehicle Circulation.**
- Improve circulation in locations with high levels of congestion, but avoid major increases in street capacities unless necessary to remedy severe traffic congestion, and not at the expense of pedestrian circulation that would encourage speeds or degrade LOS or increase delay for transit, pedestrians or bicycles.
- For signalized intersections, maintain LOS D or better based on vehicle delay except for the San Pablo Avenue Specific Plan area maintain LOS E.
- Capital Improvement Program
 - Development Review
 - Traffic Monitoring
 - San Pablo Avenue Specific Plan

**Resolution 2014-51
Exhibit A**

Also in the San Pablo Avenue Specific Plan area for unsignalized intersections, maintain LOS E or better for all movements and where movements degrade to LOS F consider signalization. If signal warrants are not met, LOS F may be considered acceptable if it does not increase delays for pedestrians, bicyclists and transit users. Improve vehicle circulation in locations with high levels of congestion, but avoid increases in street capacities that would encourage speeds or degrade MMLOS for transit, pedestrians or bicycles.

T3.6

Maintenance of San Pablo. Coordinate with Caltrans to ensure the timely maintenance of San Pablo Avenue. Review signal timing changes to assure they are consistent with the MMLOS metrics described above.

- Intergovernmental Coordination

Goal T4: A minimum amount of land used for parking and minimal parking intrusion in neighborhoods.

T4.1

Parking Requirements. Develop parking requirements that are consistent with the goals for increased use of alternative transportation modes, and acknowledge shared parking opportunities.

- Development Review
- Parking Regulations
- San Pablo Avenue Specific Plan

Page 5-27

Amend text to Implementation Measure 4. Development Review:

4. **Development Review.** Undertake development reviews to ensure compliance with applicable local, regional, state, and federal laws and adopted policies. Use the multi-modal level of service calculation sheets for developers to determine the existing and proposed level of service for pedestrians, transit users, and bicyclists in the vicinity of the development parcel in the San Pablo Avenue Specific Plan area. Ensure that developers contribute funding for on-site and off-site improvements, where the MMLOS does not meet the City standards. Adopt an ordinance requiring developers to do the following:
 - a. Construct transportation improvements along their property frontages when appropriate; and
 - b. Fund traffic impact studies that identify on-site and off-site effects and mitigation measures.

Page 5-28

Amend text to Implementation Measure 5. Intergovernmental Coordination to:

In addition to, and in support of, these regional key items, the following are City of El Cerrito interagency coordination positions:

Resolution 2014-51
Exhibit A

- a. As opportunities present themselves, improve freeway access to El Cerrito, particularly around the Del Norte area and at the Central Avenue interchange.
- b. Oppose transportation projects that would diminish access to Interstate 80 from El Cerrito.
- c. Oppose regional capacity enhancements to San Pablo Avenue except when the improvements serve local traffic and do not ~~compromise~~ degrade bus, pedestrian and bicycle travel below the City MMLOS standards.
- d. Support physical enhancements to San Pablo Avenue to make it a transit, bicycle and pedestrian friendly multi-modal street.

Encourage the City of Richmond and Caltrans to conduct a detailed operations analysis of the Central Avenue interchange and be an active participant in this study. This study should address an existing base year condition as well as a 20-year growth forecast including expected growth from development in El Cerrito, Richmond and Albany. It should also address weekday and Saturday conditions. It should be conducted using a detailed operations analysis such as Synchro and/or CORSIM.

Page 5-29

Amend text to Implementation Measure 10. Pedestrian Circulation Plan to:

Pedestrian Circulation Plan. Review existing pedestrian circulation within the City to identify constraints to walking, develop improvement plans at constrained locations (including pedestrian street crossings), and incorporate pedestrian enhancement projects into the City Capital Improvement Program (CIP). Encourage local access to BART stations by walking as an alternative to short-distance driving. Develop new sidewalk width standards consistent with the type and intensity of adjacent land use. Attention should be paid to the issue of tree damage to sidewalks and obstruction of sidewalks by signs. On San Pablo Avenue, maintain and create a 'High' Pedestrian MMLOS.

Page 5-31

Amend text to Implementation Measure 15. Transportation System Performance Measures to:

- 15. Transportation System Performance Measures.** Develop a level-of-service standard for ~~traffic~~ multi-modal operations that assesses service levels for all street users, including buses riders, pedestrians, and bicycles, as well as private automobile users. For areas outside of the San Pablo Avenue Specific Plan area, consider modifying the City's current LOS D standard to allow for higher levels of automobile congestion during peak hours in order to reduce the need for improvements that decrease opportunities for alternative transportation modes or reduce parking supply.

Using a level of service standard worse than LOS D maybe considered acceptable where:

- e. Upstream or downstream bottlenecks control the flow of traffic through an intersection such that capacity enhancements (i.e., improvements) would have marginal benefit;
- f. Retaining a bottleneck would discourage regional or semi-regional traffic from using a facility; or
- g. Traffic capacity enhancements would degrade pedestrian, transit or bicycle conditions (i.e., additional lanes increases pedestrian crossing distances).

In order to maintain consistency with the Congestion Management Plan, LOS E is the worst level of service standard that could be adopted for San Pablo Avenue.

Resolution 2014-51
Exhibit A

For the San Pablo Avenue Specific Plan area, adopt multi-modal level of service (MMLOS) thresholds that use Person Delay and Built Environment Factors methodologies to determine level of service based on modal facility types, dimensions, and connectivity.

Page 5-32

Amend text to Implementation Measure 17. Transportation Demand Management (TDM) to:

17. Travel Demand Management (TDM). Support and promote TDM measures to reduce the percentage of person trips made by automobile and to reduce the annual vehicle miles of travel. Reduce the percentage of trips made by automobile and provide the opportunity and facilities to divert trips from automobiles to other modes. Encourage small businesses in areas of employment concentration to form cooperatives that can collectively provide effective TDM options to employees. Require new developments along San Pablo Avenue to provide basic TDM measures for residents and businesses as appropriate; additional TDM measures may be required where adjustments to the parking requirements are proposed to incentivize alternative modes of travel.

Page 5-32

Add Implementation Measure 18. San Pablo Avenue Specific Plan:

18. San Pablo Avenue Specific Plan. The purpose of the San Pablo Avenue Specific Plan, including a Form-Based Code, Complete Streets Plan and Infrastructure Analysis, is to articulate a vision for the future of San Pablo Avenue from the southern entrance to the northern entrance of the City, east to the El Cerrito Plaza BART Station and west along Central Avenue to Interstate 80. The Plan identifies improvements and context-sensitive regulations to create a multimodal corridor that provides a multitude of opportunities for living, working and community life. The Plan includes a multi-modal level of service (MMLOS) analysis to understand the impacts of proposed streetscape improvements on all users of the Avenue to better ensure that projects improve circulation within the Plan area.

Resolution 2014-51
Exhibit A

2007-2014 HOUSING ELEMENT

Housing Element Page 44

Amend Table III-1 El Cerrito General Plan Residential Land Use Designations to include the following:

Designation	Description	Permitted Density
San Pablo Avenue Specific Plan	The Specific Plan's Form-Based Code regulates land use and development standards based on Transect Zone, Transit-Oriented High-Intensity Mixed Use (TOHIMU) and Transit-Oriented Mid-Intensity Mixed-Use (TOMIMU), designed to encourage vertical and horizontal mixed-use. The TOHIMU zone emphasizes commercial uses on the ground floor with upper residential uses to activate the pedestrian right-of-way and cluster services near transit nodes. The TOMIMU zone allows for "flex" spaces on the bottom floors to accommodate ground floor commercial where needed, but emphasizing mid-intensity residential uses to increase housing along the transportation corridor to encourage walking, biking and public transit use.	TOHIMU: maximum of 65' TOMIMU: maximum of 55'

Housing Element Page 44

Add Land Use Control b. San Pablo Avenue Specific Plan:

b. San Pablo Avenue Specific Plan

The San Pablo Avenue Specific Plan, adopted by the City in (date TDB), articulates a vision for the future of San Pablo Avenue, identifies improvements, and adopts context sensitive regulations that can be applied within the Specific Plan Area. The Plan's key principles are to deepen a sense of place and community identity, attract private investment, strengthen partnerships, enhance the public realm, promote the everyday use of transit, walking, and biking and foster environmental sustainability. The Plan establishes a Form-Based Code that regulates land use and development standards based on Transit-Oriented High-Intensity Mixed Use (TOHIMU) and Transit-Oriented Mid-Intensity Mixed-Use (TOMIMU) Transect Zones

Goals and strategies of the Plan include:

- Maximize Transit-Oriented Development (TOD) potential along the corridor;
- Allow ground floor residential development to provide flexibility and expand the Plan Area's residential base;
- Promote residential infill development through increased land use intensity close to existing transit infrastructure; and
- Increase the supply, diversity and affordability of housing in proximity to existing or planned transportation investments.

c. Zoning Code

The Zoning Code is the primary tool for implementing the General Plan. It is designed to protect and promote public health, safety and welfare, as well as to promote quality

Resolution 2014-51
Exhibit A

design and quality of life. The City of El Cerrito's residential zoning designations control both the use and development standards of each residential parcel.

Table III-2 summarizes permitted residential uses in residential districts. Residential zoning includes six main districts: RS, RD, RM, TOM, CC and CN and the TOHIMU and TOMIMU Transect Zones of the San Pablo Avenue Specific Plan. The RS District is split into four separate subsets guiding the minimum size of each lot and other development standards such as minimum lot depth and width and setbacks—RS-5 would be a minimum lot size of 5,000 square feet, RS-7.5 = 7,500 square feet, RS-10 = 10,000 square feet, and RS-20 = 20,000 square feet.

Single-family units are permitted as a matter of right in all single-family residential districts. New single family uses are not allowed in the RM, TOM, CC, CN districts. Multiple family dwellings are permitted by right in the RM, TOM, CC, CN zones and San Pablo Avenue Specific Plan Transect Zones. Multiple family dwellings are not permitted on the ground floor of the Theater Overlay Block of the San Pablo Avenue Specific Plan.

Housing Element Page 45

Add to Table III-2 Residential Uses Allowed in All Zones:

Zone	Single-Family Detached	Multi-family	Second Unit	Duplex	Transitional or Homeless Shelter
San Pablo Avenue Transit-Oriented High-Intensity Mixed-Use (TOHIMU)	--	P		--	P
San Pablo Avenue Transit-Oriented Mid-Intensity Mixed-Use (TOMIMU)	--	P		--	P

Housing Element Page 45

Amend text to:

Residential Development Standards

The City regulates the type, location, density, and scale of development through the General Plan, San Pablo Avenue Specific Plan and the Zoning Ordinance. Provisions in the Zoning Ordinance specify minimum lot areas, setbacks, coverage, FAR, height limits, and parking (see Tables III-2, III-3, and III-4). The San Pablo Avenue Specific Plan specifies height, parking, setbacks, access and building length. El Cerrito regulations are comparable to those of similar cities. In addition to the base zoning districts described in the following tables, applicants can request rezoning to a customized Planned Development (PD) District that allows deviation from the normal regulations where a development project is consistent with the General Plan and meets other community objectives.

El Cerrito's zoning regulations are not restrictive and do not create a financial or physical constraint to residential development due to a wide range of densities permitted by the City and flexible parking requirements.

Resolution 2014-51
Exhibit A

Housing Element Page 48**Amend Table III-4 Multi-Family Residential Development Standards in Commercial Zones**

	CN	CC	TOM	San Pablo Avenue TOHIMU	San Pablo Avenue TOMIMU
Minimum Lot Size (sq. ft.)	5,000 2,000 for commercial	5,000	5,000		
Minimum Residential Density	--	--	35 units per acre within 300 feet of the BART stations		
Maximum Residential Density – lot area per unit (sq. ft.) (may be in addition to non-residential FAR)					
Base Density	20 units per acre	35 units per acre	35 units per acre	NA	NA
Density for Mixed Use Development	--	--	35 units per acre	NA	NA
Density with Incentives	25 units per acre	45 units per acre	45 units per acre; up to 70 du/ac for housing for elderly and disabled persons if services are provided.	NA	NA
Density with State Affordable Housing Bonuses	27 units per acre	48 units per acre	48 units per acre; up to 70 du/ac for housing for elderly and disabled persons if services are provided.	Affordable Housing Bonuses will be granted through height increases	Affordable Housing Bonuses will be granted through height increases
Maximum Building Height (ft.)	35	35, up to 50 with CUP	50, up to 65 with CUP in Del Norte & Plaza areas 35, up to 45 with CUP in Midtown node	65, up to 85 with State Affordable Housing Bonuses	55, up to 65 with State Affordable Housing Bonuses
Minimum Building Height	--	--	2 stories, exceptions may be granted with a CUP	3 stories Residential (except constrained lots) 2 stories commercial (exceptions granted with CUP)	3 stories Residential (except constrained lots) 2 stories commercial (exceptions granted with CUP)

Resolution 2014-51
Exhibit A

	CN	CC	TOM	San Pablo Avenue TOHIMU	San Pablo Avenue TOMIMU
Building Setback on Street Frontages	0 - 10 feet	0 - 10 feet, more with a CUP	0 - 10 feet	0 – 15, front setback is regulated by Street Type. See Section 2.04.01 Regulation by Street Type of the San Pablo Avenue Specific Plan	0 – 15, front setback is regulated by Street Type. See Section 2.04.01 Regulation by Street Type of the San Pablo Avenue Specific Plan
Minimum Yard Requirements (ft.) – None unless adjacent to a residential district					
Building Transition Zone Adjacent to Residential Districts	For any portion of a structure adjacent to a residential district boundary), the minimum required setbacks of the residential district shall apply. To protect privacy and minimize sunlight blockage, structures shall not intercept a 45-degree daylight plane inclined inward starting from a height of 35 feet above existing grade at the setback line. Exceptions to the above requirements are permitted for a one-story parking or garage structure that does not exceed 10 feet in height in a side or rear yard that does not front on a street.			To minimize impacts of shadows on adjacent residential districts, buildings shall not cast shadows onto adjacent existing residential uses on December 21st greater than 14' deep at 1:30 pm on adjacent parcels to the east. To protect privacy and minimize additional sunlight blockage, structures shall not intercept a 45-degree daylight plane inclined inward starting from a height of 35 feet above existing grade at the setback line.	To minimize impacts of shadows on adjacent residential districts, buildings shall not cast shadows onto adjacent existing residential uses on December 21st greater than 14' deep at 1:30 pm on adjacent parcels to the east. To protect privacy and minimize additional sunlight blockage, structures shall not intercept a 45-degree daylight plane inclined inward starting from a height of 35 feet above existing grade at the setback line.
Required Off Street Parking	RM & CC Zones: 2 spaces per dwelling unit for each unit of two or more bedrooms. TOM Zones: 1.5 spaces per dwelling unit for each unit of two or more bedrooms. At least one space per unit must be located in a garage or carport. In the TOM district, required parking reduced by 25% within ¼ mile of a BART station.			Residential: up to 1 auto space/unit Commercial Buildings: < 3,000 sf - no parking required > 3,000 sf – up to 1 auto space/1,000 sf	Residential: up to 1.5 auto space/unit Commercial Buildings: < 3,000 sf - no parking required > 3,000 sf – up to 1 auto space/500 sf

Housing Element Page 49

Amend Table III-5 Required Residential Parking

Resolution 2014-51**Exhibit A**

Use Classification	Required Off-Street Parking Spaces	Additional Regulations
Single Family Dwelling	2 spaces per dwelling unit for each unit of two or more bedrooms. 1 space per studio or 1-bedroom unit.	19.06.030(N), Limitations on Parking and Garage Frontage. All required spaces must be located in a garage or carport.
Second Unit	1 space for the Second Unit in addition to the spaces required for the primary dwelling unit.	Section 19.20.190(D), Second Units.
Two-Family Dwelling; Multiple Family Residential	1 space per unit for each studio or 1-bedroom unit. RD, RM & CC Zones: 2 spaces per dwelling unit for each unit of two or more bedrooms. TOM Zones: 1.5 spaces per dwelling unit for each unit of two or more bedrooms.	19.06.030(N), Limitations on Parking and Garage Frontage At least one space per unit must be located in a garage or carport.
Transit-Oriented High-Intensity Mixed-Use (TOHIMU)	up to 1 auto space/unit	All projects include basic Transportation Demand Management (TDM). Projects proposing 0-0.5 auto spaces/residential unit may be required to perform a parking study and/or provide additional TDM measures. See San Pablo Avenue Specific Plan for Parking Standards
Transit-Oriented Mid-Intensity Mixed-Use (TOMIMU)	up to 1.5 auto space/unit	All projects include basic Transportation Demand Management (TDM). Projects proposing 0-1 auto spaces/residential unit may be required to perform a parking study and/or provide additional TDM measures. See San Pablo Avenue Specific Plan for Parking Standards
Group Housing	0.5 per Unit	19.06.030(N), Limitations on Parking and Garage Frontage.
Senior Citizen Housing	0.5 per unit	19.06.030(N), Limitations on Parking and Garage Frontage.

Resolution 2014-51
Exhibit A

Use Classification	Required Off-Street Parking Spaces	Additional Regulations
Transitional Housing	0.5 per unit	19.06.030(N), Limitations on Parking and Garage Frontage.

Housing Element Page 50

Add Density Bonus Subsection C. San Pablo Avenue Specific Plan:

c. San Pablo Avenue Specific Plan

Projects within the San Pablo Avenue Specific Plan Area will be subject to the Administration regulations of the Specific Plan. The Plan Form-Based Code is designed to facilitate an increased intensity of residential development in proximity to transit. In the event that the development standards for the Transect Zones create an impediment to achieving multifamily residential development, the developer may submit an application for Site Plan and Design Review – Tier IV. The Tier IV Site Plan and Design Review process is meant to incentivize overarching community benefits, including affordable housing, as part of developments that would not otherwise be permitted under Specific Plan regulations but nevertheless comply with the intent of the Specific Plan.

Approval Findings for Tier IV Site Plan and Design Review include the following:

- That the project furthers the goals of this Specific Plan by encouraging practical and market-friendly development, ensuring return on investment, strengthening a sense of place, enhancing and humanizing the public realm, and catalyzing mode shift;
- That the project provides a public benefit which is consistent with the goals of the Specific Plan and furthers an important goal(s) stated in adopted city policy documents as identified by the Community Development Director. These documents include, but are not limited to:
 - EL Cerrito Climate Action Plan
 - El Cerrito Strategic Plan
 - This General Plan, especially this Housing Element
 - El Cerrito Economic Development Action Plan
 - El Cerrito Urban Greening Plan
 - El Cerrito Active Transportation Plan
- That the development will not have an undue adverse effect upon the Transect Zone in which it is located, and will be compatible with the design features and land uses permitted in the Transect Zone in which the project is located.
- That the proposed development complies with the intent of the Specific Plan, and;
- That the project implements applicable goals and policies of this General Plan.

Housing Element Page 53

Amend text to:

4. Emergency Shelters, Transitional Housing and Single Room Occupancy Units

In 2008, a new State law was adopted (Government Code 65583 (a)(4)) requiring local jurisdictions to identify a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The City Zoning

Resolution 2014-51

Exhibit A

Ordinance allows emergency shelters as a permitted use under "Community Social Service Facilities" within the Community Commercial (CC) zone. The definition of Community Social Service Facilities as listed in the City's Zoning Ordinance is below:

Community Social Service Facilities. Any noncommercial facility, such as homeless shelters, emergency shelters and facilities providing social services such as job referral, housing placement and which may also provide meals, showers, and/or laundry facilities, typically for less than 30 days. Specialized programs and services related to the needs of the residents may also be provided. This classification excludes transitional housing facilities that provide living accommodations for a longer term.

As updated by the San Pablo Avenue Specific Plan, emergency shelters are also permitted in the TOHIMU and TOMIMU zones, subject to specified operational standards. The definition of Emergency Shelter as listed in the San Pablo Avenue Specific Plan is:

Emergency Shelters. Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person or family. No individual or household may be denied emergency shelter because of an inability to pay. Medical assistance, counseling and meals may be provided.

The City Zoning Ordinance allows transitional housing as a permitted use under "Transitional Housing" within the Community Commercial (CC) zone and as a conditional use in the Transit Oriented Mixed Use (TOM) zone. The definition of Transitional Housing as listed in the City's Zoning Ordinance is below:

Transitional Housing. Establishments providing temporary housing in a structured living environment and where residents have access to various voluntary support services, such as health, mental health, education and employment/training services to obtain skills necessary for independent living. Living accommodations are shared living quarters with or without separate kitchen or bath facilities for each room or unit. The occupancy period shall be at least 30 days. This category excludes temporary housing that does not include support services and community social service facilities such as emergency shelters.

As updated in 2014 by the San Pablo Specific Plan, transitional housing and supportive housing are allowed in the TOHIMU and TOMIMU zones under the same standards as other types of permitted residential uses. The definitions of transitional housing and supportive housing contained within the San Pablo Specific Plan Land Use Definitions are:

Transitional Housing. Buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of assistance.

Resolution 2014-51
Exhibit A

Supportive Housing, Housing with no limit on length of stay that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, where possible, work in the community.

The City Zoning Ordinance allows single room occupancy units (SRO) as a permitted use under "Group Housing" within the Community Commercial (CC) and, within the San Pablo Specific Plan Area, as an allowed use with an Administrative Use Permit in the ~~Transit Oriented Mixed Use (TOM)~~ TOHIMU and TOMIMU zones. The definition of Group Housing as listed in the City's Zoning Ordinance and in the San Pablo Avenue Specific Plan is below:

Group Housing. Shared living quarters without separate kitchen or bathroom facilities for each room or unit. This classification includes rooming and boardinghouses, dormitories, and private residential clubs, offering shared living quarters, but excludes hotels, residential care facilities and transitional housing facilities.

Housing Element Page 59

Add to Planning Fees:

For projects within the San Pablo Avenue Specific Plan, see the Master Fee Schedule for permit and design review fees.

Housing Element Page 59

Add to Permit Processing Procedures:

For projects within the San Pablo Avenue Specific Plan Area, see Specific Plan Section 2.02 Administration of the Regulating Code for additional information on permit processing procedures.

Housing Element Page 61

Add to Design Review:

For projects within the San Pablo Avenue Specific Plan Area, see Specific Plan Section 2.02.08 Application for Discretionary Actions Requiring a Public Hearing for additional Design Review requirements.

Housing Element Page 74 to 90

Amend text of Housing Element Goals, Policies and Programs to:

Resolution 2014-51
Exhibit A

Policy 5:

Encourage the development of multi-family residential uses in mixed-use projects, in the redevelopment area, and near transit-oriented facilities to help meet ABAG's Regional Housing Needs Allocation for El Cerrito and so that housing and commercial uses can complement and support one another.

The City will encourage the construction of transit-oriented developments (TODs) that seek to maximize opportunities for the use of public transit and transportation corridors through high-density residential and mixed-use projects along those corridors in accordance with the San Pablo Avenue Specific Plan and the City's Incentives Program (Chapter 19.23 of the El Cerrito Zoning Ordinance

Program 5.1:

Maintain General Plan designations for mixed use and high-density residential housing, ~~and~~ the Transit Oriented Mixed Use districts and implement the Transit-Oriented High-Intensity Mixed-Use (TOHIMU) and Transit-Oriented Mid-Intensity Mixed-Use (TOMIMU) Transect Zones of the Specific Plan in the development nodes of the City.

Responsibility: Planning Division

Time Frame: Ongoing

Funding: General Fund

Policy 19:

Promote fair housing opportunities for all people.

Program 19.4:

To comply with Senate Bill (SB) 2 the City will continue to maintain appropriate land use definitions of emergency shelters, transitional housing and supportive housing to homeless individuals and families and allow those uses by ~~right to be allowed by right~~ in the CC (Community Commercial) and the TOHIMU and TOMIMU zones.

Responsibility: Planning Division

Time Frame: Ongoing

Funding: General Fund

Policy 23:

Encourage the location of multi-family housing near transit centers where living and/or working environments are within walkable distances in order to reduce auto trips to work, roadway expansion and air pollution.

Program 23.1:

Continue to enforce the sections of the Zoning Ordinance that increase density, reduce parking requirements, and establish design and development standards to create inviting, mixed-use neighborhoods around transit. Enforce the San Pablo Avenue Specific Plan.

Responsibility: Planning Division

Time Frame: Ongoing

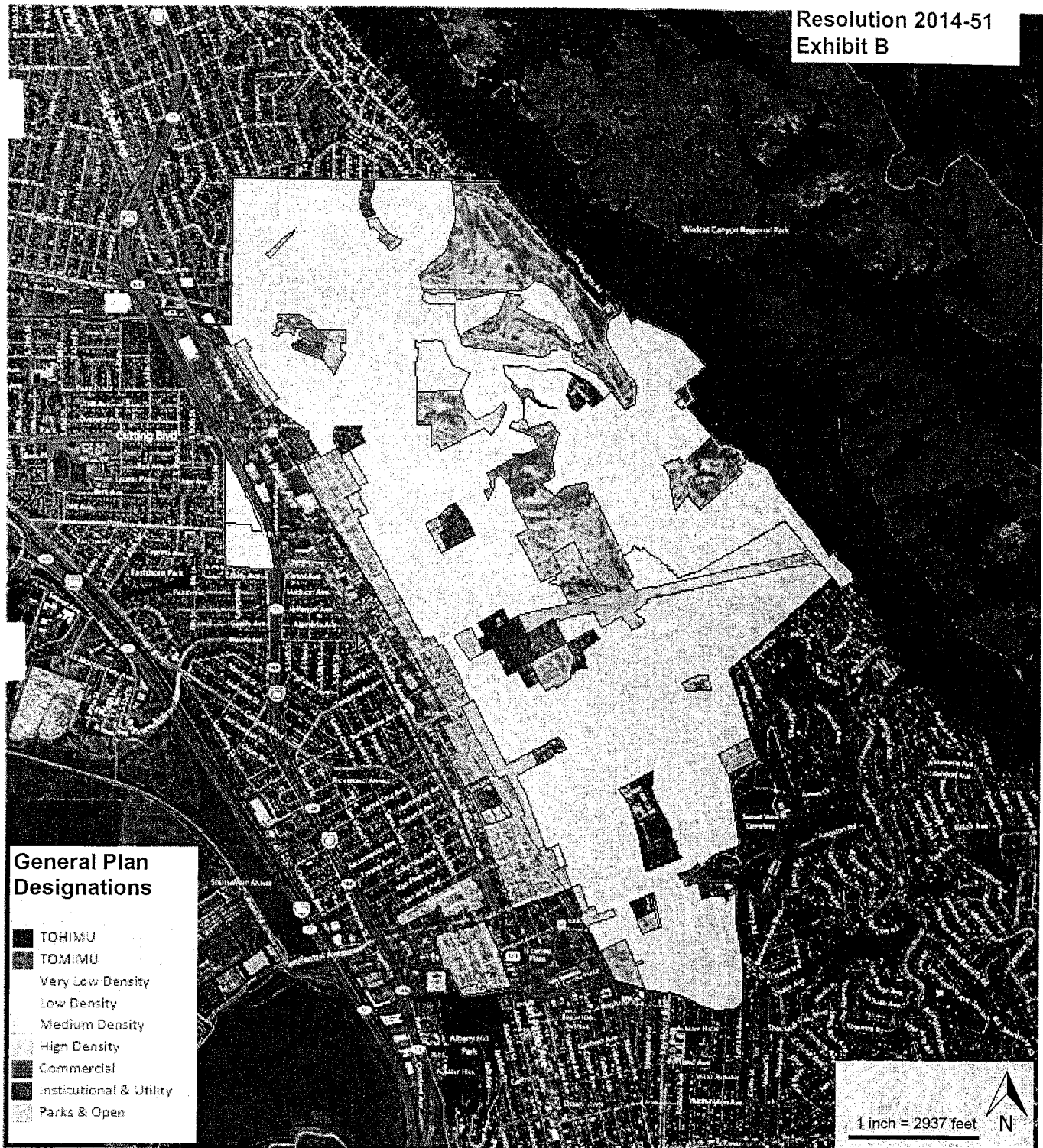
Funding: General Fund

Resolution 2014-51
Exhibit A

**Appendix C Design and Development Guide of the General Plan is deleted.
It is superseded by the San Pablo Avenue Specific Plan.**

El Cerrito General Plan Map

Resolution 2014-51
Exhibit B



RESOLUTION NO. 2014-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO ADOPTING
THE SAN PABLO AVENUE SPECIFIC PLAN

WHEREAS, in 2007, El Cerrito Redevelopment Agency undertook development of the San Pablo Avenue Specific Plan jointly with the City of Richmond; and

WHEREAS, city staff and the consultant worked collaboratively on the Plan along with members of the San Pablo Avenue Specific Plan Advisory Committee (SPAAC) and through Planning Commission, Design Review Board and general public meetings; and

WHEREAS, a draft Specific Plan was completed in 2009 along with an Initial Study/Mitigated Negative Declaration (IS/MND); and

WHEREAS, based on comments received, a second draft was completed in 2010; and

WHEREAS, in March of 2011, the Council directed staff to do further revisions to the Specific Plan to deal with open space issues, expand the parking study and economic analysis, create more location-appropriate density, height and land use strategies to better reflect the priorities of the City Council, and better align the plan with contemporary land use and transit standards; and

WHEREAS, in November of 2011, the City Council provided additional recommendations, including that the Plan allow increased height and densities near the BART stations, more flexible parking requirements with lower minimums, and a more flexible approach to mixed-use, including allowing ground floor residential throughout the Plan area; and

WHEREAS, in April of 2013, the City Council approved revisions to the scope of the Specific Plan, including the preparation of a Programmatic Environmental Impact Report and the addition of a Complete Streets Plan; and

WHEREAS, the Specific Plan process included substantial public participation through the years including a community workshops held on July 23, 2013 and October 19, 2013, as well as study sessions with the Design Review Board on July 2, 2014 the Planning Commission on July 17, 2013, November 20, 2013 and July 16, 2014 and a study session with the City Council on November 5, 2013; and

WHEREAS, the Draft Specific Plan was released for public review on June 3, 2014; and

WHEREAS, on June 3, 2014, the City released for a 45-day public review period a Draft Environmental Impact Report (EIR) which identified and evaluated the potential environmental impacts of the proposed Specific Plan; and

WHEREAS, the City completed the Final Environmental Impact Report and prepared a revised Specific Plan incorporating many revisions received from appointed and elected officials as well as the public at large and released both documents for public review on August 28, 2014; and

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

WHEREAS, adoption of the Specific Plan has complied with the provisions of Government Code Section 65453; and

WHEREAS, the Planning Commission held a duly noticed public hearing on September 4, 2014 at which it received testimony and other evidence and recommended that the City Council adopt and approve the San Pablo Avenue Specific Plan, Certify the Environmental Impact Report, approve the General Plan Amendment, and approve the amendments to the Zoning Ordinance and other amendments to the El Cerrito Municipal Code; and

WHEREAS, the City Council held a duly noticed public hearing on September 22, 2014 at which it received testimony and other evidence and certified the Environmental Impact Report, adopted a Statement of Overriding Considerations, adopted a Mitigation Monitoring and Reporting Program, approved the General Plan Amendment, and approved the amendments to the Zoning Ordinance and other amendments to the El Cerrito Municipal Code; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that, based on its review and consideration of revised Specific Plan, attached exhibits, and associated Final Environmental Impact Report, and all public testimony:

1. Finds that the San Pablo Avenue Specific Plan is in the public interest and will advance the health, safety, and general welfare of the City of El Cerrito.
2. Finds that the San Pablo Avenue Specific Plan is consistent with the El Cerrito General Plan as amended in Attachment 2 to the staff report and adopted by Resolution No. 2014-51.
3. Hereby adopts the San Pablo Avenue Specific Plan, as attached hereto in Exhibit A.

I CERTIFY that at a regular meeting on September 22, 2014, the El Cerrito City Council passed this Resolution by the following vote:

AYES: Councilmembers Benassini, Bridges, Lyman and Mayor Abelson
NOES: None
ABSTAIN: None
ABSENT: Councilmember Friedman

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on September 24, 2014.


Cheryl Morse, City Clerk

APPROVED:


Janet Abelson, Mayor



**Resolution 2014-52
San Pablo Avenue Specific Plan
Exhibit A**

Final Revisions Incorporated – Pending completion by the
Community Development Department.

RESOLUTION 2014-53

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO ADOPTING
REVISIONS TO THE MASTER FEE SCHEDULE TO ADD PLANNING FEES RELATED
TO IMPLEMENTATION OF THE SAN PABLO AVENUE SPECIFIC PLAN

WHEREAS, on September 22, 2014, the City Council amended the City of El Cerrito 1999 General Plan to provide for the creation of a specific plan for the development of property in the vicinity of San Pablo Avenue and approved the San Pablo Avenue Specific Plan; and

WHEREAS, the City Council's adoption of the San Pablo Avenue Specific Plan (SPASP) added new substantive requirements and administrative procedures governing development projects within the San Pablo Avenue Specific Plan Area. To approve development projects within the Specific Plan Area, the City must make findings and determinations that each project is consistent with the SPASP. The new administrative procedures necessitate new fees to cover the associated planning costs; and

WHEREAS, the City will need to prepare additional studies, implement programs, and update the SPASP in order to make findings and determinations consistent with the SPASP; and

WHEREAS, the City Council desires to establish new processing fees and a Specific Plan Maintenance Fee for projects in the Specific Plan Area to cover planning costs associated with implementation of the San Pablo Avenue Specific Plan. The anticipated costs of implementing and maintaining the SPASP are summarized and the method of calculating the Specific Plan Maintenance Fee is explained in Exhibit B; and

WHEREAS, the City may establish the Plan Maintenance Fees under the authority provided by Government Code Section 66014, enabling local governments to collect fees reasonably necessary to prepare and revise the plans and policies that a local agency is required to adopt before it can make any necessary findings and determinations; and

WHEREAS, the City's processing fees for development applications are calculated using a cost-based approach, as documented in the 2005 Citywide User Fee Study; and

WHEREAS, a public hearing has been noticed and held in accordance with Government Code Sections 6062a, 66016, 66017 and 66018. At least 10 days prior to the public hearing, the City made available to the public data indicating the estimated cost required to provide the service for which the fee and service charges are levied and the revenue sources anticipated to provide the service.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of El Cerrito finds that the San Pablo Avenue Planning Fees (as shown in Exhibit A) are a reasonable estimate of the costs of providing the services for which each fee will be charged.

BE IT FURTHER RESOLVED that the City Council hereby adopts the proposed addition of the San Pablo Avenue Planning Fees to the Master Fee Schedule for the City of El Cerrito (as shown in Exhibit A), which is hereby attached and by this reference made a part

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

hereof, for FY 2014-15. The San Pablo Avenue Specific Plan Maintenance Fee shall be applied to the types of projects, at the times, and in the amounts listed in Exhibit A.

BE IT FURTHER RESOLVED that the proposed fees, in the Master Fee Schedule will become effective on November 24, 2014, which is more than 60 days after adoption of this resolution required for development fees.

I CERTIFY that at the regular meeting on September 22, 2014 the El Cerrito City Council passed this resolution by the following vote:

AYES: Councilmembers Benassini, Bridges, Lyman and Mayor Abelson
NOES: None
ABSENT: Councilmember Friedman
ABSTAIN: None

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on September 24, 2014.


Cheryl Morse, City Clerk

APPROVED:

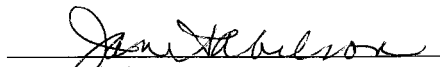

Janet Abelson, Mayor



Exhibit A:
SAN PABLO AVENUE SPECIFIC PLAN AREA
2014-2015 PLANNING FEES
 INTERIM EFFECTIVE DATE: SEPTEMBER 23, 2014
 EFFECTIVE DATE: NOVEMBER 24, 2014

This is the planning fee schedule for development projects in the San Pablo Avenue Specific Plan Area and therefore regulated by the San Pablo Avenue Specific Plan (SPASP) Form Based Code. If not noted below, all other relevant planning fees as listed in the City's Planning Fee Schedule shall also apply, including any applicable Development Permits. Fees listed below are generally standardized to cover applications for all projects.

Special Fees for Projects of Greater Complexity: Some projects may be determined by the Community Development Director to be more complex and consuming of staff time. The Community Development Director is authorized to require a deposit for estimated staff and consultant costs at the time of the application. Where a standard fee has been paid, the Community Development Director is authorized to require additional deposits to cover costs of extraordinary staff effort resulting from unforeseen complexities or time-consuming delays and extra meetings. Staff time will be calculated on an hourly basis, including full direct and indirect costs, as documented by the City of El Cerrito Citywide User Fee Study, 2005.

Item/ Description

SPA Specific Plan Fees	Amount
<i>Design Review</i>	
Tier 1 Residential and Non-Residential Projects	\$1,201
Tier 2 and Tier 3 Residential and Non-Residential Projects	
1. Up to 2,500 sqft	\$2,823
2. 2,501 - 10,000 sqft	\$3,842
1. 10,001 – 40,000 sqft	\$4,898
2. 40,001 – 100,000 sqft	\$6,171
3. 100,001+ sqft	\$7,776 base fee plus \$191 per hour of staff time in excess of that covered by the base fee
Tier 4 Residential and Non-Residential Projects	
1. Up to 10,000 sqft	\$7,578
2. 10,001 – 40,000 sqft	\$9,659
3. 40,001 – 100,000 sqft	\$11,796
4. 100,001 + sqft	\$14,694 base fee plus \$191 per hour of staff time in excess of that covered by the base fee
Use Permits (see FBC Table 02 in the SPASP Form Based Code for required use permits)	
Use Permits (All Tiers)	
1. Administrative Use Permit	\$905
2. Use Permit (up to 2,500 sqft)	\$3020

Resolution 2014-53

	Exhibit A: SAN PABLO AVENUE SPECIFIC PLAN AREA 2014-2015 PLANNING FEES INTERIM EFFECTIVE DATE: SEPTEMBER 23, 2014 EFFECTIVE DATE: NOVEMBER 24, 2014
---	--

3. Use Permit (2,501 to 10,000 sqft)	\$3,736
4. Use Permit (10,001 – 40,000 sqft)	\$4,761
5. Use Permit (40,001 – 100,000 sqft)	\$5,625
6. Use Permit (100,001 + sqft)	\$6,918
Environmental Review and Special Studies	
1. Specific Plan Environmental Check List and Initial Study	Consultant costs, plus City administrative fee (30% of consultant cost)
2. Categorical Exemption	\$204
3. Negative Declaration (City Prepared)	\$3,669 (any consultant costs are additional)
4. Mitigated Negative Declaration (City Prepared)	\$10,641 (any consultant costs are additional)
5. Administrative Fee for consultant prepared environmental documents	30% of consultant cost
6. Administrative fee for consultant prepared special study	30% of consultant cost
Miscellaneous	
1. Staff time per hour	\$191
2. Pre-Application Review Meeting with Staff	\$0
3. Pre-Application Design Review with Written Comments (staff time per hour)	\$191
4. Pre-Application Study Session with Planning Commission or Design Review Board	\$1,985
5. Community Design Charrette (if City Hosted)	\$2,865
6. Public Notice Mailing List Generation	\$101
7. Public Notice Mailing Fee (per address)	1 st class postage, plus 7 cents per envelop
8. Laserfiche/ Archiving	\$3 per page

SPA Specific Plan Maintenance Fee	Projects Applied To	Amount
Payable at time of building permit issuance	- Construction of new structures - Additions to existing structures	\$ 200 per residential unit \$0.18 per sq ft of non-residential

RESOLUTION 2014-54

EMERGENCY RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO
ESTABLISHING INTERIM PLANNING FEES RELATED TO IMPLEMENTATION OF THE
SAN PABLO AVENUE SPECIFIC PLAN

WHEREAS, on September 22, 2014 the City Council adopted the San Pablo Avenue Specific Plan (SPASP) which is predicated on the goals of the El Cerrito Strategic Plan; and

WHEREAS, this same day, the City Council adopted new development fees for projects in the Specific Plan Area because the current planning fees are insufficient to address the new administrative procedures and advanced planning needs of the SPASP. The anticipated costs of processing applications for development projects in the Specific Plan Area and of implementing and maintaining the SPASP are summarized and the method of calculating the Specific Plan Maintenance Fee is explained in Resolution 2014-53, which adopted the SPASP Planning Fees; and

WHEREAS, these new development fees are necessary to make the required findings and determinations outlined in the San Pablo Avenue Specific Plan in order to protect the public health, safety, and welfare of the community; and

WHEREAS, a public hearing was noticed and held prior to adoption of these fees in accordance with Government Code Sections 6062a, 66016, 66017 and 66018; and

WHEREAS, in accordance with Government Code Section 66017(a) which institutes a 60-day waiting period before development fees can become effective, the new SPASP planning fees will not be effective until November 24, 2014; and

WHEREAS, should a development application be made before the effective date of November 24, 2014, the entity or person filing the development application would avoid the responsibility to pay their fair share of costs necessary to process their applications and to administer and implement the SPASP. Administration and implementation of the SPASP benefits projects within the Specific Plan Area by ensuring that necessary studies have been completed and the SPASP remains up-to-date. Approval of projects within the Specific Plan Area requires the City to make the appropriate findings and determinations required by the SPASP. Regular updating of the SPASP and completion of required studies is necessary to make those findings; and

WHEREAS, failure of applicants to pay their fair share of the costs of processing their applications and to administer and implement the SPASP would shift these costs to the General Fund and frustrate the intent of the El Cerrito Strategic Plan to balance revenue with costs of new services; and

WHEREAS, pursuant to the authority granted under Government Code Section 66017(b), a local agency may adopt an urgency measure approving fee changes on an interim basis not to exceed 30 days; and

Attachment 2 - GPA Amendment & SPASP Agenda Bill & Resolutions

WHEREAS, a public hearing has been noticed and held in accordance with Government Code Section 66017.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of El Cerrito hereby adopts as an urgency measure the San Pablo Avenue Specific Plan Area Planning Fees (as shown in Exhibit A) on an interim basis for a period not to exceed 30 days. The San Pablo Avenue Specific Plan Maintenance Fee shall be applied to the types of projects, at the times, and in the amounts listed in Exhibit A.

BE IT FURTHER RESOLVED that the facts constituting the urgency justifying the adoption of the San Pablo Avenue Specific Plan Area Planning Fees on an interim basis are the following: the fees imposed by this resolution recover the costs of processing development applications within the SPASP Area and of administering and implementing the SPASP. The SPASP includes new procedures for approving development with the SPASP Area for which the City does not have established fees. It also requires additional studies and regular updating to provide an appropriate regulatory framework for development projects. Potential applicants for development projects within the Specific Plan Area have informed the City of their intent to submit applications shortly after the SPASP is in effect and before the SPASP Planning Fees will be effective. Without authority to impose appropriate fees for applications for development within the Specific Plan Area, the City would have to pay the costs of processing those applications and of administering and implementing the SPASP from the General Fund. Use of the General Fund to cover those costs would constrain the City's ability to fund other programs and services that protect the general health, safety, and welfare and would frustrate the policies expressed in the City's Strategic Plan to balance revenue with the costs of new services.

BE IT FURTHER RESOLVED that this urgency measure will become effective on September 23, 2014 and expire on close of business on October 22, 2014.

I CERTIFY that at the regular meeting on September 22, 2014 the El Cerrito City Council passed this resolution by the following vote:

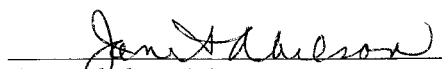
AYES: Councilmembers Benassini, Bridges, Lyman and Mayor Abelson
NOES: None
ABSENT: Councilmember Friedman
ABSTAIN: None

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on September 24, 2014.



Cheryl Morse, City Clerk

APPROVED:


Janet Abelson, Mayor

Resolution 2014-54



Exhibit A: SAN PABLO AVENUE SPECIFIC PLAN AREA 2014-2015 PLANNING FEES

INTERIM EFFECTIVE DATE: SEPTEMBER 23, 2014

EFFECTIVE DATE: NOVEMBER 24, 2014

This is the planning fee schedule for development projects in the San Pablo Avenue Specific Plan Area and therefore regulated by the San Pablo Avenue Specific Plan (SPASP) Form Based Code. If not noted below, all other relevant planning fees as listed in the City's Planning Fee Schedule shall also apply, including any applicable Development Permits. Fees listed below are generally standardized to cover applications for all projects.

Special Fees for Projects of Greater Complexity: Some projects may be determined by the Community Development Director to be more complex and consuming of staff time. The Community Development Director is authorized to require a deposit for estimated staff and consultant costs at the time of the application. Where a standard fee has been paid, the Community Development Director is authorized to require additional deposits to cover costs of extraordinary staff effort resulting from unforeseen complexities or time-consuming delays and extra meetings. Staff time will be calculated on an hourly basis, including full direct and indirect costs, as documented by the City of El Cerrito Citywide User Fee Study, 2005.

Item/ Description

SPA Specific Plan Fees	Amount
Design Review	
Tier 1 Residential and Non-Residential Projects	\$1,201
Tier 2 and Tier 3 Residential and Non-Residential Projects	
1. Up to 2,500 sqft	\$2,823
2. 2,501 - 10,000 sqft	\$3,842
1. 10,001 – 40,000 sqft	\$4,898
2. 40,001 – 100,000 sqft	\$6,171
3. 100,001+ sqft	\$7,776 base fee plus \$191 per hour of staff time in excess of that covered by the base fee
Tier 4 Residential and Non-Residential Projects	
1. Up to 10,000 sqft	\$7,578
2. 10,001 – 40,000 sqft	\$9,659
3. 40,001 – 100,000 sqft	\$11,796
4. 100,001 + sqft	\$14,694 base fee plus \$191 per hour of staff time in excess of that covered by the base fee
Use Permits (see FBC Table 02 in the SPASP Form Based Code for required use permits)	
Use Permits (All Tiers)	
1. Administrative Use Permit	\$905
2. Use Permit (up to 2,500 sqft)	\$3020

Resolution 2014-54



Exhibit A:
SAN PABLO AVENUE SPECIFIC PLAN AREA
2014-2015 PLANNING FEES
 INTERIM EFFECTIVE DATE: SEPTEMBER 23, 2014
 EFFECTIVE DATE: NOVEMBER 24, 2014

3. Use Permit (2,501 to 10,000 sqft)	\$3,736
4. Use Permit (10,001 – 40,000 sqft)	\$4,761
5. Use Permit (40,001 – 100,000 sqft)	\$5,625
6. Use Permit (100,001 + sqft)	\$6,918
Environmental Review and Special Studies	
1. Specific Plan Environmental Check List and Initial Study	Consultant costs, plus City administrative fee (30% of consultant cost)
2. Categorical Exemption	\$204
3. Negative Declaration (City Prepared)	\$3,669 (any consultant costs are additional)
4. Mitigated Negative Declaration (City Prepared)	\$10,641 (any consultant costs are additional)
5. Administrative Fee for consultant prepared environmental documents	30% of consultant cost
6. Administrative fee for consultant prepared special study	30% of consultant cost
Miscellaneous	
1. Staff time per hour	\$191
2. Pre-Application Review Meeting with Staff	\$0
3. Pre-Application Design Review with Written Comments (staff time per hour)	\$191
4. Pre-Application Study Session with Planning Commission or Design Review Board	\$1,985
5. Community Design Charrette (if City Hosted)	\$2,865
6. Public Notice Mailing List Generation	\$101
7. Public Notice Mailing Fee (per address)	1 st class postage, plus 7 cents per envelop
8. Laserfiche/ Archiving	\$3 per page

SPA Specific Plan Maintenance Fee	Projects Applied To	Amount
Payable at time of building permit issuance	- Construction of new structures - Additions to existing structures	\$ 200 per residential unit \$0.18 per sq ft of non-residential



AGENDA BILL

Agenda Item No. 5(O)

Date: May 19, 2015
To: El Cerrito City Council
From: Sean Moss, Senior Planner
Margaret Kavanaugh-Lynch, Development Services Manager
Subject: Annual Progress Report on the General Plan 2014

ACTION REQUESTED

Staff is requesting that the City Council receive and file the attached General Plan Annual Progress Report.

BACKGROUND

Government Code Section 65400(b) requires that an annual General Plan progress report be provided to the local legislative body, the Governor's Office of Planning and Research (OPR), and the Department of Housing and Community Development (HCD). The purpose of the report is to discuss the City's progress in implementing the General Plan, meeting its share of regional housing needs, and removing governmental constraints to the maintenance, improvement and development of housing.

California Health and Safety Code Section 34176.1(f) now also requires the City, the entity that assumed the housing functions and obligations of the former redevelopment agency, to prepare an annual Housing Successor Report regarding the Low and Moderate Income Housing Asset fund. The purpose of the report is to provide the governing body of the Housing Successor an annual report on the housing assets and activities of the Housing Successor under Part 1.85, Division 24 of the California Health and Safety Code, in particular sections 34176 and 34176.1 (Dissolution Law).

This year's reports cover the period between January 1, 2014 and December 31, 2014. The reports were forwarded to the Planning Commission on April 15, 2015. The Commission reviewed the reports and voted 6-0 to recommend that the reports be submitted to the State. After the City Council's review the report will be forwarded to the Governor's Office of Planning and Research and the State Department of Housing and Community Development.

Reviewed by:

Scott Hanin

Attachment 3 - Annual Progress Reports
Including Housing Reports

City Manager

Attachments:

1. 2014 Annual Progress Report on the General Plan, including Housing Element Implementation Tables A1, A2, A3, B and C.
2. Fiscal Year 2013-14 Housing Successor Annual Report



Annual Progress Report on the General Plan 2014

April 2015

City of El Cerrito
Community Development Department
10890 San Pablo Avenue
El Cerrito, CA 94530

INTRODUCTION

As required by Government Code Section 65400 (b), every city must submit an annual progress report to their legislative body, the Governor's Office of Planning and Research (OPR), and the Department of Housing and Community Development (HCD) on the implementation status of their General Plan. The annual report must also include discussion on the City's progress in providing its required share of affordable housing pursuant to Government Code Section 65584 and its efforts to remove governmental constraints for the maintenance, improvement and development of affordable housing per Section 65583.c(3) of the California Government Code.

This General Plan Annual Progress Report covers the period from January 1, 2014 to December 31, 2014.

The purpose for the Annual Progress Report is to assess how the General Plan is being implemented in accordance with adopted goals, policies and implementation measures; identify any necessary adjustments or modifications to the General Plan as a means to improve local implementation; provide a clear correlation between land use decisions that have been made during the 12-month reporting period and the goals, policies and implementation measures contained in the General Plan; and, to provide information regarding local agency progress in meeting its share of regional housing needs.

BACKGROUND

On August 30, 1999, the El Cerrito City Council adopted the City's current General Plan for implementation. The General Plan has nine elements contained within four separate chapters: Community Development and Design, Transportation and Circulation, Public Facilities and Services, Resources and Hazards. The General Plan contains the seven state-required elements which are land use, circulation, housing, conservation, open space, safety and noise. The State allows the combining of elements or the addition of new elements as long as the required seven elements are present in some fashion.

The General Plan is the City's vision for achieving more balanced residential, commercial, and civic uses within the city. The process of preparing the General Plan took place in 1998 and 1999 as the City embarked on a program to bring its 1975 General Plan up to date so that it could better meet future challenges. The process resulted in the following ten key principles designed to improve the quality of development and the long-term fiscal health of the City so that it can remain an attractive place to live and work:

1. No major changes in land-use patterns are expected to occur.
2. Emphasis will be on quality of development.
3. Incentives, if used, will have clear criteria and limits.
4. Emphasis will be on impacts of development, not on the type of development itself.
5. Increased residential development, where allowed, must be done with care in order to enhance neighborhoods.
6. New development in the San Pablo Avenue Corridor will be encouraged to take place in mixed-use activity centers that may extend up selected perpendicular streets in order to allow a more pedestrian friendly environment.

7. The preservation and enhancement of natural features – trees, creeks, natural open space areas – and historical features will be a high priority for the City.
8. The City should have distinct destination areas, including commercial areas, a civic center and community meeting places.
9. Development should contribute to the fiscal health of the City while minimizing adverse impacts.
10. Access should be improved by balancing automobile use with improved transit, bicycle, and pedestrian opportunities.

The General Plan sets forth the City's policies regarding the types and locations of future land uses and activities. It describes the desired character and quality of development as well as the process for how development should proceed.

While this General Plan can address many City issues, factors beyond El Cerrito's control have significant influence over its future land use and development patterns:

- Market forces play an important role in determining what types of uses are economically feasible and, therefore, built.
- Land use and transportation decisions in other cities and counties, and by state and regional agencies, affect El Cerrito.
- Our system of property rights places certain limitations on what cities can do in prescribing future land uses.
- California environmental law requires that we designate land uses in accordance with available infrastructure capacity (streets, sewer, water, natural resources, etc.).

Thus in creating the current General Plan, El Cerrito went through a process that ascertained the community's values for future land uses and activities, and balanced these values with market factors, city revenues, environmental constraints, and private property rights.

The El Cerrito General Plan reflects the aspirations and values of El Cerrito's residents and their elected representatives. The City Council and Planning Commission use the Plan in considering land use and planning-related decisions. City staff uses the Plan on a day-to-day basis to administer and regulate land use and development activity. Citizens can use the Plan to understand the City's approach to regulating development, protecting resources, and upholding community values.

GENERAL PLAN ADOPTION AND AMENDMENTS

1. Adoption Dates of Mandatory General Plan Elements

General Plan Element	Latest Adoption
Land Use	1999
Circulation	1999
Housing	2012 (2015 update pending)
Open Space	1999
Conservation	1999

Safety	1999
Noise	1999

2. List of General Plan Amendments

City Council approved a General Plan Amendment in September 22, 2014 to ensure internal consistency between the General Plan and the new San Pablo Avenue Specific Plan. The changes to the General Plan address the metrics that it uses to measure intensity and growth. This includes the removal of references to Density and Floor Area Ratio, (FAR) and a switch from the current automobile Level of Service standard (LOS) of D to an automobile LOS E along with Multimodal Level of Service (MMLOS) standards for transit, pedestrian and bicycle uses. Traditionally, density and FAR are ways that planners used to describe and quantify the amount of housing units in an acre and overall building intensity. Instead of using those more indirect building form controls, FBC uses building form regulation to control the configuration, features and architectural aspects of projects as they relate to the public realm. Amendments were made to Chapter 2 Strategic Approach, Chapter 4 Community Development and Design. The 2013 Growth Management Element Update, Chapter 5 Transportation and Circulation, 2007-2014 Housing Element.

The General Plan Map was also amended to illustrate the two new designations of Transit-Oriented Mid-Intensity Mixed Use (TOMIMU) and Transit-Oriented Higher-Intensity Mixed Use (TOHIMU) created by the San Pablo Avenue Specific Plan.

GENERAL PLAN UPDATES

1. General Plan Housing Element Update

Within the 2014 reporting period, City staff commenced preparation of a Housing Element update for the period from 2015-2023. In December 2014, the Planning Commission recommended that the City Council authorize submission of the draft Housing Element to the California Department of Housing and Community Development. Adoption of the 2015-2023 Housing Element is expected in 2015.

2. Overall General Plan Update

Staff is generating a scope for a General Plan update to commence as soon as funding can be identified.

GENERAL PLAN IMPLEMENTATION

Chapter 4: Community Development and Design

Land Use

Goal LU1: A high-quality residential character within El Cerrito.

Goal LU2: A land use pattern and mix of uses that contribute to the financial health and stability of the community.

The City Council adopted the San Pablo Avenue Specific Plan to encourage a mixture of uses along San Pablo Avenue and to promote development opportunities along San Pablo Avenue which will contribute to the financial health of the City.

Goal LU3: A development pattern that enhances a strong sense of community.

The City Council adopted the San Pablo Avenue Specific Plan which identifies the areas nearest the City's two BART stations as areas for high-intensity mixed use development. It is envisioned that this development will promote a sense of place and community.

Goal LU4: A safe, attractive, and interesting community

In 2014, BART completed the retrofit of the aerial BART structure through El Cerrito and work on safety improvements to the Ohlone Greenway pursuant to the Ohlone Greenway Master Plan.

Goal LU5: A land use pattern and types of development that support alternatives for the movement of people, goods, and ideas.

In 2009, the city voters approved a bond measure (Measure A) to improve local streets. In 2014 Measure A funds were used to pay for street improvements such as paving, installation of curb ramps, and replacing damaged storm drain pipes throughout the City.

Goal LU6: Development patterns that promote energy efficiency, conservation of natural resources, and use of renewable rather than nonrenewable resources.

The City continues to implement the Zoning Ordinance recently updated in 2008. The revised ordinance puts a focus on more intense development in the "nodes" around the BART station and Civic Center areas as designated within the General Plan.

In 2014, the City continued to implement the Climate Action Plan which identifies energy efficiency and efficient development patterns as methods to achieve the City's greenhouse gas reduction targets.

Community Design

Goal CD1: A city organized and designed with an overall attractive, positive image and "sense of place."

Goal CD2: A city with attractive, safe, and functional streets, parking areas, and pedestrian walkways.

In 2014 the City Council adopted the San Pablo Avenue Specific Plan, including a Complete Streets component which addresses the safety and usability of streets in the plan area.

Goal CD3: A city with attractive landscaping of public and private properties, open space, and public gathering spaces.

In 2014, the City completed construction of the Ohlone Greenway Natural Area and Raingardens project which will improve the Ohlone Greenway. The Design Review Board continues to review new landscaping plans on private properties.

The San Pablo Avenue Specific Plan (adopted in 2014) contains new standards for landscaping within the plan area.

Goal CD4: Well designed buildings that are compatible with their surroundings.

The City continued to implement the Design Review process pursuant to the Zoning Ordinance to ensure that new development is well-designed.

Goal CD5: A design process that achieves design objectives while being efficient and allowing for flexibility.

In 2014, the City continued to utilize the design review process to achieve the General Plan goals above. Design review in the City of El Cerrito is intended to encourage high-quality design, well-crafted and maintained buildings and landscaping, the use of higher-quality building materials, and attention to the design and execution of building details and amenities in both public and private projects.

Goal CD6: An urban form that sustains a vital commercial community to meet the diverse needs of the local and regional population.

Housing – see attachment for Housing Element annual report

Growth Management

Goal GM1: A coordinated regional and sub-regional planning system that provides better service and less congestion for residents of El Cerrito

In 2014, the City participated in the I-80 Integrated Corridor Mobility Project, a multi-agency effort to ease congestion on Interstate 80. This project is an effort of CalTrans in cooperation with ten municipalities, two transit agencies and four regional agencies.

Goal GM2: Compliance with applicable level of service standards.

In 2014, the City, through the CEQA review process, continued to ensure that new development meets the level of service standards in the General Plan.

The San Pablo Avenue Specific Plan (adopted in 2014) adopted new service standards for streets within the plan area. These service standards are in greater compliance with the City's complete streets goals.

Goal GM3: Timely review of projects that are heavy traffic generators.

All development projects processed by the City are evaluated against and comply with applicable service standards. All applications regardless of traffic generation are processed in a timely fashion.

Goal GM4: Effective community-wide programs to reduce traffic impacts of new projects.

In 2014, the City approved the San Pablo Avenue Specific Plan that stepped away from Level of Service (LOS) metrics and towards Multi-Modal Level of Service (MMLOS). This will allow the quantification and analysis of all modes of transportation and create opportunities to maximize mode shift for transit, bicycles and pedestrians.

Goal GM5: An effective system of providing urban services.

Chapter 5: Transportation and Circulation

Goal T1: A transportation system that allows safe and efficient travel by a variety of modes and promotes the use of alternatives to the single-occupant vehicle.

In 2010, the Public Works Department developed a Neighborhood Traffic Management Program (NTMP) to address resident concerns regarding speeding, high traffic volumes and pedestrian and bicycle comfort and safety in El Cerrito's neighborhoods. The NTMP was based on previous efforts in the City, guidance provided by the City's General Plan and City Council, policies and lessons learned from other jurisdictions, practices published by the transportation industry, and community input. In 2014 the ongoing NTMP process allowed neighborhoods and applicants to achieve safer streets through adding striping or speed bumps in neighborhoods.

In May 2014, the City sponsored an "Energizer Station" as part of Bike to Work Day, a regional effort to increase bicycling.

Goal T2: A land use pattern that encourages walking, bicycling, and public transit use.

The Complete Streets component of the San Pablo Avenue Specific Plan (adopted in 2014) seeks to accommodate all modes of transportation on San Pablo Avenue and prioritizes pedestrians and public transit along this corridor.

Goal T3: A transportation system that maintains and improves the livability of the City.

In 2014, the City approved the San Pablo Avenue Specific Plan that stepped away from Level of Service (LOS) metrics and towards Multi-Modal Level of Service (MMLOS). This will allow the quantification and analysis of all modes of transportation and create opportunities to maximize mode shift for transit, bicycles and pedestrians.

Goal T4: A minimum amount of land used for parking and minimal parking intrusion in neighborhoods.

The San Pablo Avenue Specific Plan (adopted in 2014) adopted new parking standards for both commercial and residential development. The Plan generally reduced parking requirements within the plan area, while ensuring that adequate parking is provided.

Further reductions of parking require preparation of a parking study and may require enhanced transportation demand management.

Chapter 6: Public Facilities and Services

Parks, Recreations and Open Space

Goal PR1: Adequate, diverse, and accessible recreational opportunities for all residents – including children, youth, seniors, and others with special needs – in parks, school yards, and open space.

To provide better recreational opportunities for the City's youth, the City has created after-school band programs at all Elementary Schools in the City. These programs replace previous school program which was cut due to funding shortages.

In 2014, the City continued to sponsor the popular worldOne 4th of July Festival at Cerrito Vista Park. The event features programs and activities for diverse audiences. The City also continued to sponsor various community film events at the Rialto Cinemas Cerrito Theatre and City Hall over the course of 2014.

The City offers ESL conversation classes at the El Cerrito Community Center. The City continues to offer a range of programs for seniors at the Senior Center as well as a range of programs for youth at various City facilities.

Goal PR2: High quality open space protected for the benefit of present and future generations, reflecting a variety of important values: ecological, educational, aesthetic, economic and recreational. These values are interwoven throughout the community in numerous ways so that the preservation of open space is very important to the well being of the City.

The City received a grant for improvements to the Ohlone Greenway south of the El Cerrito Plaza BART Station in 2010. The Ohlone Greenway Urban Natural Area and Raingardens project is intended to enhance community, environmental quality and neighborhood livability through integrating additional ecological and community functions along the Greenway. The project was completed in 2014. The project's design includes elements to treat urban stormwater runoff; create an informal play and gathering area; improve walkability; utilize and demonstrate low-maintenance, low water using native landscaping; improve riparian habitat; and foster connection to nature in an urban and accessible location adjacent to neighborhoods, schools, retail, transit and future development.

In 2012, the City was awarded a grant to prepare an Urban Greening plan for El Cerrito. The preparation of the Urban Greening Plan continued in 2014.

Goal PR3: Public access to open space areas while protecting important habitats.

In 2013, the City entered into a Purchase and Sale Agreement with the Trust For Public Land for the acquisition of the 8-acre Madera Hillside Open Space property. The acquisition process for this property continued in 2014. This property is adjacent to the

City's Hillside Natural Area and provides a unique opportunity to connect Hillside Natural Area North to Hillside Natural Area South.

Non-Recreational Facilities

Goal CF1: Safe and adequate community facilities that allow the City to offer better services and inspire a sense of community pride.

In 2014, the City continued to enhance operations at the new Recycling and Environmental Resources Center which was completed in 2012. This project was funded entirely from the City's Integrated Waste Management Fund. With the 2009 change in the method of collection to a single stream (also known as "fully commingled") method with the larger carts instead of a small sorted bin method that had been in place for years, the amount and variety of recyclables has increased. Also the decision to discontinue sorting recyclables at the Center, and instead taking them directly to the recycling processor, eliminates the need for a sorting area. This reduced the size and cost of the facility, and allows for a greater focus on community education and drop-off for items that are difficult to recycle such as florescent lights, electronics and items that could be reused.

The City continued to serve the community from the City Hall which was completed in 2009.

Public Services and Infrastructure

Goal PS1: An adequate, comprehensive, coordinated law enforcement system consistent with the needs of the community.

In 2014, the City of El Cerrito continued it's participation in National Night Out as a way to promote anti-crime programs in the City.

Goal PS2: A community that has minimized the risks to lives and property due to fire hazards.

El Cerrito's comprehensive fire hazard reduction program focuses upon reducing fire hazards in four areas: (1) on City property, (2) on property owned by other agencies (3) large landowners, and (4) on residential property.

The fire hazard abatement program is designed to reduce fire hazards on a large number of private properties during the spring and early summer months. A process of advance notice and hearings for property owners is coupled with a public education program involving the promulgation of standards for vegetation management in residents' yards and vacant lots.

This program seeks to remove weeds, rubbish, litter or other flammable material from private properties where such flammable material endangers the public safety by creating a public nuisance and a fire hazard. Most property owners voluntarily abate these hazards without Fire Department involvement. Ideally, 100% of the property owners would do so. We anticipate that a small number of owners are content to have the City do the work and place the costs on their tax bill.

Over the past nineteen years, the City's annual fire hazard abatement program has been very successful in reducing fire hazards throughout the hill neighborhoods of El Cerrito.

Goal PS3: Safe and adequate public infrastructure to serve El Cerrito's residents, now and in the future.

As mentioned previously, the City continued implementation of the Street Paving Project funded by Measure A.

Goal PS4: An adequate storm drainage system to serve existing and future planned development

In March 1993, the voters of the City of El Cerrito approved the issuance of \$6.3 million in revenue bonds for the reconstruction of the City's storm drain system. In June 1993, the City Council adopted Ordinance 93-4, providing for the imposition and collection of Storm Drain Fees to pay the debt service on the revenue bonds. Ordinance 93-4 set the Storm Drain Fee and provided that the fees are collected through the property tax based on amounts specified in an annual Engineer's report. This Engineer's report contains the description of each parcel of real property receiving storm drain services and the amount of the annual fee for each parcel.

Goal PS5: A system that minimizes the City's generation and disposal of solid waste materials by providing an adequate and integrated waste management program and related facilities to serve existing and future planned development.

In 2012, the City completed construction of the Recycling and Environmental Resource Center. The Center allows the City to improve collection for all constituents. In addition to the City's continued curbside pickup program, the Recycling and Environmental Resource Center provides convenient drop-off facilities. The Center allows the City to expand the range of items accepted for disposal. The Center has expanded the items that the City is able to accept, including compact fluorescent light bulbs and styrofoam. The Center has been designed as a facility that will provide maximum flexibility to meet future, changing waste disposal needs.

Chapter 7: Resources and Hazards

Natural and Historic Resources

Goal R1: Protected natural resources (important habitat, ecological resources, key visual resources, ridges and ridgelines, creeks and streambanks, steeper slopes, vista points, and major features), and clean air and water.

Goal R2: Protected and rehabilitated architectural, historical, cultural, and archaeological resources that are of local, state, or federal significance.

In 2014, the City Council approved the 1715 Elm Street project. As part of the project, the existing house will be relocated on the property and rehabilitated to the Department of the Interior's standards.

Hazards

Goal H1: Minimal potential for loss of life, injury, damage to property, economic and social dislocation and unusual public expense due to natural and man-made hazards, including protection from the risk of flood damage, hazards of soil erosion, fire hazards, weak and expansive soils, potentially hazardous soils materials, other hazardous materials, geologic instability, seismic activity, and release of hazardous materials from refineries and chemical plants in West County.

In 2014, the City continued to oversee the residential rental inspection program.

The City also continued implementation of the Unreinforced Masonry (URM) building hazard mitigation ordinance. The City continues to work with property owners to permit retrofit work for URM buildings.

Goal H2: Government agencies, citizens and businesses are prepared for an effective response and recovery in the event of emergencies or disasters.

In 2014, the Fire Department continued the very popular Community Emergency Response Team (CERT) program. The program teaches neighbors to help themselves and help each other. Through CERT, citizens receive hands-on training in Disaster First Aid, Disaster Preparedness, Basic Firefighting, Light Search and Rescue, Damage Assessment, and How to Turn Off Utilities.

The Fire Department has also continued internal National Incident Management System (NIMS) and the Incident Command System (ICS) training for City staff. Through the training, staff members directly involved in managing an emergency will understand command reporting structures, common terminology, and roles and responsibilities inherent in a response operation.

Goal H3: New development complies with the noise standards established in the General Plan, all new noise sources are within acceptable standards, and existing objectionable noise sources are reduced or eliminated.

All new development is evaluated under CEQA using the noise standards currently in the General Plan. These noise standards were incorporated into updated Zoning Ordinance in 2008 as performance standards required of all development.

CONCLUSION

To date, staff believes the City has continued to faithfully implement the City's 1999 General Plan as the actions, plans, programs and projects documented in this report represent the City's commitment to achieve the goals and objectives set forth in the elements of the El Cerrito General Plan.

ATTACHMENTS:

1. HCD - Housing Element Annual Report
2. Housing Successor Annual Report

Attachment 3 - Annual Progress Reports
Including Housing Reports

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of El Cerrito

Reporting Period 1/1/2014 - 12/31/2014

Table A

Annual Building Activity Report Summary - New Construction
Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information								Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions	
1	2	3	4				5	5a	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
		R=Renter O=Owner	Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income			See Instructions	See Instructions	
Ohlone Gardens		R	56				56	56		56	
(9) Total of Moderate and Above Moderate from Table A3 ▶ ▶			0			6		6			
(10) Total by income Table A/A3 ▶ ▶			56				6	62			
(11) Total Extremely Low-Income Units*			0								

* Note: These fields are voluntary

Attachment 3 - Annual Progress Reports
Including Housing Reports

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of El Cerrito
Reporting Period 1/1/2014 - 12/31/2014

Table A2

Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity	0	0	0	0	
(2) Preservation of Units At-Risk	0	0	0	0	
(3) Acquisition of Units	0	0	0	0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

Table A3

**Annual building Activity Report Summary for Above Moderate-Income Units
(not including those units reported on Table A)**

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate						0	
No. of Units Permitted for Above Moderate	5			1		6	6

* Note: This field is voluntary

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.			2007	2008	2009	2010	2011	2012	2013	2014		Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level		RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8			
Very Low	Deed Restricted	93			28					56		84	9
	Non-deed restricted												
Low	Deed Restricted	59	9									9	50
	Non-deed restricted												
Moderate	Deed Restricted	80	10		28							38	42
	Non-deed restricted												
Above Moderate		199	147	6	9	7	2	5	10	6		192	7
Total RHNA by COG. Enter allocation number:		431		6	65	7	2	5	10	62		323	108
Total Units ► ► ►		166											
Remaining Need for RHNA Period ► ► ► ► ►													

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction: El Cerrito
Reporting Period: 2014

Table C
Program Implementation Status - Certified HE 2012

Program Description (By Housing Element Program Names)		
Name of Program	Deadline in HE	Status of Implementation
Program 1.1 - Continue to implement the Residential Rental Inspection Program	Ongoing	New cycle started in 2013
Program 1.2 - Continue to investigate complaints and take action about rental housing code violations	Ongoing	Ongoing
Program 1.3 - Continue to encourage the rehabilitation of existing housing units by providing program information	2010	Information available to the public at the front counter
Program 1.4 - Continue to permit new housing units & rehabilitation in mixed use & commercial zoning districts	Ongoing	Allowed for by Zoning Ordinance
Program 1.5 - Continue to regulate condominium conversions	Ongoing	Mandated by Zoning Ordinance
Program 1.6 - Continue to regularly monitor assisted housing units to help preserve existing stock of affordable housing	Annual	Annual monitoring completed in 2014
Program 1.7 - Continue to enforce notification requirements on BMR and Section units	Ongoing	Mandated by Zoning Ordinance
Program 1.8 - Annual review of the City Capital Improvements Program (CIP)	Annual	The Planning Commission reviewed and certified the CIP in 2014.
Program 2.1 - Retain existing residential zoning and discourage non-residential uses	Ongoing	Mandated by Zoning Ordinance
Program 3.1 - Consider enacting additional incentive programs to encourage retrofit of seismically unsafe buildings	Ongoing	Ongoing
Program 3.2 - Explore possible funding sources to minimize financial impact of retrofits on low/mod income residents	Ongoing	Ongoing
Program 4.1 - Conduct an annual evaluation of the City's inventory of available sites	Annual	Inventory was evaluated as part of the 2015-2023 Housing Element Update
Program 5.1 - Maintain General Plan designations for mixed use and high density housing	Ongoing	Ongoing
Program 6.1 - Continue to fast track processing for second units meeting established City standards	Ongoing	Allowed for by Zoning Ordinance
Program 6.2 - Consider the establishment of a "pre-approved" second unit program.	2012-2013	Evaluating Santa Cruz second unit program
Program 7.1 - Continue to implement City regulations that allow manufactured and prefab housing in residential districts	Ongoing	Allowed for by Zoning Ordinance
Program 8.1 - Continue to identify underutilized properties where transit oriented development can occur.	Ongoing	Ongoing
Program 9.1 - Use existing zoning regulations to allow innovative approaches to increasing affordable housing.	Ongoing	Allowed for by Zoning Ordinance
Program 10.1 - Revise the Zoning Ordinance to include housing size diversity standards	2012	Ongoing
Program 11.1 - Continue to enforce the Zoning Ordinance which provides incentives for affordable housing	Ongoing	Mandated by Zoning Ordinance
Program 11.2 - Continue to inform developers about and allow density bonuses	Ongoing	Ongoing

Attachment 3 - Annual Progress Reports
Including Housing Reports
Table C
Program Implementation Status - Certified HE 2012

Program Description (By Housing Element Program Names)		
Name of Program	Deadline in HE	Status of Implementation
Program 12.1 - During the annual Master Fee Schedule revision, evaluate development fees.	Annual	Fees were updated with Master Fee Schedule as part of 2014 Budget
Program 13.1 - Streamline the application process by continuing to offer interdepartmental team meetings for applicants	Ongoing	Ongoing
Program 14.1 - Continue to enforce the Zoning Ordinance and encourage Transit Oriented development	Ongoing	Ongoing
Program 15.1 - Assist developers in obtaining state and federal funding available to develop affordable housing	Ongoing	Ongoing
Program 15.2 - Continue to enforce Federal and State Accessibility and Adaptability standards	Ongoing	Required by Building Code
Program 15.3 - Continue to fast track inspection processes for large family and special needs housing.	Ongoing	Ongoing
Program 15.4 - Continue to encourage and support development of senior housing	Ongoing	Ongoing
Program 15.5 - Facilitate the provision of housing that supports 'aging in place' for the City's senior population	Ongoing	The Planning Commission approved 56 units of "age in place" senior housing in December 2013. The project is not yet constructed.
Program 15.6 - Update the Zoning Ordinance to include a definition of transitional and support housing	2012	Completed with the adoption of the San Pablo Avenue Specific Plan (2014) and corresponding Zoning Ordinance Amendment.
Program 16.1 - Assist in the development of extremely low-, very low-, low- and moderate income housing	Ongoing	Ongoing
Program 16.2 - Study the feasibility of an inclusionary housing ordinance	2012	Under development
Program 16.3 - Encourage developers to leverage limited Housing Funds with other assistance	Ongoing	Ongoing
Program 17.1 - Continue to allow emergency and transitional housing as a permitted use within the CC zone	Ongoing	Mandated by Zoning Ordinance
Program 17.2 - Consult with other agencies to maintain 2007-2014 demand estimate for emergency housing	Ongoing	Ongoing
Program 17.3- Coordinate with the County and cities to develop the annual 5-year consolidated plan	Ongoing	Ongoing
Program 18.1 - Look for opportunities with non-profits and other cities to expand the City's supply of affordable housing	Ongoing	Ongoing
Program 19.1 - Continue to provide non-discrimination clauses in rental agreements and deed restrictions	Ongoing	Ongoing
Program 19.2 - Reasonable Accommodation procedures	Ongoing	Required by Building Code
Program 19.3 - Continue the City's participation in the Contra Costa Urban County CDBG Consortium.	Ongoing	Ongoing
Program 19.4 - Continue to allow emergency, transitional and supportive housing as a permitted use within the CC zone	Ongoing	Mandated by Zoning Ordinance
Program 20.1 - Develop an energy conservation strategy	2011	Implementation of the Climate Action Plan continued in 2014
Program 21.1 - Continue to enforce the State Energy Conservation Standards	Ongoing	Mandated by Building Code
Program 22.1 - Develop policies consistent with AB32 and SB375 to establish common thresholds for green buildings	2011	Implementation of the Climate Action Plan continued in 2014
Program 23.1 - Continue to provide for increased density, reduced parking and design and development standards	Ongoing	Allowed for by Zoning Ordinance

**HOUSING SUCCESSOR ANNUAL REPORT
REGARDING THE
LOW AND MODERATE INCOME HOUSING ASSET FUND
FOR FISCAL YEAR 13-14 PURSUANT TO
CALIFORNIA HEALTH AND SAFETY CODE SECTION 34176.1(f)
FOR THE
CITY OF EL CERRITO HOUSING
SUCCESSOR**

This Housing Successor Annual Report (Report) regarding the Low and Moderate Income Housing Asset Fund (LMIHAF) has been prepared pursuant to California Health and Safety Code Section 34176.1(f) and is dated as of April 1, 2015. This Report sets forth certain details of the City of El Cerrito Housing Successor (Housing Successor) activities during Fiscal Year 13-14 (Fiscal Year). The purpose of this Report is to provide the governing body of the Housing Successor an annual report on the housing assets and activities of the Housing Successor under Part 1.85, Division 24 of the California Health and Safety Code, in particular sections 34176 and 34176.1 (Dissolution Law).

The following Report is based upon information prepared by Housing Successor staff and information contained within the independent financial audit of the Low and Moderate Income Housing Asset Fund within the City of El Cerrito's Comprehensive Annual Financial Report for Fiscal Year 13-14 (Fiscal Year) as prepared by Maze & Associates (Audit), which Audit is separate from this annual summary Report; further, this Report conforms with and is organized into sections I. through XI., inclusive, pursuant to Section 34176.1(f) of the Dissolution Law:

- I. Amount Deposited into LMIHAF:** This section provides the total amount of funds deposited into the LMIHAF during the Fiscal Year. Any amounts deposited for items listed on the Recognized Obligation Payment Schedule (ROPS) must be distinguished from the other amounts deposited.
- II. Ending Balance of LMIHAF:** This section provides a statement of the balance in the LMIHAF as of the close of the Fiscal Year. Any amounts deposited for items listed on the ROPS must be distinguished from the other amounts deposited.
- III. Description of Expenditures from LMIHAF:** This section provides a description of the expenditures made from the LMIHAF during the Fiscal Year. The expenditures are to be categorized.
- IV. Statutory Value of Assets Owned by Housing Successor:** This section provides the statutory value of real property owned by the Housing Successor, the value of loans and grants receivables, and the sum of these two amounts.

- V. Description of Transfers:** This section describes transfers, if any, to another housing successor agency made in previous Fiscal Year(s), including whether the funds are unencumbered and the status of projects, if any, for which the transferred LMIHAF will be used. The sole purpose of the transfers must be for the development of transit priority projects, permanent supportive housing, housing for agricultural employees or special needs housing.
- VI. Project Descriptions:** This section describes any project for which the Housing Successor receives or holds property tax revenue pursuant to the ROPS and the status of that project.
- VII. Status of Compliance with Section 33334.16:** This section provides a status update on compliance with Section 33334.16 for interests in real property acquired by the former redevelopment agency prior to February 1, 2012. For interests in real property acquired on or after February 1, 2012, provide a status update on the project.
- VIII. Description of Outstanding Obligations under Section 33413:** This section describes the outstanding inclusionary and replacement housing obligations, if any, under Section 33413 that remained outstanding prior to dissolution of the former redevelopment agency as of February 1, 2012 along with the Housing Successor's progress in meeting those prior obligations, if any, of the former redevelopment agency and how the Housing Successor's plans to meet unmet obligations, if any.
- IX. Income Test:** This section provides the information required by Section 34176.1(a)(3)(B), or a description of expenditures by income restriction for five year period, with the time period beginning January 1, 2014 and whether the statutory thresholds have been met. However, reporting of the Income Test is not required until 2019.
- X. Senior Housing Test:** This section provides the percentage of units of deed-restricted rental housing restricted to seniors and assisted individually or jointly by the Housing Successor, its former redevelopment Agency, and its host jurisdiction within the previous 10 years in relation to the aggregate number of units of deed-restricted rental housing assisted individually or jointly by the Housing Successor, its former Redevelopment Agency and its host jurisdiction within the same time period. For this Report the ten-year period reviewed is January 1, 2004 to January 1, 2014.
- XI. Excess Surplus Test:** This section provides the amount of excess surplus in the LMIHAF, if any, and the length of time that the Housing Successor has had excess surplus, and the Housing Successor's plan for eliminating the excess surplus.

This Report is to be provided to the Housing Successor's governing body by April 1, 2015. In addition, this Report and the former redevelopment agency's pre-dissolution Implementation Plans are to be made available to the public on the City's website.

I. AMOUNT DEPOSITED INTO LMIHAF

A total of \$559,632 was deposited into the LMIHAF during the Fiscal Year. Of the total funds deposited into the LMIHAF, a total of \$531,152 was held for items listed on the ROPS, and \$24,803 was received as an annual repayment of the SERAF/ERAF loan obligation owed by the Successor Agency to the LMIHAF.

II. ENDING BALANCE OF LMIHAF

At the close of the Fiscal Year, the ending balance in the LMIHAF was \$9,674,646 (Fund Balance) of which \$0 is held for items listed on the ROPS.

III. DESCRIPTION OF EXPENDITURES FROM LMIHAF

The following is a description of expenditures from the LMIHAF by category:

Monitoring & Administration Expenditures	\$	112,464
Homeless Prevention & Rapid Rehousing Services Expenditures	\$	-
Housing Development Expenditures		
- Expenditures on Low Income Units	\$	-
- Expenditures on Very Low Income Units	\$	37,742
- Expenditures on Extremely Low Income Units	\$	493,410
Total Housing Development Expenditures	\$	531,152

IV. STATUTORY VALUE OF ASSETS OWNED BY HOUSING SUCCESSOR IN LMIHAF

Under the Dissolution Law and for purposes of this Report, the “statutory value of real property” means the value of properties formerly held by the former redevelopment agency as listed on the housing asset transfer schedule approved by the Department of Finance as listed in such schedule under Section 34176(a)(2), the value of the properties transferred to the Housing Successor pursuant to Section 34181(f), and the purchase price of property(ies) purchased by the Housing Successor. Further, the value of loans and grants receivable is included in these reported assets held in the LMIHAF.

The following provides the statutory value of assets owned by the Housing Successor.

Statutory Value of Real Property Owned by Housing Successor	\$ 3,950,000
Value of Loans and Grants Receivable	\$5,697,959
Total Value of Housing Successor Assets	\$9,647,959

V. DESCRIPTION OF TRANSFERS

The Housing Successor did not make any LMIHAF transfers to other Housing Successor(s) under Section 34176.1(c)(2) during the Fiscal Year.

VI. PROJECT DESCRIPTIONS

The following is a description of project(s) for which the Housing Successor receives or holds property tax revenue pursuant to the ROPS as well as the status of the project(s):

Project Name	Status of Project
6495 Portola Drive/Ohlone Gardens	Under construction. Estimated completion July 2015.
10848-10860 San Pablo Ave./Eden Housing, Inc	City has entered into a Disposition, Development and Loan Agreement with Eden Housing, and Eden Housing has obtained land use entitlements.

VII. STATUS OF COMPLIANCE WITH SECTION 33334.16

Section 34176.1 provides that Section 33334.16 does not apply to interests in real property acquired by the Housing Successor on or after February 1, 2012; however, this Report presents a status update on the project related to such real property. The City of El Cerrito Housing Successor has not acquired interest in real property after February 1, 2012.

With respect to interests in real property acquired by the former redevelopment agency *prior* to February 1, 2012, the time periods described in Section 33334.16 shall be deemed to

Attachment 3 - Annual Progress Reports
Including Housing Reports

have commenced on the date that the Department of Finance approved the property as a housing asset in the LMIHAF; thus, as to real property acquired by the former redevelopment agency now held by the Housing Successor in the LMIHAF, the Housing Successor must initiate activities consistent with the development of the real property for the purpose for which it was acquired within five years of the date the DOF approved such property as a housing asset.

The following provides a status update on the real property or properties housing asset(s) that were acquired prior to February 1, 2012 and compliance with five-year period:

The following provides a status update on the project(s) for property or properties that have been acquired by the Housing Successor using LMIHAF on or after February 1, 2012:

Address of Property	Date of Acquisition*	Deadline to Initiate Development Activity	Status of Housing Successor Activity
10848-10860 San Pablo Ave.	9/5/2012	9/5/2017	In December 2013, Eden Housing obtained land use entitlements for project. City has entered into a Disposition, Development and Loan Agreement with Eden Housing effective April 2014.

* Date that the State Department of Finance approved the property as a housing asset in the LMIHAF.

VIII. DESCRIPTION OF OUTSTANDING OBLIGATIONS PURSUANT TO SECTION 33413

Replacement Housing: According to the FY 2011-12 Implementation Plan for the former redevelopment agency, no Section 33413(a) replacement housing obligations were transferred to the Housing Successor. The former redevelopment agency's Implementation Plan is posted on the City's website at <http://www.el-cerrito.org/index.aspx?nid=914>.

Inclusionary/Production Housing. According to the FY 2011-12 Implementation Plan for the former redevelopment agency, no Section 33413(b) inclusionary production housing obligations were transferred to the Housing Successor. The former redevelopment agency's Implementation Plans are posted on the City's website at <http://www.el-cerrito.org/index.aspx?nid=914>.

The City of El Cerrito Redevelopment Agency contained one redevelopment project area, the 368-acre El Cerrito Redevelopment Project Area. As of the date when the Housing Successor assumed the housing assets and functions of former Agency, the Agency's affordable housing production obligation consisted of a surplus of 72 units affordable to very low income households and a surplus of 52 units affordable to low or moderate income households. The total former Redevelopment Agency affordable housing production

obligations are in surplus of the requirement and no obligations were transferred to the Housing Successor.

IX. EXTREMELY-LOW INCOME TEST

Section 34176.1(a)(3)(B) requires that the Housing Successor must require at least 30% of the LMIHAF to be expended for development of rental housing affordable to and occupied by households earning 30% or less of the AMI. If the Housing Successor fails to comply with the Extremely-Low Income requirement in any five-year report, then the Housing Successor must ensure that at least 50% of the funds remaining in the LMIHAF be expended in each fiscal year following the latest fiscal year following the report on households earning 30% or less of the AMI until the Housing Successor demonstrates compliance with the Extremely-Low Income requirement. This information is not required to be reported until 2019 for the 2014 – 2019 period.

X. SENIOR HOUSING TEST

The Housing Successor is to calculate the percentage of units of deed-restricted rental housing restricted to seniors and assisted by the Housing Successor, the former redevelopment agency and/or the City within the previous 10 years in relation to the aggregate number of units of deed-restricted rental housing assisted by the Housing Successor, the former redevelopment agency and/or City within the same time period. If this percentage exceeds 50%, then the Housing Successor cannot expend future funds in the LMIHAF to assist additional senior housing units until the Housing Successor or City assists and construction has commenced on a number of restricted rental units that is equal to 50% of the total amount of deed-restricted rental units.

The former El Cerrito Redevelopment Agency, the City of El Cerrito, and the Housing Successor did not produce any Senior Housing during the 10 year period of January 1, 2004 to December 31, 2014.

XI. EXCESS SURPLUS TEST

Excess Surplus is defined in Section 34176.1(d) as an unencumbered amount in the account that exceeds the greater of one million dollars (\$1,000,000) or the aggregate amount deposited into the account during the Housing Successor's preceding four Fiscal Years, whichever is greater.

The following provides the Excess Surplus test for the preceding four Fiscal Years:

	FY 2010/11	FY 2011/12	FY 2012/13	FY 2013/14
Beginning Balance	N/A	\$0	\$214,864	\$110,366
Add: Deposits	N/A	\$416,385	\$ 1,151	\$559,632
(Less) Expenditures	N/A	\$201,521	\$105,649	\$643,616
Ending Balance	N/A	\$214,864	\$110,366	\$ 26,382

The LMIHAF does not have an Excess Surplus.

Date: March 21, 2017
To: El Cerrito City Council
From: Sean Moss, Senior Planner
Margaret Kavanaugh-Lynch, Development Services Manager
Subject: Annual Progress Report on the General Plan 2015 & 2016

ACTION REQUESTED

Staff is requesting that the City Council receive and file the attached General Plan Annual Progress Report.

BACKGROUND

Government Code Section 65400(b) requires that an annual General Plan progress report be provided to the local legislative body, the Governor's Office of Planning and Research (OPR), and the Department of Housing and Community Development (HCD). The purpose of the report is to discuss the City's progress in implementing the General Plan, meeting its share of regional housing needs, and removing governmental constraints to the maintenance, improvement and development of housing.

ANALYSIS

The attached reports cover the periods from January 1, 2015 to December 31, 2015 and January 1, 2016 to December 31, 2016. The reports were forwarded to the Planning Commission on February 15, 2017. The Commission reviewed the reports and voted 4-0 to recommend that the reports be submitted to the State. After the City Council's review, the report will be forwarded to the Governor's Office of Planning and Research and the State Department of Housing and Community Development.

STRATEGIC PLAN CONSIDERATIONS

The Strategic Plan establishes the vision and goals for El Cerrito which are consistent with the goals and policies of the General Plan. Each goal of the Strategic Plan is represented within the programs, policies, and efforts that have been identified in these reports.

ENVIRONMENTAL CONSIDERATIONS

Preparation and submission of these reports is not a project pursuant to the California Environmental Quality Act and is therefore not subject to environmental review. All required environmental review of projects identified in these reports will be conducted prior to commencing each project.

FINANCIAL CONSIDERATIONS

Any funds required for projects and efforts identified in these reports will be evaluated through the City's budget process as needed.

Reviewed by:



Scott Hanin
City Manager

Attachments:

1. 2015 Annual Progress Report on the General Plan, including Housing Element Implementation Tables A1, A2, A3, B and C.
2. 2016 Annual Progress Report on the General Plan, including Housing Element Implementation Tables A1, A2, A3, B and C.



Annual Progress Report on the General Plan 2015

April 2017

City of El Cerrito
Community Development Department
10890 San Pablo Avenue
El Cerrito, CA 94530

INTRODUCTION

As required by Government Code Section 65400 (b), every city must submit an annual progress report to their legislative body, the Governor's Office of Planning and Research (OPR), and the Department of Housing and Community Development (HCD) on the implementation status of their General Plan. The annual report must also include discussion on the City's progress in providing its required share of affordable housing pursuant to Government Code Section 65584 and its efforts to remove governmental constraints for the maintenance, improvement and development of affordable housing per Section 65583.c(3) of the California Government Code.

This General Plan Annual Progress Report covers the period from January 1, 2015 to December 31, 2015.

The purpose for the Annual Progress Report is to assess how the General Plan is being implemented in accordance with adopted goals, policies and implementation measures; identify any necessary adjustments or modifications to the General Plan as a means to improve local implementation; provide a clear correlation between land use decisions that have been made during the 12-month reporting period and the goals, policies and implementation measures contained in the General Plan; and, to provide information regarding local agency progress in meeting its share of regional housing needs.

BACKGROUND

On August 30, 1999, the El Cerrito City Council adopted the City's current General Plan for implementation. The General Plan has nine elements contained within four separate chapters: Community Development and Design, Transportation and Circulation, Public Facilities and Services, Resources and Hazards. The General Plan contains the seven state-required elements which are land use, circulation, housing, conservation, open space, safety and noise. The State allows the combining of elements or the addition of new elements as long as the required seven elements are present in some fashion.

The General Plan is the City's vision for achieving more balanced residential, commercial, and civic uses within the city. The process of preparing the General Plan took place in 1998 and 1999 as the City embarked on a program to bring its 1975 General Plan up to date so that it could better meet future challenges. The process resulted in the following ten key principles designed to improve the quality of development and the long-term fiscal health of the City so that it can remain an attractive place to live and work:

1. No major changes in land-use patterns are expected to occur.
2. Emphasis will be on quality of development.
3. Incentives, if used, will have clear criteria and limits.
4. Emphasis will be on impacts of development, not on the type of development itself.
5. Increased residential development, where allowed, must be done with care in order to enhance neighborhoods.
6. New development in the San Pablo Avenue Corridor will be encouraged to take place in mixed-use activity centers that may extend up selected perpendicular streets in order to allow a more pedestrian friendly environment.

7. The preservation and enhancement of natural features – trees, creeks, natural open space areas – and historical features will be a high priority for the City.
8. The City should have distinct destination areas, including commercial areas, a civic center and community meeting places.
9. Development should contribute to the fiscal health of the City while minimizing adverse impacts.
10. Access should be improved by balancing automobile use with improved transit, bicycle, and pedestrian opportunities.

The General Plan sets forth the City's policies regarding the types and locations of future land uses and activities. It describes the desired character and quality of development as well as the process for how development should proceed.

While this General Plan can address many City issues, factors beyond El Cerrito's control have significant influence over its future land use and development patterns:

- Market forces play an important role in determining what types of uses are economically feasible and, therefore, built.
- Land use and transportation decisions in other cities and counties, and by state and regional agencies, affect El Cerrito.
- Our system of property rights places certain limitations on what cities can do in prescribing future land uses.
- California environmental law requires that we designate land uses in accordance with available infrastructure capacity (streets, sewer, water, natural resources, etc.).

Thus in creating the current General Plan, El Cerrito went through a process that ascertained the community's values for future land uses and activities, and balanced these values with market factors, city revenues, environmental constraints, and private property rights.

The El Cerrito General Plan reflects the aspirations and values of El Cerrito's residents and their elected representatives. The City Council and Planning Commission use the Plan in considering land use and planning-related decisions. City staff uses the Plan on a day-to-day basis to administer and regulate land use and development activity. Citizens can use the Plan to understand the City's approach to regulating development, protecting resources, and upholding community values.

GENERAL PLAN ADOPTION AND AMENDMENTS

1. Adoption Dates of Mandatory General Plan Elements

General Plan Element	Latest Adoption
Land Use	1999
Circulation	1999
Housing	2015
Open Space	1999
Conservation	1999

Safety	1999
Noise	1999

2. List of General Plan Amendments

- 2014 amendments to enable adoption of the San Pablo Avenue Specific Plan, including amendments to Chapter 2: Strategic Approach, Chapter 4: Community Development and Design, and Chapter 5: Transportation and Circulation and amendments to the General Plan land use map.
- The 2013 Growth Management Element Update.
- The 2015-2023 Housing Element.

GENERAL PLAN UPDATES

Overall General Plan Update

Staff is generating a scope for a General Plan update to commence as soon as funding can be identified.

GENERAL PLAN IMPLEMENTATION

Chapter 4: Community Development and Design

Land Use

Goal LU1: A high-quality residential character within El Cerrito.

The City continued to implement the 2008 Zoning Ordinance which maintains residentially zoned areas in El Cerrito and promotes a high-quality of development. In fiscal year 2014/2015, the City issued 1,149 building permits and conducted 10,059 inspections. It also reviewed 117 planning entitlements.

Goal LU2: A land use pattern and mix of uses that contribute to the financial health and stability of the community.

The City continued to implement the San Pablo Avenue Specific Plan and processed several land use applications in the Specific Plan area that represented a range of land uses. This included four Tier I Design Review applications that improved the façade of two new businesses and two existing businesses and two new Tier II and Tier IV Design Review applications for new multi-story projects.

Goal LU3: A development pattern that enhances a strong sense of community.

In 2014, The City Council adopted the San Pablo Avenue Specific Plan which identifies the areas nearest the City's two BART stations as areas for high-intensity mixed use development. It is envisioned that this development will promote a sense of place and community. Implementation of the San Pablo Avenue Specific plan continued to move forward.

Goal LU4: A safe, attractive, and interesting community

The City continued to implement community policing to promote public safety.

The City's building projects, both large and small were subject to a vigorous review and inspection process.

The City's Arts and Culture Commission continued to promote efforts to support public art in the community.

Goal LU5: A land use pattern and types of development that support alternatives for the movement of people, goods, and ideas.

The City began implementation of San Pablo Avenue Specific Plan including applying for grants for the Complete Streets component of the Plan which addresses the safety and usability of streets in the plan area.

Goal LU6: Development patterns that promote energy efficiency, conservation of natural resources, and use of renewable rather than nonrenewable resources.

The City continued to implement the Zoning Ordinance, updated in 2008 and the San Pablo Avenue Specific Plan, adopted in 2014. The Specific Plan puts a focus on more intense development within the Plan area and specifically near the City's two BART stations. By focusing development near existing public transportation infrastructure, the San Pablo Avenue Specific Plan aims to achieve mode shift, reduce dependence on automobile trips and increasing public transportation, bicycle and pedestrian trips.

The City continued to implement the Climate Action Plan which identifies energy efficiency and efficient development patterns as methods to achieve the City's greenhouse gas reduction targets.

The City continued to implement the California Green Building Standards Code, which encourages energy efficiency and use of renewable resources.

Community Design

Goal CD1: A city organized and designed with an overall attractive, positive image and "sense of place."

The City continued to implement the San Pablo Avenue Specific Plan which promotes high-quality development along San Pablo Avenue in order to promote vibrant public spaces and enhance the sense of place. The Specific Plan also requires the provision of (or a fee, in lieu) publicly accessible open space in larger projects. Development of new open spaces along San Pablo Avenue will further enhance the attractiveness and sense of place along the City's primary mixed use corridor.

Goal CD2: A city with attractive, safe, and functional streets, parking areas, and pedestrian walkways.

The City Council adopted the Ohlone Greenway Master Plan to provide guidelines and preliminary designs for improvements along a major Class 1 pedestrian and bicycle

facility that runs the length of the City and is a major point of connection between the City's 2 BART Stations. Through continued improvements along the Ohlone Greenway (such as in-pavement flashing beacons at intersections with City streets, installation of the Ohlone Greenway Natural Area and Rain Garden pedestrian plaza, wider Class 1 pathway and landscaping that adheres to CPTED principles), the City is providing a safe alternate route for citizens to travel through the heart of the City by foot and bicycle.

The City has also completed the Final Draft of the El Cerrito Active Transportation Plan, which seeks to update the City's current Circulation Plan for Bicyclists and Pedestrians, adopted in 2007.

Goal CD3: A city with attractive landscaping of public and private properties, open space, and public gathering spaces.

The Design Review Board continued to review new landscaping plans on private properties. In 2015, the City completed acquisition of an 8-acre parcel of open space connecting to non-contiguous parcels of the City's Hillside Natural Area. The City also began renovation of the Castro Park Athletic Field.

In 2015, the City Council adopted the El Cerrito Urban Greening Plan. The Plan aims to identify needs, opportunities and strategies for creating a greener, more environmentally sustainable and livable City by enhancing El Cerrito's public places and open spaces.

Goal CD4: Well designed buildings that are compatible with their surroundings.

The City continued to implement the Design Review process pursuant to the Zoning Ordinance and the San Pablo Avenue Specific Plan to ensure that new development is well-designed.

Goal CD5: A design process that achieves design objectives while being efficient and allowing for flexibility.

The City continued to utilize the design review process to achieve the General Plan goals above. Design review in the City of El Cerrito is intended to encourage high-quality design, well-crafted and maintained buildings and landscaping, the use of higher-quality building materials, and attention to the design and execution of building details and amenities in both public and private projects.

Goal CD6: An urban form that sustains a vital commercial community to meet the diverse needs of the local and regional population.

The City continued to implement the San Pablo Avenue Specific Plan. It encourages mixed use development including commercial uses in addition to intensified residential uses along San Pablo Avenue. The plan strives to create a range of residential unit types which will provide diverse housing types along the Avenue. The new residents of these units will help support successful commercial businesses along San Pablo Avenue.

Housing – see attachment for Housing Element annual report

Growth Management

Goal GM1: A coordinated regional and sub-regional planning system that provides better service and less congestion for residents of El Cerrito

The City continued to participate in the I-80 Integrated Corridor Mobility Project, a multi-agency effort to ease congestion on Interstate 80. This project is an effort of CalTrans in cooperation with ten municipalities, two transit agencies and four regional agencies. City staff also serves on the WCCTAC Technical Advisory Committee and CCTA Technical Coordinating Committee to address subregional and regional transportation issues.

Goal GM2: Compliance with applicable level of service standards.

The City, through the CEQA review process, continued to ensure that new development meets the level of service standards in the General Plan and San Pablo Avenue Specific Plan.

The City continued to implement the San Pablo Avenue Specific Plan. The Plan adopted new service standards for streets within the plan area. These service standards are in greater compliance with the City's complete streets goals.

Goal GM3: Timely review of projects that are heavy traffic generators.

All development projects processed by the City are evaluated against and comply with applicable service standards. All applications regardless of traffic generation are processed in a timely fashion.

Goal GM4: Effective community-wide programs to reduce traffic impacts of new projects.

The City continued to implement the San Pablo Avenue Specific Plan that moved towards Multi-Modal Level of Service (MMLOS). This allows the quantification and analysis of all modes of transportation and creates opportunities to maximize mode shift for transit, bicycles and pedestrians.

Goal GM5: An effective system of providing urban services.

The City continues to offer a high-level of services to residents and the City continues to work with other agencies (such as the Stege Sanitary District) to ensure that services are provided effectively.

Chapter 5: Transportation and Circulation

Goal T1: A transportation system that allows safe and efficient travel by a variety of modes and promotes the use of alternatives to the single-occupant vehicle.

In 2010, the Public Works Department developed a Neighborhood Traffic Management Program (NTMP) to address resident concerns regarding speeding, high traffic volumes and pedestrian and bicycle comfort and safety in El Cerrito's neighborhoods. The NTMP was based on previous efforts in the City, guidance provided by the City's General Plan

and City Council, policies and lessons learned from other jurisdictions, practices published by the transportation industry, and community input. The ongoing NTMP process allowed neighborhoods and applicants to achieve safer streets through adding striping or speed bumps in neighborhoods.

In May 2015, the City sponsored an “Energizer Station” as part of Bike to Work Day, a regional effort to increase bicycling.

In 2014 the City Council adopted the San Pablo Avenue Specific Plan, including a Complete Streets component which addresses the safety and usability of streets in the plan area. Implementation of the San Pablo Avenue Specific Plan continued in 2015. The City also completed the Final Draft of the El Cerrito Active Transportation Plan in 2015, which augments the Specific Plan’s Complete Streets component and updates the City’s current Circulation Plan for Bicyclists and Pedestrians.

Goal T2: A land use pattern that encourages walking, bicycling, and public transit use.

The City continued to implement the San Pablo Avenue Specific Plan which includes a Complete Streets Plan. It serves to implement contemporary land use planning strategies along transit-corridors. Those strategies include increased heights, lower parking minimums, a flexible approach to mixed-use development, and complete streets guidelines to accommodate all modes of transportation on San Pablo Avenue specifically prioritizing pedestrians and public transit along this corridor.

The City completed the Final Draft of the El Cerrito Active Transportation Plan, which augments the Specific Plan’s Complete Streets component and updates the City’s current Circulation Plan for Bicyclists and Pedestrians. Adoption of the Active Transportation Plan is expected in 2016.

Goal T3: A transportation system that maintains and improves the livability of the City.

The City continued to implement the San Pablo Avenue Specific Plan that moved towards Multi-Modal Level of Service (MMLOS). This allows the quantification and analysis of all modes of transportation and creates opportunities to maximize mode shift for transit, bicycles and pedestrians.

Goal T4: A minimum amount of land used for parking and minimal parking intrusion in neighborhoods.

The City continued to implement the San Pablo Avenue Specific Plan, which adopted new parking standards for both commercial and residential development. The Plan generally reduced parking requirements within the plan area, while ensuring that adequate parking is provided. Further reductions of parking require preparation of a parking study and may require enhanced transportation demand management. The City continues to require parking studies for projects that seek additional parking reductions.

Chapter 6: Public Facilities and Services

Parks, Recreations and Open Space

Goal PR1: Adequate, diverse, and accessible recreational opportunities for all residents – including children, youth, seniors, and others with special needs – in parks, school yards, and open space.

To provide better recreational opportunities for the City's youth, the City has created after-school band programs at all Elementary Schools in the City. These programs replace previous school program which was cut due to funding shortages.

The City continued to sponsor the popular worldOne 4th of July Festival at Cerrito Vista Park. The event features programs and activities for diverse audiences. The City also continued to sponsor various community film events at the Rialto Cinemas Cerrito Theatre and City Hall.

The City offers ESL conversation classes at the El Cerrito Community Center. The City continues to offer a range of programs for seniors at the Senior Center as well as a range of programs for youth at various City facilities.

The City accepted the donation of land on King Drive to be developed in the future as Dorothy Rosenberg Memorial Park. While design details for the park are undeveloped at this time, the park will provide future recreational/open space opportunities for El Cerrito residents.

The City began the renovation of the Castro Park Athletic Field, which provides a safe, durable play field for use by residents, students of the adjacent Korematsu Middle School, and the City's athletic leagues.

Goal PR2: High quality open space protected for the benefit of present and future generations, reflecting a variety of important values: ecological, educational, aesthetic, economic and recreational. These values are interwoven throughout the community in numerous ways so that the preservation of open space is very important to the well being of the City.

The Ohlone Greenway Urban Natural Area and Rain Gardens project enhanced community, environmental quality and neighborhood livability through integrating additional ecological and community functions along the Greenway. The project's design includes elements to treat urban stormwater runoff; create an informal play and gathering area; improve walkability; utilize and demonstrate low-maintenance, low water using native landscaping; improve riparian habitat; and foster connection to nature in an urban and accessible location adjacent to neighborhoods, schools, retail, transit and future development.

The City completed acquisition of an 8-acre parcel of open space connecting to non-contiguous parcels of the City's Hillside Natural Area. The City also began renovation of the Castro Park Athletic Field, providing a safe, durable play field for use by residents, students of the adjacent Korematsu Middle School, and the City's athletic leagues.

In 2012, the City was awarded a grant to prepare an Urban Greening plan for El Cerrito. The Urban Greening Plan was adopted by the City Council in December 2015. The Plan aims to identify needs, opportunities and strategies for creating a greener, more environmentally sustainable and livable City by enhancing El Cerrito's public places and open spaces.

Goal PR3: Public access to open space areas while protecting important habitats.

In 2013, the City entered into a Purchase and Sale Agreement with the Trust For Public Land for the acquisition of the 8-acre Madera Hillside Open Space property. The acquisition process for this property was completed in 2015. This property is adjacent to the City's Hillside Natural Area and provides a unique opportunity to connect Hillside Natural Area North to Hillside Natural Area South.

Non-Recreational Facilities

Goal CF1: Safe and adequate community facilities that allow the City to offer better services and inspire a sense of community pride.

In 2015, the City continued to enhance operations at the new Recycling and Environmental Resources Center which was completed in 2012.

The City made significant progress in developing a program to collect household hazardous waste at the Recycling and Environmental Resources Center, which is anticipated to begin in April 2016.

The City also completed installation of the Ohlone Greenway Urban Natural Area and Rain Garden, which provides an attractive, innovative public amenity next to a BART station and in a major commute corridor.

The City continued to serve the community from the City Hall facility which was completed in 2009.

Public Services and Infrastructure

Goal PS1: An adequate, comprehensive, coordinated law enforcement system consistent with the needs of the community.

The City continued its deployment of both patrol and specialty police units to address crime trends. These units coordinated their efforts internally, by sharing and collaborating on projects and investigations, and externally, with residents and community groups, to continue to meet the safety needs of the community.

Goal PS2: A community that has minimized the risks to lives and property due to fire hazards.

The City minimized fire hazards by continuing to implement its comprehensive fire hazard reduction program that focuses upon reducing fire hazards in four areas: (1) on City property, (2) on property owned by other agencies (3) large landowners, and (4) on residential property.

The fire hazard abatement program is designed to reduce fire hazards on a large number of private properties during the spring and early summer months. A process of advance notice and hearings for property owners is coupled with a public education program involving the promulgation of standards for vegetation management in residents' yards and vacant lots.

This program seeks to remove weeds, rubbish, litter or other flammable material from private properties where such flammable material endangers the public safety by creating a public nuisance and a fire hazard. Most property owners voluntarily abate these hazards without Fire Department involvement. Ideally, 100% of the property owners would do so. We anticipate that a small number of owners are content to have the City do the work and place the costs on their tax bill.

Over the past twenty years, the City's annual fire hazard abatement program has been very successful in reducing fire hazards throughout the hill neighborhoods.

Goal PS3: Safe and adequate public infrastructure to serve El Cerrito's residents, now and in the future.

The City continued implementation of the Street Paving Project funded by Measure A. Additionally, implementation of the Complete Streets component of the San Pablo Avenue Specific Plan and implementation of the Active Transportation Plan will enhance pedestrian and bicycle safety throughout the City and provide infrastructure which accommodate all modes of transportation. Implementation of these plans will occur as new development occurs and as funds are available.

Goal PS4: An adequate storm drainage system to serve existing and future planned development

In March 1993, the voters of the City of El Cerrito approved the issuance of \$6.3 million in revenue bonds for the reconstruction of the City's storm drain system. In June 1993, the City Council adopted Ordinance 93-4, providing for the imposition and collection of Storm Drain Fees to pay the debt service on the revenue bonds. Ordinance 93-4 set the Storm Drain Fee and provided that the fees are collected through the property tax based on amounts specified in an annual Engineer's report. This Engineer's report contains the description of each parcel of real property receiving storm drain services and the amount of the annual fee for each parcel.

The City continued its collaboration with the SF Estuary Partnership to complete design of the San Pablo Avenue Green Stormwater Spine Project. The demonstration Project will retrofit portions of the public right-of-way to install green infrastructure at select sites along San Pablo Avenue within El Cerrito, as well as, Oakland, Emeryville, Berkeley, Albany, Richmond, and San Pablo. Green infrastructure is a landscape-based stormwater treatment approach that uses natural processes to infiltrate, retain, re-use, and filter stormwater runoff to reduce the amount of pollutants that reach local waterways and ultimately the San Francisco Bay.

In preparation for El Niño, the City completed several large storm system maintenance projects and various minor repairs throughout the City.

Goal PS5: A system that minimizes the City's generation and disposal of solid waste materials by providing an adequate and integrated waste management program and related facilities to serve existing and future planned development.

In 2012, the City completed construction of the Recycling and Environmental Resource Center. The Center allows the City to improve collection for all constituents. In addition to the City's continued curb-side pickup program, the Recycling and Environmental Resource Center provides convenient drop-off facilities. The Center allows the City to expand the range of items accepted for disposal. The Center has expanded the items that the City is able to accept, including compact fluorescent light bulbs, Styrofoam, sharps, expired medications, and scrap textiles. The Center has been designed as a facility that will provide maximum flexibility to meet future, changing waste disposal needs. The City made significant progress in developing a program to collect household hazardous waste at the Recycling and Environmental Resources Center, which is anticipated to begin in April 2016.

Chapter 7: Resources and Hazards

Natural and Historic Resources

Goal R1: Protected natural resources (important habitat, ecological resources, key visual resources, ridges and ridgelines, creeks and streambanks, steeper slopes, vista points, and major features), and clean air and water.

The City continued to implement the Zoning Ordinance, which contains specific standards aimed at protecting creeks and hillside areas.

Goal R2: Protected and rehabilitated architectural, historical, cultural, and archaeological resources that are of local, state, or federal significance.

In 2014, the City Council approved the 1715 Elm Street project. As part of the project, the existing house will be relocated on the property and rehabilitated to the Department of the Interior's standards. In 2013, the Planning Commission approved the Eden Housing San Pablo Avenue Mixed Use Apartments project which will rehabilitate the former Contra Costa Florist building and feature interpretive materials which teach about the period of significance of the structure. Both of these projects continued to move closer to construction in 2015.

Hazards

Goal H1: Minimal potential for loss of life, injury, damage to property, economic and social dislocation and unusual public expense due to natural and man-made hazards, including protection from the risk of flood damage, hazards of soil erosion, fire hazards, weak and expansive soils, potentially hazardous soils materials, other hazardous materials, geologic instability, seismic activity, and release of hazardous materials from refineries and chemical plants in West County.

The City continued to oversee the residential rental inspection program.

The City also continued implementation of the Unreinforced Masonry (URM) building hazard mitigation ordinance. The City continues to work with property owners to permit retrofit work for URM buildings.

Goal H2: Government agencies, citizens and businesses are prepared for an effective response and recovery in the event of emergencies or disasters.

The City continued the very popular Community Emergency Response Team (CERT) program. The program teaches neighbors to help themselves and help each other. Through CERT, citizens receive hands-on training in Disaster First Aid, Disaster Preparedness, Basic Firefighting, Light Search and Rescue, Damage Assessment, and How to Turn Off Utilities.

The City has also continued internal National Incident Management System (NIMS) and the Incident Command System (ICS) training for City staff. Through the training, staff members directly involved in managing an emergency will understand command reporting structures, common terminology, and roles and responsibilities inherent in a response operation.

Goal H3: New development complies with the noise standards established in the General Plan, all new noise sources are within acceptable standards, and existing objectionable noise sources are reduced or eliminated.

All new development is evaluated under CEQA using the noise standards currently in the General Plan. These noise standards were incorporated into updated Zoning Ordinance in 2008 as performance standards required of all development.

CONCLUSION

To date, staff believes the City has continued to faithfully implement the City's 1999 General Plan as the actions, plans, programs and projects documented in this report represent the City's commitment to achieve the goals and objectives set forth in the elements of the El Cerrito General Plan.

ATTACHMENTS:

1. HCD - Housing Element Annual Report
2. Housing Successor Annual Report

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of El Cerrito
Reporting Period 1/1/2015 - 12/31/2015

Table A
Annual Building Activity Report Summary - New Construction
Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information								Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions	
1	2	3	4				5	5a	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
			Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income			See Instructions	See Instructions	
Creekside Walk		R		6	13	109	128			19	
(9) Total of Moderate and Above Moderate from Table A3 ▶ ▶				13	109	128					
(10) Total by income Table A/A3 ▶ ▶				6	13						
(11) Total Extremely Low-Income Units*			0								

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction	City of El Cerrito
Reporting Period	1/1/2015 - 12/31/2015

Table A2
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity	0	0	0	0	
(2) Preservation of Units At-Risk	0	0	0	0	
(3) Acquisition of Units	0	0	0	0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

Table A3
Annual building Activity Report Summary for Above Moderate-Income Units
(not including those units reported on Table A)

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate			13			13	
No. of Units Permitted for Above Moderate	4	3	109	4		120	

* Note: This field is voluntary

Table B

Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.			2015	2016	2017	2018	2019	2020	2021	2022	2023	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level		RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
Very Low	Deed Restricted	100											100
	Non-deed restricted												
Low	Deed Restricted	63	6									6	57
	Non-deed restricted												
Moderate	Deed Restricted	69	13									13	56
	Non-deed restricted												
Above Moderate		166	120									120	46
Total RHNA by COG. Enter allocation number:		398	139									139	259
Total Units ▶▶▶													
Remaining Need for RHNA Period ▶▶▶▶▶													

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction: El Cerrito
Reporting Period: 2015

Table C
Program Implementation Status - Certified HE 2015

Program Description (By Housing Element Program Names)		
Name of Program	Deadline in HE	Status of Implementation
Program 1.1 - Continue to implement the Residential Rental Inspection Program	Ongoing	
Program 1.2 - Continue to investigate complaints and take action about rental housing code violations	Ongoing	Ongoing
Program 1.3 - Continue to encourage the rehabilitation of existing housing units by providing program information	Ongoing	Information available to the public at the front counter
Program 1.4 - Evaluate displacement, as appropriate in studies of regional housing needs and displacement	2016, then Annual	
Program 1.5 - Continue to regularly monitor assisted housing units to help preserve existing stock of affordable housing	Annual	
Program 1.6 - Vet and consider adopting a Good Cause for Eviction Ordinance	2016	
Program 1.7 - Annual review of the City Capital Improvements Program (CIP)	Annual	
Program 1.8 - Consider enacting additional incentive programs and requirements to encourage retrofitting of seismically unsafe buildings, such as soft-story buildings.	2017	
Program 2.1 - Conduct an annual evaluation of the City's inventory of available sites	Ongoing	
Program 2.2 - Promote development of mixed-use and high-density residential housing in development nodes of the city	Ongoing	Allowed for by San Pablo Ave Specific Plan
Program 2.3 - Continue to fast track processing for second units meeting established City standards	Ongoing	Allowed for by Zoning Ordinance
Program 2.4 - During the annual Master Fee Schedule revision, evaluate development fees.	Annual	Fees were updated with Master Fee Schedule as part of 2015 Budget
Program 2.5 - Streamline the application process by continuing to offer interdepartmental team meetings for applicants	Ongoing	Ongoing
Program 2.6 - Assist developers in obtaining state and federal funding available to develop affordable housing	Ongoing	Ongoing
Program 2.7 - Look for opportunities with non-profits and other agencies to expand supply of affordable housing	Ongoing	Ongoing
Program 2.8 - Study the feasibility of an inclusionary housing ordinance	2016	
Program 2.9 - Investigate potential local financing sources that could be used to develop affordable housing	2016	
Program 2.10 - Use existing zoning regulations to allow innovative approaches to increasing affordable housing.	Ongoing	Ongoing
Program 2.11 - Pursue funding for infrastructure improvements to accommodate future transitoriented development	Ongoing	
Program 3.1 - Pursue funding for special needs housing	Ongoing	Ongoing
Program 3.2 - Continue to fast track inspection processes for large family and special needs housing.	Ongoing	Ongoing
Program 3.3 - Continue to encourage and support development of senior housing	Ongoing	Ongoing
Program 3.4 - Participate in the biannual homeless census count	Ongoing	Ongoing
Program 3.5 - Continue to coordinate with the County and cities to develop the Five-Year Consolidated Plan to address housing and social services	2015, 2020	
Program 3.6 - Implement reasonable accommodation procedures to provide a streamlined permit review process	Ongoing	Ongoing
Program 3.7 - Encourage development of housing for persons with disabilities, including developmental disabilities	Annual	

Attachment 3 - Annual Progress Reports
Including Housing Reports

Table C
Program Implementation Status - Certified HE 2015

Program Description (By Housing Element Program Names)		
Name of Program	Deadline in HE	Status of Implementation
Program 3.8 - Implement an outreach program informing residents of the housing and services available for persons with developmental disabilities	Annual	
Program 4.1 - Continue to provide non-discrimination clauses in rental agreements and deed restrictions	Ongoing	Ongoing
Program 4.2 - Continue the City's participation in the Contra Costa Urban County CDBG Consortium	Ongoing	Ongoing
Program 5.1 - Consider ways incentivize energy efficiency, clean energy, and water conservation improvements through building permit fees	2016-17	
Program 5.2 - Continue to develop partnerships for energy and water efficiency technical assistance and incentives	Ongoing	Ongoing
Program 5.3 - Continue to encourage resident participation in energy and water efficiency programs	Ongoing	Ongoing
Program 5.4 - apply for appropriate grants for marketing, outreach, and incentive programs dedicated to energy and water efficiency	Ongoing	Ongoing
Program 5.5 - Adopt residential PACE financing if it becomes available in California	2016	Completed
Program 5.6 - Encourage home energy performance reports at time of sale	Ongoing	Ongoing

Attachment 3 - Annual Progress Reports
Including Housing Reports

Table C

Program Implementation Status - Certified HE 2015

Program Description (By Housing Element Program Names)		
Name of Program	Deadline in HE	Status of Implementation

Attachment 4 - CIP Projects & Resolution

CITY OF EL CERRITO

CAPITAL IMPROVEMENT PROJECT INFORMATION SHEET

Project Name:	Ohlone Grnwy Natural Area & Rain Gardens	Proponent:	Community Development Department
Project Number:	C3067	Project Mgr:	Community Development & Public Works
Funding Sources:	Grants	User Dept:	General Public
	A	Location:	Ohlone Greenway, south of Fairmount

Fiscal Year	Capital Costs				Other Costs		
	Prop 84 Urban Greening				Operating	Energy	Misc
Prior Years	406,674	-	-	-	-	-	-
2014-15	497,047	-	-	-	-	-	-
2015-16	-	-	-	-	-	-	-
2016-17	-	-	-	-	-	-	-
2017-18	-	-	-	-	-	-	-
2018-19	-	-	-	-	-	-	-
2019-20	-	-	-	-	-	-	-
2020-21	-	-	-	-	-	-	-
2021-22	-	-	-	-	-	-	-
2022-23	-	-	-	-	-	-	-
2023-24	-	-	-	-	-	-	-
Unidentified	-	-	-	-	-	-	-
Subtotal	903,721	-	-	-	-	-	-

		Total Capital Costs:	903,721	Total Other Costs:	-
TOTAL ALL COSTS:	903,721				

Statement of Need, Service Level, and Issue:

Project Description: The project will add green elements to this Ohlone Greenway between the City of Albany and Fairmount Avenue by treating urban stormwater runoff; creating an informal exploration, natureplay and plaza area; improving walkability; utilizing and demonstrating low maintenance, low water using, native landscaping; improving riparian habitat and diversity; and fostering connection to nature along the Ohlone Greenway.

General Plan Objective: The project implements elements and design goals within both the General Plan and the Ohlone Greenway Master Plan.

Need/Service Level: The Ohlone Greenway Master Plan developed with extensive community input indicated a desire to create more attractive and usable "nodes" along the Greenway as well as to enhance ecological areas and incorporate community gathering areas.

Pertinent Issues: The City received a Proposition 84/Urban Greening grant for this project. The project received letters of support from the City of Albany, BART, Albany Middle School, Friends of Five Creeks and the Contra Costa Public Health Department as it fosters a more active community. The project was also presented to the Parks and Recreation Commission. Construction was coordinated with the BART Earthquake Safety Retrofit program.

Status: The City was awarded funding in January 2011 and hired a design consultant in February 2012. The project was valued engineered and rebid in 2013. A construction contract was awarded in March 2014 and construction is anticipated to begin in June 2014.

Cost Estimate:	Admin.	14,079	Design:	180,000	Constr Mgt:	37,432
	Equipment:	-	Constr:	592,918	Other:	20,000
	Contingency:	59,292			TOTAL:	\$ 903,721

Attachment 4 - CIP Projects & Resolution

CITY OF EL CERRITO

CAPITAL IMPROVEMENT PROJECT INFORMATION SHEET

Project Name:	Ohlone Greenway Improvements between Hill and Blake	Proponent:	Community Development & Public Works
Project Number:	C3069	Project Mgr:	Public Works - Engineering Division
Funding Sources:	Park-in-Lieu Fund 210	User Dept:	General Public
		Location:	Ohlone Greenway

Fiscal Year	Capital Costs				Other Costs		
	Park-in-Lieu Fund				Operating	Energy	Misc
Prior Years	189,919	-	-	-	-	-	-
2014-15	100,000	-	-	-	-	-	-
2015-16	-	-	-	-	-	-	-
2016-17	197,081	-	-	-	-	-	-
2017-18	-	-	-	-	-	-	-
2018-19	-	-	-	-	-	-	-
2019-20	-	-	-	-	-	-	-
2020-21	-	-	-	-	-	-	-
2021-22	-	-	-	-	-	-	-
2022-23	-	-	-	-	-	-	-
2023-24	-	-	-	-	-	-	-
Unidentified	-	-	-	-	-	-	-
Subtotal	487,000	-	-	-	-	-	-

		Total Capital Costs:	487,000	Total Other Costs:	-
TOTAL ALL COSTS:	487,000				

Statement of Need, Service Level, and Issue:

Project Description: Improve the Ohlone Greenway consistent with the Greenway Master Plan includes landscaping, lighting, and street crossing improvements.

General Plan Objective: The project implements elements and design goals within both the General Plan and the Ohlone Greenway Master Plan.

Need/Service Level: The Ohlone Greenway Master Plan developed with extensive community input indicated a desire to create more attractive and usable "nodes" along the Greenway as well as to enhance ecological areas and incorporate community gathering areas.

Pertinent Issues: Funding was provided by Safeway as their Park-in-Lieu contribution. A portion of the funds (\$150,000) have been transferred to the Ohlone Placemaking Project, C3076 as a local match and given that significant improvements are planned at the Hill Street crossings. Improvements have been and will be coordinated with Safeway development improvements, work on Greenway as part of the BART Seismic Retrofit Project, and other City-led improvements

Status: The first element will be a pedestrian path along the Safeway frontage to carry pedestrians from the BART crosswalk at Hill St up to the store's entrance. This will be designed in a manner such that it can ultimately connect to the BART path with full ADA accessibility near the Safeway outdoor cafe area. Design and construction of the full area is being coordinated with the BART Retrofit Project and other area improvements.

Cost Estimate:	Admin.	45,000	Design:	45,000	Constr Mgt:	45,000
	Equipment:		Constr:	300,000	Other:	
	Contingency:	52,000			TOTAL:	\$ 487,000

Attachment 4 - CIP Projects & Resolution

CITY OF EL CERRITO

CAPITAL IMPROVEMENT PROJECT INFORMATION SHEET

Project Name:	Ohlone-BART Station Access, Safety &	Proponent:	Community Develop & Public Works
Project Number:	C3076	Project Mgr:	Community Develop & Public Works
Funding Sources:	OBAG, Measure J./BART Park In-Lieu	User Dept:	General Public
	A, 210	Location:	Ohlone at Del Norte & Plaza BART Stations

	Capital Costs				Other Costs		
Fiscal Year	BART/ Measure J	OBAG Federal Grant	Park In-Lieu		Operating	Energy	Misc
Prior Years	-	-	-	-	-	-	-
2014-15	38,000	480,000	27,000	-	-	-	-
2015-16	131,000	1,497,513	61,500	-	-	-	-
2016-17	131,000	1,497,513	61,500	-	-	-	-
2017-18	-	-	-	-	-	-	-
2018-19	-	-	-	-	-	-	-
2019-20	-	-	-	-	-	-	-
2020-21	-	-	-	-	-	-	-
2021-22	-	-	-	-	-	-	-
2022-23	-	-	-	-	-	-	-
2023-24	-	-	-	-	-	-	-
Unidentified	-	-	-	-	-	-	-
Subtotal	300,000	3,475,025	150,000	-	-	-	-
Total Capital Costs:			3,925,025	Total Other Costs:			-
TOTAL ALL COSTS	\$ 3,925,025						

Statement of Need, Service Level, Schedule and Issue:

Project Description:	The project will improve and widen the Ohlone Greenway path through the two El Cerrito BART stations and install two new crosswalks, upgrade three existing crosswalks, formalize desire lines, and establish "high use pedestrian zones" with new striping, special pavement and improved signage. The project also includes placemaking elements such as native landscaping, seating and lighting to increase a sense of connectivity to the rest of the Greenway and establish a strong sense of place at these transportation gateways to the community. To improve the security along the Greenway, the existing surveillance system will be upgraded and expanded to three key nodes between the BART Stations.
General Plan Goal:	Goal T1: A transportation system that allows safe and efficient travel by a variety of modes and promotes the use of alternatives to the single-occupant vehicle. Goal T2: A land use pattern that encourages walking, bicycling, and public transit use. Goal T3: A transportation system that maintains and improves the livability of the City.
Need/Service Level:	The improvements will better serve the needs of local and regional bicyclists and pedestrians, improve access to local amenities, and improve the integration of the two BART stations to the surrounding community. The project is a community-based multimodal transportation project that will improve connectivity, enhance sense of place, bring new vibrancy and support the higher-density transit-oriented neighborhoods adjacent to BART as a place where developers want to build and people want to live, work and visit.
Pertinent Issue:	The City was awarded a competitive federal grant in FY2013-14 and received authorization to proceed with Preliminary Engineering/Design from Caltrans in Spring 2014.
Status:	Design phase to begin in Summer 2014.

Capital Cost Estimate:	Admin:	26,025	Design:	545,000	Constr Mgt:	364,000
	Equipment:		Constr:	2,600,000	Other:	
	Contingency:	390,000	Land:		TOTAL:	\$ 3,925,025

Attachment 4 - CIP Projects & Resolution

CITY OF EL CERRITO

CAPITAL IMPROVEMENT PROJECT INFORMATION SHEET

Project Name:	Ohlone Greenway Wayfinding Signage	Proponent:	Public Works Department
Project Number:	tbd	Project Mgr:	Public Works - Engineering Division
Funding Sources:	Measure J TLC, Unidentified A, B	User Dept:	General Public
		Location:	Ohlone Greenway

Fiscal Year	Capital Costs				Other Costs		
	Meas J TLC Grant	Unidentified			Operating	Energy	Misc
Prior Years	-	-	-	-	-	-	-
2014-15	118,200	-	-	-	-	-	-
2015-16		-	-	-	-	-	-
2016-17	-	-	-	-	-	-	-
2017-18	-	-	-	-	-	-	-
2018-19	-	-	-	-	-	-	-
2019-20	-	-	-	-	-	-	-
2020-21	-	-	-	-	-	-	-
2021-22	-	-	-	-	-	-	-
2022-23	-	-	-	-	-	-	-
2023-24	-	-	-	-	-	-	-
Unidentified	-	200,800	-	-	-	-	-
Subtotal	118,200	200,800	-	-	-	-	-
Total Capital Costs:				319,000	Total Other Costs:		

TOTAL ALL COSTS: 319,000

Statement of Need, Service Level, and Issue:

Project Description: Install signage along the Ohlone Greenway that conforms to the prototype developed with the Baxter Creek Gateway Park, Ohlone Greenway Master Plan and West County Transit Enhancement & Wayfinding Plan.

General Plan Objective: The project implements elements and design goals within both the General Plan and the Ohlone Greenway Master Plan.

Need/Service Level: A comprehensive signage program will provide better wayfinding, provide distances for cyclers and walkers, and bring a unique and uniform appearance to the Ohlone Greenway. Current signage is sporadic and not consistent in its look.

Pertinent Issues: The City participated on a WCCTAC-led Transit Wayfinding Sign Project funded by Regional Measure 2/Safe Routes to Transit. The project developed a concept design for signs to direct pedestrians and bicyclists to and from major transit facilities and major sites in West County and Albany and includes the Ohlone Greenway.

Status: Planning including coordination with WCCTAC. Could be a candidate for Measure WW funding or future Safe Routes to Transit funding. The City applied for and was awarded Measure J TLC grant for sign installation.

Capital Cost Estimate:	Admin.	11,000	Design:	22,000	Constr Mgt:	22,000
	Equipment:		Constr:	220,000	Other:	-
	Contingency:	44,000			TOTAL:	\$319,000

Attachment 4 - CIP Projects & Resolution

v

CAPITAL IMPROVEMENT PROJECT INFORMATION SHEET

Project Name: Ohlone Greenway Master Plan Imp
Project Number: tbd
Funding Sources: Park-in-Lieu Fund (210)
 RDA Capital (2003 Bonds) (811), BART
 B

Proponent: Community Development & Public Works
Project Mgr: Community Development & Public Works
User Dept: General Public
Location: Ohlone Greenway

Fiscal Year	Capital Costs				Other Costs		
	Park-in-Lieu Fund	RDA Capital ('03 Bonds)	BART	Unidentified	Operating	Energy	Misc
Prior Years	20,500	127,500	603,292	-	-	-	-
2014-15	-	-	-	-	-	-	-
2015-16	-	-	-	-	-	-	-
2016-17	-	-	-	-	-	-	-
2017-18	-	-	-	-	-	-	-
2018-19	-	-	-	-	-	-	-
2019-20	-	-	-	-	-	-	-
2020-21	-	-	-	-	-	-	-
2021-22	-	-	-	-	-	-	-
2022-23	-	-	-	-	-	-	-
2023-24	-	-	-	-	-	-	-
Unidentified	200,000	-	-	2,561,083	-	-	-
Subtotal	220,500	127,500	603,292	2,561,083	-	-	-
Total Capital Costs:				3,512,375	Total Other Costs:		

TOTAL ALL COSTS: **\$3,512,375**

Statement of Need, Service Level, and Issue:

Project Description: The project is divided into three phases: Master Plan; BART-related upgrades; and future improvements. The master plan and BART-related improvements are now complete. Future improvements are outlined in the master plan, most are not funded at this point.

General Plan Objective: Comm Design: Utilize the Greenway as one of the features that provides a more distinct identity for El Cerrito through enhancement of its landscape features, signage, maps and other features. (CD 3.9): Ohlone Greenway- Enhance the usability and aesthetic appeal of the Ohlone greenway by integrating it into the fabric of the City. (CD 3.10): Greenway Spur Trails- Develop greenway spur trails for creekside access. (CD3): A City with attractive landscaping of public and private properties, open space, and public gathering places.

Need: Three primary conditions give rise to the need for this project. 1) The need for improving the facility to meet current and future users' needs and standards, as well as to improve the design and feel of the facility to fully actualize its potential to contribute to the surrounding areas; 2) To coordinate and optimize the opportunity provided by the BART Earthquake Safety Program and disruptive trail closure; 3) To create a consistent and appealing design to coordinate future improvements with public or private projects.

Service Level: The Ohlone is considered by regional bicycle organizations as a backbone to the non-motorized transportation system in the region. 2007 counts found weekday use averaging 627 pedestrians/bicyclists per day, and according to a citywide survey completed in 2003, the Greenway is the 6th most used recreational facility. 2/3 of residents in a 2007 Citywide survey indicated they use the Greenway regularly or often.

Pertinent Issue: Through extensive negotiations with BART, Phase 1A of the Master Plan, for the most part, was completed as part of the BART Earthquake Safety Program. In order for BART to use City property along the Ohlone Greenway for construction purposes, BART purchased temporary construction easements from the City in July 2009 via the execution of an Acquisition Agreement. The City granted BART a Right of Entry to City property and, in lieu of payment to the City for the Right of Entry value in the amount of \$603,292, BART offered to construct improvements beyond the equivalent value of BART's required restoration work. The Ohlone Greenway Master Plan is helping staff in searching for additional outside funding.

Status: BART-related improvements were completed in early 2014. Other related projects are the Ohlone Natural Area south of Fairmount Avenue (funded through a Prop 84 grant), Hill-to-Blake section (funded pursuant to the Safeway development agreement), and Wayfinding Program (funded by Measure J TLC). Future improvements are awaiting funding.

Capital Cost Estimate:	Admin:	\$62,325	Design:	\$249,300	Constr Mgt:	\$207,750
	Equipment:	\$500,000	Constr:	\$2,077,500	Other:	\$0
	Contingency:	\$415,500			TOTAL:	\$3,512,375

Attachment 4 - CIP Projects & Resolution

City of El Cerrito

CAPITAL IMPROVEMENT PROJECT INFORMATION SHEET

Project Name:	Street Improvement Program	Proponent:	Public Works Department
Project Number:	C3027/C3074	Project Mgr:	Public Works - Engineering Division
Funding Sources:	Measure J Return-to-Source (204) Grants (STP, Prop 1B, OBAG, SLPP) Sales Tax - Street Impr (211) 204, 211, A	User Dept:	General Public
		Location:	City-wide

Fiscal Year	Project Budget/Capital Costs						Other Costs	
	Measure A Sales Tax	Grants	General Fund				Revenues	Cost Savings
Prior Years	13,929,283	2,420,670	-	-	-	-	-	-
2014-15	448,831	630,000	-	-	-	-	-	-
2015-16	475,000	-	-	-	-	-	-	-
2016-17	484,500	-	-	-	-	-	-	-
2017-18	484,500	-	-	-	-	-	-	-
2018-19	484,500	-	-	-	-	-	-	-
2019-20	484,500	-	-	-	-	-	-	-
2020-21	484,500	-	-	-	-	-	-	-
2021-22	484,500	-	-	-	-	-	-	-
2022-23	484,500	-	-	-	-	-	-	-
2023-24	484,500	-	-	-	-	-	-	-
Unidentified	-	-	-	-	-	-	-	-
Subtotal	18,729,114	3,050,670	-	-	-	-	-	-
Total Capital Costs:						21,779,784	Total Other Costs:	-

TOTAL ALL COSTS: \$21,779,784

Statement of Need, Service Level, and Issue:

Project Desc: Project includes the design of a variety of roadway treatments including slurry seal, micropave, cape seal, asphalt overlay of various thicknesses, and repairs of failed sections. The scope will also include installation of curb ramps in compliance with the ADA for all streets that receive an overlay treatment, curb, gutter, and sidewalk upgrades as needed, upgrades to traffic control systems that pertain to pavement work (striping, crosswalks, bike facilities, and associated signage), and upgrades to road-related storm drainage facilities. The project will involve multiple specialty contracts such as seal coats, asphalt overlay, roadway repairs and concrete. This project will also fund the bi-annual Pavement Management Program update.

Need: The Measure A Street Improvement Program 2008 - 2010 invested approximately \$15 million into street improvements bringing the Pavement Condition Index up from 52 to 85. The Measure A Sales Tax continues to fund this program to maintain the street system serviceable condition.

Service Level: See above

Pertinent Issue: The primary issue has been that of funding. With the passage by voters in February 2008 of Measure A (Street Improvement Sales Tax), it is anticipated that there will be sufficient funding to maintain the overall system condition in the good category.

Status: The accelerated program was completed in 2010, and the annual project will perform scheduled capital maintenance, any needed rehabilitation and leverage grant funding.

Capital Cost Estimate:	Admin:	\$435,596	Design	\$1,088,989	Constr Mgt:	\$1,524,585
	Equipment:	\$0	Construction	\$16,334,838	Other:	\$217,798
	Contingency:	\$2,177,978			TOTAL:	\$21,779,784

Attachment 4 - CIP Projects & Resolution

CITY OF EL CERRITO

CAPITAL IMPROVEMENT PROJECT INFORMATION SHEET

Project Name:	Access Modifications - Streets	Proponent:	Public Works
Project Number:	C3024	Project Mgr:	PW Engineering Division
Funding Sources:	Measure C/J, Grant 204, A	User Dept:	General Public
		Location:	Citywide

	Capital Costs				Other Costs			
Fiscal Year	Measure C/J (204)	Grant	Unidentified		Operating	Energy	Misc	
Prior Years	ongoing	-	-	-	-	-	-	
2014-15	115,441	18,000	-	-	-	-	-	
2015-16	70,000	-	-	-	-	-	-	
2016-17	70,000	-	-	-	-	-	-	
2017-18	70,000	-	-	-	-	-	-	
2018-19	70,000	-	-	-	-	-	-	
2019-20	71,400	-	-	-	-	-	-	
2020-21	72,900	-	-	-	-	-	-	
2021-22	74,400	-	-	-	-	-	-	
2022-23	75,900	-	-	-	-	-	-	
2023-24	77,500	-	-	-	-	-	-	
Unidentified	5,300,000	-	-	-	-	-	-	
Subtotal	6,067,541	18,000	-	-	-	-	-	
Total Capital Costs:				6,085,541	Total Other Costs:			-

TOTAL ALL COSTS: \$6,085,541

Statement of Need, Service Level, and Issue:

Project Description: This project will implement the streets portion of the City's American with Disabilities Act (ADA) Transition Plan Update, which was adopted in September 2009. Specific locations and scopes of work will be determined annually in conformance with the Plan Update and based on guidance from ADA Working Group. This program is in addition to the curb ramp work required by street repaving program, however the access program may be contracted jointly with the Street Resurfacing Program.

Need: The ADA requires that public facilities are accessible to people with disabilities. The City's ADA Transition Plan identifies deficiencies on major pedestrian routes in the public right-of-way, and recommends a strategy for eliminating these obstructions. The Plan prioritizes improvements to major pedestrian routes in the public right-of-way. Within the public streets, there are numerous obstructions to access for disabled persons. This capital program is an integral part of a compliance strategy for tackling this massive deficiency in the most practical manner. These actions require that requests from persons with disabilities be prioritized based on guidance from the ADA Working Group.

Service Level: This program will work toward bringing the pedestrian routes in the public right-of-way into compliance and making the City's programs accessible.

Pertinent Issue: We expect to construct approximately 20 curb ramps in Fall 2014. Approximately \$18K is also available in grant funding from El Cerrito-Albany Access.

Status: This is an ongoing program.

Capital Cost Estimate:	Admin:	\$121,711	Design:	\$608,554	Constr Mgt:	\$486,843
	Equipment:	\$0	Constr:	\$3,955,602	Other:	\$0
	Contingency:	\$912,831			TOTAL:	\$6,085,541

Attachment 4 - CIP Projects & Resolution

CITY OF EL CERRITO

CAPITAL IMPROVEMENT PROJECT INFORMATION SHEET

Project Name:	Arlington Curve at Brewster Drive Safety Imprv	Proponent:	Public Works and Police Departments
Project Number:	C3071	Project Mgr:	Public Works - Engineering Division
Funding Sources:	Highway Safety Imprvmnt Program Grant (Fed)	User Dept:	General Public
	211, A	Location:	Arlington Boulevard near Brewster Drive (s)

	Capital Costs				Other Costs			
Fiscal Year	HSIP (secure)	Measure A			Operating	Energy	Misc	
Prior Years	-	17,262	-	-	-	-	-	
2014-15	117,000	13,000	-	-	-	-	-	
2015-16	120,800	19,738	-	-	-	-	-	
2016-17	-	-	-	-	-	-	-	
2017-18	-	-	-	-	-	-	-	
2018-19	-	-	-	-	-	-	-	
2019-20	-	-	-	-	-	-	-	
2020-21	-	-	-	-	-	-	-	
2021-22	-	-	-	-	-	-	-	
2022-23	-	-	-	-	-	-	-	
2023-24	-	-	-	-	-	-	-	
Unidentified	-	-	-	-	-	-	-	
Subtotal	237,800	50,000	-	-	-	-	-	
Total Capital Costs:			287,800	Total Other Costs:				-
TOTAL ALL COSTS	\$	287,800						

Statement of Need, Service Level, Schedule and Issue:

Project Description: The project is located at the Intersection of Arlington Blvd and Brewster Dr (south) about 350 feet in both directions from the intersection. It includes installation of long-term improvements to upgrade interim improvements completed in Fall 2012. Specifically includes construction of curb, gutter, sidewalk, curb ramps, & curb extensions; installation of electronic speed feedback signs to include Arlington Park, and curve, pedestrian, & advisory speed signs; installation of enhanced striping for crosswalks, shoulders, and shared roadway markings; installation of additional botts dots and pavement markers; and restriping of existing pavement markings as necessary.

Need/Service Level: Arlington Blvd is a minor arterial that carries regional traffic through the El Cerrito, Kensington, and Berkeley hills. It is also an important north-south connection for bicyclists and pedestrians and is designated as a pedestrian and bicycle route in the Circulation Plan for Bicyclists and Pedestrian (2007). The crosswalk at the intersection serves the existing community staircase/path through the neighborhood. The City has previously installed various improvements in this area over the years in response to community concerns at the intersection and along the Arlington Blvd corridor.

General Plan Goal: Goal T1: A transportation system that allows safe and efficient travel by a variety of modes and promotes the use of alternatives to the single-occupant vehicle.

Pertinent Issue: In July 2012, following a fatal pedestrian-bicycle collision at the intersection, the City again met with community representatives. The City and Police Department conducted speed surveys to determine the appropriate advisory speed for the corridor, and retained a consultant to conduct a safety analysis of the intersection. The project improvements are the recommendations that resulted from that analysis, which received community support at a final public meeting in July 2012

Status: Design is anticipated to begin in Fall 2013 after authorization by Caltrans to proceed.

Capital Cost Estimate:	Admin:	12,300	Design:	28,500	Constr Mgt:	28,500
	Equipment:		Constr:	190,000	Other:	
	Contingency:	28,500	Land:		TOTAL:	\$ 287,800

Attachment 4 - CIP Projects & Resolution

CITY OF EL CERRITO

CAPITAL IMPROVEMENT PROJECT INFORMATION SHEET

Project Name:	City-Wide Signage Program	Proponent:	Public Works
Project Number:	C3028	Project Mgr:	Public Works - Engineering Division
Funding Sources:	General Fund (101), unidentified B	User Dept:	General Public
		Location:	various

Capital Costs					Other Costs		
Fiscal Year	General Fund	Unidentified			Operating	Energy	Misc
Prior Years	50,000	-	-	-	-	-	-
2014-15	-	-	-	-	-	-	-
2015-16	-	-	-	-	-	-	-
2016-17	-	-	-	-	-	-	-
2017-18	-	-	-	-	-	-	-
2018-19	-	-	-	-	-	-	-
2019-20	-	-	-	-	-	-	-
2020-21	-	-	-	-	-	-	-
2021-22	-	-	-	-	-	-	-
2022-23	-	-	-	-	-	-	-
2023-24	-	-	-	-	-	-	-
Unidentified	-	200,000	-	-	-	-	-
Subtotal	50,000	200,000	-	-	-	-	-
Total Capital Costs:				250,000	Total Other Costs:		-

TOTAL ALL COSTS: \$250,000

Statement of Need, Service Level, and Issue:

Project Description: Phased replacement of old signs (identification and wayfinding) with new signage that is consistent with the City's updated identity program on San Pablo Avenue.

Need: Current wayfinding and identification signage throughout town in inconsistent, out-of-date and/or not distinctive

Service Level: The project includes placing new signs at secondary city entrances, parks, facilities and where directional/wayfinding signage is needed.

Pertinent Issue: This project will expand that signage program outside of the San Pablo Ave area to create a city-wide consistency in the signage formats. Funds in this project will be used for signage that cannot be funded by other means (such as other city projects or development.) The City is participating on a WCCTAC-led Transit Wayfinding Sign Project funded by Regional Measure 2/Safe Routes to Transit. The project will develop technical specifications and design for signs to direct pedestrians and bicyclists to and from major transit facilities and major sites in West County and Albany.

Status: Pending Funding

Capital Cost Estimate:	Admin:	\$10,000	Design:	\$30,000	Constr Mgt:	\$20,000
	Equipment:	\$0	Constr:	\$190,000	Other:	\$0
	Contingency:	\$0			TOTAL:	\$250,000

Attachment 4 - CIP Projects & Resolution

CITY OF EL CERRITO

CAPITAL IMPROVEMENT PROJECT INFORMATION SHEET

Project Name:	Del Norte TOD Infrastructure Improvements	Proponent:	Public Works / Community Development
Project Number:	C4014	Project Mgr:	Public Works - Engineering Division
Funding Sources:	STMP Developer Fees, unidentified	User Dept:	Public Works / Community Development
	A, B	Location:	Del Norte area

Fiscal Year	Capital Costs			Other Costs		
	STMP	Unidentified		Operating	Energy	Misc
Prior Years		-	-	-	-	-
2014-15	-	-	-	-	-	-
2015-16		-	-	-	-	-
2016-17	-	-	-	-	-	-
2017-18	-	-	-	-	-	-
2018-19	-	-	-	-	-	-
2019-20	-	-	-	-	-	-
2020-21	-	-	-	-	-	-
2021-22	-	-	-	-	-	-
2022-23	-	-	-	-	-	-
2023-24	-	-	-	-	-	-
Unidentified	6,875,000	18,125,000	-	-	-	-
Subtotal	6,875,000	18,125,000	-	-	-	-

Total Project Costs: 25,000,000 Total Other Costs: -

TOTAL ALL COSTS: \$25,000,000

Statement of Need, Service Level, and Issue:

Project Description: The project includes planning, engineering and construction of various public infrastructure improvements to facilitate transit-oriented development in the Del Norte Area including parking facilities; bicycle, pedestrian, and/or bus transit access improvements; signage; lighting; improvements to station access or station waiting areas; ADA improvements; improvements to adjacent streets, street crossings, or signals; and/or Ohlone Greenway improvements.

General Plan Objective: Goal T1: A transportation system that allows safe and efficient travel by a variety of modes and promotes the use of alternatives to the single-occupant vehicle. Goal T2: A land use pattern that encourages walking, bicycling, and public transit use. Goal T3: A transportation system that maintains and improves the livability of the City.

Need: Traffic congestion and planned/proposed development in the vicinity of the Del Norte BART station require creative and effective transportation solutions. The proximity of San Pablo Avenue to I-80 (the most congested freeway in the Bay Area) makes it an attractive relief route during the commute hours in addition to the heavy BART-bound traffic to and from the freeway. The two primary intersections (San Pablo Avenue at Cutting and at Hill) cannot accommodate a pedestrian crosswalk on the leg that has the highest pedestrian crossing demand due to critical vehicle volumes, and this induces pedestrians to cross illegally in the mid-block locations. There is also a history of collisions involving vehicles and pedestrians in this area. In addition, BART is preparing a Station Modernization Plan as it considers improvements around and within its station.

Service Level: San Pablo Avenue is a State highway, and carries over 25,000 vehicles a day. The Del Norte BART Station was identified as one of the 21 regional transit hubs in the nine Bay Area counties by MTC because of the linkages its provides between the services of various transit operators. The BART Station has over 700 bus trips a day which contributes to this being the 10th busiest station of 43 BART stations.

Pertinent Issue: BART had previously committed \$100,000 of its STMP fees for this area. Future efforts will build on the San Pablo Ave Specific Plan/Complete Streets Plan and BART Plan. Public Works will continue to seek additional funding for San Pablo Avenue based on its designation as a planned Priority Development Area under the FOCUS Program.

Status: The project is pending additional funding and coordination with the San Pablo Avenue Specific Plan/Complete Streets Plan

Capital Cost Estimate:	Admin: \$850,000	Design: \$1,700,000	Constr Mgt: \$1,700,000
	Equipment: \$0	Constr: \$17,000,000	Other: \$0
	Contingency: \$3,750,000		TOTAL: \$25,000,000

Attachment 4 - CIP Projects & Resolution

CITY OF EL CERRITO

CAPITAL IMPROVEMENT PROJECT INFORMATION SHEET

Project Name:	Balra Retaining Wall Repair	Proponent:	Public Works
Project Number:	C3058	Project Mgr:	PW - Engineering Division
Funding Sources:	General Fund, Unidentified	User Dept:	General Public
	B	Location:	779 block of Balra Drive

	Capital Costs				Other Costs			
Fiscal Year	General Fund	Unidentified			Operating	Energy	Misc	
Prior Years		10,400	-	-	-	-	-	
2014-15	-	-	-	-	-	-	-	
2015-16	-	-	-	-	-	-	-	
2016-17	-	-	-	-	-	-	-	
2017-18	-	-	-	-	-	-	-	
2018-19	-	-	-	-	-	-	-	
2019-20	-	-	-	-	-	-	-	
2020-21	-	-	-	-	-	-	-	
2021-22	-	-	-	-	-	-	-	
2022-23	-	-	-	-	-	-	-	
2023-24	-	-	-	-	-	-	-	
Unidentified	-	325,000	-	-	-	-	-	
Subtotal	-	335,400	-	-	-	-	-	
Total Capital Costs:				335,400	Total Other Costs:			-

TOTAL ALL COSTS: \$335,400

Statement of Need, Service Level, and Issue:

Project Description: Repair or replace the retaining wall in front of 779 Balra Drive, and repair street and sidewalk damage above wall.

Need: The existing retaining wall above the Creek headwall in front of 779 Balra Drive is badly damaged and must be repaired.

Service Level: The gradual failure of this wall is causing subsidence of the street and sidewalk above, and has created some uneven surfaces in the walking and driving paths.

Pertinent Issue: The wall is leaning over onto private property, but is not causing any immediate damage. Geotech report prepared and measuring points marked on the wall. However, no funding source has been identified for this work.

Status: Planning Phase: Implementation pending funding.

Capital Cost Estimate:	Admin:	\$6,708	Design:	\$33,540	Constr Mgt:	\$33,540
	Equipment:	\$0	Constr:	\$228,072	Other:	\$0
	Contingency:	\$33,540			TOTAL:	\$335,400

Attachment 4 - CIP Projects & Resolution

CITY OF EL CERRITO

CAPITAL IMPROVEMENT PROJECT INFORMATION SHEET

Project Name:	Traffic Safety & Management Program	Proponent:	Public Works
Project Number:	C3070	Project Mgr:	PW - Engineering Division
Funding Sources:	Measure A (211), Unidentified	User Dept:	General Public
	211, B	Location:	various

Fiscal Year	Capital Costs			Other Costs		
	Measure A (211)	Unidentified		Operating	Energy	Misc
Prior Years	200,000	-	-	-	-	-
2014-15	50,000	-	-	-	-	-
2015-16	25,000	-	-	-	-	-
2016-17	25,000	300,000	-	-	-	-
2017-18	25,000	275,000	-	-	-	-
2018-19	25,000	275,000	-	-	-	-
2019-20	25,000	275,000	-	-	-	-
2020-21	25,000	275,000	-	-	-	-
2021-22	25,000	275,000	-	-	-	-
2022-23	25,000	275,000	-	-	-	-
2023-24	25,000	275,000	-	-	-	-
Unidentified		-	-	-	-	-
Subtotal	475,000	2,225,000	-	-	-	-
Total Capital Costs:			2,700,000	Total Other Costs:		

TOTAL ALL COSTS: \$2,700,000

Statement of Need, Service Level, and Issue:

Project Description: This program would contain various capital projects that would improve safety for motorists, pedestrians and bicyclists traveling on city streets and implement various improvements under the Neighborhood Traffic Management Program consisting of educational, engineering and enforcement measures to address speeding, high traffic volumes, pedestrian and bicycle access and livability on residential streets.

General Plan Objective: Goal T1: A transportation system that allows safe and efficient travel by a variety of modes and promotes the use of alternatives to the single-occupant vehicle. Goal T3: A transportation system, including safe and adequate streets, signals, sidewalks, pathways, curbs, gutters, street trees, signage, and streetlights, that maintains and improves the livability of the City.

Need: A 2006 traffic safety audit evaluated 14 street segments that had significantly higher collision rates than other arterial and collector streets in the City, and provided recommendations for improvements to mitigate collision rates. An increasing number of El Cerrito residents are concerned about vehicular speeds, traffic volumes and pedestrian and bicycle obstacles in their neighborhoods. The City has responded to community concerns by installing standard traffic control devices (warning and regulatory signs, pavement markings, striping and curb markings) and speed humps, deploying the speed feedback trailer, and enforcement of traffic and parking regulations. Generally, the City addressed resident requests on a case-by-case basis – with each request becoming a unique process and involving extensive City resources. The problem became how to place these requests in context – which have priority, which represent “normal” traffic conditions on residential streets, and what types of measures would provide equitable, effective and timely solutions.

Service Level: The targeted street segments in the traffic safety audit were generally on arterial and collector streets which carry most of the City's traffic. The NTMP program will serve all streets in neighborhoods throughout the City.

Pertinent Issue: Funding has been secured and improvements implemented for several of the corridors. Public Works will continue to seek state and federal funding opportunities, and combine this program with others such as the PDA Streetscape Improvements Program to maximize funding opportunities as they arise.

Status: Planning Phase: Implementation pending funding.

Capital Cost Estimate:	Admin:	35,000	Design:	255,000	Constr Mgt:	255,000
	Equipment:	-	Constr:	1,700,000	Other:	100,000
	Contingency:	355,000			TOTAL:	\$2,700,000

Attachment 4 - CIP Projects & Resolution

CITY OF EL CERRITO

CAPITAL IMPROVEMENT PROJECT INFORMATION SHEET

Project Name:	Wildcat Drive Repair	Proponent:	Public Works
Project Number:	tbd	Project Mgr:	PW - Engineering Division
Funding Sources:	Unidentified	User Dept:	General Public
	B	Location:	Wildcat Drive

	Capital Costs				Other Costs		
Fiscal Year	Unidentified				Operating	Energy	Misc
Prior Years	-	-	-	-	-	-	-
2013-14	-	-	-	-	-	-	-
2014-15	-	-	-	-	-	-	-
2015-16	-	-	-	-	-	-	-
2016-17	-	-	-	-	-	-	-
2017-18	-	-	-	-	-	-	-
2018-19	-	-	-	-	-	-	-
2019-20	-	-	-	-	-	-	-
2020-21	-	-	-	-	-	-	-
2021-22	-	-	-	-	-	-	-
2022-23	-	-	-	-	-	-	-
Unidentified	2,500,000	-	-	-	-	-	-
Subtotal	2,500,000	-	-	-	-	-	-
Total Capital Costs:				2,500,000	Total Other Costs:		-

TOTAL ALL COSTS: \$2,500,000

Statement of Need, Service Level, and Issue:

Project Description: This project would restore Wildcat Drive to its original width.

General Plan Objective:

Need: The last in a series of landslides removed a section of Wildcat Drive (approximately 100 feet long and 10 feet wide) and the abutting valley gutter and embankment. Emergency work was performed that stabilized the remaining roadway.

Service Level: In its current configuration, the road serves the primary public need of access and utility pathways. However, the emergency repair work requires traffic to constrict to a one-lane path, and the sheet pile retaining wall is considered to be adverse in appearance.

Pertinent Issue: Conceptual design was completed in the late 1990s for a retaining wall that would enable restoration of the original roadway width. This remedy is costly and currently unfunded. Other possible remedies that include restoring the stability of the abutting private land could be considered along with a funding partnership with the affected property owners.

Status: Planning Phase: Implementation pending funding.

Capital Cost Estimate:	Admin:	40,000	Design:	210,000	Constr Mgt:	150,000
	Equipment:	-	Constr:	2,000,000	Other:	-
	Contingency:	100,000			TOTAL:	\$2,500,000

Attachment 4 - CIP Projects & Resolution

CITY OF EL CERRITO

CAPITAL IMPROVEMENT PROJECT INFORMATION SHEET

Project Name:	PDA Streetscape Improvements	Proponent:	Public Works
Project Number:	tbd	Project Mgr:	PW - Engineering Division
Funding Sources:	Unidentified	User Dept:	General Public
	B	Location:	Various

Fiscal Year	Capital Costs				Other Costs		
	Unidentified				Operating	Energy	Misc
Prior Years	-	-	-	-	-	-	-
2013-14	-	-	-	-	-	-	-
2014-15	-	-	-	-	-	-	-
2015-16	-	-	-	-	-	-	-
2016-17	-	-	-	-	-	-	-
2017-18	-	-	-	-	-	-	-
2018-19	-	-	-	-	-	-	-
2019-20	-	-	-	-	-	-	-
2020-21	-	-	-	-	-	-	-
2021-22	-	-	-	-	-	-	-
2022-23	-	-	-	-	-	-	-
Unidentified	-	4,917,500	-	-	-	-	-
Subtotal	-	4,917,500	-	-	-	-	-
Total Capital Costs:				4,917,500	Total Other Costs:		-

TOTAL ALL COSTS: **\$4,917,500**

Statement of Need, Service Level, and Issue:

Project Description: The project consists of streetscape improvements within and around the San Pablo Avenue Priority Development Area, which includes all of San Pablo Avenue and crossing arterials leading to the El Cerrito Plaza and Del Norte BART Stations. Improvements will be coordinated with neighboring cities and transit agencies. The scope of the project improvements includes sidewalk replacement, pedestrian level lighting, crosswalks improvements (curb bulb-outs, pedestrian refuge islands, and enhanced signing & striping), bike route signing & striping, street trees and street furniture.

General Plan Objective: Goal T1: A transportation system that allows safe and efficient travel by a variety of modes and promotes the use of alternatives to the single-occupant vehicle; and Goal T3: A transportation system, including safe and adequate streets, signals, sidewalks, pathways, curbs, gutters, street trees, signage, and streetlights, that maintains and improves the livability of the City.

Need: The City's General Plan calls for three specific areas along the San Pablo Avenue corridor to become "pedestrian friendly, mixed-use villages with ground floor retail uses and upper floor office and residential use". Each of the three identified areas has its own unique character and function and will be connected via the Ohlone Greenway and a vibrant San Pablo Avenue to two BART stations and multiple transit stops. The San Pablo Avenue Specific Plan calls for transit-oriented neighborhoods and in-fill development around the BART Stations. Continued streetscape and open space improvements in the corridor would capitalize on the momentum created by previous Redevelopment Agency projects.

Service Level: The San Pablo Avenue and BART Stations are important transportation facilities that serve residents and visitors of El Cerrito. The project will improve streets for users of all modes. For pedestrians, bicyclists and transit users, the addition of the proposed improvements will create a friendlier and safer environment.

Pertinent Issue: Identify funding opportunities through Transportation for Livable Communities Programs from the county through federal level. The program will likely be replaced by San Pablo Avenue Complete Street Plan improvements.

Status: Planning Phase: Implementation pending funding.

Capital Cost Estimate:	Admin:	98,400	Design:	393,400	Constr Mgt:	491,800
	Equipment:	-	Constr:	3,278,200	Other:	-
	Contingency:	655,700			TOTAL:	\$4,917,500

Attachment 4 - CIP Projects & Resolution

CITY OF EL CERRITO

CAPITAL IMPROVEMENT PROJECT INFORMATION SHEET

Project Name:	Safe Routes to School Program	Proponent:	Public Works
Project Number:	tbd	Project Mgr:	PW - Engineering Division
Funding Sources:	Unidentified	User Dept:	General Public
		Location:	Citywide

	Capital Costs				Other Costs			
Fiscal Year	Unidentified				Operating	Energy	Misc	
Prior Years	-	-	-	-	-	-	-	
2014-15	-	-	-	-	-	-	-	
2015-16	-	-	-	-	-	-	-	
2016-17	-	-	-	-	-	-	-	
2017-18	500,000	-	-	-	-	-	-	
2018-19		-	-	-	-	-	-	
2019-20	500,000	-	-	-	-	-	-	
2020-21	-	-	-	-	-	-	-	
2021-22	500,000	-	-	-	-	-	-	
2022-23	-	-	-	-	-	-	-	
2023-24	500,000	-	-	-	-	-	-	
Unidentified	-	-	-	-	-	-	-	
Subtotal	2,000,000	-	-	-	-	-	-	
Total Capital Costs:				2,000,000	Total Other Costs:			-

TOTAL ALL COSTS: **\$2,000,000**

Statement of Need, Service Level, and Issue:

Project Description: Develop a safe routes to school program including educational, engineering and enforcement measures.

General Plan Objective: Goal T1: A transportation system that allows safe and efficient travel by a variety of modes and promotes the use of alternatives to the single-occupant vehicle; and Goal T3: A transportation system, including safe and adequate streets, signals, sidewalks, pathways, curbs, gutters, street trees, signage, and streetlights, that maintains and improves the livability of the City.

Need: The El Cerrito Circulation Plan for Bicyclists, adopted in 2007, and Pedestrians and Citywide Pedestrian Safety Assessment, conducted in 2009, both call for development of a safe routes to school program. School zones are particularly hazardous areas for pedestrians and bicyclists with many parents dropping off or picking up students. However, there are many benefits of having children walk or bike to school, including improving physical health and reducing traffic congestion.

Service Level: The safe routes to school program will serve K through 12th-grade students in public and private schools throughout the City.

Pertinent Issue: City staff is collaborating with WCCTAC Agencies and the Contra Costa County Health Division to provide a Safe Routes to School Program for education and encouragement activities at elementary schools throughout West Contra Costa as part of a federal Safe Routes to School grant. Staff will seek state and federal funding opportunities for capital improvements identified as part of this effort and other City efforts.

Status: Concept Phase: Implementation pending funding.

Capital Cost Estimate:	Admin:	50,000	Design:	180,000	Constr Mgt:	180,000
	Equipment:	150,000	Constr:	1,200,000	Other:	-
	Contingency:	240,000			TOTAL:	\$2,000,000

RESOLUTION 2014-26

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO ADOPTING THE BIENNIAL BUDGET FOR FY 2014-15 AND FY 2015-16 AND SPENDING AUTHORITY FROM ALL FUNDS OF THE CITY OF EL CERRITO FOR FISCAL YEAR 2014-15

WHEREAS, City staff have prepared, transmitted, and presented the proposed biennial FY 2014-15 and FY 2015-16 Budget to the City Council of the City of El Cerrito for its consideration, and it has been reviewed and analyzed in public review sessions; and

WHEREAS, the City prepares and adopts a budget with the intent of providing a planned program for City services and a financial system to carry out the program of services; and

WHEREAS, the proposed budget represents anticipated revenues and proposed expenditures, including interfund transfers, from all funds of the City of El Cerrito; and

WHEREAS, proposed spending authority from tax proceeds are within the City's Fiscal Year 2014-15 Gann Appropriations Limit, as defined the California State Constitution Article XIII B.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of El Cerrito hereby adopts the FY 2014-15 and FY 2015-16 Budget with FY 2014-15 spending limits across funds as follows:

General Fund	\$29,252,065
Gas Tax	\$540,792
National Pollution Discharge Elimination	\$390,934
Landscape and Lighting Assessment	\$901,542
Measure J Return to Source	\$407,178
Paratransit	\$127,316
Measure J Storm Drain	\$556,710
Measure A Parcel Tax	\$686,436
Vehicle Abatement	\$11,000
Street Improvements	\$1,929,454
Federal, State and Local Grants	\$173,498
C.O.P.S. Grant	\$100,000
City Low & Moderate Income Housing	\$111,538
Capital Improvements	\$2,188,601
Integrated Waste Management	\$2,377,934
Vehicle/Equipment Replacement	\$128,533
Employees' Pension Trust	\$113,976
Financing Authority Measure A	\$369,574
Financing Authority Civic Center	\$597,768
Financing Authority Street Improvement	\$737,408
Total	\$41,702,257

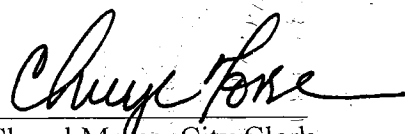
BE IT FURTHER RESOLVED that the City Council of the City of El Cerrito hereby authorizes the City Manager or his designee to:

1. Create such appropriations into such new accounts as may be appropriate for proper accounting in the City's financial system and to make any necessary non-material changes to finalize the budget document.
2. Apply correct accounting rules for the proper classification of interfund transactions, including transfers between funds, or other financial transactions, as may be necessary to address bond or loan covenants, or any other requirements imposed by formal, legal agreements between the City any other parties, as previously entered into by the City.
3. Approve payment of goods and services received by the City in accordance with the City's approved budgets, programs, and policies, subject to a limitation of \$25,000 for any single vendor in any one fiscal year, beyond which amount the City Council retains authority to approve payment with the exception of those items falling under other statutory authority (e.g., public works, State purchasing).
4. Shift expenditure authority within funds among departments, as may be necessary to meet the City's operational needs.

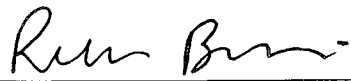
I CERTIFY that at the regular meeting on June 17, 2014, the El Cerrito City Council passed this resolution by the following vote:

AYES: Councilmembers Bridges, Friedman, Lyman and Vice Mayor Benassini
NOES: None
ABSENT: Mayor Abelson

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on June 18, 2014.


Cheryl Morse, City Clerk

APPROVED:


Rebecca Benassini, Vice Mayor

ORDINANCE NO. 98-2

AN ORDINANCE OF THE CITY OF EL CERRITO AMENDING TITLE 11 (VEHICLES AND TRAFFIC) OF THE EL CERRITO MUNICIPAL CODE BY DELETING CHAPTER 11.76 (TRANSPORTATION DEMAND MANAGEMENT PROGRAMS) AND REPLACING IT WITH A NEW CHAPTER 11.76 ENTITLED TRANSPORTATION SYSTEMS MANAGEMENT

WHEREAS, in 1988, Measure C was approved by the voters of Contra Costa County to address the funding of transportation projects in Contra Costa County by imposing a one-half cent sales tax; and

WHEREAS, pursuant to the requirements of Contra Costa County Measure C, each jurisdiction within Contra Costa County, as a condition of receiving Measure C Local Street Maintenance and Improvement funds, was required to adopt a Transportation Systems Management ("TSM") Ordinance or other mitigations to promote carpools, vanpools, and park and ride lots; and

WHEREAS, pursuant to the provisions of Measure C, the Contra Costa Transportation Authority (the "Authority") drafted and adopted a model TSM Ordinance for use by local jurisdictions in developing local ordinances for adoption and implementation; and

WHEREAS, the model TSM Ordinance was modified and adopted by the City of El Cerrito as Ordinance No. 92-7 on July 6, 1992 (the "Ordinance") and codified as Chapter 11.76 of the El Cerrito Municipal Code; and

WHEREAS, in 1989 the California Legislature enacted amendments to the California Government Code imposing separate requirements under the state congestion management programs which required local jurisdictions to adopt trip reduction and travel demand ordinances; and

WHEREAS, pursuant to such requirements, the Authority revised its model TSM Ordinance to incorporate trip reduction and travel demand ("TDM") requirements; and

WHEREAS, the Authority's revised model TSM/TDM Ordinance was modified and adopted by the City of El Cerrito as revisions to Chapter 11.76 through Ordinance No. 94-6 on August 15, 1994; and

WHEREAS, in 1995, the California Legislature amended congestion management requirements to prohibit local jurisdictions from enforcing mandatory employer trip reduction programs; and

WHEREAS, in order to implement the mandate of the 1995 legislation, it is necessary and advisable to repeal the TSM/TDM Ordinance codified as Chapter 11.76 to

eliminate requirements for mandatory employer based trip reduction plans and to approve and adopt new purposes, goals and objectives for transportation systems management.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL CERRITO DOES HEREBY ORDAIN AS FOLLOWS:

DIVISION I. CHAPTER 11.76 OF THE EL CERRITO MUNICIPAL CODE IS HEREBY DELETED IN ITS ENTIRETY AND REPLACED WITH A NEW CHAPTER 11.76, ENTITLED TRANSPORTATION SYSTEMS MANAGEMENT, WHICH SHALL READ AS FOLLOWS

11.76.010 Findings

- A. Transportation Systems Management (hereinafter referred to as "TSM") has the potential to reduce vehicle trips and vehicle emissions more efficiently and cost effectively than major roadway improvements.
- B. For many years prior to the passage of Contra Costa County Measure C in 1988, local jurisdictions developed and implemented a variety of TSM and Transportation Demand Management (hereinafter referred to as "TDM") projects and programs e.g., operation of transit systems, construction of bicycle facilities, land use policy coordination and related improvements.
- C. Since 1992, the Contra Costa Transportation Authority has committed both Measure C and Transportation Fund for Clean Air ("TFCA") funds to four sub-area programs for the implementation of Measure C and Clean Air Plan goals.
- D. Pursuant to the provisions of Measure C, adoption of a TDM ordinance was deemed to be one component of a comprehensive transportation planning effort.
- E. In compliance with the requirements of the TDM Ordinance, large employers were required to develop and implement trip reduction programs at work sites and, pursuant to those requirements, implementation of the TDM Ordinance was delegated to the West Contra Costa Transportation Advisory Committee ("WCCTAC").
- F. The Countywide Comprehensive Transportation Plan incorporates each Regional Committee's Action Plan for Routes of Regional Significance, which support specific TSM/TDM goals and objectives.
- G. Over the past four years, the sub-area TDM programs have been successful in reducing vehicle trips and emissions at the employment sites specified in the TDM Ordinance, as well as in school and residential areas where programs have been implemented.

- H. Since the adoption of the TDM Ordinance, TDM efforts have been expanded to include aspects of the transportation systems other than employer programs e.g., enhancement of transit and bicycle facilities, incorporation of new technologies into the system, land use policy coordination, and related enhancements.
- I. In adopting this Ordinance, cooperation and coordination with other local jurisdictions and regions in furthering TSM are acknowledged as having the potential to enhance the efficiency and cost-effectiveness of its efforts; and, accordingly, the Council of the City of El Cerrito directs staff to take steps to implement TSM in accordance with the policies, goals, and objectives set forth herein, and in cooperation with WCCTAC staff.

11.76.020 Purpose, goal and objectives

- A. In light of legislation passed eliminating mandatory employer-based trip reduction requirements, the following purposes, goals, and objectives are adopted in order to assist staff in implementing this TSM Ordinance and programs:
 - 1. To promote maximum efficiency in the existing transportation system and to further the transportation goals of the Measure C Growth Management Program, Contra Costa's Congestion Management Program, the Bay Area Clean Air Plan, and the West County Action Plan, by:
 - (a) Promoting and encouraging the use of transit, ridesharing, bicycling, walking, flexible work hours, and telecommuting as alternatives to solo driving;
 - (b) Incorporating these goals and objectives into the land use and review and planning process;
 - (c) Developing proactive programs and/or projects either alone, in conjunction with other jurisdictions, or with WCCTAC, aimed at achieving these goals;
 - (d) Considering the incorporation of appropriate technology designed to facilitate traffic flow, provide transit and highway information, provide trip generation alternatives, and consider the incorporation of related technology into the transportation system;
 - (e) Cooperating with other jurisdictions, the private sector, and transit operators in planning and implementing transportation programs;
 - (f) Educating West County employees, employers, residents, and students regarding the benefits and availability of commute alternatives;

- (g) Working with the transit authorities to better serve West Contra Costa County;
 - (h) Encouraging the most cost-effective transportation improvement projects aimed at achieving congestion relief; and
 - (i) Cooperating with other jurisdictions and agencies, the private sector, and transit operators in planning and implementing transportation programs;
- 2. To reflect an ongoing commitment to expand TSM efforts beyond employer based trip reduction programs, in order to achieve congestion management and air quality goals.
 - 3. To comply with applicable state and federal laws as well as with Measure C Growth Management Program requirements pertaining to TSM.
- B. The goal of this TSM Ordinance is to ensure the continuation of a pro-active TSM program effort aimed at reducing vehicle trips, vehicle emissions, and traffic congestion in the most efficient and cost effective manner.
- C. The objective of this section is to establish the following policies:
- 1. To participate, in conjunction with other jurisdictions and WCCTAC, in a pro-active effort to support and develop projects which will achieve the Measure C TSM/TDM goals as described in the West County Action Plan, the Countywide Comprehensive Transportation Plan, the Measure C Strategic Plan, the Congestion Management Plan, and/or the Bay Area Clean Air Plan. Such participation may include, but need not be limited to:
 - (a) Promotion and encouragement of the use of transit, ridesharing, bicycling, walking, flexible work hours, telecommuting or other alternatives to solo driving;
 - (b) Defining and implementing projects incorporating appropriate technology designed to facilitate traffic flow, provide transit and highway information, and related technology.
 - 2. To incorporate these goals into the land use review and planning process.

DIVISION II. SEVERABILITY CLAUSE.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance. The council hereby declares that it would have adopted the

ordinance, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases be declared invalid.

DIVISION III.

EFFECTIVE DATE

This ordinance shall take effect thirty (30) days after passage and shall within fifteen (15) days after passage, be posted in accordance with Section 36933 of the Government Code of the State of California with the names of those City Councilmembers voting for and against it.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of El Cerrito, held on the 6th day of April, 1998.

Adopted and ordered posted at a meeting of the City Council of the City of El Cerrito held on the 4th day of May, 1998 by the following vote:

AYES: COUNCILMEMBERS: Brusatori, Damon, Friedman, La Force, Bartke

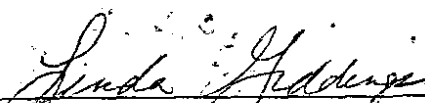
NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None



Jane A. Bartke, Mayor

ATTEST:



Linda Giddings, City Clerk

E97B-228

RESOLUTION 2013-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO ADOPTING A GROWTH MANAGEMENT ELEMENT AND REVISIONS TO THE GROWTH MANAGEMENT SECTION OF CHAPTER 4: COMMUNITY DEVELOPMENT AND DESIGN OF THE EL CERRITO GENERAL PLAN.

WHEREAS, Contra Costa County Measure J (2004) requires participation in the Growth Management Program in order to obtain Local Street and Road Maintenance Funds; and

WHEREAS, the Contra Costa Transportation Authority's Growth Management Program checklist requires adoption of a Growth Management Element; and

WHEREAS, the El Cerrito Growth Management Element complies with the requirements of Measure J; and

WHEREAS, on January 16, 2013 the El Cerrito Planning Commission recommended that the City Council adopt revisions to the Growth Management Section of Chapter 4: Community Development and Design of the El Cerrito General Plan; and

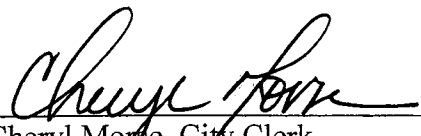
WHEREAS, the project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to the general rule in Section 15061(b)(3) of CEQA.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby adopts a Growth Management Element of the El Cerrito General Plan and revisions to the Growth Management Section of Chapter 4: Community Development and Design of the El Cerrito General Plan.

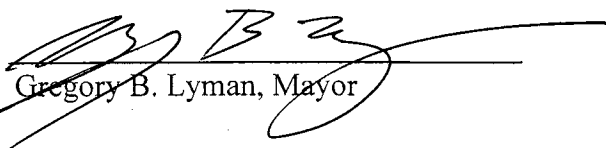
I CERTIFY that at an adjourned regular meeting on February 5, 2013, the El Cerrito City Council passed this resolution by the following vote:

AYES: Councilmembers Abelson, Benassini, Bridges, Friedman and Mayor Lyman
NOES: None
ABSENT: None

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on February 7, 2013.


Cheryl Morse, City Clerk

APPROVED


Gregory B. Lyman, Mayor

GROWTH MANAGEMENT

A. Introduction

The Growth Management Element establishes a comprehensive, long-range program that matches demand for public facilities generated by new development with policies and standards for traffic level of service (LOS) and performance criteria for fire, police, parks, sanitary facilities, water supplies, and flood control. The Growth Management Element is concerned with maintaining defined urban service levels; it is not intended to limit growth or to direct growth into certain areas of the community on a priority basis. Most importantly, the Element's policies ensure that new development impacts that threaten to degrade established traffic performance or public service thresholds are mitigated through project modification, capital improvement programming, or contributions to improvements.

This element satisfies the obligations established under Contra Costa County's 2004 Growth Management Program (referred to as Measure J). Measure J (2004) is a 25-year extension of the previous Measure C Contra Costa Transportation Improvement and Growth management Program approved by the voters in 1998.

In addition to the public facilities and services identified within this Growth Management Element, Chapter 3: Circulation Element, establishes goals, policies, and programs for traffic services, and roadway improvements, bicycle and pedestrian movement, and Transportation Demand Management (TDM) programs. Chapter 10: Housing Element, includes an expanded list of policies and programs that describe the City's efforts to foster access to safe, quality housing for people of all income levels.

Measure J

In November 2004, the voters of Contra Costa County approved Measure J, thereby approving both Transportation Improvement and Growth Management Programs and authorizing a 0.5% sales tax to fund associated improvement projects. In order to receive local street maintenance and improvement funds under Measure J, the County and each city in the county is required to develop a Growth Management Element as part of their General Plan. The overall intent of the Measure J program is:

- To establish a long-range program matching the demand for multi-modal transportation facilities to serve new development with plans, capital improvement programs, and development impact mitigation programs; and,
- To ensure that growth takes place in a manner that will ensure protection of health, safety and welfare of both existing and future residents of Contra Costa County; and,

- The Urban Limit Line is intended to promote compact urban development patterns and restrict the extension of infrastructure into areas where urban development is not planned.

In order to receive funding under Measure J, each land use agency within Contra Costa County must adopt and implement a Growth Management Element that substantially complies with the Contra Costa County Transportation Authority Model Growth Management Element. The previous requirements of Measure C to receive funding required each land use agency within Contra Costa County to establish policies and standards for traffic levels of service (LOS) and set performance standards for fire, police, parks, sanitary facilities, water, and flood control to generally ensure that adopted standards for public facilities are maintained as the community grows. Although Measure J does not require these policies and standards, they remain adopted.

El Cerrito Growth Management

While this element satisfies obligations established under Measure J, the City has clearly established its commitment to managing new development in a manner that not only ensures adequate public facilities, but also protects the quality of life enjoyed by residents. Growth management issues are discussed in detail in various other elements of this General Plan, including Land Use, Transportation and Circulation, and the Public Facilities and Services and Resources and Hazards chapters. Policies in those other Elements/Chapters are noted in the Goal and Policy tables.

Organization of the Element

The Growth Management Element is organized into three main sections. This Introduction provides an overview of growth management topics, a description of the organization of the element, and requirements for the element as specified under State law. A Goals and Policies section provides specific policy guidance for growth management topics.

Consistency with State Law

Authorization for Growth Management Element

California Government Code Section 65302 does not require a Growth Management Element to be included in a General Plan. However, Section 65303 states the following:

"The general plan may include any other elements or address any other subjects which, in the judgment of the legislative body, relate to the physical development of the City."

This element has been prepared in conformance with all mandatory requirements of State law and also satisfies the planning obligations established under Contra Costa County's Measure J.

Relationship to Other Elements of the General Plan

This Growth Management Element is closely related to the Land Use and Transportation & Circulation Elements. This Growth Management Element is intended to incorporate the requirements set forth in Measure J. It is also related to the Public Facilities and Services and Resources and Hazards chapters of the General Plan.

The Growth Management Element is not intended to supersede the goals or policies of the other elements of the General Plan. When other elements of the General Plan are updated, it may be appropriate to amend the Growth Management Element to ensure an internally consistent and comprehensive set of City goals, policies and actions.

Urban Limit Line

As part of the 1996 Contra Costa County General Plan, the County delineated an Urban Limit Line (ULL) to identify areas appropriate for urban expansion. The Measure J (2004) Transportation Expenditure Plan included a Growth Management Plan (GMP) which contained an urban limit line component mandating that local jurisdictions adopt and continuously comply with a voter approved ULL. Measure L (2006) the Contra Costa County Board of Supervisor ULL was passed by a majority of voters in Contra Costa at the November 7, 2006 election. The Measure L ULL was also approved by a majority of voters in the City at the November 7, 2006 election. The City adopted the Measure L ULL by resolution on October 16, 2006. The adoption of the Measure L ULL specifically complies with the purposes of Measure J as follows:

- Ensure the preservation and protection of identified non-urban land, including agricultural, open space, parkland, and other areas, by establishing a line beyond which urban development is prohibited; and
- Link land use decisions with the transportation investments in Measure J by channeling future growth to locations more suitable for urban development; and
- Ensure that land use policies within the voter Approved Urban Limit Line effectively promote appropriate development that accommodates the area's projects housing and job needs in the future.

Housing Options

Consistent with the requirements of Measure J and state Law, the City's Housing Element establishes a range of goals, policies and programs that outline the City's efforts to support balanced housing development in the City. Measure J expands upon the program requirements identified in the Prior Measure C, and requires ongoing reporting to CCTA of the City's progress in implementing the goals and objectives listed in the Housing Element.

California Government Code Sec. 65400(b) requires the preparation of the annual report summarizing the City's progress implementing the Housing Element of the General Plan, and submitting copies of the report to the Contra Costa Transportation Authority biennially as part of the Authority's Growth Management Plan Compliance Checklist.

Measure J requires that the annual report on the implementation of the Housing element of the General Plan be submitted to CCTA every other year. The report must include the specified housing reporting period and must be submitted to CCTA in one of the following formats:

- The number of housing units approved, constructed or occupied in the City since the beginning of the reporting period, compared to the average number of units needed annually to meet the fair share regional housing need;
- A description of how the City's adopted land use, housing, and regulatory plans and programs have provided sufficient opportunities for and removed undue constraints to the achievement of the City's fair share regional housing need; or
- A description of how the plans and policies of the General Plan and the land use regulations of the Zoning Ordinance facilitate the improvement and development of the City's fair share regional housing need.

B. Traffic Service Standards

Projected increases in travel have the capacity to influence disproportionately the shape and character of El Cerrito, if traffic congestion and improvements to the travel network are not managed through local and cooperative regional policy implementation. The Land Use Element (Community Development and Design chapter) establishes the timing and density of future growth within the city. The Transportation Element (Transportation and Circulation chapter), supplemented by the Growth Management Element's defined levels of intersection performance and policies for mitigation of traffic impacts, are useful sources of options and strategies to influence regional growth patterns that extend their influence beyond El Cerrito's borders.

Routes of Regional Significance

Measure "C" required that all freeways and selected arterials in the county be designated as Routes of Regional Significance, or "regional routes." These roadways experience extreme levels of congestion, and carry significant levels of through-traffic to other parts of the Bay Area. There are many obstacles to improving conditions on these regional routes, including the high cost of expanding physical capacity and the uncertain role of outside agencies' funding decisions. Within El Cerrito, these regional routes include Interstate Freeway 80, San Pablo Avenue, and Cutting Boulevard.

Characteristics of El Cerrito's Regional Routes

Interstate Freeway 80

The freeway consists of three lanes in each direction through West County. Interchanges serving El Cerrito include Central Avenue, Carlson Boulevard, Potrero Avenue, and Cutting Boulevard. Interstate 80 is the most congested of all regional routes. Congestion extends from Pinole Valley Road south to Central Avenue during the AM peak period and from Central to the Carquinez Bridge tollbooth during the PM peak period. Congestion on I-80 causes high traffic volumes and consequent delays on San Pablo Avenue, the primary parallel route.

I-80 has one of the highest percentages of through traffic in the West County corridor, with 52% of AM peak hour direction travel, measured at the Carquinez Bridge. Ninety-two percent of that traffic originates in Napa and Solano counties. Truck traffic, which contributes to travel delay, makes up 9% of total AM Eastbound (non-peak direction) volume, much of which enters or leaves the freeway on the San Pablo Avenue corridor.

The West Contra Costa County Action Plan identifies a number of improvements to the I-80 corridor needed to alleviate the expected breakdown of capacity. Those improvements of most significance to El Cerrito include:

- HOV interchange at Cutting Boulevard to serve the El Cerrito Del Norte BART station (constructed)
- Parallel route improvements on San Pablo Avenue including signal upgrades (on-going)
- Transportation Management Plan to include transit, ride sharing, public information/marketing and vehicle monitoring.

San Pablo Avenue

In El Cerrito, San Pablo Avenue is an urbanized thoroughfare between the southern City limits at Cerrito Creek near Carlson Boulevard to the northern city limits just south of McDonald Avenue with two lanes in each direction. At most intersections there are left turns operating with left-turn signal phasing. The speed limit is 30 MPH. Average daily traffic volumes on San Pablo Avenue are greatest at its southerly extreme in the County. Near Cutting Boulevard, the highest average daily volume is 29,900 vehicles. During the AM peak period, the highest volumes occur near Potrero Avenue at 2,275 vehicles per hour. The highest PM peak hour period volumes occur near Barrett Avenue in Richmond, and frequently cause traffic backup into El Cerrito.

The San Pablo Avenue Corridor has been studied on a regional and local basis to determine the improvements necessary to maintain the routes as a parallel to I-80 and to serve locally approved uses. Coordination of improvements is difficult given the number of jurisdictions through which the street passes, and variety of volumes and functions that it serves. Alameda and Contra Costa counties are currently installing various improvements along San Pablo Avenue to improve inter-jurisdictional and intra-jurisdictional signal coordination.

Cutting Boulevard

The portion of Cutting Boulevard in El Cerrito designated as a regional route extends from Key Boulevard to the westerly city limit. It links San Pablo Avenue and the Del Norte BART station to I-80. The road encompasses two lanes in each direction with improved medians and left-turn pockets, except for a segment which is one-way westbound between the BART station and San Pablo Avenue. Most significant congestion occurs at the intersection of San Pablo Avenue and Cutting Boulevard in El Cerrito.

Regional Action Plans

Local jurisdictions participated in the development of programs to control regional traffic impacts on these routes through a series of Action Plans approved by one of the Regional Transportation Planning Committees created under Measure C. El Cerrito has been working closely with the WCCTAC (West Contra Costa County Traffic Advisory Committee) to work on an update of the 2000 and 2009 action plans for the west county area. Once approved, the updated Action Plan will be combined by CCTA with other regionally recommended Action Plans to create a countywide comprehensive transportation plan. The City recognizes that the success of attaining Action Plan objectives depends upon participation of other jurisdictions in both planning and funding of necessary improvements.

Basic Routes

All roads not indicated on the map of Routes of Regional Significance are Basic Routes. The Growth Management Element is required to assess the operating capacity of signalized intersections on Basic Routes, estimate future service impacts resulting from significant, foreseeable increases in home building and job-formation, according to the city's General Plan land use and housing policies.

Level of Service – General

The Transportation Element of the El Cerrito General Plan classifies vehicle routes according to the character of surrounding development and their linkage to sources of traffic congestion from other jurisdictions. Table 4-4 describes the city's Basic Route signal controlled intersections and the minimum service level at which the intersection is expected to operate based on future development activity:

Table 4-4: Signalized Intersection Service Standards

Location	Land Use	Intersection Characteristics	LOS Standard
Fairmount/Liberty	CBD	Minor Arterial/Principal Arterial	'E' to 0.94 v/c
Fairmount/Ashbury	Suburban	Collector/Minor Art'l/Principal Art'l	'D' to 0.84 v/c
Fairmount/Colusa	Suburban	Collector/Principal Arterial	'D' to 0.84 v/c
Central/Carlson	CBD	Principal Arterial/Principal Arterial	'E' to 0.94 v/c
Potrero/Eastshore	Urban	Local Street/Principal Arterial	'D' to 0.89 v/c
Richmond/Stockton	Suburban	Minor Arterial/Collector	'D' to 0.84 v/c
Richmond/Moeser	Urban	Minor Arterial/Minor Arterial	'D' to 0.89 v/c
Richmond/Potrero	Urban	Minor Arterial/Minor Arterial	'D' to 0.89 v/c

Elm/Hill/Key	Urban	Principal Arterial/Minor Arterial	'D' to 0.89 v/c
Moeser/Navellier	Suburban	Minor Arterial/Collector	'D' to 0.84 v/c

Level of Service and Future Land Use

Nearly all significant new increments of housing and employment will occur on parcels located within the San Pablo Avenue corridor, or in joint use with BART station facilities. Expanding jobs and housing opportunity inside El Cerrito's borders will not necessarily eliminate commute travel to and from the region. However, it will offer an alternative to the commuter lifestyle and enhance options for El Cerrito's economic development that do not burden the regional roadway network.

While most of the direct traffic impact of local land use intensification will fall upon Regional Routes such as San Pablo Avenue and Cutting Boulevard, it is equally important that such activity not burden the basic route system and degrade the minimum service levels for signalized intersections described above.

The city is committed, as part of the region-wide effort to reduce traffic congestion and improve the efficiency and safety of its local street system for all users including pedestrians and bicyclists, to monitor traffic conditions on a systematic basis and develop programs to maintain established service standards. El Cerrito is a "mature" city with only limited growth potential. However, even the relatively small increment of growth potential described in this Element can burden local and regional transportation facilities without a prescribed means of measurement and defined mitigation programs.

C. Urban Service Performance Standards

Park and Recreation Facilities

Service Function

The City of El Cerrito provides a rich diversity of parks and recreational opportunities. Parklands include approximately 32 acres of City-owned parks, 100 acres of City-owned open space used for recreation and conservation purposes, 23 acres of other City-maintained recreation facilities, and 27 acres of School District-owned and maintained recreation areas. More details are provided in Chapter 6.

Service Standard

Five (5) acres of publicly owned parkland for each 1,000 residents.

Fire Suppression and Related Emergency Services

Service Function

The El Cerrito Fire Department provides first response to structural, vehicular and wildland fires, medical emergencies, hazardous materials incidents and natural disasters. The Department's ability to meet these needs is facilitated through active

participation with Richmond, Kensington, and the West County fire departments in an automatic response agreement that uses the combined resources of all four agencies to serve these needs irrespective of jurisdictional lines. The departments share the costs of dispatch and training services and have established common standards for staffing, apparatus and equipment.

Service Standard

The interagency agreement specifies the following response protocol for all emergency service requests:

- Maximum response time for first engine arrival of six (6) minutes including one (1) minute dispatch time and three (3) minute-travel time from responding station.
- Three (3) person engine company is minimum response.
- Minimum training level of responders shall be Firefighter 1 and Emergency Medical Technician 1.

Police Emergency Services

Service Function

The El Cerrito Police Department's mission is to respond to requests for law enforcement emergency services, deter criminal activity, investigate crimes against persons and property and undertake proactive programs to reduce the opportunity for criminal activity. The department also acts proactively to reduce dangerous motor vehicle operating practices and offers community education outreach programs about personal and neighborhood security.

Service Standard

The Police Department is committed to maintaining a level of personnel and capital equipment for first-unit response in three (3) minutes to requests for emergency service. The City's resources alone are insufficient to meet the multiplicity of demands upon a modern police agency. Hence, the Department contracts with the City of Richmond for emergency dispatching, and with various state and county agencies for specialized investigative support services.

Sanitary Sewer and Treatment Services

Service Function

Two agencies work together to serve El Cerrito's sanitary sewer needs. Stege Sanitary District provides the underground lines leading from customer discharge sites to the regional treatment plant. That plant, operated by the East Bay Municipal Utility District at Point Isabel, provides tertiary level treatment to RWQCB standards for discharge to the Bay.

Service Standard

Service capacity planning is based on a 130-gallon daily increment per person.

Domestic Water Services

Service Function

East Bay Municipal Utility District provides domestic water service to residential and institutional customers in the city. Past droughts, which curtailed water service in some areas, have reminded people of the need to conserve water whenever possible.

Service Standard

250 gallons/day for each residential household to 4 (four) persons +62 gallons for each additional person in the household. 90% of 1986 use for commercial connections and 95% of 1986 use for institutional uses, to be reevaluated upon improvement in prevailing drought conditions.

Flood Control

Service Function

Flood hazards arise from natural rainstorms, failure of water storage facilities, and from the secondary effects of landslides. Because the watersheds in El Cerrito's foothills are relatively small, risk of flood damage through the sudden release of accumulated water behind a collapsed mass of landslide debris is also small. The greatest flood hazard risk is posed by the current condition of the storm drain system that is under study for long term and comprehensive remediation.

Only a small portion of Cerrito Creek is subject to inundation in the 1% (100 year event). Property damage from such an event is predictable, but would be confined to isolated locations in the flood path. The Contra Costa County Flood Control District establishes maintenance and development standards in the floodway. The City has also established restrictive development policies in its Municipal Code as a condition of continued eligibility for participation in the National Flood Insurance Program.

Service Standard

Containment of the 100-year flood event according to the federal Flood Insurance Rate Maps. Continued restriction on construction within flood hazard zones through establishment of minimum floor level elevations above the projected 100-year flood event level, as established by the Flood Control District.

D. Goals and Policies

The Implementation Measures associated with each policy are described in the following section of this chapter. A policy located in another chapter with more detail is noted by the original policy number at the end of the paragraph.

Goal GM1: A coordinated regional and sub-regional planning system that provides better service and less congestion for residents of El Cerrito through cooperative transportation and land use planning in Contra Costa County.

Policies	Implementation Measures
GM1.1 Cooperative Transportation Planning. Participation in an ongoing multi-jurisdictional planning process with other jurisdictions and agencies, the RTPC, and the Contra Costa Transportation Authority to create a balanced, safe, and efficient transportation system and to manage the impacts of growth.	• Intergovernmental Coordination
GM1.2 Coordination with adjacent jurisdictions. Cooperate in remediation of intersections in other jurisdictions operating at a level of service below the desired minimum threshold when it is demonstrated that El Cerrito's actions contribute substantially to adverse operating conditions at such intersections. Such cooperative action shall only be considered in the context of an application by the other jurisdiction for a Finding of Special Circumstances in accordance with application procedures established by the Contra Costa Transportation Authority.	• Intergovernmental Coordination
GM1.3 Implementation of Action Plans. Implement in a timely manner specific local actions of updated Regional Route Action Plan following its adoption by the West Contra Costa Transportation Advisory Committee and the Contra Costa Transportation Authority.	• Intergovernmental Coordination

- | | | |
|--------------|--|--|
| GM1.4 | Urban Limit Line (ULL). Maintain the ULL adopted by the El Cerrito City Council on October 16, 2006 until March 31, 2034. | <ul style="list-style-type: none"> • Intergovernmental Coordination |
| GM1.5 | Conflict Resolution Services. Seek the services of the Contra Costa Transportation authority's conflict resolution process when needed to resolve disputes with other jurisdictions related to the development and implementation of Actions Plans and other programs described in the Growth Management Element. | <ul style="list-style-type: none"> • Intergovernmental Coordination |
| GM1.6 | Housing Opportunities. Demonstrate reasonable progress in providing housing opportunities for all income levels and demonstrate reasonable progress in meeting housing goals. | <ul style="list-style-type: none"> • Housing Program |

Goal GM2: Compliance with applicable level of service standards.

-
- | | | |
|--------------|---|--|
| GM2.1 | Application of Standards. Strive to maintain the minimum V/C performance standard for each signalized intersection as described in Table 4-4. Level of Service Standards are considered to be met if measurement of actual conditions at the intersection indicates that operations are equal to or better than the specified minimum performance standard, or if El Cerrito's Capital Improvement Program includes projects which, when constructed, will result in performance better than or equal to the specified minimum standard. | <ul style="list-style-type: none"> • Capital Improvements Program • Development Regulations (zoning) |
|--------------|---|--|

GM2.2 Achieving Level of Service Standards.

Consider amendments to the General Plan Land Use Element or Map, Zoning Ordinance, or other relevant plans and policies to alter land use intensity or vehicle trip activity so that any Basic Route signalized intersection which does not meet the minimum service level standard in Policy GM2.2 can be brought into compliance with said standard.

Alternately, consider amendments to the Capital Improvement Program or other relevant programs and policies which will improve the capacity or efficiency of intersections not meeting the service standards through physical construction and improvements.

- Development Regulations (zoning)
- Capital Improvements Program

GM2.3 Findings of Special Circumstances.

Consider requesting from the Contra Costa Transportation Authority a Finding of Special Circumstances for any Basic Route signalized intersection that may not meet level of service standards as described in Policy GM2.1 when it can be demonstrated that the amendments described in Policy GM2.2 are infeasible under the Authority's prescribed criteria. Prior to initiating the request, the City will evaluate policy options and changes, alternative standards, and proposed mitigation measures to achieve the minimum service levels and describe the findings upon which these alternatives were deemed infeasible.

- Intergovernmental Coordination

Goal GM3: Timely review of projects that are heavy traffic generators.

GM3.1	Traffic Impact Study. Conduct a traffic impact study consistent with CCTA Technical Guidelines as part of the application review process for development proposals estimated to generate over 100 peak-hour vehicle trips.	• Development Regulations (zoning)
GM3.2	Finding of Consistency with Standards. Demonstrate that development proposals that generate over 100 peak-hour vehicle trips in the peak direction are consistent with the Level of Service Standards stated in Policy GM2.2, and the West Contra Costa Action Plan for Regional Routes prior to approval. Findings of Consistency may be made if a traffic impact analysis demonstrates that the project will not erode the minimum service standards at any Basic Route signalized intersection unless: (1). Projects included in the City's Capital Improvement Program or Street Improvement Program will result in attainment of the desired standard and fully or partially offset the traffic impacts of the project; or (2). Findings of Special Circumstances, including appropriate mitigation measures, have been adopted by the City of El Cerrito and the CCTA.	• Development Regulations (zoning) • Intergovernmental Coordination
GM3.3	Transportation Demand Management Ordinance. Adopt and implement a Transportation Demand Management (TDM) Ordinance.	• Transportation Demand Management

Goal GM4: Effective community-wide programs to reduce traffic impacts of new projects and to assure that new residential, business and commercial growth pays for the facilities required to meet the demands resulting from that growth.

GM4.1	Local Development Mitigation Program – Transportation. Adopt and maintain in place a development mitigation program to ensure that new growth is paying its share of the costs associated with that growth.	• Traffic Impact Fee
GM4.2	Local Street Maintenance and Improvement Funds. Support projects intended to meet or maintain Level of Service standards, to implement Action Plans for Regional Routes, and to provide mitigation for intersections Subject to Findings of Special Circumstances through Local Street Improvement and Maintenance Funds allocated by the Contra Costa Transportation Authority. Revenue from this source shall not replace private developer exactions pursuant to Policy GM4.1 for transportation projects necessary to meet or maintain minimum service standards challenged by new growth.	• Intergovernmental Coordination • Capital Improvements Program
GM4.3	Capital Improvement Program. Identify in the City's Capital Improvement Program funding sources, as well as intended phasing, for projects necessary to maintain and improve traffic operations.	• Capital Improvements Program
GM4.4	Compliance Reporting. Complete and submit the required compliance checklist materials required periodically by the Contra Costa Transportation Authority.	• Intergovernmental Coordination
GM4.5	Regional Efforts. Recognize El Cerrito's role in the region and lead in regional efforts to increase transit and reduce congestion. (T1.7)	• Intergovernmental Coordination

Goal GM5: An effective system of providing urban services to support infill and redevelopment in existing urban and brownfield areas.

-
- | | | |
|---------------------|--|---|
| <p>GM5.1</p> | <p>Local Development Mitigation Program – Services. Adopt and implement a development mitigation program requiring developers to pay the costs necessary to offset impacts of their projects on the local police, fire and park service system. Ensure that the local development review process includes consultation with contact agencies supplying domestic water, sanitary sewage and flood control service so that cost impacts are identified and appropriate mitigations included on a cooperative basis.</p> | <ul style="list-style-type: none"> • Public Facilities Fee |
| <p>GM5.2</p> | <p>Performance Standard Review. As part of the City's development review process, or through the local CEQA review procedure for defined projects, evaluate the impact of the project upon public services and make findings appropriate to project approval under the following circumstances</p> <ol style="list-style-type: none"> (1) Performance standards will be maintained following project occupancy; (2) Mitigation measures have been incorporated in project approval documents sufficient to maintain designated service standards; or (3) Capital improvements sponsored by El Cerrito or the affected special purpose agency will ensure that designated service standards are maintained. | <ul style="list-style-type: none"> • Development Review • CEQA Review |

GM5.3 Capital Improvement Program.

Identify in the City's Capital Improvement Program funding sources, as well as intended phasing, for projects necessary to maintain police, fire and park service standards. Encourage outside agencies providing vital services to El Cerrito to maintain adequate funding and long-range facility planning activity to adequately anticipate future demands of growth and the life-cycle/replacement of equipment and infrastructure.

- Capital Improvements Program
- Intergovernmental Coordination

GM5.4 Contributions to Improvement.

Require new development to contribute to or participate in the improvement of public services according to the demand generated by the project occupants and users.

- Public Facilities Fee
- CEQA Review

Goal GM6: Support land use patterns that make more efficient use of the transportation system

GM6.1 Land Use Patterns. Recognize the link between land use and transportation. Promote land use and development patterns that encourage walking, bicycling, and transit use. Emphasize high-density and mixed land use patterns that promote transit and pedestrian travel. Where feasible, emphasize the following land use measures:

- Development Regulations (zoning)

1. Promote conveniently located neighborhood complexes that provide housing and commercial services near employment centers and within transit corridors.
2. Promote land use patterns that maximize trip-linking opportunities by assembling uses that allow people to take care of a variety of daily needs.
3. Encourage pedestrian-oriented land use and urban design that can have a

demonstrable effect on transportation choices.

4. Direct growth to occur along transit corridors.
5. Encourage retail, commercial, and office uses in ground floor space in combination with upper-floor housing along San Pablo Avenue.
(T2.1)

- | | |
|--|--|
| <p>GM6.2 Mixed-Use Centers. Encourage mixed-use centers along San Pablo Avenue – including development along Fairmount Avenue, Stockton Avenue and Moeser Lane, between San Pablo Avenue and the Ohlone Greenway – that provide the opportunity for people to walk among businesses, employment, and residences.
(LU5.2)</p> | <ul style="list-style-type: none"> • Development Regulations (zoning) |
| <p>GM6.3 Pedestrians, Bicycles, and Access. Ensure that business areas have adequate pedestrian and bicycle facilities and accessibility for persons with disabilities, and that easy connections to transit are available wherever possible.
(LU5.5)</p> | <ul style="list-style-type: none"> • Capital Improvements Program |
| <p>GM6.4 Circulation Alternatives. To the extent possible, encourage alternatives to the use of private automobiles. Encourage a full range of transportation options – driving, transit, walking and biking – without allowing any one to preclude the others.
(LU6.2)</p> | <ul style="list-style-type: none"> • Transportation Demand Management |
| <p>GM6.5 Multi-Modal Transportation Network. Ensure that streets, paths, and bikeways contribute to the system of a fully connected transportation network to all major destinations in the City. The design of these streets and pathways should encourage pedestrian and bicycle uses by being spatially defined by buildings, trees, lighting, and street furniture. Pedestrian and bicycle pathways and auto routes should be</p> | <ul style="list-style-type: none"> • Capital Improvements Program |

compatible.
(CD2.4)

GM6.6	Balanced Transportation System. Create and maintain a balanced transportation system with choice of transit, bicycle, pedestrian, and private automobile modes. (T1.1)	• Capital Improvements Program
GM6.7	Transit System. Encourage transit providers to improve and increase existing transit routes, frequency, and level of service. Encourage a public transit system that provides convenient transfers between transit services and other modes of travel. (T1.2)	• Capital Improvements Program • Intergovernmental Coordination
GM6.8	Bicycle Circulation. Create a complete, interconnected bicycle circulation system. Provide a bicycle system that serves commuter as well as recreational travel. Improve bicycle routes and access to and between major destinations. (T1.3)	• Capital Improvements Program
GM6.9	Pedestrian Circulation. Provide a safe, convenient, continuous and interconnected pedestrian circulation system throughout the City. Ensure safe pedestrian access to local schools. (T1.4)	• Capital Improvements Program

IMPLEMENTATION MEASURES

The following is a summary of the major tools available to the City for implementation of the policies in this chapter, Community Development and Design.

1. Beautification Program

A city beautification program is excellent way to increase public awareness and participation in creating good design and quality spaces. City beautification programs can take many forms and involve both the public and private sectors. They can include; design awards for building design and landscaping, yard maintenance; landscape planting programs such as flower planting, street tree planting; and, public art projects or other civic improvement programs. They may also include the development of public scenic turnouts, rest stops, and overlooks to take advantage of views and vistas from the hillsides. Many city beautification programs are sponsored jointly by the city government and local civic organizations to promote civic pride while enhancing the physical appearance.

2. Building Code

El Cerrito should consider adopting amendments to the Building Code that promote energy efficiency and better uses of natural resources. This could be the part of the charge to a citizen task force that looks into possible ways of encouraging El Cerrito to agree upon and adhere to applicable principles of sustainable development.

3. Capital Improvement Program

The Capital Improvement Program (CIP) is a compilation of the capital improvements planned for construction over the next five years in El Cerrito. It includes cost estimates, the phasing of specific improvements and associated costs and methods with which specific improvements will be financed. The City should continue to conduct annual reviews of the CIP and add money for transportation, infrastructure, and public facility improvements as funding sources are identified. The CIP also provides the basis for planning for and funding of new community buildings and facilities.

4. CEQA Review

The City should ensure that the CEQA review process identifies impacts of new development upon the transportation system, utilities, and public facilities.

5. City Entry Design Program

The City can sponsor the design and construction of entry monuments and other landscape improvement projects to improve the appearance of city streets. These landscape improvement projects can also be developed in cooperation with civic organizations or sponsored by local business to create new entry signs, monuments, and landmarks at major entry points to El Cerrito.

6. Creek Restoration

The City may contribute through its storm drainage improvement program, or seek funding from other agencies or private sources, to restore various segments to creeks or other streets (on surface or through removal of pipes) and restoration of riparian habitats.

7. Design Guidelines

Design guidelines are a tool for ensuring that development is compatible with the surrounding area and that it functions well for the community. To the extent possible, the guidelines should be specific: guidelines that are quantifiable should be considered for incorporation into the development regulations.

8. Development Incentives

Providing development incentives to developers and property owners can influence good community design. Development incentives can be in the form of density and development intensity bonuses, reduced development standards (i.e., reductions in parking requirements, height restrictions, setbacks, etc.). Incentives may be granted where they promote closer adherence to City objectives by providing desirable features, such as exceptional design, creative design of off-street parking, enhancements to public amenities, environmental benefits, such as creek restoration, and similar benefits to the community.

9. Development Regulations (zoning)

The development regulations, primarily the zoning regulations and the subdivision ordinance, provide the standards for development, prescribe allowable uses, contain specific incentive provisions, and include other standards and procedures related to approval of development projects.

10. Development Review

The development review process includes discretionary review by the Planning Commission and the Design Review Board, based on consideration of General Plan objectives and policies, and criteria established by the zoning and subdivision ordinances and other city regulations and adopted guidelines. Most discretionary actions are subject to the requirements of the California Environmental Quality Act (CEQA). The development review process also includes administrative review of projects to verify compliance with Planning Commission and Design Review Board requirements, as well as standards set by the City through adoption of building and fire codes, engineering standards, and other regulations and ordinances. Development review should be used to assess the impact of new development on the demand for transportation and public facility improvements and to implement mitigation measures and other mechanisms to help finance needed improvements.

11. Economic Development Strategy

The city should maintain a strategy to retain and attract businesses. This strategy should be reviewed frequently to ensure that it reflects current economic and business trends and makes use of the city's advantages as a business location. The

city staff, elected officials, and business organizations should then actively market the city as a location for desirable types of businesses.

12. Fiscal Impact Assessment

The City should consider development of a fiscal impact assessment process that would identify the economic and fiscal impacts of new development projects. The process should establish size thresholds that trigger the assessment, integrate the assessment with CEQA review, and ensure that the fiscal impact assessment is not an undue burden on economic development of the City. Also see Implementation Measures in Chapter 6 on a Public Facilities Fee and Traffic Impact Fee.

13. General Plan Consistency Review

Review all public projects for consistency with the General Plan as early as possible in order to minimize wasted effort on projects deemed not to be in conformance.

14. Grant Funds

The City should determine whether grant funds are available from federal or state sources for restoring creeks, preparing design guidelines to reduce crime, and developing guidelines for pedestrian friendly areas near either or both BART stations.

15. Historical Inventory and Designation

The City should initiate, or work with a local civic group to initiate, an inventory of structures or sites that may have architectural, historical, archeological, or cultural significance to the community. The City should then consider action to list the most significant structures or sites on the California Register of Historical Resources and the National Register of Historic Places.

16. Housing Program

The city's housing program consists of those actions necessary to achieve the policies of the General Plan and the goals of the Housing Element. The housing program should monitor progress toward achieving goals to ensure that suitable land and incentives are available. The housing program also includes the responsibilities of the Housing Functions Successor Agency to support affordable housing goals.

17. Intergovernmental Coordination

The City should coordinate with adjacent jurisdictions, the Metropolitan Transportation Commission, Contra Costa County, AC Transit, BART, Caltrans, and other applicable agencies. The Contra Costa County Transportation Authority (CCTA) West County Action Plan for Routes of Regional Significance defines a regional vision for Hercules, Pinole, San Pablo, Richmond, and El Cerrito. This document defines many of the City's positions with respect to regional transportation improvements.

In addition to, and in support of, these regional key items, the following are City of El Cerrito interagency coordination positions:

- a. As opportunities present themselves, improve freeway access to El Cerrito, particularly around the Del Norte area and at the Central Avenue interchange.
- b. Oppose transportation projects that would diminish access to Interstate 80 from El Cerrito.
- c. Oppose capacity enhancements to San Pablo Avenue except when the improvements serve local traffic and do not compromise bus, pedestrian and bicycle travel.
- d. Support physical enhancements to San Pablo Avenue to make it a transit and pedestrian friendly multi-modal street.

In addition to the above, the City should work with Caltrans to install adequate highway landscaping improvements along I-80.

18. Joint Watershed Goals

In 1995 the cities of El Cerrito, Albany, Berkeley and Richmond, the East Bay Regional Park district, and the University of California at Berkeley, endorsed a goals statement expressing mutual intentions to restore creeks to natural conditions, to make use of creek corridors for pedestrian and bicycle transportation purposes, to assure adequate flow of freshwater for nourishment of creeks, and to promote public awareness of the value of healthy watersheds. The statement includes a mutual agreement to seek opportunities for grants and other cooperative efforts.

19. Parking Districts

Parking districts can be formed by local property owners to help finance needed parking in impacted commercial areas. Parking districts provide for centralized parking lots and parking structures that allow participants to build and rehabilitate existing buildings at a higher intensity of development.

20. Public Facilities Fee

The City should consider adopting a citywide public facilities impact fee ordinance, under the requirements of the applicable laws, to fund new community and public facilities, including public safety facilities, required to serve new residents and employees in the City.

21. Redevelopment Program

In support of its economic development strategy, the City may choose to pursue post-Redevelopment Dissolution tools that may become available to attract and retain desirable commercial and residential development, and provide supportive public improvements.

22. Sign Ordinance

The sign ordinance is a tool to regulate the appearance, size, and location of signs in the City of El Cerrito. Well-designed signs contribute to the overall visual quality of the built environment by reducing clutter as well as helping in way-finding and locating business and other activities.

23. Special Districts

Special districts can be formed by local property owner to help finance desired neighborhood improvements including street lighting, streetscape enhancements, and landscaping improvements.

24. Specific Plans

Certain areas of the city need to be planned comprehensively, but in more detail than can be done in a general plan. A specific plan can integrate land use, design, transportation, utilities and other issues into an action strategy.

The Draft San Pablo Avenue Specific Plan is currently being developed to address planning needs in the San Pablo Avenue corridor. As conditions change and as development proposals come forward, additional areas of the City may also need more-detailed planning efforts.

25. Street Tree Program

A citywide street tree planting program can dramatically enhance neighborhood streets, increase property values, and improve the overall appearance of the city. The city should continue its street tree planting program by offering free street trees to any resident or business in the City.

26. Streetscape Improvement Program

Many of the commercial streets in El Cerrito can be improved with a concerted effort to provide new improvements to make the right-of-way more attractive and pedestrian friendly environments. The City should continue efforts to make streetscape improvements on San Pablo Avenue and other major arterial streets in the City.

27. Traffic Impact Fee

To help avoid public costs of traffic impacts, the City should consider collecting a traffic impact fee from developers of projects, citywide. Fee payments would fund transportation improvements to mitigate the traffic impacts of new development. The traffic impact fee would be in-lieu of the off-site mitigation requirements, but would not replace the developer's responsibility for frontage improvements. The traffic impact fee may be used to fund roadway extensions, intersection improvements, safety improvements, or improvements and amenities to pedestrian, bicycle or transit facilities.

28. Travel Demand Management (TDM)

Support and promote TDM measures to reduce the percentage of person trips made by automobile and to reduce the annual vehicle miles of travel. Reduce the percentage of trips made by automobile and provide the opportunity and facilities to divert trips from automobiles to other modes. Encourage small businesses in areas of employment concentration to form cooperatives that can collectively provide effective TDM options to employees.

29. Underground Utility Districts

Creating underground utility districts is a way of financing undergrounding of overhead utility lines. This process can speed up the process of removing overhead utility lines along selected streets.



December 29, 2014

Mr. Martin Engelmann
Deputy Executive Director, Planning
Contra Costa Transportation Authority
2999 Oak Road, Suite 100
Walnut Creek, CA 94597

Subject: Measure C & J Local Street Maintenance and Improvement (LSM) Funds
Eligible Expenditures (FY 2013-14)

Dear Mr. Engelmann:

As a follow-up document to our annual report, which is enclosed in this letter, I am providing an expenditure detail for:

1. Local Streets and Roads
2. Growth Management Planning & Compliance
3. Transit Capital & Operations

Local Streets & Roads Expenditures of \$298,050: Consists of \$274,000 transferred to Gas Tax (Street Operations) fund for street maintenance, \$30,275 transferred to the General Fund for administrative requirements, and an adjustment reducing expenses by \$6,298 for the HSIP Ohlone Greenway Crosswalk Improvements Project (C3046) on this year's report because expenses were over-reported in last year's report.

Growth Management Planning & Compliance Expenditures of \$26,715: Consists of \$25,482 for WCCTAC dues.

Transit Capital & Operations Expenditures of -\$21,216: Consists of \$118,209 in Paratransit Program related expenditures, offset by \$13,240 in receipts from citizen sales for Paratransit tickets and \$126,185 in County receipts.

Please let me know if you have any questions or need additional information.

Sincerely,



Yvetteh Ortiz, P.E.
Public Works Director / City Engineer

Enclosure

cc: Lisa Malek-Zadeh, Finance Director

**transportation
authority****LOCAL STREET MAINTENANCE AND IMPROVEMENTS FUNDS
(18% FUNDS)****REPORTING FORM****FOR ELIGIBLE EXPENDITURES DURING FISCAL YEAR 2013-14**Jurisdiction: City of El Cerrito

(If you have any questions regarding this form, please contact Diane Bodon at CCTA, 256-4720.

Please return the form to CCTA, Attention: Diane Bodon, at the address below

	Total for FY 2013-14
Balance as of July 1, 2013	-321,423.47
18% Funds Received during FY 2013-14 (actual, not accrued)	376,114
Eligible Expenditures <i>(Please describe all expenditures in excess of \$10,000 on an attached page.)</i>	
Local Street and Roads	298,050.47
Growth Management Planning and Compliance	26,715.36
Transit Capital and Operations	-21,215.56
Trails	
Parking Facilities	
TDM/TSM	
Total Expenditures during FY 2013-14	-303,550.27
Funds Remaining	-248,859.74
Interest Earned	0.00
Balance as of June 30, 2014	-248,859.74

Form prepared by: Geoffrey Thomas Phone: 510-214-4323Email: gthomas@ci.el-cerrito.ca.usTitle: Finance ManagerDate: 12/01/2014



March 10, 2016

Mr. Martin Engelmann
Deputy Executive Director, Planning
Contra Costa Transportation Authority
2999 Oak Road, Suite 100
Walnut Creek, CA 94597

Re: Measure C & J Local Street Maintenance and Improvement (LSM) Funds
Eligible Expenditures (FY 2014-15)

Dear Mr. Engelmann:

Enclosed please find the Local Street Maintenance and Improvements Funds (18%) expenditure annual report for FY 2014-15 for the City of El Cerrito.

Please let us know if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Shannon Collins". The signature is fluid and cursive.

Shannon Collins
Accounting Supervisor

Enclosure

cc: Yvetteh Ortiz, Public Works Director
Lisa Malek-Zadeh, Finance Director

transportation
authorityLOCAL STREET MAINTENANCE AND IMPROVEMENTS FUNDS
(18% FUNDS)
REPORTING FORM
FOR ELIGIBLE EXPENDITURES DURING FISCAL YEAR 2014-15Jurisdiction: City of El Cerrito

(If you have any questions regarding this form, please contact Diane Bodon at CCTA, 256-4720.
Please return the form to CCTA, Attention: Diane Bodon, at the address below

	Total for FY 2014-15
Balance as of July 1, 2014	-248,859.74
18% Funds Received during FY 2014-15 (actual, not accrued)	407,958.00
Eligible Expenditures (Please describe all expenditures in excess of \$10,000 on an attached page.)	
Local Street and Roads	293,068.50
Growth Management Planning and Compliance	36,675.00
Transit Capital and Operations	-18,665.66
Trails	
Parking Facilities	
TDM/TSM	
Total Expenditures during FY 2014-15	-311,077.84
Funds Remaining	-151,979.58
Interest Earned	0.00
Balance as of June 30, 2015	-151,979.58

Form prepared by: Shannon Collins Phone: 510-214-4323Email: scollins@ci.el-cerrito.ca.usTitle: Accounting SupervisorDate: 03/10/2016

Jurisdiction: EL CERRITO		CCTA Measure J Local Streets & Roads Maintenance Audit Reporting Form		
Reporting Period: FY 2014-2015				
Measure J 18%: \$407,958				
Project Type	Project Name	Project Description (Location, Limits)	Measure J Funds Expended (\$)	Reporting Metric (see instructions)
Local Streets and Roads	On-going Street Engineering & Maintenance	Public Works personnel	\$ 120,543	NA
Local Streets and Roads	On-going Street Maintenance	Infrastructure Supplies	\$ 29,595	NA
Local Streets and Roads	On-going Street Utility	Street Lighting	\$ 84,000	NA
Local Streets and Roads	On-going Street Administration	City administration	\$ 58,931	NA
Other	Growth Management & Compliance	WCCTAC Dues	\$ 36,675	NA
Transit Capital and Operations	City Easy Ride Paratransit Program	Paratransit service for seniors and disabled residents	\$ (18,666)	473 registered riders
				\$119,419 in Paratransit Program related expenditures, offset by \$12,758 in receipts from citizen sales and \$125,327 in County receipts.



AGENDA BILL

Agenda Item No. 4(F)

Date: April 4, 2017
To: El Cerrito City Council
From: Margaret Kavanaugh-Lynch, Development Services Manager
Mark Soltes, Building Official
Melanie Mintz, Community Development Director
Subject: Cost Allocation Plan and Community Development User Fee Study Award

ACTION REQUESTED

Adopt a resolution authorizing the City Manager to execute a Professional Services Agreement between the City of El Cerrito and Willdan Financial Services in an amount not to exceed \$29,275 to prepare a Cost Allocation Plan and Community Development User Fee Study and to approve potential change orders not to exceed \$3,000.

BACKGROUND

Cities have the power to charge fees for the services that they provide, as long as the amount of a fee does not exceed the reasonable estimated cost of providing the service. The Community Development Department last conducted a Cost Allocation Plan and User Fee Study in Spring of 2005. The proposed agreement with Willdan Financial Services will enable the City to complete an updated fee study to determine defensible and reasonable costs of providing building and planning services to the public. Completion of the plan will enable the City to determine the amounts of fees that would recover the full cost of providing services as well as to compare the City's fees with other communities. It is best practice to periodically update fee studies to reflect changing practices and costs. Additionally, with the increase of larger multifamily construction likely to occur due to San Pablo Avenue Specific Plan activity, it is important to have fees that adequately cover the costs of providing plan check and inspection for these types of projects. The City Council has asked for a review of fees also to assure that fees for small tenant improvements in commercial businesses are competitive and reasonable.

ANALYSIS

Staff researched potential professional companies with the necessary expertise to provide a Cost Allocation Plan and User Fee Study for California municipalities. Three firms (Maximus, NBS and Willdan Financial Services) were identified and invited to submit proposals. NBS and Willdan Financial Services responded with written proposals. After reviewing the proposals, staff determined that Willdan offered a preferred product, due to its comprehensive approach, detailed work plan and efficient timeline. A key feature of Willdan's approach is the development of a user-friendly Excel based model that is developed collaboratively with the City and is customized to reflect the City's processes. Such a product will allow the City to update fees more flexibly as needed, i.e. when programs or processes are modified. Staff also followed up with a phone interview with the proposed Project Manager at Willdan and contacted several cities who have worked with or are working with the company. Willdan's proposal also included a reference list of over sixty California cities that used their services to produce the same/similar work product.

Agenda Item No. 4(F)

The proposed work plan includes two primary components: A Cost Allocation Plan and Community Development Department User Fee Study. The Cost Allocation Plan aims to identify the appropriate share of the costs of the departments that support Community Development; that can be attributed to supporting Community Development services. The objective during this phase is to ensure that the City's method of identifying and distributing indirect costs is fair, comprehensive, well documented, and defensible. The User Fee study aims to accurately calculate the direct costs of providing Community Development services and, in conjunction with the identification of indirect costs in the Cost Allocation Study, determine the total costs of providing those services. This phase will also work with each division of Community Development to determine an appropriate fee structure. Additionally, it will identify the maximum amount of fees for each structure that is also fair, appropriately documented, and legally defensible. In the event that a change to the current fee structure for any division is proposed, the Study will explain how the new proposed structure is nevertheless legally compliant. Willdan's proposal emphasizes providing results and recommendations that allow Council and staff to "confidently make fee setting policy decisions, and understand the impacts of those decisions."

STRATEGIC PLAN CONSIDERATIONS

The completion of a Cost Allocation Plan and User Fee Study is consistent with the Strategic Plan Goals to deliver exemplary government services and achieve long-term financial sustainability by ensuring the fees collected are sufficient to support the level of service that the City provides the community for Community Development Department services in a sustainable manner.

FINANCIAL CONSIDERATIONS

The recommended consultant award for a not to exceed \$29,275 for the Cost Allocation Plan and Community Development User Fee Study and \$3,000 in potential change orders will be funded through the FY 2016-17 adopted budget. No new appropriations are required.

LEGAL CONSIDERATIONS

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

Reviewed by:



Scott Hanin
City Manager

Attachments:

1. Resolution
2. Willdan Financial Services Proposal

RESOLUTION NO. 2017-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES CONTRACT BETWEEN THE CITY OF EL CERRITO AND WILL DAN FINANCIAL SERVICES IN AN AMOUNT NOT TO EXCEED \$29,275 TO PREPARE A COST ALLOCATION PLAN AND COMMUNITY DEVELOPMENT USER FEE STUDY AND TO APPROVE POTENTIAL CHANGE ORDERS NOT TO EXCEED \$3,000

WHEREAS, State law permits municipalities to charge fees for the services that they provide, as long as the amount of a fee does not exceed the reasonable estimated cost of providing the service; and

WHEREAS, the Community Development Department last conducted a Cost Allocation Plan and User Fee Study in 2005; and

WHEREAS, staff requested proposals from three professional companies with the necessary expertise to provide a Cost Allocation Plan and User Fee Study for California municipalities; and

WHEREAS, Willdan Financial Services was selected due to their demonstrated experience, comprehensive approach, detailed work plan and efficient time line.

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 between the City of El Cerrito and Willdan Financial Services in an amount not to exceed \$29,275 to prepare a Cost Allocation Plan and Community Development User Fee Study and to approve potential change orders not to exceed \$3,000.

I CERTIFY that at a regular meeting on April 4, 2017 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 4, 2017.

Cheryl Morse, City Clerk

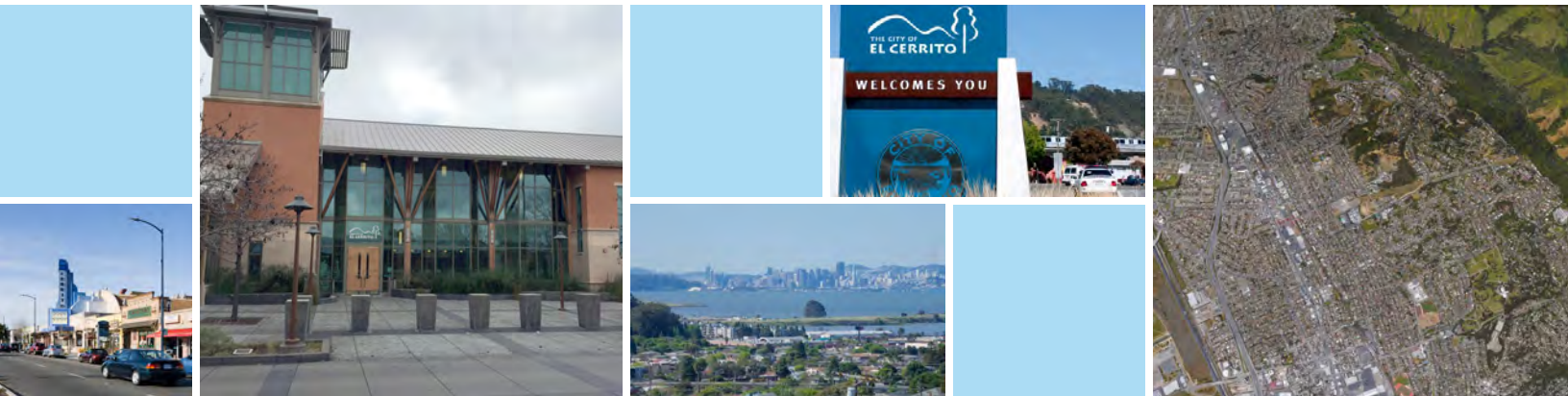
APPROVED:

Janet Abelson, Mayor

City of **El Cerrito**

Proposal for

Cost Allocation Plan and Community Development Department Fee Study





February 24, 2017

Mr. Mark Soltes, CBO, CASp
Building Official
City of El Cerrito
10890 San Pablo Avenue
El Cerrito, CA 94530

Re: City of El Cerrito – Cost Allocation Plan and Community Development Department User Fee Study

Dear Mr. Soltes:

Following up on our correspondence, and based upon your request, the following is Willdan Financial Services' ("Willdan") proposal to complete a Cost Allocation Plan and Community Development Department User Fee Study for the City of El Cerrito ("City").

As you are well aware, even as the recession has eased over the past few years, many municipalities are still faced with limited financial resources, while striving to maintain high standards of service to their communities. In light of this, it is critical for cities to ensure that their fees for requested services have been developed or updated to ensure maximum appropriate cost recovery, so that the revenues generated by fees cover the cost of those services to the best extent possible. Policymakers need a clear understanding of standards, service levels and processes, and the associated costs of providing them.

Collaborative Approach and User-friendly Models and Reports — Willdan prides itself on working closely with City staff to develop an approach that is targeted toward your specific objectives and accounts for your reality, and then working together with you to gather first-hand information regarding the processes and tasks required to provide services to those requesting them. **We have included up to one full day of on-site data gathering and staff interviews to ensure we obtain the information we need efficiently and accurately, with limited need for follow-up.** We create user-friendly Excel-based models that the City can retain, and **conduct our analysis and develop the model collaboratively with City staff.** Rather than using an inflexible proprietary software program, we construct our models from the ground up, mirroring the City's budget format wherever possible. As a result, **the information contained in our models is easy for City staff to interpret, and the familiar software ensures ease of navigation.** This also allows for easy on-the-fly adjustments and updates during discussions with City Staff, and inclusion of updated budgets, or changes in organizational structure. Created directly from the models, our reports clearly and graphically illustrate full and recommended levels of cost recovery and projections of revenue for fee programs, break down the costs into direct and indirect overhead categories, and present the fee methodologies.

Unique Combination of Services and Expertise/Public Engagement — Willdan has provided the requested services to municipal clients for well over a decade; and is the only firm providing these types of consulting services that also has a long history of providing contract staff support to public agencies for the delivery of municipal services, particularly engineering, building and safety and planning. This direct experience as "city staff" provides us with firsthand understanding of city operations and is uniquely useful in determining the full effort associated with service delivery and in developing a fee schedule that is easy to communicate and implement.

Our staff has assisted municipal clients throughout the state in the development of cost allocation plans and user fee studies, while meeting broader strategic goals. We have recently completed or are currently working on Cost Allocation Plan/User Fee Studies for the Cities of Signal Hill, West Covina, Laguna Hills, Mission Viejo, La Puente, San Fernando, and the Rainbow Municipal Water District with experience that relates closely to the goals and objectives of the City's proposed study; and we are currently working on a **Development Services User Fee Study and Cost Allocation Plan for the City of Encinitas, CA, and a Planning and Engineering Services Fee Study for the Town of Paradise Valley, AZ.**

Our models and project approach are geared toward delivering work on schedule, and presenting results at public meetings and council workshops. The Willdan Team is experienced at communicating complex analytical results in a manner that is easy to understand by non-finance oriented individuals, and facilitates discussion. I have coordinated or participated in numerous public and staff workshops regarding fees and cost of service based charges.

Our objective is to provide useful, detailed information to City Council and staff, so that they have the information necessary to make important decisions. Our experience ensures that we can meet this objective. Whether policymakers are considering subsidizing or increasing fees, the process may be subject to public discussion among Council and community stakeholders. Our response to these sensitive political issues is to employ a real world approach to completing user fee studies, in determining the technically defensible reasonable costs of providing services. Our knowledge of each portion of the service delivery function provides for greater accuracy, reduces the likelihood of potential challenges, results in fee schedules that are easier to implement, and increases the likelihood of acceptance by stakeholders.

I, Chris Fisher, will serve as the Primary Contact person for this proposal. My contact information is provided in the table below:

Contact information
Project Manager
Chris Fisher
Vice President – Group Manager
27368 Via Industria, Suite 200
Temecula, CA 92590
Tel#: (951) 587-3500 Fax #: (951) 587-3510
Email: CFisher@Willdan.com

We are excited about this opportunity to use our skills and expertise to assist the City of El Cerrito.

Sincerely,

Willdan Financial Services



Chris Fisher
Vice President - Group Manager
Financial Consulting Services



Table of Contents

TABLE OF CONTENTS	III
CONSULTANT QUALIFICATIONS.....	1
Company Background	1
Firm Capabilities	2
Key Staffing	2
Resumes	2
REFERENCES.....	8
Similar Projects	8
Demonstrated Track Record	10
WORK PLAN	13
Project Understanding.....	13
Methodology	14
Cost Allocation Work Plan	17
Community Development Department User Fee Study Work Plan.....	19
PROPOSED BUDGET	23
Cost Allocation Plan	23
Community Development Department User Fee Study	23
PROPOSED SCHEDULE AND DEADLINES	24
Cost Allocation Plan	24
Community Development Department User Fee Study	24



Consultant Qualifications

Company Background

Willdan Financial Services is one of four operating divisions within Willdan Group, Inc. (WGI), which was founded in 1964 as an engineering firm working with local governments. Today, WGI is a publicly owned company on NASDAQ (NASDAQ ticker: WLDN). WGI provides technical and consulting services that ensure the quality, value, and security of our nation's infrastructure, systems, facilities, and environment. The firm has been a consistent industry leader in providing all aspects of municipal and infrastructure engineering, public works contracting, public financing, planning, building and safety, construction management, homeland security, and energy efficiency and sustainability services. Today, WGI has over 700 employees operating from offices in Arkansas, Arizona, California, Colorado, District of Columbia, Florida, Illinois, Kansas, Nevada, New Jersey, New York, Ohio, Oregon, Texas, and Washington.



Established on June 24, 1988, Willdan Financial Services, a California Corporation, is a national firm, and is one of the largest public sector financial consulting firms in the United States. Since that time, we have helped over 800 public agencies successfully address a broad range of financial challenges, such as financing the costs of growth and generating revenues to fund desired services. Willdan assists local public agencies by providing the following services:

- Real estate economic analysis;
- Economic development plans and strategies;
- Tax increment finance district formation and amendment;
- Housing development and implementation strategies;
- Financial consulting;
- Real estate acquisition;
- Classification/compensation surveys and analysis;
- Development impact fee establishment and analysis;
- Utility rate and cost of service studies;
- Feasibility studies;
- Debt issuance support;
- Long-term financial plans and cash flow modeling;
- Cost allocation studies; and
- Property tax audits.

Our staff of over 70 full-time employees supports our clients by conducting year-round workshops and on-site training to assist them in keeping current with the latest developments in our areas of expertise.

The organization chart located to the right represents Willdan's reporting structure, including the operating groups and the responsible manager; it as well defines the assets available to the City of El Cerrito.



Firm Capabilities

Willdan's proven and successful track-record conducting User Fee Studies and Cost Allocation Plan services for public agencies dates back to 1998. Since that time, we have developed the expertise to successfully integrate this service into the Financial Consulting Services group's primary functions.

Our record of success within the industry provides assurance of the professionalism and capability we will bring to this engagement. A team composed of project managers and analysts develop and/or update cost allocation plans, along with their frequent companion projects — user fee studies.

Vice President and Group Manager Chris Fisher has been assigned to serve as the City's representative; and has been selected for this role due to his extensive experience, which includes the preparation and supervision of numerous Cost Allocation Plans and User Fee Studies, as well as his experience presenting to governing bodies, stakeholders, and industry groups. ***It is important to note that Mr. Fisher has been with Willdan for more than 17 years, ensuring the City of El Cerrito of continuity and dedication in staffing during the completion of the project.***

Key Staffing

Our management and supervision of the project team is very simple: staff every position with experienced, capable personnel in sufficient numbers to deliver a superior product to the City, on time and on budget. With that philosophy in mind, we have selected experienced professionals for this engagement. We are confident that our team possesses the depth of experience that will successfully fulfill your desired work performance.

Mr. **Chris Fisher** will serve as the **Project Manager** for the City of El Cerrito and primary contact for the User Fee Study and Cost Allocation Plan project. He will apply his extensive financial rate design/modeling experience and ability to clearly communicate results through the facilitation of numerous stakeholder forums. In this role, he will attend meetings and presentations, produce key study elements, and will be responsible for work deliverables.

Mr. **Tony Thrasher** and Ms. **Priti Patel** will provide **Analytical Support**, they will work closely with Mr. Fisher, and the City to develop complete and accurate models that will best fit the project needs. They will ensure that data is collected, interpreted, researched, and correctly entered into the model. Experience gained assisting with cost allocation plan and user fee projects for the Cities of Hayward, Petaluma, Bellflower, Irvine, Mission Viejo, and Yucaipa will be utilized throughout this engagement.

Mr. **Robert Quaid, CPA**, will provide quality assurance/quality control to this engagement in the role of **Quality Assurance/Technical Advisor**. Mr. Quaid will review the models as a third-party internal reviewer prior to their submittal to City staff. His continual review of data entry and model development assures that the draft, and final products have been thoroughly evaluated for potential errors; thus providing quality client deliverables, and high levels of integrity and outcomes throughout the duration of the project.

Furthermore, to ensure that the project stays on schedule, and is properly focused on City objectives, Mr. Fisher, in collaboration with Mr. Thrasher and Ms. Patel, will provide City staff with updates to summarize our progress against the project timeline, and update the status of upcoming deliverables. We will also document discussions leading to important policy decisions and/or the choice of critical assumptions used in constructing the analysis and model.

The Project Team will utilize a detailed Project Management Plan from the outset of the engagement to manage and control all proposed activities, deliverable deadlines, client and stakeholder engagement, and quality control. Willdan will meet with staff to enhance our understanding of the project objectives, review the project timelines, and seek assistance in identifying the best information sources to obtain the necessary inputs to evaluate the City El Cerrito.

Finally, following key stakeholder discussions, we will schedule a call to summarize findings and direction with City staff, to make certain that we are in agreement with stated objectives, and that feedback is incorporated as appropriate. These steps guarantee that as the project moves forward success will be achieved by continually aligning our approach and work with stakeholder and City objectives, adjusting where necessary.

Resumes

Resumes for Willdan's project team are presented on the following pages.



Chris Fisher

Project Manager

Education

San Francisco State University, Bachelor of Science, Finance

Areas of Expertise

Cost of Service Analyses

Multi-disciplinary Team Management

Special District Formations

Client Presentations

Proposition 218

Affiliations

California Society of Municipal Finance Officers

Municipal Management Association of Northern California

California Municipal Treasurers Association

17 Years' Experience

Mr. Chris Fisher, Vice President and Group Manager of Willdan's Financial Consulting Services group, will serve as project manager for the City of El Cerrito project. He will also share his extensive knowledge related to cost-of-service principles with members of the project team.

Mr. Fisher joined Willdan in April of 1999, and during that time has managed an array of financial consulting projects for public agencies in California, Arizona, and Florida, coordinating the activities of resources within Willdan, as well as those from other firms working on these projects. He is one of the firm's leading experts for special district financing related to public infrastructure, maintenance, and services, including public safety.

Related Experience

City of Petaluma, CA — Overhead Cost Allocation Plan and OMB Circular A-87 Plan, User Fee Study, CIP Rate Analysis, and Hourly Overhead Rate Study: Mr. Fisher served as project manager for the project team, and provided oversight for this thorough and intensive study for the City of Petaluma.

Sacramento Public Library Authority, CA — Cost Allocation Plan and OMB Circular A-87: In April 2014, as Project Manager, Mr. Fisher completed the final report for the Sacramento Public Library Authority. Throughout the project, he provided quality assurance to the project, which involved the development of a methodology for this unique venture. Mr. Fisher presented the final report to the Library Authority Board, as well as the Joint Powers Authority. A 2015 update to the CAP has just been completed and presented to the Board.

City of Hayward, CA — Cost Allocation Plan and User Fee Study: Mr. Fisher served as the project manager for the City's full overhead cost allocation plan and OMB A-87 cost allocation plan, along with a comprehensive master user fee study. He worked with the City and Willdan staff to gather the necessary data, and is overseeing Willdan's development of the cost allocation model. The City has a complicated and detailed budget and the cost allocation plan that Willdan developed is tailored to their structure, and includes provision for several Internal Service Funds.

City of Salinas, CA — Comprehensive Fee Study and Full Cost Allocation Plan: Mr. Fisher served as the project manager for the City of Salinas engagement, to prepare an OMB A-87-compliant full cost allocation plan and comprehensive fee study for the development of a master list of fees. Mr. Fisher led an all-departments overview meeting, where the framework and general process was reviewed, and global practical and policy questions were addressed. Immediately following the overview meeting, individual meetings were held with representatives from each department to discuss their specific fee related activities, and gather necessary information to update fees.

City of Covina, CA — Comprehensive Cost Allocation Plan and User Fee Study: Mr. Fisher served in the role of project manager for the City's engagement. The cost allocation plan developed will aid the City in the recovery of overhead costs related to central service activities. The user fee study was focused on fees charged by the following departments: City Clerk, Finance, Police, Fire, Library, and Community Development.

City of Hemet, CA — Comprehensive Cost Allocation Plan and Comprehensive User Fee Study: Mr. Fisher oversaw the update of the City's general overhead allocation plan and cost-of-service user fees. Willdan had provided similar financial consulting services to the City in 2007 and were called upon in 2012 to update these analyses. Service fees included those charged by the City Clerk, Finance, Police, Fire, Library and Community Development departments.

City of Irvine, CA — OMB A-87 Cost Allocation Plan and Comprehensive User Fee Study: Willdan completed a cost allocation plan and user fee study for the City of Irvine. Mr. Fisher managed and provided quality assurance to this project, ensuring the accuracy of the models, as well as the final reports. He also presented the results to the City's Finance Commission and to the City Council.



C. Fisher

Resume Continued

City of La Mirada, CA — Overhead Cost Allocation Plan and Citywide User Fee Study: Mr. Fisher provided policy guidance and quality assurance to the City's update and development of a comprehensive citywide user fee study for the development of a master user fee and rate schedule and a cost allocation plan to recover overhead costs related to central service activities.

Town of Los Altos Hills, CA — Cost Allocation Plan and User Fee Study: Mr. Fisher was the engagement director for Willdan's work with the Town to complete a cost allocation plan and user fee update. The Town had not undertaken a user fee study for many years, and utilized an outdated, internally developed, cost allocation plan. Willdan completed the cost allocation plan, and presented the report and results to the Town's Finance Commission. A preliminary user fee model was developed and a draft schedule of updated fees prepared. Mr. Fisher oversaw the development and quality review of both the cost allocation and user fee models and was responsible for QA/QC of the report.

City of Placentia, CA — Cost Allocation Plan and User Fee Study: Mr. Fisher oversaw the development of an overhead cost allocation study, as well as a User Fee Study for the development of the City of Placentia's master list of fees.



Tony Thrasher

Analytical Support

Education

*Bachelor of Science in
Finance (Econometrics);
California State
Polytechnic University,
Pomona*

Areas of Expertise

Cost Allocation Plans

*Fiscal Analysis for User
Fees and Rates*

Utility Rate Studies

9 Years' Experience

Due to his cost allocation and user fee analyses experience, Mr. Tony Thrasher has been selected to provide analytical support for the City's engagement. Currently, Mr. Thrasher is a senior project analyst within the Financial Consulting Services group, whereby his responsibilities include supporting project managers and conducting fiscal analyses for cost allocation plans, user fees, and utility rate studies.

Mr. Thrasher's prior employment was as a financial analyst working in bond, equity, and mortgage-backed security markets for Wells Fargo Bank, Bank of New York Mellon, and Deutsche Bank. His experience includes portfolio accounting, differential analysis, and forecasting.

Related Experience

City of Salinas, CA — Full Cost Allocation Plan and Comprehensive Fee Study: Mr. Thrasher provided analytical support for the City of Salinas OMB A-87-compliant full cost allocation plan and comprehensive fee study engagement. He worked closely with City staff to gather and analyze data to produce reports, participated in multiple meetings, and assisted the City appointed Project Manager in the adoption of the new fees.

City of Hayward, CA — Cost Allocation Plan and User Fee Study: For this project, Mr. Thrasher provided analytical support, and was largely responsible for the development of the models. Primary duties include gathering and verifying necessary data, finalizing model figures and generating reports.

City of Petaluma, CA — Overhead Cost Allocation Plan and OMB Circular A-87 Plan, User Fee Study, CIP Rate Analysis, and Hourly Overhead Rate Study: Mr. Thrasher provided analytical support for this engagement. His primary duties were to work with City staff to gather data, provide assistance to the project manager, and produce reports.

Sacramento Public Library Authority, CA — Cost Allocation Plan and OMB Circular A-87: Mr. Thrasher provided analytical support. His primary duties included finalizing model figures and generating reports.

City of Irvine, CA — OMB A-87 Cost Allocation Plan and Comprehensive User Fee Study: Serving as the project's analyst, Mr. Thrasher provided analytical support; and designed micro-level allocation models to ensure full-cost recovery for public safety, public works, community development, community services, and administrative departments.

City of Mission Viejo, CA — Cost Allocation Plan and User Fee Study: Mr. Thrasher was assigned to work with the City on this project, providing analytical support, gathering data, working with staff to make refinements, and developing cost allocation and fee models to ensure full-cost recovery for building and safety, planning, community development, and public works departments.

City of West Covina, CA — Cost Allocation Plan and Comprehensive User Fee Study: Mr. Thrasher is providing analytical support in association with the gathering of budget and allocation basis data, and in the development of the model and report for the project. He is working directly with the City contact throughout the engagement.

City of Placentia, CA — Cost Allocation Plan and User Fee Study: As the assigned analyst, Mr. Thrasher provided analytical support; and designed micro-level allocation models to ensure full-cost recovery for police, community services, engineering, planning, and building departments.

City of Bellflower, CA — OMB A-87 Cost Allocation Plan and Comprehensive User Fee Study Update: In Willdan's initial engagement with the City, Mr. Thrasher provided analytical support, with his primary duties including finalizing model figures and generating reports. In the subsequent update of both the CAP and the Fee Study, Mr. Thrasher assumed a lead technical role, working directly with the client to develop a new Cost Allocation Model, update the comprehensive fee model, and resolve policy and fee setting issues. He was directly responsible for delivery of reports and presentations to the City.



Priti Patel

Analytical Support

Education

*Bachelor of Arts;
Business
Management,
Information Systems
and International
Business
University of Cincinnati*

Ms. Priti Patel is an analyst within the Financial Consulting Services group, whereby she supports project managers in conducting utility rate analyses, fee studies, cost allocation plans, monitoring Proposition 218 compliance, and forming special districts.

Some of Ms. Patel's duties include coordinating and conducting activities associated with Cost Allocation Plans and User Fee Studies, including database integration and manipulation, revenue and expenditure analyses, and documentation preparation. With these duties she interacts with clients on a regular basis.

Areas of Expertise

Cost Allocation Plans

User Fee Studies

Proposition 218

*Special District
Formations*

Ms. Patel joined Willdan as an analyst with the District Administration Group, while with DAS she performed research and analysis needed for local government financial issues related to district administration, including document data entry and updating, database management, research and report preparation. She also provided general information on questions pertaining to Assessment Districts and special taxes (such as Mello-Roos Pools), as well as the status of property delinquencies.

Ms. Patel came to Willdan with more than five years' experience as an Analyst.

Related Experience

2 Years' Experience

Rainbow Municipal Water District, CA — Cost Allocation Plan and OMB Compliant Plan:

Ms. Patel is providing analytical support to ensure that the District's Cost Allocation Plan and OMB compliant cost allocation model and plan fairly allocated general and administrative overhead service costs to appropriate activities and departments.

City of Dinuba, CA — Utility Rate Study and Cost Allocation Plan Update: Ms. Patel assisted with a utility rate study and a cost allocation plan update for the City. Duties included reviewing relevant documentation, gathering information related to indirect staffing and functions, assisting in the preparation of a comprehensive draft cost allocation model and plan, and testing and reviewing the model and results with project management staff.

City of Yucaipa, CA — Cost Allocation Plan and Comprehensive User Fee Study:

Currently providing analytical support in the preparation of a Cost Allocation Plan and OMB compliant cost allocation plan and comprehensive fee study for the development of a master list of fees. Ms. Patel is working to identify and take into account direct and indirect costs, along with changes in staffing, structure, and service delivery methods. She also assisted in the preparation of user-friendly Excel-based models that City staff could easily update in the future to determine the proper allocation of expenditures and ongoing full cost of City-provided services.

City of Fillmore, CA — Full Cost Allocation Plan and User Fee Study: Ms. Patel helped develop a cost allocation plan and model that fully allocated central overhead costs to appropriate operating departments, funds, and/or programs. She assisted in the completion of the model and report, and worked directly with senior staff to their feedback and revisions.

City of Chula Vista, CA — Formation of Special Districts: Ms. Patel is currently assisting Willdan senior staff with the formation of special tax districts to fund public infrastructure improvements within the City of Chula Vista.

City of San Fernando, CA — Cost Allocation Plan and Comprehensive User Fee Study:

Ms. Patel is currently providing support to senior team members in the preparation of a Cost Allocation Plan, OMB Compliant Plan and Comprehensive User Fee Study. The cost allocation plan is being used as a component of the comprehensive user fee study. The user fee study is in progress and expected to be completed in early 2017.

City of Laguna Hills, CA — Cost Allocation Plan and Comprehensive User Fee Study:

Ms. Patel provided analytical support in the preparation of a full cost allocation plan and comprehensive fee study for the development of a master list of fees.



Robert Quaid, CPA

Quality Assurance/Technical Advisor

Education

*Bachelor of Science,
University of Southern
California*

Areas of Expertise

*Fiscal Analysis for User
Fees and Rates*

Cost Allocation Plans

*Acquisition Audit
Services*

*Statutory Financial
Reporting*

Fund Audits

*Quality Review of
Community Facilities,
Lighting & Landscaping,
and Assessment
Districts*

Affiliations

*California Society
of Municipal
Finance Officers*

*California Society
of CPAs*

Certifications/Licenses

*Certified Public
Accountant*

35 Years' Experience

With his 35 years of extensive experience in public financing, Mr. Robert Quaid has been selected to provide quality assurance/quality control in the role of technical advisor. In his position as a Principal Consultant at Willdan, Mr. Quaid provides project management, procedural support, technical support, and quality review for Willdan's District Administration group, as well as the Financial Services Consulting group specific to cost allocation plans, user fee studies, and special financial analysis.

Prior to joining Willdan, Mr. Quaid worked in the private industry of real estate accounting and finance. He began his career with the public accounting firm formerly known as Haskins & Sells (currently known as "Deloitte & Touche"). His experience includes financial statement analyses, asset administration, computer conversion, and reporting to the Securities and Exchange Commission for several public real estate partnerships. In 1979, Mr. Quaid became a licensed California CPA.

Related Experience

City of Thousand Oaks, CA — Cost Allocation Plan: Mr. Quaid served as project manager for the development of an OMB A-87 compliant cost allocation plan model using fiscal year 2009 actual costs as the basis for the allocations. He was responsible for the preparation of the Cost Allocation Plan report and provided cost allocation model training to City staff.

The objective of this project was to determine the appropriate allocation of indirect costs from City General Fund central service departments to the General Fund operating departments/programs and the non-General Fund departments/programs. The plan model included 16 allocation bases allocating costs to over 100 departments and divisions. Both full and OMB A-87 cost allocation models were delivered to the City. Willdan was awarded a four-year contract.

Cities of Fontana, Gardena and Hawthorne, CA — Cost Allocation Plan Projects: For each of these cities, Mr. Quaid served in the role of task manager for the development of an OMB A-87 compliant cost allocation plan model using Microsoft Excel. He was responsible for the preparation of the cost allocation plan report and trained City staff on how to use the cost allocation model.

City of Rialto, CA — Comprehensive User Fee Study: Project manager for the Comprehensive User Fee Study to develop a user fee model in Microsoft Excel and update fees for Planning, Engineering, Building, Public Works, Recreation, Police, Fire, City Clerk, Treasurer and Finance.

City of Cathedral City, CA — Comprehensive User Fee Study: Mr. Quaid served as project manager for a user fee study that required updating fees for Planning, Engineering, Building, Police, Fire, City Clerk, and Finance.



References

Similar Projects

Provided below are our most recently completed project descriptions, including client contact information, that are similar in nature to those requested by the City of El Cerrito. We are proud of our reputation for customer service, and encourage you to contact these clients in regards to our commitment to completing the projects within budget and agreed upon timelines.

City of Petaluma, CA | Overhead Cost Allocation Plan and OMB Circular A-87 Plan, User Fee Study, CIP Rate Analysis, and Hourly Overhead Rates

Willdan provided an Overhead Cost Allocation Plan and OMB Circular A-87 Plan, User Fee Study, CIP Rate Analysis, and Hourly Overhead Rates to the City of Petaluma. After reviewing the City's 2014 Master Fee Schedule, we developed an Overhead Cost Allocation Study, which is OMB A-87 compliant, and a User Fee Study that accurately accounts for the true cost of providing various services within and to each City operation, including capital projects. As part of this effort, we also developed fully burdened hourly rates for City employees that can be used for work orders, or to charge to specific activities. This included an analysis of administrative and overhead costs associated with activities that are delivered directly to the public, where hourly rates may be charged, to ensure appropriate recovery of costs.

Willdan completed these studies concurrently, in a manner that fully identifies and takes into account direct and indirect costs, along with changes in staffing, structure, and methods of service delivery.

Client Contact: Mr. Bill Mushallo, Finance Director
11 English Street
Petaluma, CA 94952
Tel. #: (707) 778-4352 | Email: Financeemail@ci.petaluma.ca.us

City of Belmont, CA | Master Fee Study and Cost Allocation Refinement

Willdan recently completed a Master Fee Study and an analysis and review of the existing Cost Allocation Plan for the City of Belmont, and a Fee and Rate Study for the Belmont Fire Protection District. Collectively, the Fee Studies will ensure that the City and FPD can accurately account for the cost of providing various services to the public, and set updated fees appropriately; while the CAP review and refinement ensures that the Plan developed internally by the City is allocating the cost of its central (overhead) service organizations to operating groups and enterprise funds, in an equitable and defensible manner.

Client Contact: Mr. Thomas Fil, Director of Finance
One Twin Pines Lane, #320
Belmont, CA 94002
Tel #: (650) 595-7433 | Email: TFil@belmont.gov

City of Hayward, CA | Full Overhead Cost Allocation Plan, OMB A-87 Cost Allocation Plan, and Comprehensive Master User Fee Study

Willdan completed a full overhead cost allocation plan and OMB A-87 cost allocation plan, along with a comprehensive master user fee study for the City of Hayward. The Willdan team worked with City staff to gather the necessary data to develop the cost allocation model. The City had a complicated and detailed budget and the cost allocation plan that Willdan developed is tailored to their structure, and includes provisions for several Internal Service Funds. Willdan staff worked through the course of reorganizing staff functions and/or reducing staff, it was important to revisit the manner and methodology by which indirect overhead costs were distributed to the operating departments and, as appropriate, other chargeable funds and programs. The City was in need of a new cost allocation plan that would ensure the fair and equitable allocation of government expenses to appropriate departments, programs, and funds, while utilizing tailored and well thought out allocation factors.

Furthermore, Willdan updated many of its user fee programs, and the information developed during the cost allocation plan served as the basis for the study.

Client Contact: Mr. Dustin Claussen, Director of Finance
777 B Street, 3rd Floor
Hayward, CA 94541
Tel. #: (510) 583-4010 | Email: Dustin.Claussen@hayward-ca.gov



City of Monterey, CA | Cost Allocation Plan and Indirect Cost Rates

Willdan recently completed a cost allocation plan for the City of Monterey. The objective of this project was to determine the appropriate allocation of indirect costs from City General Fund Central Service Departments to the General Fund operating departments/programs and the Non-General Fund departments/programs, which includes enterprise funds. The project involved the development of a full Cost Allocation Plan model, and development of indirect and fully burdened rates for use in projects and services related to the Presidio. Recommended procedures included: analyze expenditures, interview staff, review CAFR, and other financial documents. Mr. Fisher served as the project manager and Mr. Thrasher served as the project analyst.

Willdan was recently re-selected to provide an update to the CAP and to calculate fully burdened hourly staff labor rates.

Client Contact: Ms. Julie Porter, Assistant Finance Director
580 Pacific Street
Monterey, California 93940
Tel #: (831) 646-3724 | Email: Porter@monterey.org

City of Yucaipa, CA | Cost Allocation Plan, OMB Cost Allocation Plan, and Comprehensive User Fee Study

Willdan was recently engaged to prepare for the City of Yucaipa a Cost Allocation Plan, OMB Compliant Cost Allocation Plan, and Comprehensive Fee Study. Willdan developed a cost allocation plan and model that fully allocated central overhead costs to appropriate operating departments, funds, and/or programs. This portion of the project involved the development of two models: a full Cost Allocation Plan and an OMB compliant Cost Allocation Plan. The OMB compliant Plan was developed using the same model, utilizing a toggle to remove previously flagged costs that would not be allocable under OMB guidelines.

Utilizing the full CAP, the comprehensive user fee study phase of the project is underway. Full interviews and data gathering have been completed, and the fee model has been developed and is in the refinement stage.

Client Contact: Mr. Greg Franklin, Director of Administrative Services
34272 Yucaipa Boulevard
Yucaipa, CA 92399
Tel #: (909) 797-2489 | Email: GFranklin@yucaipa.org

City of Laguna Hills, CA | Cost Allocation Plan Update and Comprehensive User Fee Study

The City of Laguna Hills was seeking an outside consultant to complete a review and update of their current cost allocation plan and the preparation of a comprehensive user fee study for the development of its master list of fees. Our primary objective for the cost allocation study was to ensure that general government costs were fairly and equitably allocated to appropriate programs and funds, which are based on tailored and well thought out allocation factors. Then, for the Fee Study, the primary objective was to ensure that fees for requested services were calculated to account for the full cost of providing the services, and set appropriately, given City policy and financial objectives.

Willdan recently completed the update to the cost allocation plan, and is utilizing the report to complete the comprehensive user fee study.

Client Contact: Ms. Janice Mateo-Reyes, Finance Manager
24035 El Toro Road
Laguna Hills, CA 92653
Tel #: (949) 707-2623 | Email: JReyes@ci.laguna-hills.ca.us

Demonstrated Track Record

Willdan's proven and successful track-record conducting User Fee Studies and Cost Allocation Plan services for public agencies dates back to 1998. Since that time, we have developed the expertise to successfully integrate this service into the Financial Consulting Services group's primary functions.

Our record of success within the industry provides assurance of the professionalism and capability we will bring to this engagement. A team composed of project managers and analysts develop and/or update cost allocation plans, along with their frequent companion projects — user fee studies.

Listed in the table below, are public agencies in which similar services have been provided in the previous five years.

Willdan Financial Services 5 Year Cost Allocation Plan and User Fee Study Experience	
Contracting Agency	Project Description
City of Adelanto, CA	Citywide Cost Allocation Plan and Fee Study
City of Agoura Hills, CA	Comprehensive User Fee and Rate Study and Cost Allocation Plan, and Updates
City of Banning, CA	Cost Allocation Plan, User Fee Study and Development Impact Fee Study
City of Bellflower, CA	Overheard Cost Allocation Plan and Citywide User Fee Study
City of Bellflower, CA	OMB A-87 Cost Allocation Plan
City of Bellflower, CA	Cost Allocation Plan, OMB Compliant Plan, User Fee Study and Development Impact Fee Study
City of Belmont, CA	User Fee Study and Refinement of Cost Allocation Plan
City of Blythe, CA	Cost Allocation Plan and OMB Compliant Plan
City of Brea, CA	Police Department Cost Allocation Plan
City of Brea, CA	Police Department Cost Allocation Plan (Placentia Dispatch)
City of Cathedral City, CA	User Fee Study
City of Cerritos, CA	Development Services User Fee Study
City of Coalinga, CA	User Fee and Rate Study
City of Colton, CA	User Fee Study
City of Compton, CA	Master Fee Study and Development Impact Fee Study
City of Covina, CA	Overheard Cost Allocation Plan, and Updates
City of Dinuba, CA	Cost Allocation Plan and Utility Rate Study
City of Encinitas, CA	Development Services User Fee Study and Cost Allocation Plan
City of Fillmore, CA	Cost Allocation Plan, OMB Compliant Plan, and User Fee Study
City of Florida City, FL	Cost Allocation Plan
City of Galt, CA	Cost Allocation Plan and OMB Compliant Plan
City of Gardena, CA	Cost Allocation Plan
City of Glendale, AZ	Cost Allocation Plan
City of Grover Beach, CA	Full Cost Allocation Plan and Comprehensive Master Fee Study
City of Hawthorne, CA	Cost Allocation Plan
City of Hawthorne, CA	Comprehensive User Fee Study
City of Hayward, CA	Comprehensive Master User Fee Study
City of Hayward, CA	Full Overhead Cost Allocation Plan
City of Hemet, CA	Cost Allocation Plan and User Fee Study
City of Hesperia, CA	Cost Allocation Plan
City of Indian Wells	Comprehensive User Fee Study
City of Irvine, CA	OMB A-87 Cost Allocation Plan and User Fee Study
City of Irwindale, CA	Cost Allocation Plan, User Fee Study and Development Impact Fee Study
City of La Mirada, CA	Cost Allocation Plan and User Fee Study



Willdan Financial Services 5 Year Cost Allocation Plan and User Fee Study Experience	
Contracting Agency	Project Description
City of La Mirada, CA	Cost Allocation Plan and User Fee Study Update
City of La Puente, CA	Cost Allocation Plan, OMB Compliant Plan, and User Fee Study
City of Laguna Hills, CA	Comprehensive User Fee Study and Cost Allocation Plan Update
City of Lake Elsinore, CA	Cost Allocation Plan, OMB Compliant Plan, User Fee Study and Development Impact Fee Study
City of Long Beach, CA	Update to Departmental Cost Allocation Plan
City of Long Beach, CA	Departmental Mini Cost Allocation Plans
City of Long Beach, CA	Cost Allocation Plan and Cost Index Consulting Services
City of Long Beach, CA	Amends Cost Allocation Plan
City of Lynwood, CA	Cost Allocation Plan, Update
City of Lynwood, CA	City Hall Renovation Cost Allocation Plan
City of Manteca, CA	Cost Allocation Plan
City of Mission Viejo, CA	Comprehensive User Fee Study and Cost Allocation Plan
City of Montebello, CA	Cost Allocation Plan Update
City of Montebello, CA	Transit Cost Allocation Plan
City of Monterey Park, CA	Cost Allocation Plan and User Fee Study, and Updates
City of Monterey Park, CA	Cost Allocation Plan Update
City of Monterey, CA	Cost Allocation Plan and Indirect Cost Rate
City of Monterey, CA	Cost Allocation Plan Update
City of Murray, UT	Cost Allocation Plan
City of Oroville, CA	Cost Allocation Plan and User Fee Study
City of Pacifica, CA	Comprehensive Citywide User Fee Study and Charges Rate Study
City of Petaluma, CA	Cost Allocation Plan, User Fee Study, CIP Admin Rate and Work Order Rate Analysis, Hourly Overhead Rates, and ISF Allocation Study
City of Petaluma, CA	Cost Allocation Plan Update
City of Pittsburgh, CA	User Fee Study and Cost Allocation Plan
City of Placentia, CA	Comprehensive User Fee Study and Cost Allocation Plan
City of Salinas, CA	Full Cost Allocation Plan and Comprehensive Fee Study
City of San Bruno, CA	Comprehensive User Fee Study, Cost Allocation Plan, and OMB Compliant Plan
City of San Fernando, CA	Cost Allocation Plan, OMB Compliant Plan, User Fee Study and Development Impact Fee Study
City of Signal Hill, CA	Comprehensive User Fee Study, Cost Allocation Plan, and OMB Compliant Plan
City of South El Monte, CA	Comprehensive User Fee Study, Cost Allocation Plan, and OMB Compliant Plan
City of St. Helena, CA	Cost Allocation Plan, OMB Compliant Plan, User Fee Study and Development Impact Fee Study
City of Tulare, CA	Cost Allocation Plan
City of Ukiah, CA	Comprehensive Fee Study and Cost Allocation Plan
City of Union City, CA	Comprehensive User Fee and Rate Study, Full Cost Allocation Plan, and OMB Compliant Plan
City of Walnut Creek, CA	Comprehensive User Fee Study & Cost Allocation Plan
City of Watsonville, CA	Comprehensive User Fee and Rate Study, Cost Allocation Plan, and OMB Compliant Plan
City of West Covina, CA	Cost Allocation Plan and User Fee Study
City of Yucaipa, CA	Comprehensive User Fee and Rate Study, Full Cost Allocation Plan, and OMB Compliant Plan

Willdan Financial Services 5 Year Cost Allocation Plan and User Fee Study Experience	
Contracting Agency	Project Description
Community Child Care Council of Santa Clara County, CA	Cost Allocation Plan
Rainbow Municipal Water District, CA	Cost Allocation Plan and OMB Compliant Plan
Sacramento Public Library, CA	Cost Allocation Plan, and Updates
Town of Danville, CA	Cost Allocation Plan
Town of Fairfax, CA	User Fee Study and Cost Allocation Plan
Town of Los Altos Hills, CA	Cost Allocation Plan and User Fee Study, and Updates
Town of Paradise Valley, AZ	Planning and Engineering Services Fee Study

Work Plan

Project Understanding

Willdan Financial Services (“Willdan”) will meet the City of El Cerrito’s objective of developing a schedule of fees for Development Services that is consistent and fair, and that accounts for the costs of providing requested services using an objective and analytically based approach. We are confident that we can bring our considerable experience working with cities throughout California on projects just like this one, to meet the City of El Cerrito’s request for services for a Community Development Department Services Cost Allocation Plan and User Fee Study.

Development Services are often one of the most requested categories of service fee analysis for a City, and also the one that typically requires the most effort. For this study, we will meet directly with departmental representatives in Development Services at the beginning of the project, to discuss the approach and process for the studies. We want to clearly identify the City’s objectives, and more importantly, understand service delivery processes and history that are specific to El Cerrito. From a practical standpoint, discussions will also include ways to combine tasks and efforts among the Cost Allocation Plan and User Fee Study components in order to maximize efficiencies, and ensure adherence to specified timelines.

The end products will include user-friendly Excel-based models, which City staff will retain, and which can be easily updated to add or remove services and/or costs, update budgets in future years, determine the proper allocation of expenditures, and on-going full cost of services provided by the City. Most importantly, we will ensure that the results and recommendations are clear and understandable, defensible, and easily implementable.

The completion of a Cost Allocation Plan (CAP) is a key component and first step in this effort. A well thought-out CAP ensures that indirect costs associated with central overhead services, such as finance or city clerk, are appropriately allocated to operating departments, and ultimately included as a cost component of fees. We will work collaboratively with Department staff to identify the overhead support services that are provided to operating departments, in particular Community Development, in El Cerrito, and develop a fair and defensible means of allocating these costs.

For the Community Development Department User Fee Study, we will work directly with personnel in the Department in order to understand the services provided to residents and customers, the procedures and processes involved in providing them, and identify the associated costs. The cost of the services will primarily include direct staff costs (salaries and benefits) associated with personnel involved in the activities, along with appropriate overhead allocations from both the department and city levels.

For a successful and effective engagement, it is important to have a thorough understanding of specific City policies and objectives, the structure and organization of the City, and the relationships between the central support groups and Community Development. We bring years of successful experience working directly with hundreds of cities throughout California, successfully completing these types of studies.

Willdan possesses the resources, practical experience, creative thinking, and collaborative consulting skills necessary to complete this important project. Key distinct advantages that Willdan brings to the City include the following:

On-site Data Gathering: Our experience has taught us that working together, via face-to-face discussions, is the most efficient and thorough way to ensure that results are accurate, and that studies are completed in a timely manner, which again, is critical in this proposed engagement. Consequently, through on-site interviews with your staff, Willdan will collect the majority of required data for the engagement. This method is better than the typical “time and motion surveys” that are provided to agency staff when studies like these are conducted. This process ensures that we gather the data we need in one coordinated step, rather than having to go through repeated follow-up and clarification.

Public Engagement: Our models and project approach are geared toward delivering our work on schedule and presenting our analysis results at public meetings and Council workshops. While we understand that the City Council and local business community may be generally supportive of increasing fees where necessary, it will be important to present recommendations to them in a way that clearly demonstrates the rationale and supporting analysis. The Willdan Team is experienced at communicating complex analytical results in a manner that is easy to understand by non-finance oriented individuals and facilitates discussion. Our proposed project manager for this engagement has coordinated, or participated in numerous public and staff workshops regarding fees and cost of service based charges. As previously mentioned, our objective is to provide useful, detailed information to the Council and City staff, necessary to make important decisions. Our experience ensures that we can meet this objective.

User-friendly Models and Reports: Willdan prides itself on creating user-friendly Excel-based models that the City can retain, and **conducting our analysis and developing the models collaboratively with City staff.** With City staff’s



immediate input and collaboration, Willdan will design extremely flexible, intuitive Excel-based models. In the future, as the City assumes new responsibilities, modifies existing processes, and/or eliminates unnecessary services or programs, the models will be capable of adding or deleting funds, objects, departments, programs, staff positions, and activities. Willdan understands that issues facing the City are unique; consequently, we design our models to match your immediate and desired needs to ensure that end-results exceed staff expectations.

These models are then the City's to retain, after our services are completed, and allows for the creation of revenue projections, highlighting potential new revenues, and levels of subsidy.

A key element of these studies are presenting results and recommendations in a straightforward manner, that allows Council and staff to confidently make fee setting policy decisions, and understand the impacts of those decisions. Rather than using an inflexible proprietary software program, we construct our models from the ground up, as previously discussed, mirroring the City's budget format wherever possible. As a result, the information contained in our models is easy for City staff to interpret, and the familiar software ensures ease of navigation. As the models are being designed and constructed, we will work together with City staff to determine the best and most effective features to include. After the project is completed, we will provide training, so that your staff can independently and efficiently evaluate the effects of changes in certain factors. Created directly from the models, our reports clearly and graphically illustrate bases for the full cost recovery level of fee programs, provide projections of revenue from fee programs, both at full cost recovery and at recommended levels, and present the fee methodologies.

The models will be developed to allow the City to run "what-if" scenarios to address possible changes in staffing levels, working hours, etc.

Methodology

The following describes our project understanding, proposed approach, and work plan for a Community Development Department Cost Allocation Plan and User Fee Study.

Community Development Department Cost Allocation Plan Methodology

The purpose of this cost allocation plan engagement is to ensure that the City of El Cerrito is maximizing the recovery of indirect costs from identified operating departments, as well as enterprise and other chargeable funds and capital projects. Furthermore, a sound cost allocation plan is a foundational element of a user fee study, and the development of internal hourly rates, including CIP billing rates. We will work closely with staff in identifying the proper balance of allocation factors appropriate for the City. In order to achieve the maximum cost recovery objective, the City must have a method of identifying and distributing administrative costs that is fair, comprehensive, well documented, and fully defensible. A cost allocation plan coupled with comprehensive overhead rates will enable the City to achieve this goal.

Approach for Managing the Project

Willdan's "hands-on" supervision of Cost Allocation Plan studies, include the following methods:

- **Effective Project Management** — Project Manager Chris Fisher will manage the entire project with an eye toward high responsiveness, while ensuring that all stakeholders are "on board" with the direction of the project, as well as with the final results. Mr. Fisher will ensure that regular status updates are provided to City staff, conference calls are scheduled, and that in-person meetings are conducted (as necessary).
- **Adherence to Time Schedule** — Willdan recognizes that the use of "timelines" is highly effective in meeting all required deadlines. To keep the project on schedule, there are several tasks that must be completed in a timely manner. Therefore, we will present a project timeline at the kick-off meeting that should be closely followed.

Although the establishment of an experienced project team and a detailed project timeline work extremely well in general, Willdan understands that outside influences can create uncontrollable situations for everyone involved in the project. In rare circumstances like these, our team quickly adapts to changes, and communicates our recommended schedule adjustments to the City.

Approach in Communicating with the City

Willdan staff is accustomed to interfacing with local government councils, boards, staff, community organizations, and the public in general in a friendly and helpful manner; we are always mindful that we represent the public agency. We are sensitive to the need of delivering a quality product, with the highest level of service and professionalism. Therefore, as the work on the project progresses, we understand that it will be necessary for our staff to work closely with you and City personnel. To accomplish this, we employ a variety of tools, including monitoring project status and budget costs; and ensuring effective communication through several options that are based on the City's preferences.



Experience with Community Development Department Processes

A unique aspect of our firm is our relationship with our Engineering & Building and Safety Division. For many agencies throughout California and other Western states, this division provides contracted services in planning, engineering, and building and safety. When conducting cost recovery studies, we regularly consult with our engineering and land-development staff of experts on development-related issues. By working with our planners, engineers, and building officials, we understand development-related agency service procedures and workflow functions, which often make the entire user fee study process smoother for your staff.

Community Development Department User Fee Study Methodology

In order to comprehensively update fees, the City should develop a user fee schedule that accurately accounts for the true cost of providing services. Once the study is complete, the fee study model must be flexible so that the City can add, delete, and revise fees in the future. To meet this goal, we will bring our expertise and unique perspectives to your fee study by approaching the project with these three principles:

1) Defensibility

Our user fee projects have not been legally challenged since the inception of this practice area in our firm. We have accomplished this by closely working with legal counsel familiar with user fee studies, our engineering division and with agency staff. In this way, we can tailor the correct approach to ensure full cost recovery combined with a sound and reasonable basis for each user fee you implement.

While Proposition 218 does not directly apply to non-property-related fees, we employ principles from this important constitutional article to make certain that your user fee and rate schedule is developed with fairness, equity, and proportionate cost recovery principles in mind. With the addition of Proposition 26, Willdan will review each analyzed user fee for compliance and appropriateness to ensure continued defensibility.

2) Project and Staff Time

The City must have a sound and technically defensible fee schedule to ensure costs are appropriately recovered, as applicants approach the City for its services. Our standards and approaches serve to get to the issues of your fee study quickly. Starting with the project kick-off, we will make certain that your staff understands the purpose and scope of the study and its corresponding on-site departmental interview. As Willdan is able to communicate directly with the service providers, this face-to-face interaction provides valuable time estimates.

3) Responsiveness

We take great pride in providing responsive service to our client agencies. Frequent communication is critical to a successful user fee study experience. We will provide a list of data requirements in advance of the project kick-off. Due to this simple step, the introductory meeting can focus on the survey input process, answering questions, determining policy goals, and defining next steps in the project. We will follow up weekly with you at each step in the fee study process to make sure that staff “buys in” to the fee study approach and results.

Approach

Our approach to preparing the user fee study and documentation for El Cerrito includes:

- Close coordination with your staff to devise a consensus approach. Different programs and/or different service delivery methods will necessitate different approaches. We will discuss specific pros and cons with City staff as we determine which methods work best for various categories of fees;
- Strict adherence to key legal and policy issues with regard to user fees, including the percent of cost recovery that the City seeks to achieve. A user fee shall not be set higher than the reasonable cost of providing a fee-generating service. Our approach provides you with a fee schedule that achieves maximum legal cost recovery while ensuring that each fee is supported by technically defensible documentation; and
- Technical analysis necessary for project participants to resolve policy issues.

As described below, there are two basic approaches to calculating user fees:

Approach 1: Case Study Method

This is also sometimes referred to as a cost build-up approach. Using a time and materials approach, the “Case Study Method” examines the tasks, steps and City staff involved in providing a particular ‘unit’ of service, such as a permit review, and then uses that information to develop estimates of the actual labor and material costs associated with providing a unit of service to a single user. It is often used when a service is provided on a regular basis, and staff and other costs associated with the service can be segregated from available budget data.

A typical case study fee model should comprise the following three general cost layers:

1) Central Services Overhead: This category may involve such costs as labor, services, and supplies that benefit more than one department, division, or project. The exact benefits to specific areas are impossible to ascribe to a single activity. Examples are purchasing, human resources, and liability insurance. As part of the user fee study, these costs are calculated in the overhead cost review.

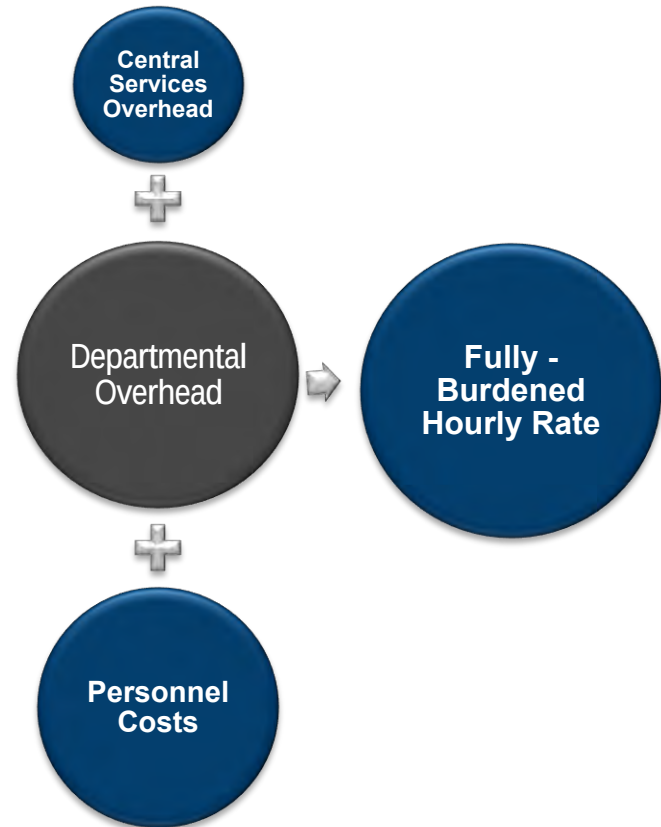
2) Department Overhead: This category may include expenses related to such items as office supplies, outside consultants, and membership dues. It may include management, supervision, and administrative support that are not provided to a direct fee-generating service. Typically, these items are charged, on an item-by-item basis, directly to the department, division, or project.

3) Personnel Costs: This category refers to direct salary and benefit costs of staff hours spent on providing a fee-generating service (e.g., on-site building inspector).

Approach 2: Average Cost Method

This is also sometimes referred to as a programmatic approach, because it looks at costs at a program level, and then allocates them to participants on an occurrence basis. By taking total service costs across a substantial sample period (a year), and dividing by the total number of service units delivered over that same period, costs per unit of service is estimated.

This approach is useful when services or programs are provided in a more aggregate manner, where it might be difficult to identify a specific sequence of steps associated with one user or participant; or where it is not feasible to cost-effectively segregate costs associated with specific activities.



Cost Allocation Work Plan

Our proposed work plan, described in detail by task, is provided below. We propose to maximize efficiency and cost-effectiveness by combining meetings and data gathering efforts between the cost allocation study and user fee study wherever possible.

We explain how each task will be accomplished, and identify associated meetings and deliverables. We want to ensure our scope provides quality and clarity, and is responsive to the City's needs and specific local circumstances. We will work in concert with the City to adjust scopes as needed during the course of the studies.

Task 1: Initial Document Request

Objective: Initial due diligence.

Description: Prior to the kick-off call, relevant documentation will be obtained and reviewed in order to enhance our understanding of the City's current cost allocation plan and internal structure of the agency. A written request for specific data will be sent to the City. The data provided in this task will provide the building blocks for later model development.

Our request may include (but is not limited to):

- Detailed budget and accounting data;
- Prior year's financial data, salary, position and staffing data;
- Organizational structure;
- Prior cost allocation plan and/or user fee documentation and models; and
- Data related to various allocation bases that may be incorporated as part of the methodology, i.e. City Council agenda frequencies by department, AP/AR transactions by department, IT equipment distribution by department, etc.

Deliverables: **Willdan:** Submit information request to City.

City: Provide requested data to Willdan (prior to Task 2, Kick-off Call/Refine Scope). We will follow up with the City to confirm in writing the data that we have received, or which is still outstanding.

Task 2: Kick-off Conference Call / Refine Scope

Objective: Confirm project goals and objectives. Identify and resolve policy issues raised by the study and determine appropriate fee categories.

Description: Willdan will identify and resolve policy issues typically raised by these studies and address data gaps in order to gain a full understanding of the City's goals for the cost allocation plan. We will establish effective lines of communication and processes for information gathering and review.

During this call, we will ask that the City to serve as its primary contact. The selected project manager will ensure that available data is provided to Willdan in a timely manner, thereby maintaining adherence to the project's schedule.

We will obtain and review the current cost allocation methodology and discuss with City staff. The objective of this review is to determine specific areas of focus as they relate to the City's objectives, and to discuss and evaluate current and potential allocation factors.

Meetings: One (1) project kick-off conference call to initiate the project, discuss data needs and methodologies and to address policy issues. We would propose to conduct the development fees and charges study kick-off during this same call, to maximize efficiency and cost effectiveness of staff and Willdan time.

Deliverables: **Willdan:** If needed, a revised project scope and schedule.

City: Provide further data requirements and select / introduce City's project manager.

Task 3: Gather Staffing Information and Develop Cost Allocation Plan Model

Objective: Gather information related to indirect staffing and functions. Prepare draft cost allocation plan and model.

Description: This task involves the gathering of specific information, directly from City staff, through interviews and discussion, related to the functions served by indirect staff and the departments served by their activities. This task also focuses on the development of, and/or adjustment of existing, allocation bases, and the development and testing of a model that will ultimately be used to calculate the proper cost allocations derived from data gathered in prior tasks.

We will utilize budget and organizational information, and other required information gathered from City staff to complete the work in this task. Specific discussions will be held to discuss bases, how central overhead services are provided to and utilized by other departments, cost categories and allocation criteria, and how these will factor into the overall cost allocation methodology.

The model and methodology will also produce fully loaded hourly billing rates for Department staff positions.

Meetings: Conference call with staff to understand structure and operations as model and allocation bases are developed. Key staff will be interviewed to best understand central overhead staffing and functions and the departments served.

Deliverables: **Willdan:** One (1) user-friendly model in Microsoft Excel format that provides a cost allocation plan.

Task 4: Test and Review Cost Allocation Methodology

Objective: Test and review model and results with City.

Description: The draft cost allocation plan model will be reviewed with City staff, and adjusted as necessary, to ensure that preliminary allocations provide an accurate depiction of how the central overhead costs should be borne by the operating programs and funds.

Meetings: One (1) meeting to present and review the model.

Deliverables: **Willdan and City:** Draft cost allocation plan model review.

Task 5: Prepare and Present Draft Report

Objective: Prepare the draft cost allocation report.

Description: This task involves the draft report preparation. The cost allocation plan's background, model methodologies, and results will be discussed; calculations and supporting data will be presented textually and in easily understood tables, and provided to the City.

We anticipate that most of this discussion and review can be conducted remotely. Over the past several years, we have successfully integrated online meetings by using GoToMeeting™ and join.me as an element to our approach. This allows us to remotely guide staff through the model review, and allows you the opportunity to interactively change inputs and test approaches.

Meetings: One (1) conference call to present the draft report to City Staff.

Deliverables: **Willdan:** Draft report for City review and input.
City: Review of draft report, with comments, and edits.

Task 6: Discuss and Revise Report

Objective: Review of draft report, cost distribution methods, and model.

Description: An in-depth review of the draft report and model will be conducted to arrive at an optimum allocation method for each expenditure type. Often, through the course of an engagement, comments usually revolve around issues of: understandability; appropriate levels of enterprise funds' cost recovery, etc.; ease of calculation; and overhead costs' distribution methods.

Following a round of comments from City staff concerning the draft report, the final report will be prepared for presentation to the Council.

Meetings: One (1) conference call with City staff to review the report.

Deliverables: **Willdan:** Draft report, and revised draft/final report.

Task 7: Prepare and Present Final Report and Model

Objective: Prepare and present the final report to City Council. Educate City staff on the operation and use of the model for future modifications.

Description: This task is the culmination of the cost allocation plan project. Based on staff comments on the draft report, Willdan will prepare the final report for presentation to City Council.

Meetings: One (1) meeting with the City Council to present the final cost allocation plan. This meeting may be held in conjunction with the presentation of the comprehensive fee and rate study results.



We will also provide staff training on the operation and use of the model on the same day during regular business hours.

Deliverables: **Willdan:** Provide three (3) bound copies, one (1) unbound copy, and one (1) electronic PDF file copy of the final report and models to the City. Using Microsoft Word and Excel, an updateable electronic copy of the study and models, as well as related schedules, will also be provided on CD-ROM.

Community Development Department User Fee Study Work Plan

Task 1: Initial Document Request

Objective: Initial due diligence; obtain study-related data.

Description: Prior to the kick-off conference call, we will obtain and review relevant documentation to further enhance our understanding of the services, fees, and rates to be studied. A written request for data will be sent to the City. Please note that Time Survey data is not part of this request and will be gathered during the on-site interviews described in Task 5.

We will request information and documentation on current fees, activity levels, and budget and staffing information (to the extent not already available) related specifically to activities which have associated fees, and for which the City has this level of detail.

Deliverables: **Willdan:** Submit information request to City.

City: Provide requested data to Willdan (prior to Task 3, Kick-off Conference Call/Refine Scope). As with the cost allocation plan, we will follow up with the City to confirm receipt of requested data and information, and highlight data elements that are outstanding.

Task 2: Compile Inventory of Current and Potential Development Services Fees

Objective: Willdan will identify a schedule of Community Development Department fees and charges, and methodology for calculating the fees.

Description: Based on the results of the initial document request and independent research, incorporate into our model the existing fees, provided by the City, to comprise the parameters of the fee study.

Meetings: It is possible that a conference call with the City may be necessary to discuss new fees to implement or existing fees that may no longer be required.

Deliverables: **Willdan:** One (1) draft list of current fees based on initial data provided (to be discussed and finalized during the kick-off call).

City: Review completed fee schedule with comments/revisions to be discussed during the kick-off meeting.

Task 3: Kick-off Conference Call /Refine Scope

Objective: Confirm goals and objectives for the User Fee Study. Identify and resolve policy issues typically raised by a Fee Study, address gaps in data, and refine appropriate existing or new fee categories (based on Task 2).

Description: Verify our understanding of the City's goals, the City's cost-recovery policy for fees, and to fill any gaps in data/information necessary for the project. It is important for the City and Willdan to identify and address any foreseeable problems, and maintain open communication throughout the process.

During this call, we will ask that the City identify a project manager who will serve as the primary contact for the project. The project manager shall have responsibility for ensuring that all available data is provided in a timely manner, thereby maintaining adherence to the project's schedule.

Meetings: One (1) project kick-off call to initiate the entire project, discuss data needs, and address policy issues. This will be held in conjunction with the kick-off for the cost allocation plan. As mentioned in the cost allocation plan work plan, we suggest combining the kick-off calls to increase efficiency.

Deliverables: **Willdan:** 1) Revised project scope and schedule (if needed); and 2) brief summary of policy decisions (if needed).

City: 1) Provide further data needs; and 2) determine/introduce City's project manager.

Task 4: Develop Fee Model

Objective: Develop and test model.

Description: This task involves the development of the model ultimately used to calculate the fees, based on data and information gathered in previous tasks and in the Time Survey Interviews described in Task 5. To



ensure that City policies are met through the imposition of the calculated fees, the model will be formatted to include appropriate costs.

Key model inputs will include staff and allocated overhead costs per position, and relevant budget data on salaries and benefits. Most of this information will be developed during the cost allocation plan phase of this project, and will be incorporated directly into the fee model. We will request clarification and/or additional data if necessary.

The model will build upon the cost allocation plan results, to provide an allocation of administrative and overhead costs to fee related activities in the Community Development Department, so that fees and billable rate schedules incorporate applicable costs. Furthermore, the fees and rates charged to customers will also reflect the cost of the services being provided, to the extent possible given policy and/or political considerations.

Deliverables: **Willdan:** One (1) user-friendly model in Microsoft Excel format, which, when finalized, City staff can use to calculate fee changes annually, or as often as deemed appropriate by the City Council.

Task 5: Time Survey Interviews and On-site Information Gathering

Objective: Meet with City staff to complete Time Surveys and understand service delivery processes.

Description: In order to assist staff with the completion of the survey worksheets, we will schedule up to one (1) full day of on-site meetings with Community Development Department staff; however, the number of meetings needed may vary depending on the number of staff involved. Also, the eight hours allotted for these meetings may be broken up over several days if scheduling is difficult.

The Willdan Team will conduct interviews with supervisors/managers, as well as other staff, as deemed appropriate and/or necessary, to determine the average time required by City staff to provide each of the services for which a fee is collected.

The fee model is designed so that full cost recovery fees are calculated immediately upon input of staff time. These full costs are also compared to current cost recovery levels. This will allow Willdan and City staff to conclude with a final meeting to review the draft full cost recovery fees, and adjust any times as necessary, once all information has been compiled and input into the fee model. We will schedule the interviews with staff to minimize any disruption to their normal workflow.

Meetings: Up to one (1) full business day of on-site meetings/staff interviews.

Deliverables: **Willdan and City:** Time surveys and draft full cost recovery fees.

Task 6: Common Fees Comparison

Objective: Examine the user fees charged by comparable Contra Costa County, or jurisdictions that are similar to the City of El Cerrito.

Description: We will access and use our knowledge of other jurisdictions to benchmark the City's five (5) most common fees or highest yielding fees with comparable jurisdictions agreed.

Fee schedules are rarely readily or directly comparable from agency to agency due to definitional and operational differences. For example, a grading permit in one jurisdiction may include the plan check service, while the same permit in another jurisdiction may not, resulting in similar sounding services with widely varying costs. For this reason, Willdan takes a selection of the City's most commonly used and/or highest yielding fees.

The survey will contain the following:

- Comparison of common or similar fees and charges used by the City and other jurisdictions;
- Current and proposed fees and charges unique to the City of El Cerrito;
- Fees and charges used by other public entities not currently used in the City; and
- If possible, identify characteristics and processes unique to the City that account for significant variances in fees and charges used by other jurisdictions.

Deliverables: **Willdan:** Recommendations provided in Task 8 will incorporate the data gathered during our examination.

Task 7: Data Analysis and Final Fee and Rate Schedule

Objective: Incorporate information obtained from on-site surveys to fully develop model.

Description: We will update the model, based on information received during the on-site surveys, to generate a comprehensive Community Development Department fee schedule. In addition, it is very common that a supplemental data request may be necessary, based on new fees identified that the City is not currently collecting. We will present the full cost recovery level for fees, both current and projected under the new calculated fees, and revenue projections, given certain assumptions about the levels of subsidy for different fees. Current levels of cost recovery will be compared to actual full costs calculated during the course of this study. Cost will be calculated at reasonable activity levels, and include appropriate direct and indirect costs and overhead. We will review fee programs for compliance with Propositions 218 and 26.

The user fee data analysis and model development may take three (3) to four (4) weeks with frequent correspondence with City staff to discuss current cost recovery amounts, necessary to recover full cost and frequency activity.

Meetings: Conference calls to finalize fee schedule.

Deliverables: Final user fee and rate model for City Council presentation and discussion.

Task 8: Prepare and Present Draft Report

Objective: Prepare draft report.

Description: This task involves the preparation of the draft report that discusses the study's background, the methodologies utilized in the study, and the results and presentation to various stakeholder groups. As noted below, meetings may occur during this or the next task as appropriate. The calculations used to generate the fee and rate study will be included textually, as well as in easy to understand tables. Individual fee summaries by department and a comprehensive fee schedule will be included. The draft report will include the following:

- Key results and findings;
- Basic descriptions of each service;
- The full cost of each service and current cost recovery levels;
- Costs broken down graphically into indirect and direct components, with a graphic display of the level of cost recovery;
- Fee recommendations with associate levels of cost recovery;
- Projections of potential fee revenue;
- Assessment of reasonableness of each City's costs; and
- Summary and recommendations.

The objective of the report is to communicate the recommendation of appropriate fees, which include the appropriate subsidy percentage for those fees where full cost recovery may be unrealistic.

Meetings: One (1) conference call or online meeting to present the draft report to City staff.

Deliverables: **Willdan:** Draft report for City review and comment.

City: Review of draft report, with comments and edits.

Task 9: Revise Draft Report/Determine Cost Recovery Levels for Recommended Adoption

Objective: Review of draft report and fee model.

Description: The goal of this task is to conduct an in-depth review of the draft report and model, incorporate feedback and changes as a result of previous discussions, and arrive at an optimum fee structure. Often through the course of an engagement, City staff will volunteer insightful likes and dislikes regarding the existing fee structure. We listen to this feedback carefully because your staff members know the community best. Comments usually revolve around issues of:

- Understandability;
- Fairness to applicants;
- Ease of calculation;
- Appropriate levels of cost recovery; and
- Full cost recovery hourly rates.

When adjusting fee recovery levels, we believe it is important to address these concerns. If suggested fee increases are significant, we will work with staff to develop phase-in schedules for those fees.



Following one (1) round of comments from City staff on the draft report, we will prepare the final report for presentation to the City Council.

Meetings: One (1) online demonstration (GoToMeeting) to review the model.

Deliverables: Draft report, revised draft /final report.

Task 10: Prepare and Present Final Report/Train Staff on Model

Objective: Prepare and present final report to City Council. Train staff on the operation and use of the model for future modifications.

Description: This task is the culmination of the entire project. Based on staff comments received regarding the draft report, we will prepare the final report for presentation.

Meetings: One (1) meeting with City Staff to present results; and one (1) meeting with City Council. We will also provide staff training on the operation and use of the model on the same day during regular business hours.

Deliverables: We will provide up to three (3) bound copies, one (1) unbound copy and one (1) electronic PDF file copy of the final report and model to the City. Using Microsoft Word and Excel, an updateable electronic copy of the study and model, as well as related schedules, will also be provided on CD-ROM.

City Staff Support

To complete our tasks, we will need the cooperation of City staff. We suggest that the City of El Cerrito assign a key individual to represent the City as the project manager who can function as our primary contact. We anticipate that the City's project manager will:

- 1) Coordinate responses to requests for information;
- 2) Coordinate review of work products; and
- 3) Help resolve policy issues.

We will ask for responses to initial information requests in a timely manner. If there are delays on the part of the City, we will contact the City's project manager to steer the project back on track. We will keep the City's project manager informed of data or feedback we need to keep the project on schedule.

Willdan will endeavor to minimize the impact on City staff in the completion of this project.

Willdan will rely on the validity and accuracy of the City's data and documentation to complete the analysis. Willdan will rely on the data as being accurate without performing an independent verification of accuracy, and will not be responsible for any errors that result from inaccurate data provided by the client or a third party. City shall reimburse Willdan for any costs Willdan incurs, including without limitation, copying costs, digitizing costs, travel expenses, employee time and attorneys' fees, to respond to the legal process of any governmental agency relating to City or relating to the Project. Reimbursement shall be at Willdan 's rates in effect at the time of such response.

Proposed Budget

Willdan proposes a **fixed fee of \$29,275** for the Cost Allocation Plan and Community Development Department User Fee study project as a whole. Below we have presented a breakdown of each phase of the project, as well as each specific segment of the project.

Cost Allocation Plan

Based on our outlined Work Plan, we propose a **fixed fee of \$11,235**. The table below provides a breakdown of this fee by task and project team member.

City of El Cerrito Cost Allocation Plan Cost Proposal						
	C. Fisher Project Manager	T. Thrasher Analytical Support	P. Patel Analytical Support	R. Quaid QA/QC	<u>Total</u>	
	\$ 250	\$ 135	\$ 125	\$ 210	Hours	Cost
Scope of Services						
Task 1: Initial Document Request	-	1.0	1.0	-	2.0	\$ 260
Task 2: Kick-off /Refine Scope	1.0	1.0	1.0	-	3.0	510
Task 3: Gather Staffing Information, Develop CAP Model	-	8.0	18.0	1.0	27.0	3,540
Task 4: Test and Review Cost Allocation Methodology	1.0	4.0	8.0	1.0	14.0	2,000
Task 5: Prepare and Present Draft Report	1.0	3.0	8.0	1.0	13.0	1,865
Task 6: Discuss and Revise Report	1.0	4.0	6.0	1.0	12.0	1,750
Task 7: Prepare and Present Final Report Model	1.0	6.0	2.0	-	9.0	1,310
Subtotal – Cost Allocation Plan Study:	5.0	27.0	44.0	4.0	80.0	\$ 11,235
Total Willdan Labor Costs	5.0	27.0	44.0	4.0	80.0	\$ 11,235

Community Development Department User Fee Study

Based on our outlined Work Plan, we propose a **fixed fee of \$18,040**. The table below provides a breakdown of this fee by task and project team member.

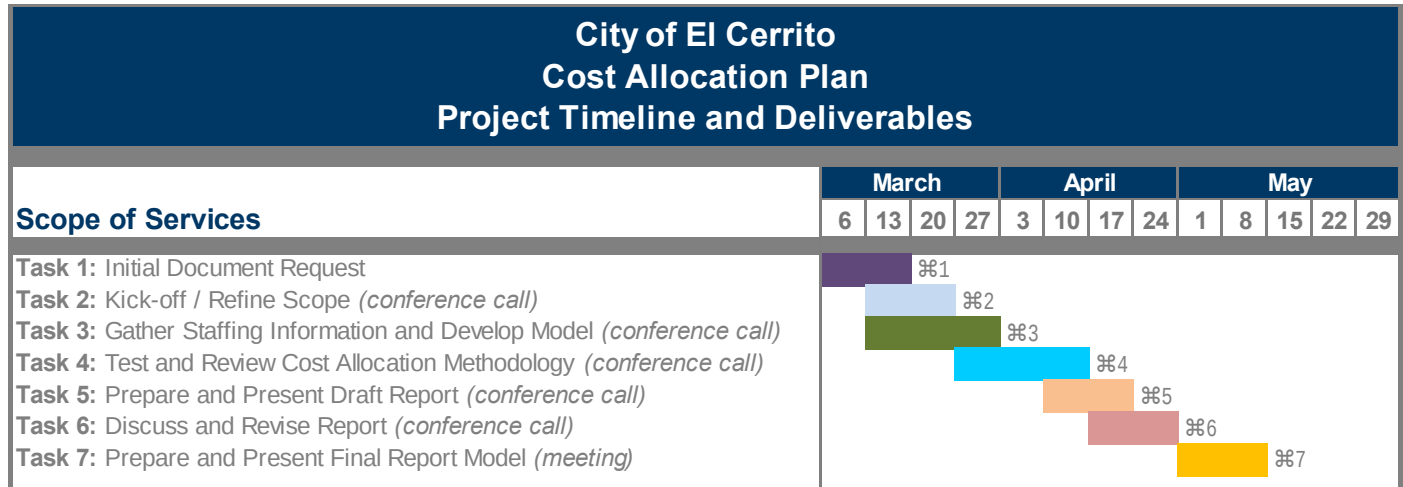
City of El Cerrito Community Development Department User Fee Study Cost Proposal						
	C. Fisher Project Manager	T. Thrasher Analytical Support	P. Patel Analytical Support	R. Quaid QA/Tech Advisor	<u>Total</u>	
	\$ 250	\$ 135	\$ 125	\$ 210	Hours	Cost
Scope of Services						
Task 1: Initial Document Request	-	1.0	-	-	1.0	\$ 135
Task 2: Compile Inventory of Current and Potential Fees	-	1.0	2.0	-	3.0	385
Task 3: Kick-off /Refine Scope	1.0	1.0	1.0	-	3.0	510
Task 4: Develop Comprehensive Fee Model	-	8.0	18.0	1.0	27.0	3,540
Task 5: Time Survey Interviews and On-site Information Gathering	1.0	8.0	8.0	-	17.0	2,330
Task 6: Common Fees Comparison	2.0	4.0	12.0	-	18.0	2,540
Task 7: Data Analysis and Final Fee Schedule	2.0	8.0	16.0	1.0	27.0	3,790
Task 8: Prepare and Present Draft Report	1.0	4.0	6.0	1.0	12.0	1,750
Task 9: Revise Draft/Determine Cost Recovery Levels	1.0	6.0	6.0	1.0	14.0	2,020
Task 10: Prepare and Present Final Report/Model	2.0	4.0	-	-	6.0	1,040
Subtotal – User Fee Study:	10.0	45.0	69.0	4.0	128.0	\$ 18,040
Total Willdan Labor Costs	10.0	45.0	69.0	4.0	128.0	\$ 18,040



Proposed Schedule and Deadlines

Willdan understands time is of the essence for the City of El Cerrito to begin this engagement. These schedules can only be met with the cooperation of City staff. Delays in responding to our requests for data and review will result in corresponding delays to the project schedule. If that is the case, we will notify the City immediately of the possible impact on the schedule.

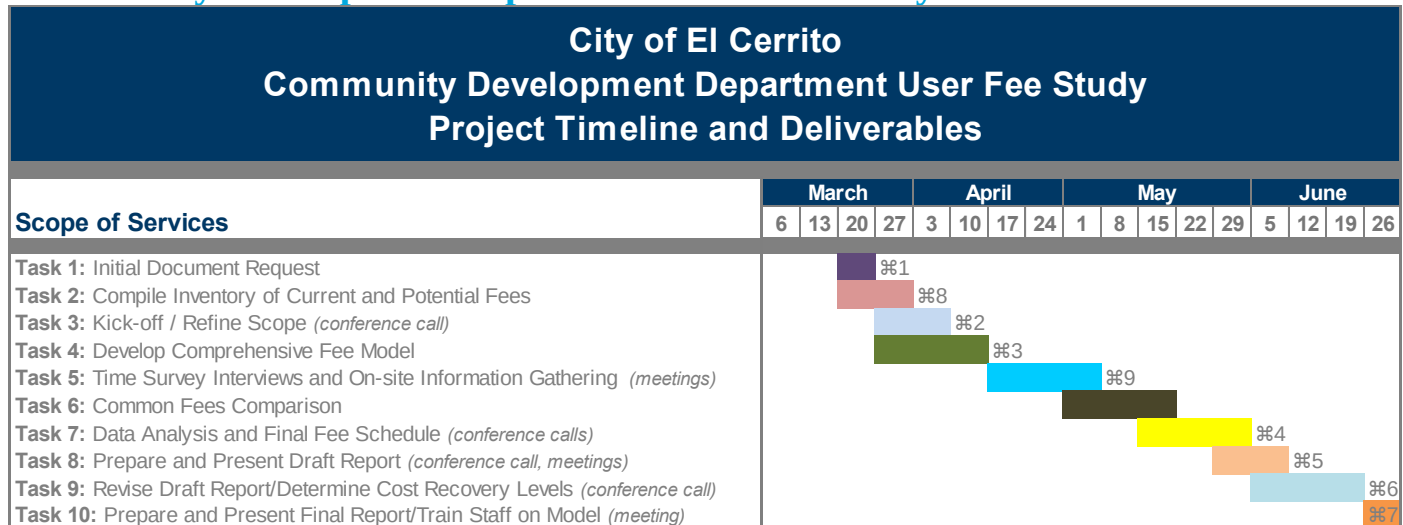
Cost Allocation Plan



Legend:

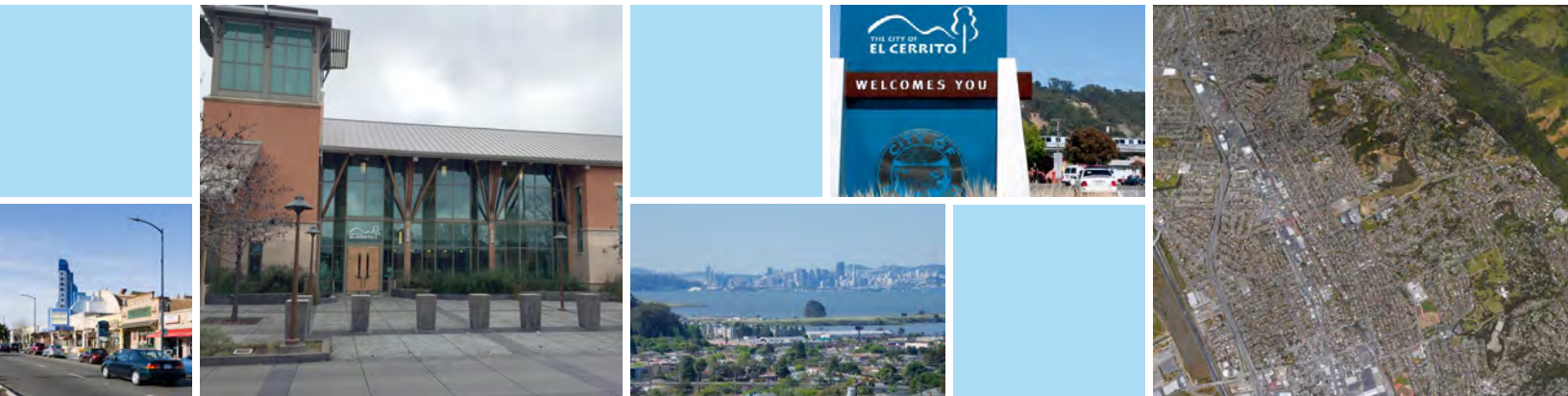
- | | |
|--|---|
| ⌘1: Information Request | ⌘5: Draft Report |
| ⌘2: Revised Project Scope and Schedule (if needed) | ⌘6: Revised Draft Report/Final Report |
| ⌘3: User-friendly Model in Microsoft Excel | ⌘7: Final Report – Hard and Electronic Copies |
| ⌘4: Draft Cost Allocation Plan Model Review | |

Community Development Department User Fee Study



Legend:

- | | |
|--|--|
| ⌘1: Information Request | ⌘6: Revised Draft Report/Final Report |
| ⌘2: Revised Project Scope and Schedule (if needed) | ⌘7: Final Report – Hard and Electronic Copies |
| ⌘3: User-friendly Model in Microsoft Excel | ⌘8: Draft List of Current Fees |
| ⌘4: Draft Fee and Rate Model Review | ⌘9: Time Surveys and Draft Full Cost Recovery Fees |
| ⌘5: Draft Report | |



27368 Via Industria, Suite 200
Temecula, California 92590-4856
951.587.3500 | Fax: 951.587.3510
www.willdan.com



AGENDA BILL

Agenda Item No. 4(G)

Date: April 4, 2017
To: El Cerrito City Council
From: Shannon Collins, Accounting Supervisor
Subject: Authorize Annual Report for Landscape and Lighting Assessment District for Fiscal Year 2017-18

ACTION REQUESTED

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 2017-18.

BACKGROUND

In 1988, the City Council established Assessment District No. 1988-1 pursuant to the Landscape and Lighting Act of 1972. This act requires the preparation and filing of an annual report of the assessment district activities.

In November 1996, the voters of El Cerrito approved by a two-thirds majority the continuation of the Landscape and Lighting Assessment. Since the voters approved the assessment prior to the passage of Proposition 218, this assessment is exempt from Proposition 218's additional voter requirements. Therefore, the City follows the same annual approval process as in previous years.

California Street and Highway Code §22622 requires the City Council to authorize by resolution the filing of the annual report of the Landscaping and Lighting Assessment District. The annual report includes the various components required to develop the tax roll related to the assessment district. The Council must adopt this report prior to the time that a decision is made about whether or not the assessment will continue in the next fiscal year.

It is expected that NBS, the designated Engineer of Work, will submit the annual report at the May 2, 2017 City Council meeting. At that meeting, the time and place of the public hearing regarding continuation of the assessment district will be set.

ANALYSIS

Without the adoption of the annual report and authorization of the assessment, the City would lose approximately \$773,000 in FY 2017-18 that would be used for landscaping and lighting purposes.

NBS was selected in February 2009 through a Request for Proposal process and the agreement was extended for NBS to continue to prepare and file the report this year. The cost to prepare and file the report is \$8,855 and is included in the budget for the Landscape and Lighting Assessment District fund.

STRATEGIC PLAN

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

FINANCIAL CONSIDERATION

In FY 2017-18 the budget adopted in June, 2016 recognizes Landscape and Lighting revenue of \$771,000 to pay for budgeted expenses in Fund 203. The assessment cost paid for \$274,000 of personnel costs, \$327,000 of non-personnel costs and \$160,000 for overhead in connection with administering the program. The remaining \$10,000 will go toward fund balance.

Reviewed by:


Scott Hanin, City Manager

Attachments:

1. Resolution

RESOLUTION NO. 2017-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO DESIGNATING NBS LOCAL GOVERNMENT SOLUTIONS AS THE ENGINEER OF WORK FOR THE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 1988-1 AND DIRECTING NBS TO PREPARE AND FILE THE ANNUAL REPORT FOR FISCAL YEAR 2017-18

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, said Landscape and Lighting Act requires the preparation and filing of an annual report defining the charges to the assessment district for Fiscal Year 2017-18; and

WHEREAS, California Street and Highways Code §22622 requires that the filing of the annual report be authorized by resolution of the City Council; and

WHEREAS, the cost to prepare and file the report is included in the budget for the Lighting and Assessment District fund.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby directs NBS Local Government Solutions, the firm designated by this Council as the Engineer of Work for Assessment District No. 1988-1, to file an annual report in accordance with the provisions of the Landscape and Lighting Act of 1972.

BE IT FURTHER RESOLVED this resolution is adopted pursuant to California Street and Highways Code §22622.

I CERTIFY that at the regular meeting on April 4, 2017, the El Cerrito City Council passed this resolution by the following vote:

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

Agenda Item No. 4(G)

Attachment 1

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on April __, 2017.

Cheryl Morse, City Clerk

APPROVED:

Janet Abelson, Mayor



Mayor Janet Abelson

April 4, 2017

The Honorable Mike McGuire, Chair
Senate Governance and Finance Committee
California State Senate
State Capitol, Room 112
Sacramento, CA 95814

RE: SCA 3 (Dodd) Local Government Finance: Libraries: Voter Approval – **SUPPORT**

Dear Senator McGuire and Committee Members:

On behalf of the City of El Cerrito City Council, I am writing to communicate our support for SCA 3 which would reduce the voter threshold for library construction bond measures to 55%. This is the same passage level for similar school measures.

Throughout our county, there are several communities that are planning to build new libraries in the coming years. Their overcrowded libraries are now too small given the heavy use by their residents. In El Cerrito, our library is not built to current earthquake standards, is too small and cannot handle the new technological demands of modern libraries. New libraries offer a safe place for students to do their homework, offer free computer access to people of all ages, allow people to research new job opportunities and obtain the information they need to be an active participant in the 21st Century economy. They also serve as community focal points and meeting places.

Thank you Senator McGuire, for co-authoring SCA 3. We urge your committee to vote “AYS” on this bill and look forward to its passage.

Sincerely,

Janet Abelson
Mayor, City of El Cerrito

Cc: El Cerrito City Council
State Senator Nancy Skinner
Assembly Member Tony Thurmond
County Librarian, Melinda Cervantes



AGENDA BILL

Agenda Item No. 4(l)

Date: March 21, 2017
To: El Cerrito City Council
From: Rochelle Pardue-Okimoto
Subject: Opposition to the proposed expansion of the West Contra Costa County Detention facility

ACTION REQUESTED

At the request of Councilmember Pardue–Okimoto, approve a recommendation authorizing the Mayor to send a letter (Attachment 1) to the California Board of State and Community Corrections opposing the \$70 million grant proposal from the Contra Costa Sheriff's Office for the expansion of the West County Detention Facility in Richmond.

BACKGROUND

On February 7, 2017, the Contra Costa Board of Supervisors voted 4-1 to move forward with a proposal to expand the West County Detention Facility in Richmond. Supervisor John Gioia was the opposing vote.

At a 2015 meeting of the El Cerrito City Council, the City Council received a presentation from the Office of the Sheriff regarding a proposed expansion. The City Council did not take a position on the proposed expansion.

The Sheriff's Office states there is a need for the expansion due to the overcrowding at the Martinez jail, which is currently housing significantly more inmates than recommended. The plan proposes to add a new wing to the Richmond facility that is close to 120,000 square feet, including space for 400 beds and child-visitation, re-entry and rehabilitation centers. The proposal also includes a mental health treatment facility; however, there is speculation that there is a minimal amount of beds dedicated to inmates with mental illness. Sherriff's officials plan to submit a proposal for a \$70 million grant from the Criminal Justice Facilities Construction Fund. The County will have to contribute millions of dollars to the project, if approved in order to complete and ultimately maintain its operations. The host city of Richmond opposes the proposed expansion.

Additionally, the facility has been used to inappropriately house ICE (Immigration and Customs Enforcement) detainees. According to Supervisor Gioia, "Nearly 200 individuals are being held for possible deportation at the West County jail under a sheriff's contract with the U.S. Department of Justice to house ICE detainees."

It is my recommendation that the El Cerrito City Council direct the Mayor to send a letter to the California Board of State and Community Corrections to express the City's opposition to the expansion. The opposition letter should reiterate the city's view that state and county resources should be invested in needed services that reduce jail populations and support successful reentry and reintegration. Public resources should

Agenda Item No. 4(I)

not be committed to jail construction. It is further recommended that the Board of Supervisors focus on funds for other needed services; specifically, a full service hospital.

FINANCIAL CONSIDERATIONS

None at this time for El Cerrito. Project cost projections as reported to the Board of Supervisors:

Physical Plant:

\$95.2 million - Total Project Cost

\$70.0 million - SB 844 Jail Funding Program

\$22.0 million - Cash Match

\$15.0 million General Fund Reserve (Unassigned)

\$4.5 million Sheriff's Plant Acquisition account (existing General Fund appropriation)

\$2.5 million 2011 Local Revenue Fund (AB 109)

\$3.2 million - In-Kind Match (Land Value, project oversight, transition planning, etc.)

Future Operating Costs (in 2017 dollars) (\$5,058,738):

Detention Staffing (\$2,152,104)

Rehabilitation and Reentry Services (Services to be provided by Community Based Organization via Request for Proposals) (\$1,907,034)

Adult Education and Vocational Services (CCC Office of Education) (\$241,600)

Psychiatric Services – CCC Detention Health (\$750,000)

Reviewed by:



Scott Hanin
City Manager

Attachments:

1. Letter
2. Board of Supervisors Report and Presentation
3. Supervisor Gioia Op Ed
4. February 7, 2017 East Bay Time Article
<http://www.eastbaytimes.com/2017/02/07/richmond-contra-costa-supes-move-forwardwith-controversial-new-jail-project/>



Mayor Janet Abelson

April 4, 2017

Ms. Kathleen Howard
Executive Director
California Board of State and Community Corrections
2590 Venture Oaks Way
Sacramento, CA 95833

Via email and U.S. mail: kathleen.howard@bscc.ca.gov

Subject: El Cerrito City Council opposition to the proposed expansion of the West Contra Costa County Detention Facility located in Richmond, California

Dear Ms. Howard:

At its meeting of April 4, 2017, the El Cerrito City Council discussed, and expressed significant concern over, the proposed expansion of the West Contra Costa County Detention Facility (WCCCDF), for which Contra Costa County has submitted a \$70 million grant proposal to the Criminal Justice Facilities Construction Fund of the California Board of State and Community Corrections. Following this discussion, the Council voted to oppose the project and its associated grant funding.

On February 7, 2017, the Contra Costa Board of Supervisors voted 4-1 to move forward with a proposal to expand the West County Detention Facility in Richmond. Supervisor John Gioia was the opposing vote.

At a 2015 meeting of the El Cerrito City Council, the City Council received a presentation from the Office of the Sheriff regarding a proposed expansion. The City Council did not take a position on the proposed expansion.

The Sheriff's Office states there is a need for the expansion due to the overcrowding at the Martinez jail, which is currently housing significantly more inmates than recommended. The plan proposes to add a new wing to the Richmond facility that is close to 120,000 square feet, including space for 400 beds and child-visitation, re-entry and rehabilitation centers. The proposal also includes a mental health treatment facility; however, there is speculation that there is a minimal amount of beds dedicated to inmates with mental illness. Sheriff's officials plan to submit a proposal for a \$70 million grant from the Criminal Justice Facilities Construction Fund. The County will have to contribute millions of dollars to the project, if approved in order to complete and ultimately maintain its operations, potentially taking away funding from other critical

Ms. Kathleen Howard, Executive Director .
California Board of State and Community Corrections
April 4, 2017
Page 2 of 2

health and human services services. The host city of Richmond opposes the proposed expansion.

Additionally, the facility may have been used to inappropriately house ICE (Immigration and Customs Enforcement) detainees. According to Supervisor Gioia, "Nearly 200 individuals are being held for possible deportation at the West County jail under a sheriff's contract with the U.S. Department of Justice to house ICE detainees."

Thank you for your consideration.

Sincerely,

Janet Abelson
Mayor

cc: City Council

West County Reentry and Mental Health Treatment Facility

Contra Costa County Office of the Sheriff

February 7th, 2017



Undersheriff Mike Casten
Assistant Sheriff Matt Schuler
Captain Tom Chalk

Introduction

- **The goal to improve success and reduce recidivism requires change in all areas of the Criminal Justice System.**
- **The Office of the Sheriff has approached Senate Bill 844 as a springboard to improve our entire jail system, and to help achieve this goal.**
- **This is not a typical bed-replacement project.**
- **This project is designed to maximize benefits to the greatest number of people throughout our entire jail system, not just the people to be housed in the new facility.**

Independent Needs Assessment

- **The research and analysis which supports the following report was completed by HDR (an independent firm) in August of 2015.**
- **The Jail Needs Assessment (JNA) was developed to comply with California Code of Regulations (CCR) Title 24, Sec. 13-102(c) 2.**
- **This report includes a summary of programming, treatment, and bed capacity projections for the year 2020, as described in the JNA.**

Senate Bill 844 Overview

- A construction financing program that provides \$250,000,000 in state lease-revenue bond financing to acquire, design, renovate, or construct adult local criminal justice facilities.
- Counties must provide 10% matching funds. However, in-kind contributions offset a portion of the County's cash requirement.
- 250,000,000
 - Large counties: \$70,000,000 (1) full award
 - Medium counties: \$30,000,000 (1) full award
 - Small counties: \$150,000,000 (6) full awards

Senate Bill 844 Overview

- **Funding consideration shall be given to counties that are seeking to replace compacted, outdated, or unsafe housing capacity.**
- **Funding consideration is given to counties that plan to provide adequate space for the provision of re-entry, program, and behavioral health treatment.**
- **Counties must demonstrate that the construction of replacement cells will not add to the capacity of the County's Jail System.**
- **Funding is for construction only. It will not finance programming, behavioral health treatment, or personnel.**

Additional Considerations

- **Counties shall include space to provide onsite, in-person visitation that meets or exceeds Title 24 requirements.**
- **Counties must include a description of efforts to address sexual abuse in its adult local criminal justice facility.**
- **Counties must provide documentation evidencing CEQA compliance has been completed.**

Additional Considerations

- **Funding is limited to counties who have received partial funding or never received funding in the past (AB 900, SB 1022, or SB 863).**
- **Counties are required to certify and covenant in writing that housing capacity will not be leased to anyone for ten years of construction completion (estimated June 2021).**

Overview of the County's Current Jail System

- The Office of the Sheriff's Correctional System is comprised of three detention facilities, and one custody alternative facility.



Martinez Detention Facility
Rated: Max / High Security



West County Detention Facility
Rated: Medium Security



Marsh Creek Detention Facility
Rated: Minimum Security

CAF
Rated: N/A

Demonstrated Need for the Reentry and Mental Health Treatment Facility (WRTH)

- **A large segment of Contra Costa's incarcerated population consists of individuals who are required to reside at the Martinez Detention Facility (MDF).**
- **The MDF was constructed in 1978 and it is outdated and overcrowded.**
- **Originally designed for 384 people to reside in single occupancy cells.**
- **The MDF is essentially devoid of program space. As such, there are very little educational, vocational, and reentry programs available to these individuals.**
- **The MDF also serves as the de facto mental health facility, despite utter lack of suitability to meet this need.**

Suitability Study for Conversion to High Security Housing at Existing Facilities

- **HDR (among others) conducted a suitability study to determine the feasibility of converting existing housing into high security housing with ample treatment and reentry space (2007, 2011, 2015 JNAs).**
- **Results of the study found such a project is not feasible for many reasons.**

Unfeasible Alternatives (MDF)

- **To renovate the MDF is not feasible, economical, or efficient.**
- **The MDF is structurally unified.**
- **The existing footprint does not allow for expansion upward or outward.**
- **Lack of existing adequate program space.**

MDF Structural Pillars



Martinez Detention Facility Mental Health Program Space



Unfeasible Alternatives (WCDF)

- To renovate the WCDF is not feasible, economical, or efficient.
- The cells have no plumbing, as required for high security housing.
- The cells have wooden doors and sheet rock walls.
- Programs, visiting, and services are not located on the housing units.
- The open campus style setting is not safe for the high security population.
- Cells would not conform to Title 24 standards if plumbing added.
- Court holding cells not located on the housing units.

Site Context



Unfeasible Alternatives (MCDF)

- To renovate the MCDF is not feasible, economical, or efficient.
- The infrastructure was built in the 1930's, not suitable to handle a new 416 bed facility.
- There are no cells at the MCDF.
- The kitchen and laundry are not equipped to handle the population.
- The rolling hill landscape is not feasible for the 118,907 sf WRTH footprint.
- Programs and services are not located on the housing units.
- The open farm style setting is not safe for the high security population.
- Public transportation is over 2 hours each way.

Limitations to Programs Offered at the MDF

- **Current Male Programs Offered at the MDF:**
 - **Independent Study**
 - **Religious Programs**
 - **Library Cart (delivery only)**

In Contrast

West County Detention Facility Program Space



West County Detention Facility Programs



West County Detention Facility Program Space



Current Programs Offered at the WCDF

- **Current Male Programs Offered at the WCDF:**
 - **Adult Basic Education**
 - **General Education Development**
 - **High School Diploma**
 - **Computer Applications and Web Design**
 - **D.E.U.C.E**
 - **ESL**
 - **Independent Study**
 - **Parenting Inside Out**
 - **Religious Programs**
 - **Library Program**
 - **Narcotics Anonymous**
 - **Alcoholics Anonymous**
 - **Batterer's Workshop**
 - **CBO Reentry Services**
 - **AB109 Mentorship Program**
 - **Faith Based Services**



West County Detention Facility Campus



Site Context



Site Context



Details of the Proposed Reentry and Treatment Facility

- **There will be seven high security rated housing units, totaling a maximum of 416 beds:**
 - **One Acute Services Unit (32 bed maximum capacity) for men with serious and persistent mental illness who cannot function in general population.**
 - **One Special Services Unit (64 bed maximum capacity) for men who are experiencing short-term episodes of decompensation, detox, or need stabilization.**
 - **Five Standard Housing Units (64 bed maximum capacity) for the remainder of the population housed in the new building.**

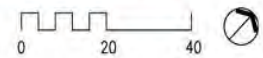
Details of the Proposed Reentry and Treatment Facility

- **All together, 25,000 sf of the new facility will be dedicated to vocational and rehabilitative programming, contact visiting for parents + children, non-contact visiting, and clinical and medical services:**
 - **Program/educational space within the 7 housing units**
 - **Rehabilitation and Reentry Services Center**
 - **Workforce Readiness Center**
 - **Family Visiting Center (contact visitation)**
 - **Non-Contact Visiting Center**
 - **Medical/Psychiatric Services Clinic**

Programs and Mental Health Treatment to be Added in the New Facility

- **The Rehabilitation and Reentry Program (R&R Program) will provide a comprehensive and integrated array of validated, evidence-based, trauma informed, cognitive behavioral treatment (CBT) services.**
- **Expanded behavioral health services:**
 - **Cognitive Based Treatments such as Thinking for a Change**
 - **Moral Reconciliation Therapy (MRT)**
 - **Controlling Anger and Learning to Manage (CALM)**
 - **Dialectical Behavioral Therapy**
 - **Motivational Interviewing (MI)**
 - **Seeking Safety**
- **Substance Use Disorder / Co-Occurring Disorder Treatment**
- **Parenting Inside Out (PIO) and child contact visitation (Open to all WCDF)**
- **Robust adult education and vocational classes (similar to those currently provided at WCDF)**
- **Workforce Readiness**

[29]



Overall Housing Unit – Main Floor

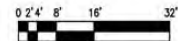


Intensive Services
Housing Unit
(1) 32-Bed Single

Special Services
Housing Unit
(1) 64-Bed Tiered

Standard Housing Unit
(2) 64-Bed Tiered Level

LEGEND
NC Non-Contact Visitation



Site Plan



Regional Impacts

- **About 400 people will be moved out of the MDF, closing two housing units, reducing overcrowding, and allowing all cells to be returned to single-occupancy, as they were designed.**
- **A total of 420 beds will be decommissioned at the MDF.**
- **Some vacated space can be modestly repurposed as small meeting spaces for programs.**
- **Full-time transition coaches and resource developers will be dedicated to people remaining at the MDF and MCDF.**
- **In addition to the current women's housing, a second unit at the WCDF will be exclusively dedicated to women with special needs.**

Preliminary Staffing Considerations

- **20 existing MDF Deputy Sheriff positions would be transferred to the proposed housing unit. The transfer would occur as a result of closing two housing units at the MDF.**
- **Existing WCDF staff will be leveraged to provide supervision, administrative, and operational support for the proposed housing unit.**
- **Six additional funded Deputy Sheriff and six Sheriff's Aide positions would be required for safety and supervision.**
- **Additional mental health clinicians, adult education staff, and medical staff will be required to expand services.**
- **Existing CBOs and FBOs will be provided greater access.**

Program Personnel - Office of Rehabilitative & Behavioral Services:					WCDF	MDF,MCDF	Total	
	Director of Rehabilitative and Behavioral Services, LCSW	1	0	1	\$113,300		\$113,300	
	Admin Assistant	1	0	1	\$36,050		\$36,050	
	Multi-Disciplinary Services Manager. LCSW	1	0	1	\$66,950		\$66,950	
	Parenting Inside Out/Family Support Manager, LCSW	1	0	1	\$66,950		\$66,950	
	Behavioral Health & Parenting Inside Out Counselors (Inside)	6	4	10	\$46,350		\$463,500	
	Job and Resource Developers (Primarily Outside)	3	3	6	\$46,350		\$278,100	
	Transition Specialists (Inside & Outside)	3	2	5	\$46,350		\$231,750	
	Data & Evaluation Manager	1	0	1	\$66,950		\$66,950	
	Personnel Before Benefits	17	9	26			\$1,323,550	
	Benefits @ 25%						\$321,250	
	Personnel Before Benefits						\$1,644,800	
	Office Supplies: \$32 per FTE per month			26	\$32		\$9,984	
	Communications: Cell Phones @ \$50/month FTE			26	\$50		\$15,600	
	Jail to Communities Council meeting materials: \$75/meeting/month			12	\$100		\$1,200	
	Staff Training: \$250/FTE/yr			26	\$250		\$6,500	
	Staff Travel \$0.565/mile @ 300 miles/mo for Job & Res. Dev.& Trns. spcs			11	\$814		\$8,950	
	Contract Grant Writer						\$20,000	
	Operating Costs						\$62,234	
	Indirect @ 12%						\$200,218	
	Total Costs						\$1,907,034	
Academic/Vocational Personnel Costs - CCCOE:					WCDF	MDF,MCDF		
	Full Time Certificated Teach - Step 7	2	0	2	\$79,800		\$159,600	
	Benefits @ 53%						\$82,000	
	Total Costs						\$241,600	
Mental Health Practitioner Costs - CCC Detention Mental Health:					WCDF	MDF,MCDF		
	Full Time Mental Health Clinician	1			\$225,000		\$225,000	
	Full Time Psychiatrist	1			\$525,000		\$525,000	
	Salary and Benefits							
	Total Cost						\$750,000	
	Total Estimated Annual Program Personnel Costs:						\$2,898,634	
Contra Costa County Office of the Sheriff Personnel Costs:					WCDF	MDF,MCDF		
	Deputy Sheriff							
	Salary and Benefits	6	0	6	\$246,426		\$1,478,556	
	Sheriff's Aide							
	Salary and Benefits	6	0	6	\$112,258		\$673,548	
	Total Cost:						\$2,152,104	
	Total Estimated Annual Sheriff's Personnel Costs:						\$2,152,104	
	TOTAL ESTIMATED NET ANNUAL PERSONNEL COSTS						\$5,050,738	

The Sheriff's Commitment to not add Jail Beds

- **The County has one of the most robust alternative to custody and pre-trial release program in the State (over 380 on CAF and 350 pre-trial).**
- **The Sheriff's progressive cite and release policy will remain unchanged.**
- **The MDF 10 year ADP does not support an anticipated increase in the MDF population.**
- **The Sheriff will request the BSCC to audit the MDF bed count annually.**

Jail to Communities Philosophy

- **The Sheriff's Office will form a Jail to Community Collaborative Council:**
 - **Working with the County's Office of Reentry and Justice (ORJ), the Sheriff's Office will form a Jail to Community Collaborative Council to improve the ways that multiple agencies and nonprofit organizations work together to improve outcomes for incarcerated people.**

Conclusion

- **Contra Costa County has demonstrated an urgent need for new housing unit replacement. The need was recognized over a decade ago.**
- **This is a room replacement project (420 beds will close).**
- **The facility is designed to provide individuals returning to the community the reentry programs and behavioral health treatment they desperately need.**
- **The proposed West County Reentry and Mental Health Treatment facility will have a major impact in jail reform, and also have a long term positive impact to our shared community.**

[Opinion](#) > [Commentary](#)

Commentary: Contra Costa needs more prevention, not more jail cells



Aerial shot of the West County Detention Facility. File photo nu Ray Chavez

By **JOHN GIOIA, JANE FISCHBERG AND CLAUDIA JIMENEZ** |

PUBLISHED: February 14, 2017 at 12:33 pm | UPDATED: February 14, 2017 at 12:35 pm

Contra Costa County needs greater investment in mental health treatment, job training, affordable housing, and youth services to help keep people from becoming incarcerated, not a larger West County jail.

Approving expensive new jail construction runs counter to the more fiscally responsible and humane strategy of investing greater resources in prevention and rehabilitation services. These cost-effective measures help keep people out of jail, reduce reoffending and improve public safety.

The recent 4-1 vote by the Board of Supervisors to spend \$25 million in county funds and apply for \$70 million from the state to add 416 high-security beds at the West County Detention Facility in Richmond comes at a time of budgetary uncertainty, with the county facing possible federal funding cutbacks from the new presidential administration.

ADVERTISING

The Prison Law Office, a well-respected nonprofit public interest law firm specializing in jail system reform, wrote to the Board of Supervisors that “The county would better serve its population by expanding efforts to reduce the jail population instead of expanding the capacity of its jails.”

We could not agree more.

The county’s focus should be on spending our limited tax dollars on programs that are proven to keep people out of jail and help previously incarcerated individuals successfully re-enter their communities after serving time. This approach ultimately costs less and cuts crime.

The approved jail plan calls for spending \$2 million more per year to hire additional sheriff deputies to staff an expanded jail. Those dollars should instead be invested in expanding programs proven to reduce incarceration, such as substance abuse treatment and Behavioral Health Court, which provides vital mental health treatment to people with chronic mental illness.

This is a more cost-effective and humane approach.

Another way to reduce our jail population and improve public safety is to reform our bail system, which currently uses the ability to pay for bail as the primary factor in deciding who should remain incarcerated while awaiting trial.

A wiser system, gaining popularity, is to base incarceration while awaiting trial on the risk of reoffending or fleeing. Approximately 70 percent of those in county jail haven't been convicted and are awaiting trial, many for lower level non-violent drug or property offenses.

Also, the sheriff can create capacity in the West County jail instead of building new cells. Nearly 200 individuals are being held for possible deportation at the West County jail under a sheriff's contract with the U.S. Department of Justice to house ICE (Immigration and Customs Enforcement) detainees.

That's 20 percent of the jail's capacity that could be used to meet the county's needs, not the federal government's.

Contra Costa is the only Bay Area county with such a contract. This cooperation with ICE should end. It erodes our hard-working immigrant community's trust in local law enforcement and county government.

Health and social service community agencies report that many immigrants have cancelled appointments out of anxiety, fear of deportation, or mistrust — not getting critical care.

Sheriff David Livingston's cooperation with ICE, and traveling to Washington D.C. and meeting with controversial Attorney General Jeff Sessions on the day of the Board of Supervisor's jail vote have further eroded community trust.

We can do better.

The community has a chance to express its opposition to this unwise jail expansion project when the issue comes back to the Board of Supervisors after the state decides whether to support the funding request.

Please speak out in favor of policies that invest our tax dollars in effective prevention programs, not costly jail construction.

John Gioia is a Contra Costa supervisor. Jane Fischberg is CEO of Rubicon Programs. Claudia Jimenez is with the Contra Costa Racial Justice Coalition.

Tags: [My Word](#)



John Gioia, Jane Fischberg and Claudia Jimenez

SUBSCRIBE TODAY!
ALL ACCESS DIGITAL OFFER FOR JUST 99
CENTS!

SPONSORED CONTENT

See a Choir of Singing Hydrogen Molecules Bring

By 

See a choir of singing hydrogen molecules bring a rock and roll classic to life in this commerci



AGENDA BILL

Agenda Item No. 4(J)

Date: April 4, 2017
To: El Cerrito City Council
From: Maria Sanders, Operations & Environmental Services Manager
Yvetteh Ortiz, Public Works Director/City Engineer
Subject: Environmental Quality Committee Appointment

ACTION REQUESTED

Approve an Environmental Quality Committee recommendation to appoint Rebecca Miller to the Environmental Quality Committee, effective April 4, 2017.

BACKGROUND AND ANALYSIS

An application to serve on the Environmental Quality Committee (EQC) was received from Rebecca Miller. During an Ad Hoc Membership Subcommittee Meeting held on March 14, 2017, several members of the EQC interviewed Ms. Miller and agreed that she should be considered for membership recommendation. During the EQC's Regular Meeting on March 14, 2017, which immediately followed the Ad Hoc Subcommittee Meeting, the Committee voted unanimously to recommend to the City Council that Ms. Miller be appointed to the Environmental Quality Committee.

Ms. Miller is a resident of El Cerrito with a background in library and environmental sciences. She has demonstrated through her application and interview that she is committed to environmental quality in El Cerrito and the mission of the Committee. She has also attended at least three consecutive regular Committee meetings.

If the Council approves this recommendation, the number of Committee members will be 12 out of a possible membership total of 15, as established by Resolution 2008-13.

STRATEGIC PLAN CONSIDERATIONS

The work of the members on the EQC is instrumental in helping the city achieve Goal F of the El Cerrito Strategic Plan, which is to "Foster environmental sustainability citywide." The EQC initiates and supports a variety of activities that advance all the strategies under Goal F:

- Be a leader in setting policies and providing innovative programs that promote environmental sustainability;
- Promote environmental education to facilitate behavioral changes;
- Implement policies to promote waste diversion;
- Encourage alternative modes of transportation; and
- Implement the Climate Action Plan.

Reviewed by:



Scott Hanin
City Manager

Attachments:

1. Miller Application for Boards, Commissions, and Committees



April 4, 2017
Regular City Council Meeting

Environmental Quality Committee Appointment

Attachment 1 Application

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

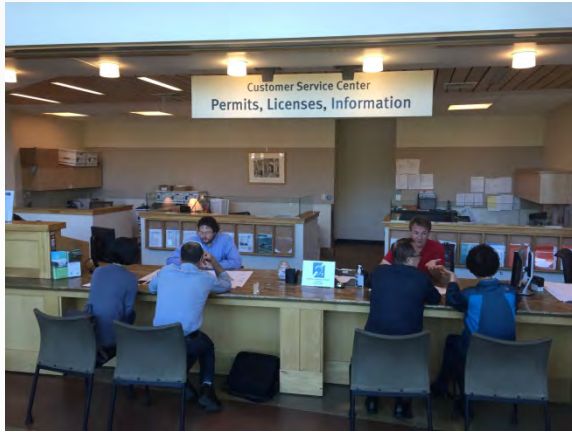
The El Cerrito Library
El Cerrito
6510 Stockton Avenue

El Cerrito Strategic Plan Goals and Strategies Progress Report

City Council Meeting
April 4, 2017



Goal A: Deliver Exemplary Government Services



Goal A Strategies

Strategy	Status	Notes
Increase productivity and efficiency by utilizing data-driven analysis to ensure appropriate resource allocation	Ongoing	- National Citizen Survey results used to measure performance Citywide - Upcoming Parks and Recreation Facilities Master Plan in progress - Periodic surveys of residents and voters to determine priorities
Promote employee development and professional growth	Ongoing	- Enhanced training opportunities including onsite, online, and conferences/workshops - Participation and founding member of Contra Costa Leadership Academy - Encourage and promote membership for staff participation and leadership in professional associations, and maintain certifications
Recruit and retain a talented and effective workforce	In progress/ Ongoing	- Implemented new online employment application and tracking software - Continued review and updating of job classifications and organizational structure - Strategies endeavor to hire diverse candidates, including persons who speak other languages - Broadened avenues of recruitment, including social media and LinkedIn - Maintain excellent benefits, including: health and wellness, providing discounts for Recreation programs, flexible scheduling where possible, frequent employee events
Ensure City programs and services are inclusive of people of diverse backgrounds	Ongoing	- Broad outreach to public, community partners, and organizations, including increased social media presence to include more diverse participation - Programs, events celebrating El Cerrito's diverse culture (many free/low cost) - David Hunter Scholarship Program - Bilingual employees throughout organization; ECPD has employees who are fluent in Mandarin, Cantonese, Spanish, Tagalog, Bulgarian
Develop and strengthen relationships with public and private partners, residents, businesses, schools, and community groups	Ongoing	- Co-sponsorship program - Childcare and enrichment programming with EC schools - EDC sponsored events with businesses (Restaurant Week and Lunar New Year) - Secured grant to work with Stege Sanitary District to improve sanitary capacity within Specific Plan area
Maintain emphasis on providing excellent customer service	Ongoing	- Emphasis on responsive, exemplary service to all members of the public - Continued service training opportunities for staff, updating policies/procedures - Added several online service features, including: payments, inspection scheduling, class registration, interactive zoning information, Residential Inspection Program - Consistently exceed legal requirements for service and transparency

Goal B: Achieve Long-term Financial Sustainability



Goal B Strategies

Strategy	Status	Notes
Maintain financial discipline by establishing decision-making guidelines to evaluate whether or when to pursue a new project or program	In progress/ Ongoing	- City Council Agenda bills reflect Strategic Plan and Financial Considerations of each policy recommendation - Continued review of administrative financial policies and procedures - Work with Financial Advisory Board on review of annual budgets and financial statements
Ensure policies, procedures and systems represent best practices in financial management	Ongoing	- Revamped the Debt Policies to represent best practices in Financial Management - GFOA and CSMFO awards for excellence in budgeting and financial statements
Maximize opportunities for existing and expanding businesses	In progress/ Ongoing	- Completed Economic Development Action Plan - Over 15,000 square feet of new commercial space under review, 2,300 square feet in construction, and 4,650 square feet recently built - Many new restaurants and businesses in previously or recently vacant spaces - One hotel in entitlement; another hotel in ENRA phase
Explore opportunities for public/private partnerships	Ongoing	Establishing and increasing partnerships with WCCUSD, co-sponsored groups, and other agencies to share resources for serving the public
Continue to pursue and support opportunities for new funding, including outside grants and ballot measures	Ongoing	- New ongoing funding includes SPA Maintenance Fee (\$200 per residential unit; 0.18/sq foot commercial) - Conducting Transportation/Development Impact Fee (through grant funding) - Successful grant awards (over \$6m since 2013) and pending applications for transportation projects and public safety programs/equipment - Placed measure for Library facility on ballot in 2016
Develop a financial plan to address ongoing and deferred maintenance of facilities and infrastructure	In progress	- Parks and Recreation Facilities Master Plan in progress - Preparing an RFP to update the City's Storm Drain Master Plan
Develop a plan to ensure that Citywide revenue meets the cost of providing Citywide services, including adequate reserves for unanticipated revenue shortfalls	In progress/ Ongoing	- Projected General Fund reserves at 9% by end of FY 2016-17 - Initiating Community Development Fee Study and Cost Allocation Plan
Track and promote State and Federal legislation that would create new funding opportunities	Ongoing	- Active participation in League of California Cities legislative priorities and platform - Monitor legislation through staff professional associations

Goal C: Deepen a Sense of Place and Community Identity



Goal C Strategies

Strategy	Status	Notes
Promote strong neighborhoods	Ongoing	- Continued successful National Night Out program, increasing participation and neighborhood parties each year - Ohlone Gardens Affordable Housing development complete, Hana Gardens Senior Affordable Housing in progress - Completed Urban Greening Plan - Initiated Affordable Housing Strategy - Started new cycle and updated Residential Rental Inspection Program - Economic Development Committee and Community Development Department emphasizing events and community building in commercial neighborhoods, e.g. Restaurant Week and Lunar New Year
Celebrate the City's diversity by welcoming residents of all ages and cultures and encouraging their civic involvement	Ongoing	- Community engagement and process to declare EC Sanctuary City led by Human Relations Commission (HRC) in harmony with ECPD - HRC Events: MLK Parade/Rally, Loving Day, Diversity Forums - Increased number of volunteer applications for Boards/Commissions
Adopt a Revised General Plan that meets the needs of the community now and in the future	Pending	Monitoring Office of Planning Research release of updated GP guidelines; plan to propose for FY 2019 Budget (based on OPR guidelines and as SPASP units near completion and update is needed)
Develop a vision for underdeveloped and underutilized properties through advanced planning efforts that encourage investment and/or new development	In progress/ Ongoing	- Developed San Pablo Avenue Specific Plan (SPASP) with vision and regulations for 1,076 and 200,000 net new commercial - Adopted Long Range Property Management Plan and received finding of completion - Entered into ENRA for Mayfair and Eastshore properties
Develop an Economic Development action plan to build on our strengths, including our diversity, arts, culture, and environmental sustainability	Completed	Adopted March 2016

Goal C Strategies (continued)

Strategy	Status	Notes
Review and update policies on preservation of historic and cultural resources and develop an inventory of historical and cultural assets in the City	Pending	- Initiation of first phase of preservation policies with ordinance requiring evaluation of historical/cultural significance before a building is demolished - Will request budget and plan to conduct inventory in FY 2018
Encourage dense business nodes to minimize or eliminate automobile traffic	Ongoing	Adoption of San Pablo Avenue Specific Plan and Complete Streets Plan
Identify, promote, and/or develop entertainment, recreational, and leisure activities for people of all ages and demographics	In progress/Ongoing	- Continue to identify and offer a diverse range of recreational activities and events to the public, including free or low-cost programs - Established monthly talks and workshops at the Senior Center on topics that are important to older adults
Promote arts and culture and community celebrations	In progress/Ongoing	- Restaurant Week and first Lunar New Year Celebration - New development has generated funding through Art in Public Places program, will also result in several onsite public art installations - Initiated Poet Laureate Program - New Loving Day Event, continued annual events including July 4 World One Festival and MLK Parade/Rally - Upcoming Artist-in-residence program at Recycling Center
Develop plans for the City's 100th year anniversary (2017)	Completed	- Established Centennial Task Force, partnered with Historical Society, Chamber of Commerce, and volunteers to plan events for entire year - Many ECPD Officers wearing a Centennial Celebration badge in 2017
Be a strong partner with the schools	In progress/Ongoing	- EC STARS internship program partnership with ECHS - Ongoing enrichment programming through Recreation Dept - Successful School Resource Officer program, 3 officers at El Cerrito High and Korematsu Middle schools

Goal D: Develop and Rehabilitate Public Facilities as Community Focal Points



Goal D Strategies

Strategy	Status	Notes
Develop a plan to address ongoing and deferred maintenance of facilities and infrastructure.	In progress	• Measure A (Streets) programs up to date with excellent results • Ongoing repair and planning of maintenance and upgrades for public facilities • Developing scope of work and preliminary cost estimates for critical and mandated rehabilitation projects at the Swim Center • Managing design of various park & trail improvement projects including Fairmont Park, Hillside Natural Area Signage, and Ohlone Wayfinding
Continue the facilities assessment to prioritize and strategize investment (i.e., library, public safety facility, senior center, community center).	In progress	• Placed measure on ballot in 2016 to update Library facility • Parks and Recreation Facilities Master Plan will include all Recreation buildings, facilities, and parks/open space
Revisit and update the Structural Facilities Management Plan	In progress	• Parks and Recreation Facilities Master Plan process underway • RFP for update to the Storm Drain Master Plan, to incorporate Green Infrastructure elements as required by the Regional Municipal Clean Water Permit, an asset management system, and financial plan.

Goal E: Ensure the Public's Health and Safety



Goal E Strategies

Strategy	Status	Notes
Provide transparent information on crime and address perceptions of safety through outreach and education	Ongoing	- ECPD Annual Reports available online - Increased social media presence including Twitter, NextDoor, and Nixle providing emergency alerts, community information, and weekly police blotters - CrimeReports.com online crime maps available on City website
Utilize environmental design techniques to deter and prevent crimes	Ongoing	- Hold regular Design Review Team meetings to review new development for CPTED; every project is routed to Police Department for review and comment - Partnership with community on Camera Surveillance Registration Program
Apply data-driven analysis to target law enforcement and fire resources and enhance safety	Ongoing	- As of 2015, crime data analysis, flexible staffing models assisted in reduction in Part I crimes - Continuous review of calls for service by ECPD and ECFD to provide risk assessment - ECFD enhanced training and technical rescue skills based on analysis of call history
Maintain disaster preparedness programs and ensure emergency response plans are current	Ongoing	- Continuous review and updates of Emergency Operations Plans by ECFD with all departments, and regular training and drills for all City staff - Continued growth in popular CERT program, CPR and First Aid instruction for residents - Community Water Safety Day at the Swim Center which offers free swim to both increase individuals' water safety skills and provide real life training scenarios for the Swim Center staff
Continue multi-division/department teamwork to ensure and enhance the community's safety through a thorough, efficient and comprehensive plan review, permitting and inspection process	Ongoing	- Hold regular Design Review Team meetings to review new development applications - Community Development, Police, and Fire Departments work together on all building and fire safety inspection processes - Emergency Operations Plan continuous review with all City departments for community safety issues

Goal E Strategies (continued)

Strategy	Status	Notes
Continue to work with local partners (i.e., BART, the school district, other communities, East Bay Regional Park District) on a coordinated approach to public safety	Ongoing	• Law Enforcement operations with Richmond PD, training with neighboring cities and regional agencies • New Automatic Aid agreement with City of Berkeley • Hills Emergency Forum with Diablo Fire Safe Council and East Bay Regional Parks District
Utilize community-oriented policing and problem solving	Ongoing	• ECPD Mission, Vision, Values set standard and expectations for community collaboration, partnerships, and professionalism • ECPD Training Curriculum exceeds CA P.O.S.T. standards, includes Procedural Justice, Crisis Intervention Team Training, Fair and Impartial Policing, Leadership programs
Utilize a diverse array of crime prevention techniques (e.g., School Resource Officer [SRO] program, Traffic Unit, Bike Patrol, etc.).	Ongoing	• Continued successful SRO program of 3 officers, despite WCCUSD ability to fund only 2 officers • Continued to deploy effective Traffic Unit and Bike Patrol programs; 85% of ECPD sworn trained on bicycle patrol • Work with Crime Prevention Committee to bring information to the public • Parks and Recreation Facilities Master Plan seeks to identify and adopt best design practices in parks and facilities to deter crime and mitigate risk
Explore innovative and best practices for promoting public health (e.g., smoking ordinances, nutrition, obesity prevention, living wage, and strategies to promote walking/biking)	In progress/ Ongoing	• Completed Minimum Wage, Smokefree and Tobacco Ordinances • Senior Nutrition programs, Employee Wellness Program, various walking/biking programs • Sponsor annual Bike to Work Day • Lifted prohibition and instituted new Massage Business ordinance • ECPD support of obesity prevention by utilizing bicycle patrol to make the walkways safe, and off road motorcycles to encourage safety for those using paths in the Hillside Natural Area

Goal F: Foster Environmental Sustainability Citywide



Goal F Strategies

Strategy	Status	Notes
Be a leader in setting policies and providing innovative programs that promote environmental sustainability	Ongoing	- As a member of MCE Clean Energy, El Cerrito has one of the highest percentages throughout MCE territory for enrollment in the 100% Renewable Deep Green electricity option - Reviewing development applications for over 700 TOD units with reduced parking - Successful and award-winning Recycling and Environmental Resource Center (RERC) - Progress toward more electronic record keeping and documentation, including many online services and creation of electronic repository for the City's legislative history
Promote environmental education to facilitate behavioral changes by working with the school district and other community groups	Ongoing	- In conjunction with a variety of community groups, schools, and the Environmental Quality and the Tree Committees, staff supported 86 environmental events in which a total of 2,480 people participated - Greener El Cerrito Newsletters, which is mailed to every solid waste account holder in El Cerrito, including new bi-annual Commercial Edition of the Greener El Cerrito Newsletter in order to provide environmental information specifically relevant to commercial or multi-family properties - Per the franchise agreement, East Bay Sanitary staff meet with approximately 100 businesses each year to review solid waste management requirements and options
Implement policies to promote waste diversion (i.e., mandatory commercial recycling and green waste)	In progress	- Continued waste diversion from the landfill, decreasing land-filled waste by 34.7% since 2005 - CalGreen Diversion standards included as part of building permit issuance - Ongoing operation of the City's curbside recycling program and award winning RERC; management of the City's collection franchise and post-collection agreement, AB939 compliance, and other waste management and diversion programs, including enforcement of the City's single-use bag and EPS foam ordinances and State-mandated commercial recycling and green waste collection
Encourage alternative modes of transportation to the single occupancy vehicle	Ongoing	- Adopted Active Transportation Plan in 2016 - Sponsor annual Bike to Work Day - Partnership with cities of San Pablo and Richmond and the Center for Independent Living on a transportation coaching program which aims to educate older adults and persons with disabilities on the different public transportation options

Goal F Strategies (continued)

Strategy	Status	Notes
Implement and monitor the City's Climate Action Plan to: • Reduce vehicle miles traveled (by creating a well connected, pedestrian, bicycle and transit-oriented urban forms that will make it easier for residents and visitors to leave their car behind.) • Facilitate energy and water efficiency and greater use and generation of clean energy • Reduce the amount of waste generated in El Cerrito • Make municipal operations more resource efficient and environmentally friendly	In progress	• 14% reduction in GHG emissions in 2015 from the 2005 GHG Baseline, 1.36% annual reduction in community-wide GHG emissions; the City is currently on track to exceed its 2020 15% reduction goal • Vehicle miles traveled (VMT) decreased by 0.4% between 2005 and 2014, GHG emissions from vehicle use declined by 2.8% due to reduced VMT and Increased vehicle fuel efficiency • Joined Marin Clean Energy to reduce GHG emissions from community-wide electricity use, resulting in a reduction of over 5,000 tons of GHG emissions from 2005 to 2015 • Continued diverted waste from the landfill, reducing GHG emissions from landfilled waste by 6.5% • Partnered with PG&E to retrofit 80% of existing streetlights to energy efficient LEDs, reducing electricity use in these lamps by approximately 50% • Management of Clean Water Program/National Pollutant Discharge Elimination System (NPDES): achieved a 79.6% Trash Load Reduction, installed trash capture devices, and currently developing Green Infrastructure Framework • Adopted Complete Streets Plan • Completed new connection between Ohlone Greenway and El Cerrito Plaza • New mid-block connection being completed across San Pablo Avenue at Baxter Creek • Ohlone Greenway Improvements soon to be constructed at Del Norte and El Cerrito Plaza major intersections • Every new project in the SPA Plan area reduces VMT and will be built in compliance with the most up to date Cal Green standards, at a minimum



AGENDA BILL

Agenda Item No. 7(A)

Date: April 4, 2017
To: El Cerrito City Council
From: Mark R Rasiah, Finance Director/City Treasurer
Subject: FY 2016-17 Mid-Year Budget Update

ACTION REQUESTED

Receive an update on city revenues and expenditures for the first six months of the fiscal year through December 31, 2016 and adopt a resolution authorizing amendments to the FY 2016-17 budget and approving new spending limits.

BACKGROUND/ANALYSIS

The FY 2016-17 Budget was adopted by Resolution No. 2016-49 on June 21, 2016. This report will discuss material variances if any, from the adopted budget and recommend mid-year adjustments as needed.

GENERAL FUND OVERVIEW

A summary of the General Fund is presented in Table 1. The table includes the budget adopted by Council in June for the current fiscal year, 2016-17, recommended amendments and projected year-end results based on actuals through December 31, 2016. The variance from budget column presents any differences between the adopted budget and year-end expectations.

Table 1. Fiscal Year 2016-17 General Fund Summary

General Fund Summary (\$000s)	FY 2013-14 Actual	FY 2014-15 Actual	FY 2015-16 Actual *	FY 2016-17 Adopted	FY 2016-17 Amendments	FY 2016-17 Projected Year End Mid-Year	Variance Mid-Year From Budget
Beginning Fund Balance	\$2,341	\$1,270	\$1,461	\$2,873		\$2,164	\$709
Total Revenues	\$29,053	\$30,007	\$32,640	\$33,907	\$0	\$33,775	\$132
Personnel	\$22,257	\$22,634	\$23,964	\$24,842	\$0	\$24,600	\$242
Non-Personnel	\$7,867	\$7,182	\$7,973	\$8,828	\$62	\$8,708	\$120
Total Expenses	\$30,124	\$29,816	\$31,937	\$33,670	\$62	\$33,308	\$362
Surplus/(Shortfall)	(\$1,071)	\$191	\$703	\$237	(\$62)	\$175	\$62
Ending Fund Balance/(Deficit)	\$1,270	\$1,461	\$2,164	\$3,110	(\$62)	\$3,048	(\$62)
Ending General Fund Reserve %	4.2%	4.9%	6.8%	9.2%	n/a	9.2%	-0.1%

*FY 2015-16 numbers are based on the Draft 2016 CAFR

At the time of adoption the year-end General Fund reserve ratio was projected to be about 9.2% of expenditures. Based on trends in FY 2016-17, staff anticipates that this

goal will be met, bringing the City closer to achieving the 15% General Fund reserve policy goal. The reserve ratio at the end of the last fiscal year was 6.8%, and has been making steady progress since 2014.

General Fund Revenues

Table 2 below provides an overview of the major revenue categories that support the General Fund. Included in the table are the projected year-end revenues for FY 2016-17 and any noteworthy variances from the budget. Based on FY 2016-17 actual revenues received through December, staff projects General Fund revenues will come in under budget by a little over \$0.1 million. This decrease is the result of fine tuning revenues from Fines, Business Licenses and Use of property, to align these with collections through December.

Table 2. Fiscal Year 2016-17 General Fund Revenues

General Fund Revenues (\$000s)	FY 2013-14 Actual	FY 2014-15 Actual	FY 2015-16 Actual *	FY 2016-17 Adopted	FY 2016-17 Amendments	FY 2016-17 Projected Year End Mid-Year	Variance Mid-Year From Budget
Property Taxes	\$6,191	\$6,805	\$7,908	\$8,792	\$0	\$8,792	\$0
Sales Taxes	5,361	5,301	6,143	6,364	0	6,364	0
Franchise Taxes	1,228	1,377	1,453	1,565	0	1,565	0
Business License Taxes	856	801	787	810	0	810	0
Utility Users Taxes	3,137	3,106	3,296	3,163	0	3,163	0
Other Taxes (TOT, Construction, Other)	131	116	144	142	0	142	0
Total Taxes	\$16,904	\$17,506	\$19,731	\$20,836	\$0	\$20,836	\$0
Licenses and Permits	\$540	\$493	\$608	\$654	\$0	\$625	(\$29)
Fines & Forfeitures	376	269	327	326	0	275	(51)
Use of Money & Property	290	350	312	392	0	340	(52)
Intergovernmental Revenues	5,037	5,911	5,606	5,463	0	5,463	0
Charges for services	4,956	4,458	4,391	4,855	0	4,855	0
Other Revenues	146	119	768	466	0	466	0
Financing Sources	804	901	897	915	0	915	0
Total Other Revenues	\$12,149	\$12,501	\$12,909	\$13,071	\$0	\$12,939	(\$132)
Total Revenues	\$29,053	\$30,007	\$32,640	\$33,907	\$0	\$33,775	(\$132)

*FY 2015-16 numbers are based on the Draft 2016 CAFR

Revenues

With half the fiscal year over by December, it is reasonable to expect that both revenues and expenditures will be at or around 50% of budget, barring timing differences. Accordingly, wherever possible or necessary, differences due to timing have been anticipated and incorporated when making year-end projections.

- Tax revenues are expected to end the year at or very near budgeted levels.
- Approximately 85%~90% of revenue from Business licenses is collected by September each year. Based on collections over the last two fiscal years and the amount collected in the current fiscal year, staff anticipates the City will collect approximately \$29,000 less than budgeted. In order to try and mitigate this, staff has written to businesses that have not renewed this year to determine if they are no longer in business or if the non-renewal was due to some other

Agenda Item No. 7(A)

reason. The Finance department normally sends out renewal notices to all businesses on record each June, and while businesses are responsible for renewing their licenses, whether they receive the notice or not, staff finds that some businesses are usually not forthcoming and tend to rely on the notice as a reminder to renew their licenses.

- Based on year-to-date trends staff anticipates a reduction in Fines and Forfeitures by about \$50,000 and a reduction in the Use of Property line item by about \$52,000.

General Fund Expenditures

The adopted budget has \$33.7 million in General Fund expenditures and the amendments recommended for approval in this report will add to that by \$62,000. These adjustments are explained below and are included in the “Amendments” column in Table 3 below.

Table 3. Fiscal Year 2016-17 General Fund Expenditures

General Fund Expenditures (\$000s)	FY 2013-14 Actual	FY 2014-15 Actual	FY 2015-16 Actual *	FY 2016-17 Adopted	FY 2016-17 Amendments	FY 2016-17 Projected Year End Mid-Year	Variance Mid-Year From Budget
Personnel							
Personnel	\$22,257	\$22,634	\$23,964	\$24,842	\$0	\$24,600	\$242
Non-Personnel							
Professional & Technical Services	3,286	2,910	3,278	2,770	\$0	2,770	\$0
Purchased Property/Other Services	2,206	2,299	2,485	3,163	50	3,213	(50)
Supplies	569	604	622	659	0	659	0
Property & Capital	191	276	276	395	12	395	0
Financing Costs	1,615	1,093	1,312	1,841		1,671	170
Total Non-Personnel	\$7,867	\$7,182	\$7,973	\$8,828	\$62	\$8,708	\$120
Total Expenditures	\$30,124	\$29,816	\$31,937	\$33,670	\$62	\$33,308	\$362

*FY 2015-16 numbers are based on the Draft 2016 CAFR

- Personnel - The City adopted a personnel budget of approximately \$24.8 million. With half the year over, personnel costs are trending slightly lower. This is due to unexpected vacancies or hiring lags that left a few departments underspent. Even with increases in overtime and part-time costs to offset some vacancies, personnel costs are expected to be lower by about \$242,000 and closer to \$24.6 million by fiscal year-end.
- Non-personnel expenditures continue to track within original estimates and Financing Costs are expected to be \$170,000 lower this year due to the refinancing of City Hall Lease Revenue Bonds in January 2016.
- The following items totaling \$62,000 are being recommended for General Fund budget amendments:

Agenda Item No. 7(A)

1. Hazardous tree removal and tree planting - \$25,000
2. Purchase of a Honda Civic Hybrid automobile that was previously leased for City use - \$12,000
3. City Hall Building Maintenance - \$10,000
4. Professional services support for development review - \$15,000

Special Revenue Funds

Special revenue funds, which support about \$10.1 million of the City's total adopted \$48 million budget, as of December, are tracking within the adopted budget. Table 4 below summarizes the projected revenue and expenditures for the City's major Special Revenue Funds for FY 2016-17. The table also includes the projected year-end balances inclusive of the proposed amendments which total \$144,000 across three funds.

Table 4. Fiscal Year 2016-17 Special Revenue Funds

Fund	FY 2015-16 Ending Balance* (\$000s)	FY 2016-17 Projected Revenue (\$000s)	FY 2016-17 Projected Expenditures (\$000s)	Total Proposed Amendmen ts (\$000s)	FY 2016-17 Projected Ending Balance
Gas Tax Fund	\$115	\$503	\$583		\$35
Nat'l Pollut Dis Elim Sys	109	310	302		117
Land & Light Assess Distr	50	781	754	19	58
Measure J-Return to Source	66	427	490		3
Measure J Storm Drain	258	698	768		188
Measure A Parcel Tax	587	668	875		380
Asset Seizure	161	2	25		138
Vehicle Abatement Fund	236	21	36		221
Street Improvmt & Maint	493	1490	1,528	75	380
Public Art Fund	57	13	15		55
Measure J-Paratransit Fund	66	151	114		103
Grants	642	103	345		400
City Housing Trust Fund	(275)	275	0		0
City LMI Housing Fund	1022	250	190		1,082
Capital Improvement Fund	(882)	4584	4,592		(890)
Integrated Waste Mgmt	180	2,468	2,454	50	144
Vehicle/Equip Replacement	8	155	138		25
Total	\$2,893	\$12,899	\$13,209	\$144	\$2,439

*FY 2015-16 numbers are based on the Draft 2016 CAFR

Like the General Fund, personnel expenditures in the Special Revenue Funds are tracking lower than the adopted budget and are projected to be under spent by year-end. With the exception of the Capital Improvement Fund, the City's Special Revenue Funds are expected to have surplus fund balances at year-end, due in part to savings in personnel costs. Part of the deficit in the Capital Improvement Fund is a pending reimbursement from the former Redevelopment Agency that is in dispute by the Department of Finance. Timing differences between inflows and outflows account for the rest.

Appropriations Limits

The City Council annually adopts a resolution that establishes spending limits by fund for each fiscal year. On June 21, 2016, the City Council adopted Resolution 2016-49 authorizing \$48.7 million in total appropriations for FY2016-17. Additional spending authority is often needed to accommodate unforeseen events that may occur during the year and/or to reauthorize the use of unspent funds from the prior year. For FY 2016-17, staff is proposing amendments, which require a change in the spending authority totaling \$2.1 million across all funds. This will bring the total appropriations for the year to \$50.9 million. These changes are summarized in Table 5 below.

Table 5. Fiscal Year 2016-17 Changes to Appropriations Authority

Fund	FY 2016-17 Adopted Expenditure s (\$000s)	Encumber ed Carryover (\$000s)	FY 2016-17 Amendmen ts (\$000s)	Total Proposed Amendments (\$000s)	FY 2016-17 Amended Appropriations (\$000s)
General Fund	\$33,670	\$294	\$62	\$356	\$34,026
Gas Tax Fund	583	1		1	584
Nat'l Pollut Dis Elim Sys	302			0	302
Land & Light Assess Distr	754	3	19	22	776
Measure J-Return to Source	523	5		5	528
Measure J-Paratransit Fund	114			0	114
Measure J Storm Drain	768	130		130	898
Measure A Parcel Tax	875	2		2	877
Asset Seizure	25			0	25
Vehicle Abatement Fund	36			0	36
Street Improvemt & Maint	1,528	117	75	192	1,720
Public Art Fund	15			0	15
Grants	345	45		45	390
City Housing Trust Fund	0	275		275	275
City LMI Housing Fund	190			0	190
Capital Improvement Fund	4,592	1,075		1,075	5,667
Integrated Waste Mgmt	2,454		50	50	2,504
Vehicle/Equip Replacement	138			0	138
Employees' Pension Trust Sec 401A	129			0	129
Finance Authority Measure A Debt Sv.	365			0	365
Financing Authority City Hall Debt Sv.	598			0	598
Financing Authority Street Imp. Debt Sv.	738			0	738
	\$48,744	\$1,945	\$206	\$2,151	\$50,895

Of the \$2.1 million in amendments, \$1.9 million represents encumbrances across all funds. These are monies that had been earmarked to be spent in the prior fiscal year, but had not been spent due to one reason or another, that needed to be carried forward to pay for work completion in the current fiscal year.

Adjustments totaling \$206,000 are appropriations during the current fiscal year that the Council has approved previously through separate Council actions or are new requests submitted by the various departments for funding for unforeseen/unplanned events.

These are listed below:

1. General Fund - \$62,000 as outlined under General Fund Expenditures above.
2. Landscaping & Lighting Assessment District Fund - \$19,000 for Landscape Maintenance Services and tree planting.
3. Street Improvement & Maintenance Fund - \$75,000 for the 2016 Micro surfacing and Curb Ramp Program and for Arlington Blvd. and Brewster Drive Safety Improvements.
4. Integrated Waste Management Fund - \$50,000 for Consultant support for JEPA evaluation and for unforeseen vehicle maintenance costs.

STRATEGIC PLAN CONSIDERATIONS

Approving the attached resolution will allow the City Manager to develop a plan to ensure that Citywide Revenue meets the cost of providing Citywide services, including adequate reserve for unanticipated revenue shortfalls. It will further ensure procedures that represent best practices in financial management.

Reviewed by:



**Scott Hanin, City
Manager**

Attachments:

1. Resolution

RESOLUTION NO. 2017-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO AMENDING THE SPENDING AUTHORITY BY FUND FOR THE CITY OF EL CERRITO FOR FISCAL YEAR 2016 - 17

WHEREAS, on June 21, 2016 the City Council of the City of El Cerrito adopted the Fiscal Year 2016-17 Budget with spending limits across funds (Resolution 2016-49); and

WHEREAS, changes to the spending limits throughout the year are necessary to account for unexpected opportunities, unforeseen changes, or if the City's financial position changes and additional spending authority is required to meet the needs of the City; and

WHEREAS, staff presented this update to the City Council of the City of El Cerrito for its consideration, and the City Council has reviewed and analyzed it; and

WHEREAS, proposed changes to spending authority from tax proceeds are within the City's Fiscal Year 2016-17 Gann Appropriations Limit, as defined by California State Constitution Article XIII B.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby amends the spending authority by fund for Fiscal Year 2016 -17 as follows:

General Fund	\$	34,026,359
Gas Tax Fund	\$	583,868
National Pollution Discharge Elimination	\$	302,412
Landscape and Lighting Assessment	\$	776,543
Measure J Return to Source	\$	527,878
Measure J Paratransit Fund	\$	113,650
Measure J Storm Drain	\$	897,587
Measure A Parcel Tax	\$	877,721
Asset Seizure	\$	25,000
Vehicle Abatement	\$	36,000
Street Improvements	\$	1,720,242
Public Art	\$	15,000
Federal, State and Local Grants	\$	389,674
City Housing Trust	\$	274,000
City LMI Housing	\$	190,420
Capital Improvements	\$	5,666,668

Integrated Waste Management	\$	2,503,724
Vehicle/Equipment Replacement	\$	138,533
Employees' Pension Trust	\$	128,509
Finance Authority Measure A	\$	365,467
Financing Authority City Hall	\$	598,240
Financing Authority Street Improvement	\$	738,078
Total	\$	50,895,573

I CERTIFY that at a regular meeting on April 4, 2016, the City Council 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, 2017.

APPROVED

Cheryl Morse, City Clerk

Janet Abelson, Mayor



AGENDA BILL

Agenda Item No. 7(B)

Date: April 4, 2017
To: Honorable Mayor and Members of the El Cerrito City Council
From: Cheryl Morse, City Clerk
Subject: Wall of Fame Council Subcommittee Appointment

ACTION REQUESTED

Confirm the Mayor's appointment of two members of the City Council to an El Cerrito Wall of Fame Subcommittee for the purposes of reviewing nominations received this year and return to the City Council with a recommendation by May 15, 2017. Additionally, conduct a review of Resolution No. 2008-77 selection and appointment guidelines and return to the City Council in Fall 2017 with recommendations, if any.

BACKGROUND

The City Council's Wall of Fame Recognition Program was established in 1990. Since that time nineteen individuals have been inducted into the City's Wall of Fame. A plaque commemorating each individual hangs in the Council Chambers vestibule at City Hall. Resolution No. 2008-77 establishes guidelines and policy for nomination and selection of Wall of Fame inductees. Section 1(A) states that the subcommittee shall consist of two members of the City Council to be appointed by the Mayor on an ad-hoc basis for the purpose of reviewing nominations for the Wall of Fame and make recommendations regarding appointment to the City Council.

Information pertaining to the Wall of Fame was advertised in the citywide newsletter and publicized on the City's website. The deadline for submission of nomination forms was March 15, 2017. As a result, the City Council received two nominations: Mae Ritz and Theresa Parella.

FINANCIAL CONSIDERATIONS

There is no fiscal impact associated with this action.

STRATEGIC PLAN CONSIDERATIONS

The City Council's Wall of Fame recognition program supports the following values stated in the Strategic Plan: 1) Ethics and integrity; 2) Inclusiveness and Respect for Diversity; 3) Innovation and Creativity; 4) Professional Excellence; and 5) Transparency and Open Communication. The Program is also in

Agenda Item No. 7(B)

alignment with the strategic goal of deepening a sense of place and community identity.

Reviewed by:



Scott Hanin, City Manager

Attachments:

1. Resolution No. 2008-77
2. Nomination of Mae Ritz
3. Nomination of Theresa Parella

RESOLUTION 2008-77

RESOLUTION OF THE EL CERRITO CITY COUNCIL CONFIRMING THE GUIDELINES AND POLICY FOR NOMINATION AND SELECTION OF WALL OF FAME INDUCTEES, ESTABLISHING A PROCESS FOR NOMINATION AND SELECTION OF APPOINTMENTS TO THE WALL OF FAME AND ESTABLISHING AN ANNUAL WALL OF FAME EVENT

WHEREAS, at its meeting of September 15, 2008 the City Council appointed Councilmembers Letitia Moore and Jan Bridges to an El Cerrito Wall of Fame City Council Subcommittee; and

WHEREAS, on September 19, 2008 the Wall of Fame City Council Subcommittee met and prepared recommendations for Council consideration regarding the process for nomination and selection of appointments to the Wall of Fame; an Annual Wall of Fame Event; Guidelines for Nomination and Selection of Inductees to the Wall of Fame; and consideration of Miriam Wilkins; and

WHEREAS, the City Council considered and discussed the Wall of Fame Subcommittee recommendation at its meeting of October 20, 2008; and

WHEREAS, the City Council adopted the Wall of Fame Subcommittee's recommendations by unanimous vote with the provision that future Wall of Fame Subcommittees be appointed by the Mayor on an ad-hoc basis.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby establishes the following components of the Wall of Fame Program:

Section 1: PROCESS FOR NOMINATION AND SELECTION OF APPOINTMENTS TO THE WALL OF FAME

A. Future Wall of Fame City Council Subcommittees (Wall of Fame Subcommittee) shall consist of two members of the City Council who will be appointed on an ad-hoc basis by the Mayor for the purpose of reviewing nomination(s) for the Wall of Fame and will make recommendations regarding appointment to the City Council.

B. An annual application deadline of March 15th is established for nominations to the Wall of Fame.

C. Each year, once the application deadline passes, the City Clerk will provide copies of all nomination packages, if any, received that year by the application deadline to the Wall of Fame Subcommittee.

D. The City Clerk will determine when an application is complete. Only complete applications will be passed on to the Wall of Fame Subcommittee for review.

E. Each year, and ad-hoc Wall of Fame Subcommittee shall review the nominations, if any, and provide a written recommendation concerning each nomination to the City Council for consideration on or before May 15th.

F. All persons identified in the nomination papers shall be notified prior to the City Council Meeting of the Subcommittee recommendation(s) and the date and time of the City Council Meeting to consider the recommendation(s).

G. Each year in July, at the City Council meeting scheduled on the third Monday in July, the City Council shall consider the recommendation(s), if any, of the Wall of Fame Subcommittee and induct nominee(s), if any, to the Wall of Fame.

Section 2: ANNUAL WALL OF FAME EVENT

A. Each year the City Newsletter will feature an article showcasing the El Cerrito Wall of Fame which will highlight one of the people inducted into the El Cerrito Wall of Fame and provide a complete list of all persons on the Wall of Fame (living and deceased) and briefly describe why each was inducted in to the Wall of Fame, and announce any new inductee(s) to the Wall of Fame who were appointed at the July City Council Meeting and provide a brief description of that persons achievements and contributions.

B. New inductees to the Wall of Fame shall be invited to and recognized at the Annual Volunteer Recognition Dinner.

Section 3: GUIDELINES/POLICY FOR NOMINATION AND SELECTION OF INDUCTEES TO WALL OF FAME

The purpose and policy for nomination and selection of inductees shall remain as follows:

A. PURPOSE: To reaffirm the City Council's commitment to recognizing citizens of El Cerrito for outstanding community contributions by portrayal on the "Wall of Fame" and to advise employees and the public of the guidelines for Council selection.

B. POLICY: It is the policy of the City of El Cerrito to recognize citizens of El Cerrito who have made substantial contributions to the community over a long period of time through their work on special projects. The persons selected by the City Council shall have their photograph, preferably in the setting of the activity for which they are being recognized, placed on the Wall of Fame located at City Hall. The guidelines for selection are:

1. The Honoree must be a resident of the City of El Cerrito.
2. The work for which an individual is recognized must be an ongoing activity in El Cerrito for at least ten (10) consecutive years, but may be an annual event.
3. The event or activity must be available to potentially benefit all El Cerrito residents.
4. The event or activity must be non-profit in nature.
5. City board, commission or committee service is not in itself grounds for selection. Members may, however, qualify for this award if they have been active in an ongoing activity for the benefit of El Cerrito in addition to serving on a board, commission or committee.
6. Recipients of this honor should have been recognized for their efforts by a citizen group or an organization in El Cerrito, West County, regionally, statewide or nationally.

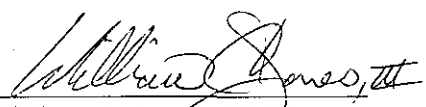
I CERTIFY that at a regular meeting on November 3, 2008 the City Council of the City of El Cerrito passed this Resolution by the following vote:

AYES: Councilmembers Abelson, Bridges, Moore, Potter and Mayor Jones
NOES: None
ABSENT: None
ABSTAIN: None

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on November 5, 2008.


Cheryl Morse, City Clerk

APPROVED:


William C. Jones, III, Mayor



MAR 08 2017

CITY OF EL CERRITO
WALL OF FAME NOMINATION

City of El Cerrito
City Clerk

Name and Address of Nominee:

Mae Ritz

Date:

March 1, 2017

El Cerrito, CA 94530-2536

Note: The nominee must be a resident of the City of El Cerrito.

Describe the activities for which recognition is sought. Indicate whether each activity is non-profit if it is not inherently obvious.

Ever since Mae arrived in El Cerrito in 1960, she has been engaged in various nonprofit activities, all for the betterment of the community. In 2001, Mae joined the El Cerrito Garden Club. Her reputation for civic work preceded her. She became ECGC president in 2002, serving through 2004. As a member of the Hillside Memorial Grove committee, Mae inspired garden club participation. She worked with the garden club on the Contra Costa Theatre project, planting and weeding their garden. In honor of the garden club's 1st president, Georgia Brumbaugh, Mae helped with installation of sculptures and plantings out side the Community Center. See attached page for additional activities.

How long has the nominee been actively engaged in carrying out this activity(s)?

1960 to present

How does the activity(s) benefit or potentially benefit residents of El Cerrito?

Mae's continuing involvement with the garden club and other civic activities has had a positive direct influence on civic beautification and protection of the environment.

Please list the names and addresses of any groups or organizations that recognized the person's activities on behalf of the community. Please state how recognition was given and when.

Mae was the 1st woman to receive the Distinguished Service Award by the Jaycees in the 1960s. Contact: Richard Bartke, E.C. In 1974, Mae was honored for her work w/ the American Cancer Society. Soroptimist International of Americas Women of Distinction Award, 1993 2004 Penny Pines recipient from the El Cerrito Garden Club

Submitted by: Anna Frankfur, ECGC, President

Signature

Joanna Pearlman, ECGC 1st V.P., Barbara C. Post ECGC P.P.

Name of individual or organization: El Cerrito Garden Club

Address: P.O. Box 203

El Cerrito, CA 94530-0203

Phone number: (

Addendum to first page:

Mae was chair of the Sundar Shadi Beautification Contest for four years, encouraging enhancement of El Cerrito front yard gardens. She has continued her involvement with the Sundar Shadi Beautification Contest as well as the Memorial Grove project.

Mae has also been a member of Sundar Shadi Holiday Committee, since its inception in 2001. As a member of this Committee, Mae helps with restoration and preservation of Mr. Shadi's nativity figures throughout the year and in December is involved in setting up the display for the public's enjoyment.

Mae also served for two years as Co-Director of Bay Bridges District, the umbrella organization for all the local garden clubs in the SF East Bay Region. She helped the District remain active and relevant, and continue to support local amateur gardeners' efforts to create beauty in the community.

Since the early 1970's, Mae has been active in local politics: she has been a Member of the El Cerrito Parks & Recreation's Commission, Safety Commission, and City Council. She has also been Mayor of El Cerrito and El Cerrito's representative on the Waste Management Authority of West Contra Costa County.

Another organization Mae has contributed her efforts to is the Acorn Branch, Children's Hospital, which raises funds for the children in our community who need the services of the hospital and whose parents are unable to pay. As a member of Acorn Branch in El Cerrito, she has served as its Chairman and is now a Member of the Branches' Board of Directors for the hospital.

With all her volunteer activities, Mae has also worked to benefit women in Kenya, UC Berkeley, and children in need of orthodontics, and has shown tireless devotion to helping others. Mae's contributions to our community have been unwavering over the years. She continues to work for the betterment of all, but especially the city she loves.

Contacts for recognition awards:

Soroptimist: Melissa Arciniega,
El Cerrito, CA

Garden Club Penny Pines: Catherine Frost
2000 Cl... .., Pinole, CA

NOTE:

Name on the Jaycee's Award is: Willie Hernandez----now Mae Ritz

While serving on the Park and Recreation Commission name: Willie Hernandez...Now Mae Ritz

MAR 15 2017

**CITY OF EL CERRITO
WALL OF FAME NOMINATION**

City of El Cerrito
City Clerk

Name and Address of Nominee:

Date: 3/15/2017

Theresa Parella

El Cerrito, CA 94530

Note: The nominee must be a resident of the City of El Cerrito.

Describe the activities for which recognition is sought. Indicate whether each activity is non-profit if it is not inherently obvious.

As the City of El Cerrito celebrates its centennial, it would be most fitting to honor a truly remarkable centenarian born in El Cerrito (in the very home in which she lives today) who has devoted her life to serving her community: Theresa Parella.

Parella earned her BA in Elementary Education at San Francisco State University in 1939 and taught for three years in the Point Reyes area before returning in 1942 to teach at the school she herself had attended—the oldest in El Cerrito, predating even the city's founding—Fairmont Elementary (est. 1905). In the early years of her career Fairmont was a hub of the local war effort, and she joined her colleagues and the Fairmont PTA in distributing coupons for gas, coffee, and sugar and organizing a well-baby clinic in the school auditorium. After 75 years, that profound spirit of community service has never left her.

Parella has educated and influenced generations of El Cerritans, first as a passionate and dedicated schoolteacher and then, for decades after her retirement—into her late 90s—as a volunteer tutor. She also trained student teachers from UC Berkeley and SF State in her classroom at Fairmont. In recognition of her exceptional service, the school has named its library in her honor.

She volunteered in special education as well, creating teaching aids geared to students with disabilities for Cameron School. She continues to support the Early Intervention Program at Cameron with an annual fundraiser—a book review event that she set in motion 15 years ago through the YLI (Young Ladies' Institute) and still helps organize, providing more than \$15,000 in donations to the school.

For many years Parella served as an Extraordinary Minister of Holy Communion for St. John the Baptist Church in El Cerrito, bringing the Eucharist to housebound parishioners. She chaired various committees at Mary's House of Mercy in San Pablo, which houses single pregnant women in crisis, as well as at GRIP (Greater Richmond Interfaith Program), which provides food and services for the homeless.

She continues to fundraise for Mary's House, GRIP, and other charitable organizations, donating her own handpainted porcelains to annual raffles held by her teachers' sorority, Alpha Delta Kappa, to benefit these groups.

Finally, she remains active in several organizations:

- The YLI, of which has been a member for 78 years (she is a charter member of the local chapter)
- Alpha Delta Kappa International Honorary Organization for Women Educators, of which she has been a member for 50 years; she has served on various committees for the Alpha Phi Chapter and held the offices of Historian (1968–1970), Recording Secretary (1974–1976), and Chaplain (2012–2014)
- The Mt. Diablo Porcelain Artists Society, for which she served on the Board of Directors for many years (she is still a member and continues to take lessons in porcelain painting)
- The El Cerrito Historical Society, of which she is a Life Member, and for which she provides invaluable information on the city's history.

How long has the nominee been actively engaged in carrying out this activity(s)?

- Teaching at Fairmont Elementary School: 35 years (1942–1977)
- Training at Fairmont of student teachers from the University of California, Berkeley, and San Francisco State University: 15+ years (1950s–60s)
- Tutoring as a volunteer at Fairmont: 20+ years (1990s–2014; to age 97)
- Creating teaching aids as a volunteer for the Early Intervention Program at Cameron School: ca. 10 years (1990s–early 2000s)
- Raising funds for Cameron: 15 years so far (2002–2016; ongoing)
- Serving as an Extraordinary Minister for St. John the Baptist Church: at least 10 years
- Providing information for the El Cerrito Historical Society: almost 20 years.

How does the activity(s) benefit or potentially benefit residents of El Cerrito?

Theresa Parella has tirelessly promoted public education for all residents, both in the regular elementary school system and in special ed, through her many decades of teaching, volunteering, and fundraising. In addition, she has reached out to the less fortunate in our greater community through work with her parish and local charitable organizations. Most impressively, at 100 years old, she remains fully engaged with her community and continues to extend her support in any way she can. *Please see the attached statement from Tom Panas (page 7 of this application) for more information on Theresa Parella's prodigious contributions to El Cerrito.*

Please list the names and addresses of any groups or organizations that recognized the person's activities on behalf of the community. Please state how recognition was given and when.

Here are the recognitions that I have been able to verify; there are no doubt many more!

- Fairmont Elementary School: PTA Life Membership ("a surprise life membership award for her extra hours and attention to Fairmont students," as reported in the *Berkeley Daily Gazette*), 2/27/1961
- WCCUSD Community Advisory Committee for Special Education: You Make a Difference Award ("for your outstanding contributions to the lives of Special Education students"), 3/18/1999
- Fairmont Elementary School: Certificate of Appreciation for Volunteer Work, 6/2000
- Soroptimist International of the Americas, El Cerrito Chapter: Women of Distinction Award ("in recognition of her outstanding accomplishments in the area of humanitarian service to her community"), 4/4/2001
- Cameron School: Special Award ("for years of selfless dedication and service on behalf of the children and families of Cameron School"), 1/13/2004
- Alpha Delta Kappa, Alpha Phi Chapter: Golden Apple Award (for volunteer work in education), 4/2010
- El Cerrito Historical Society: Pioneer Award (for "those who have been associated with our area for many years and who were born in our area at least 90 years ago... for their contributions to our city's heritage"), 4/23/2014
- Fairmont Elementary School: Certificate of Appreciation ("In recognition of her lifelong commitment to the Fairmont Elementary School Community, we dedicate the Fairmont School Library in her name. From this date forward, the Fairmont School Library will be known as The Theresa Parella Library"), 5/27/2015 (<http://www.mercurynews.com/2015/06/03/el-cerrito-school-honors-residents-lifetime-of-involvement/>)
- Fairmont Elementary School: Ribbon-cutting for The Theresa Parella Library, 10/21/2016 (<http://www.eastbaytimes.com/2015/10/28/el-cerrito-school-library-named-for-campus-mainstay/>)
- YLI: Recognition as the last living Charter Member of the institute's local chapter (Mother of Perpetual Help #159, founded 1939), 12/13/2016
- City of El Cerrito: Mayoral Certificate of Recognition on her hundredth birthday, presented at City Hall by Mayor Greg Lyman, 12/20/2016

Submitted by: _____

Signature

Name: Rose Vekony
Address: El Cerrito, CA 94530
Phone number: (510) 725-8402

March 11, 2017

Wall of Fame Committee
City of El Cerrito
10890 San Pablo Avenue
El Cerrito, CA 94530

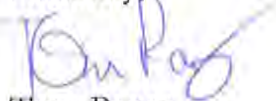
Dear Wall of Fame Committee,

Please accept this letter of support for Theresa Parella's Wall of Fame nomination. Theresa has been a Life Member of the El Cerrito Historical Society for many years. I have personally known Theresa for almost 20 years and she is an enormous asset in our town. Theresa's work at Fairmont School and Cameron School before she retired in 1977 was very noteworthy. But what she has contributed to the support and education of our children since she retired, through both fundraising and volunteerism, is truly extraordinary. It would be very difficult to find someone who has positively influenced more young children than Theresa.

Much of the responsibility for my interest in the history of El Cerrito and West County is directly rooted in Theresa's knowledge of and love for her town that she passed on to me. There is no one who has more graciously shared their knowledge of El Cerrito with so many people than Theresa. She has given the Historical Society a wonderful collection of old El Cerrito artifacts and was honored as an El Cerrito Pioneer in 2014. Her china painting was featured in an exhibit at the Glenn in 2010. I still call her every couple of weeks with one or more questions about El Cerrito history.

Beyond her support for education and the Historical Society, Theresa still remains active in the YLI, Alpha Delta Kappa, and St. John the Baptist Church. We need more people who donate their time, knowledge, and effort to make El Cerrito a better place the way that Theresa does.

Sincerely,



Tom Panas

El Cerrito, CA 94530