



AGENDA

REGULAR CITY COUNCIL MEETING

Tuesday, February 3, 2015 – 7:00 p.m.

City Council Chambers

Meeting Location

El Cerrito City Hall

10890 San Pablo Avenue, El Cerrito

Mark Friedman – Mayor

Mayor Pro Tem Greg Lyman
Councilmember Jan Bridges

Councilmember Janet Abelson
Councilmember Gabriel Quinto

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 Janet Abelson.*

2. **COUNCIL / STAFF COMMUNICATIONS** (*Reports of Closed Session, commission appointments and informational reports on matters of general interest which are announced by the City Council & City Staff.*)

3. **ORAL COMMUNICATIONS FROM THE PUBLIC**

All persons wishing to speak should sign up with the City Clerk. Remarks are typically limited to 3 minutes per person. The Mayor may reduce the time limit per speaker depending upon the number of speakers. Kindly state your name and city of residence for the record. Comments regarding non-agenda, presentation and consent calendar items will be heard first. Comments related to items appearing on the Public Hearing or Policy Matter portions of the Agenda are taken up at the time the City Council deliberates each action item. Individuals wishing to comment on any closed session scheduled after the regular meeting may do so during this public comment period or after formal announcement of the closed session.

4. **PRESENTATION**

A. **Crime Year in Review** – *Presentation by Sylvia Moir, Chief of Police and Samantha Wendling, Administrative Analyst.*

B. Planning Commission Workplan Presentation – Presentation by Andrea Lucas, Planning Commission Chair.

Receive a presentation regarding the Planning Commission’s accomplishments, goals and workplan.

C. Financial Advisory Board Workplan Presentation – Presentation by Peter Vranich, Financial Advisory Board Chair.

Receive a presentation regarding the Financial Advisory Board’s accomplishments, goals and workplan.

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

A. Minutes for Approval

Approve the January 20, 2015 regular City Council meeting minutes.

B. Amend Agreement with MIG, Inc. for the Urban Greening Plan

Adopt a resolution authorizing the City Manager to amend the professional services agreement between the City of El Cerrito and Moore Iacofano Goltsman, Inc. (MIG) in an amount not to exceed \$31,000, bringing the total contract to \$200,400, and to extend the term of the Agreement through August 31, 2015 to complete the grant-funded Urban Greening Plan.

C. 2014 Pavement Rehabilitation Project, City Project No. C3074, Federal Project No. RSTP 5239(024)

Adopt a resolution approving the following actions: 1) Approve plans for the 2014 Pavement Rehabilitation Project, City Project No. C3074; 2) Reject one submitted bid from Interstate Grading and Paving, Inc. as non-responsive; 3) Accept the six remaining submitted bids; 4) Authorize the City Manager to execute a contract in the amount of \$664,200 with Gallagher & Burk, Inc. and to approve change orders in an amount not to exceed \$53,136 for the construction of the 2014 Pavement Rehabilitation Project; and 5) Amend the Fiscal Year 2014-15 Adopted Budget to appropriate an additional amount of \$69,000 in the Measure A Street Improvement Fund (Fund 211) for the 2014 Pavement Rehabilitation Project, City Project No. C3074. *Exempt from CEQA.*

D. 2015 City Council Meeting Schedule

Approve a recommendation to amend the 2015 City Council regular meeting schedule by adding a special meeting on Saturday, February 14, 2015 beginning at 8:30 a.m. for the purposes of conducting commission interviews, add a special meeting on Saturday, March 28, 2015 beginning at 9:00 a.m. for a City Council Strategic Planning Worksession and also approve a reduced City Council summer meeting schedule consisting of the third Tuesday in July, August and September. City Council meeting dates in July, August and September 2015 would be July 21, August 18 and September 15, 2015 with an additional request to keep the first Tuesday in July, August and September reserved for additional meetings as needed.

E. Committee on Aging Appointment

Approve a Committee on Aging recommendation to appoint Jennifer Haller to the Committee on Aging, effective February 17, 2015.

6. PUBLIC HEARING

Planning Application PL14-0107(Choi) for an Exception to the Subdivision Ordinance to Permit the Creation of a Parcel without Street Frontage

Conduct a public hearing and upon conclusion adopt a resolution approving Planning

Application PL 14-0107 for an exception to the Subdivision Ordinance (El Cerrito Municipal Code Section 18.32.050) for a minor subdivision in which frontage on a public street is not provided. *Exempt from CEQA.*

7. POLICY MATTERS

Agreement with Godbe Research to Perform Voter Research on a Future Revenue Measure for a Library Facility

Adopt a resolution authorizing the City Manager to enter into an agreement with Godbe Research to undertake a voter survey to ascertain voter opinions related to a future revenue measure to fund a new library facility.

8. COUNCIL LOCAL AND REGIONAL LIAISON ASSIGNMENT REPORTS

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

9. ADJOURN REGULAR CITY COUNCIL MEETING

The next regular City Council meeting is Tuesday, February 17, 2015 at 7:00 p.m. at City Hall, 10890 San Pablo Avenue, El Cerrito, California.

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 Police Crime Update

Agenda Item 4(A)



Presented by Samantha Wendling, Analyst

Year End Totals

PART 1 CRIMES	2013	2014	% CHANGE
HOMICIDE	0	0	NC *
FORCIBLE RAPE	0	3	NC *
ROBBERY	63	43	-32%
AGGRAVATED ASSAULTS	36	31	-14%
VIOLENT CRIME TOTALS	99	77	-22%
BURGLARY	281	158	-44%
LARCENY - THEFT	716	668	-7%
MOTOR VEHICLE THEFTS	122	102	-16%
ARSON	1	10	900%
PROPERTY CRIME TOTALS	1120	938	-16%
PART 1 CRIMES TOTAL	1219	1015	-17%

NC *: Not Calculable – unable to divide by zero

Source: Records Management System



2014 saw a **17%** decrease in Part 1 Crimes. There were a couple increases that will be discussed further.

Reason for Increases

FORCIBLE RAPE

- 2012: Department of Justice came out with a new expanded definition of Rape
- 2014: started applying this definition to our UCR reports
- Does not mean that rape has increased, but simply that it is more accurately reported.
- Reason why we saw an increase in 2014 - all 3 reports were included under this new definition of Rape.

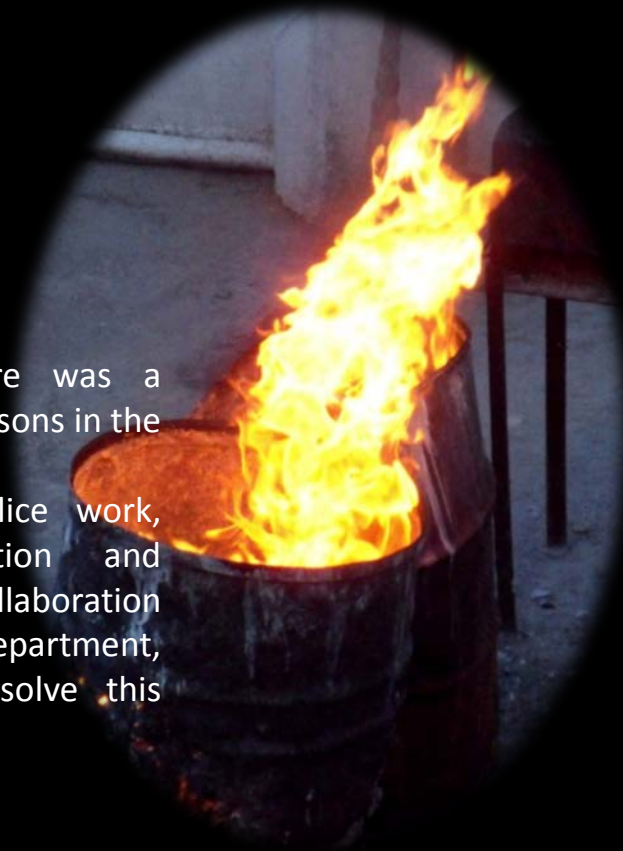
HOMICIDE	0	0	NC *
FORCIBLE RAPE	0	3	NC *
ROBBERY	63	43	-32%

MOTOR VEHICLE THEFTS	122	102	-16%
ARSON	1	10	900%
PROPERTY CRIME TOTALS	1120	938	-16%
PART 1 CRIMES TOTAL	1210	1015	-17%

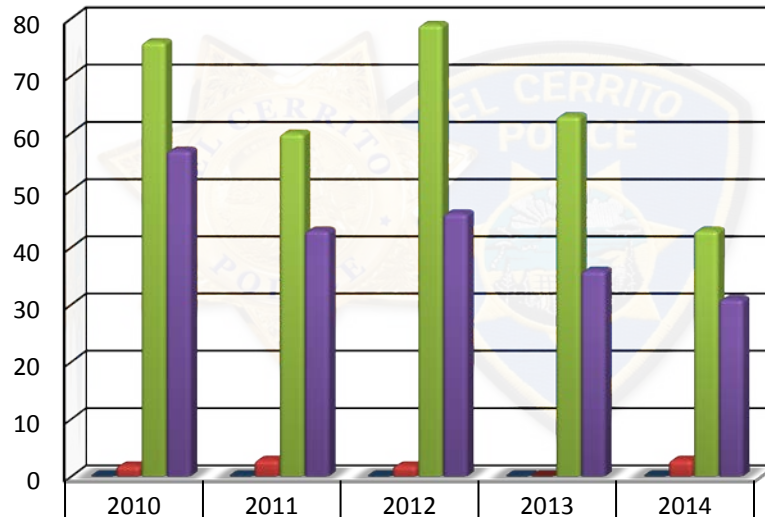
ARSONS

In July 2014, there was a localized cluster of Arsons in the City.

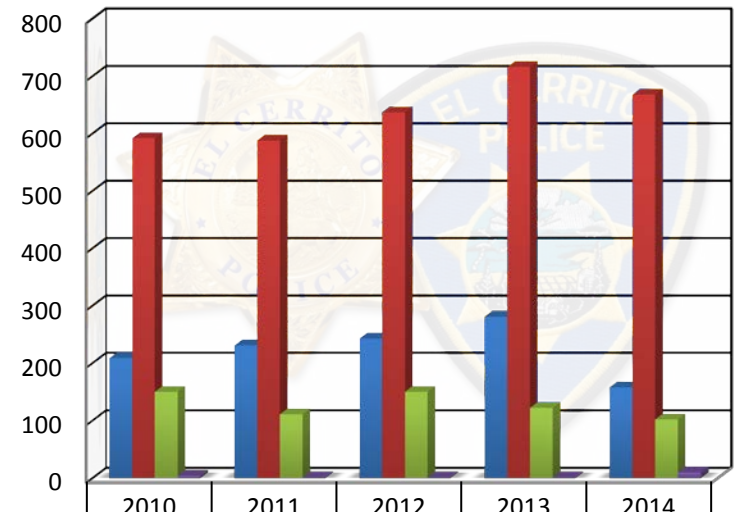
- Through great police work, excellent coordination and management, and collaboration with the EC Fire Department, we were able to solve this crime.



Part 1 Crimes: 2010 - 2014



Homicide	0	0	0	0	0
Forcible Rape	2	3	2	0	3
Robbery	76	60	79	63	43
Agg. Assault	57	43	46	36	31



Burglary	209	231	243	281	158
Larceny - Theft	592	588	637	716	668
Motor Vehicle Theft	150	111	150	122	102
Arson	4	1	1	1	10

Performance Measures

2013

VS

2014

24796 Calls for Service

4360 Reports Taken

1684 Pedestrian Stops

2237 Suspicious Incidents Reported

7973 Traffic Stops

6194 Traffic Citations

25276 Calls for Service

3893 Reports Taken

2283 Pedestrian Stops

2225 Suspicious Incidents Reported

7446 Traffic Stops

5727 Traffic Citations

POP Projects

Problem Oriented Policing

5619 EL DORADO STREET

Problem Analysis: Residence has been deemed uninhabitable and occupants have since moved out, but have taken up residency on the east/northeast side of dwelling. PD has received numerous calls regarding odd behavior of the subjects.

2014: 32 incidents / 3 reports



Conditions at
5619 El Dorado St

800 BLK PARK WAY

Problem Analysis: The owner of this residence allowed an individual to live in his residence and owner has since passed away. Since then there has been an influx of civil and criminal issues arising at this residence.

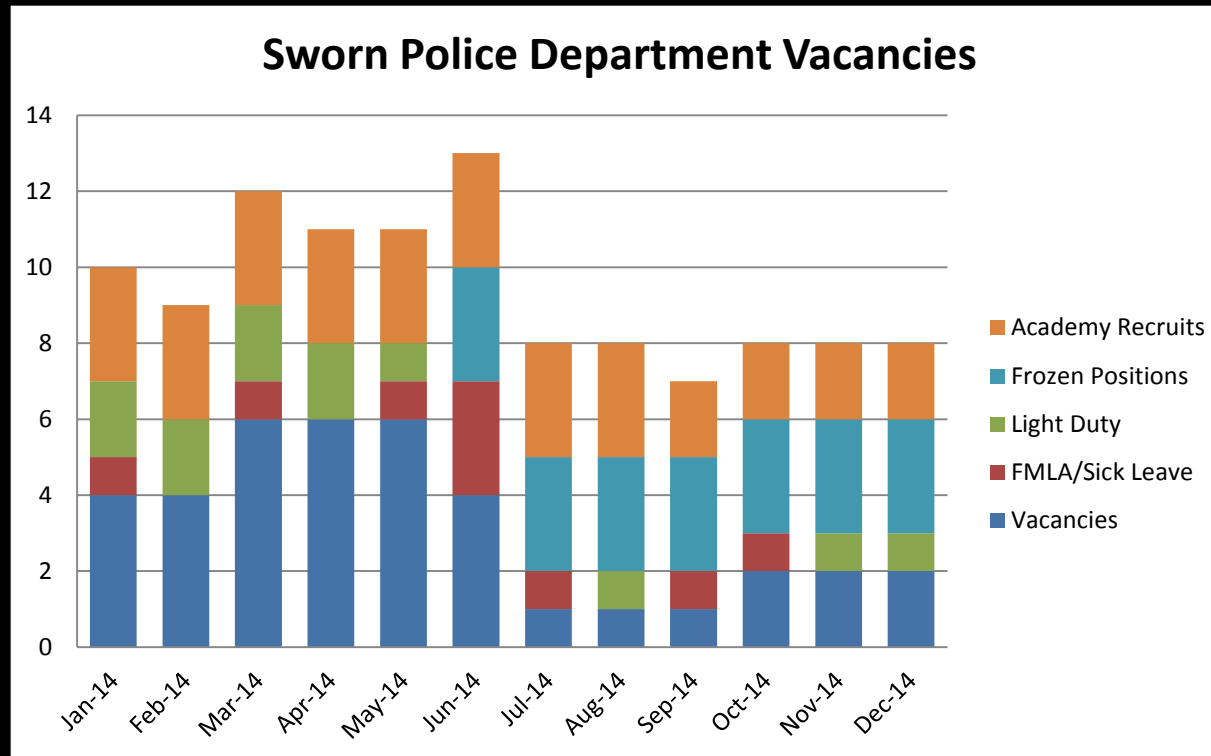
2014: 19 incidents / 5 reports

800 BLK ELM STREET

Problem Analysis: Multiple subjects reside in this residence causing problems (quality of life issues).

2014: 22 incidents / 3 reports

Staffing throughout 2014



El Cerrito Police Crime Update



Presented by Samantha Wendling, Analyst

El Cerrito Planning Commission



ANNUAL WORK PLAN - FY 2014-2015

Planning Commission's Responsibilities



- Acts as the local 'planning agency' as required by Government Code Section 65100.
- Implements the General Plan, Specific Plan, Zoning Ordinance, Subdivision Ordinance and the California Environmental Quality Act (CEQA).
- Reviews Capital Improvement Program for consistency with General Plan.
- Reviews relevant City policies and ordinances and makes recommendations to the City Council.

Prior Accomplishments



- San Pablo Avenue Specific Plan
- Eden Housing Senior Apartments
- Ohlone Gardens
- Climate Action Plan

San Pablo Avenue Specific Plan



- Planning document that establishes standards for development in the San Pablo Avenue corridor. The Plan aims 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.

San Pablo Avenue Specific Plan



- The Commission held three study sessions in 2013-2014 to discuss the plan and receive public comment.
- The Commission recommended approval of the Plan to City Council in September 2014.
- The City Council adopted the Plan, including EIR and necessary Zoning Ordinance amendments.
- Implementation of the Plan is ongoing.

Eden Housing Senior Apartments



- 63-unit mixed-use senior affordable housing community.
- Preservation and rehabilitation of existing stone-faced building.
- Commission conducted a study session and received comments on the Draft EIR in September 2013.
- Commission adopted EIR and approved project in December 2013.
- Project now entitled. Construction pending complete project financing.

Ohlone Gardens



- Mixed-use project will include 57 units of family rental housing available at affordable levels.
- Commission approved a change to a previously approved conditional use permit (October 2009) in October 2013.
- Project is currently under construction.

Climate Action Plan



- The Commission reviewed the Plan, and recommended approval of the Plan and Negative Declaration to the City Council in April 2013.
- Implementation is ongoing.

2014-2015 Work Plan Topics



- Continue to review projects and take action or make recommendations.
- General Plan maintenance.
- Zoning Ordinance maintenance.
- Training regarding creeks/watersheds.
- Training regarding historical/cultural resources.

Project Review



- Continue to act as the local ‘planning agency.’
- Review and take action on projects and entitlements pursuant to timelines established in the Permit Streamlining Act and CEQA.

General Plan Maintenance



- Continue to maintain the General Plan through periodic revisions as needed.
- Review 2015-2023 Housing Element update and recommend the City Council authorize submission to the Department of Housing and Community Development.

Zoning Ordinance Maintenance



- Continue to maintain the Zoning Ordinance through periodic updates as needed.
- Consider revisions to the Zoning Ordinance regarding regulation of short-term rentals in the City.
- Consider revisions to the Zoning Ordinance to promote Second Units (parking requirements, etc.)

Creeks/Watersheds



- Training regarding creeks and watersheds policy.
- Presentation on creeks and the Creek Protection Overlay District.

Historical/Cultural Resources



- Training regarding historical/cultural resources in El Cerrito.
- Presentation or tour with goal of understanding the existing context of potential historic/cultural resources in El Cerrito.



Planning Commission

FISCAL YEAR 2014-2015 WORK PLAN

AND

2013-2014 ACCOMPLISHMENTS

Members: Chair: Andrea Lucas, Vice Chair: Carla Hansen, Michael Iswalt, Bill Kuhlman, Lisa Motoyama, Tim Pine

MISSION STATEMENT: *(State mission as identified in enabling legislation and include legislation citation)*

Section 2.04.230 of the El Cerrito Municipal Code establishes the Planning Commission as required by State law to fulfill the functions outlined in Government Code Section 65103.

FISCAL YEAR 2014-15 WORK PLAN

GOAL/OBJECTIVE	PROPOSED ACTIVITIES	PRIORITY RANKING	TIMELINE FOR COMPLETION
1. Continue to review projects as required by the Permit Streamlining Act.	Review and take action on projects and entitlements pursuant to timelines of PSA and CEQA as identified by staff.	1	Ongoing
2. Continue to maintain the General Plan through periodic revisions as needed	Review 2015-2023 Housing Element update and recommend the City Council authorize submission to the Department of Housing and Community Development.	2	FY 2014-15
3. Continue to maintain the Zoning Ordinance through periodic updates as needed.	- Consider revisions to the Zoning Ordinance regarding short-term rentals in the City. - Consider revisions to the Zoning Ordinance related to Second Units (parking requirements, etc.)	3	FY 2014-15
4. Training regarding creeks and watersheds.	Presentation on creeks and the Creek Protection Overlay District.	4	FY 2014-15

5. Training regarding historical/cultural resources in El Cerrito.	● Presentation or tour with goal of understanding the existing context of potential historic/cultural resources in El Cerrito.	5	FY 2014-15
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PRIOR YEAR ACCOMPLISHMENTS

GOAL/OBJECTIVE	ACTIVITIES SUPPORTING GOAL	STATUS
1. Eden Housing project	Project was approved by the Planning Commission in December 2013.	Approved.
2. San Pablo Avenue Specific Plan	Commission conducted three study session on the Plan in 2013-14 and recommended adoption of the Plan in September 2014.	Adopted by City Council. Implementation ongoing.
3. Ohlone Gardens	The project returned to the Commission in 2013 for changes which the Commission approved.	Project approved. Under construction.
4. Climate Action Plan	The Commission reviewed the plan, and recommended approval of the Plan and Negative Declaration to the City Council in April 2013.	Adopted by City Council. Implementation ongoing.



Financial Advisory Board (FAB)

FISCAL YEAR 2014-2015 WORK PLAN

AND

2013-2014 ACCOMPLISHMENTS

Members: Peter Vranich (Chair), Richard Bartke (Vice-Chair), Gregory Crump, Hale Kronenberg, Dick Patterson

Financial Advisory Board Enabling Legislation

El Cerrito Municipal Code 2.04.300

Financial Advisory Board

A. There shall be a financial advisory board consisting of five members who reside in the city and have demonstrated expertise in financial management, accounting, fiscal analysis, computer applications, economic analysis or related skills. The financial advisory board shall have the powers and duties stated below, and such other duties as the council shall decide:

1. To conduct a review and make recommendations on the proposed annual budget and long-term financial plan for the city and all component units to assist the city council in making decisions on major expenditures and revenue sources, and to include a review of city council compensation consistent with county-wide recommendations included in Contra Costa Grand Jury Report No. 1104;
2. To monitor the city expenditure and revenue patterns and recommend adjustments to the long-term financial plans as necessary;
3. To conduct an annual review of the city's comprehensive financial policy and investment policy and make recommendations regarding the managing of the city's financial reserves to assure maximum returns on approved investments;
4. When requested by the city council, or staff to evaluate proposals, programs and contracts for both long- and short-term financial consequences, assess alternatives and make appropriate recommendations;
5. To review the annual audit and management letter and provide the city council with recommended changes in financial practices;
6. To review and make recommendations on all proposed bonds, other debt instruments or long term obligations to be issued or assumed by the city; and
7. To review the form and format of budget documents, agenda bills and other recurring financial reports prepared by the city and issue recommendations to the city council and the city manager regarding how the form and format of these documents may be modified to allow for greater clarity in the manner financial information is reported.

(Ord. 2007-2 § 1, 2007; Ord. 2000-3 Div. 1, 2000.)

(Ord. No. 2010-01, § 1, 1-19-2010; Ord. No. 2012-03, § 1, 12-18-2012)



Fiscal Year 2013-14 Accomplishments

FAB's agendas in 2013-2014 were frequently focused on preparing recommendations to Council on the financial policies the proposed two-year budget.

Responsibilities (1-7 align to enabling legislation)	Activities Performed	Status
1. To conduct a review and make recommendations on the proposed annual budget and long-term financial plan for the city and all component units to assist the city council in making decisions on major expenditures and revenue sources, and to include a review of city council compensation consistent with county-wide recommendations included in Contra Costa Grand Jury Report No. 1104;	• Reviewed City's two-year budget • Commented recommendations directly to Council on 6/17	Editorial amendments accepted by Council; Policy edits deferred
3. To conduct an annual review of the city's comprehensive financial policy and investment policy and make recommendations regarding the managing of the city's financial reserves to assure maximum returns on approved investments;	• Reviewed Investment Policy • Reviewed Comprehensive Financial Policy • Presented recommendations directly to Council on 4/22 • Received and reviewed Quarterly Investment Reports	FAB to revisit policy recommendations in 2014-15
5. To review the annual audit and management letter and provide the city council with recommended changes in financial practices;	• Reviewed and commented on MOIC • Reviewed and commented on CAFR • Addressed recommendations directed to FAB	Complete

Fiscal Year 2014-15 Work Plan

FAB has created a work plan with the assistance of the Finance Director for the current fiscal year. This plan is subject to change.

Responsibilities (1-7 align to enabling legislation)	Proposed Activities	Timeline
0. Meet monthly at the posted time and place unless there is no agenda, and more often as required, such as April and May for budget deliberations; hear reports from Council and staff liaisons; listen to members of the public;	• Regular meetings of FAB • Special meetings of FAB, as needed	Monthly, or more often as needed
1. To conduct a review and make recommendations on the proposed annual budget and long-term financial plan for the city and all component units to assist the city council in making decisions on major expenditures and revenue sources, and to include a review of city council compensation consistent with county-wide recommendations included in Contra Costa Grand Jury Report No. 1104;	• Review and comment on the mid-term budget • Recommend actions, as appropriate	April – June 2015
2. To monitor the city expenditure and revenue patterns and recommend adjustments to the long-term financial plans as necessary;	• Review periodic budget updates prepared by staff • Recommend adjustments, as appropriate	As needed
3. To conduct an annual review of the city's comprehensive financial policy and investment policy and make recommendations regarding the managing of the city's financial reserves to assure maximum returns on approved investments;	• Summarize and review prior FAB recommendations • Consolidate recommendations and submit to Council • Review quarterly investment reports and recommend alternative investments, as appropriate	September 2015

Fiscal Year 2014-15 Work Plan, cont.

FAB has created a work plan with the assistance of the Finance Director for the current fiscal year. This plan is subject to change.

Responsibilities (1-7 align to enabling legislation)	Proposed Activities	Timeline
4. When requested by the city council, or staff to evaluate proposals, programs and contracts for both long- and short-term financial consequences, assess alternatives and make appropriate recommendations;	As requested	As needed
5. To review the annual audit and management letter and provide the city council with recommended changes in financial practices;	- Review and comment on MOIC - Review and comment on CAFR - Comment to Council, as appropriate - Address recommendations directed to FAB, as necessary	March – April 2015
6. To review and make recommendations on all proposed bonds, other debt instruments or long term obligations to be issued or assumed by the city; and	As requested	June – September 2015
7. To review the form and format of budget documents, agenda bills and other recurring financial reports prepared by the city and issue recommendations to the city council and the city manager regarding how the form and format of these documents may be modified to allow for greater clarity in the manner financial information is reported.	Review and comment on quarterly investment reports, as appropriate	Ongoing
8. To perform work as requested by Council or Staff	Review and propose revisions to the City's Purchasing Policy/Procedures	December – April 2015

EL CERRITO CITY COUNCIL

MINUTES

REGULAR CITY COUNCIL MEETING
Tuesday, January 20, 2015 – 7:00 p.m.
City Council Chambers

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

Mark Friedman – Mayor

Mayor Pro Tem Greg Lyman
Councilmember Jan Bridges

Councilmember Janet Abelson
Councilmember Gabriel Quinto

ROLL CALL

Present: Councilmembers Abelson, Lyman, Quinto and Mayor Friedman
Absent: Councilmember Bridges

7:00 p.m.

CONVENE REGULAR CITY COUNCIL MEETING

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

- 1. PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF MOMENT OF SILENCE** was led by Councilmember Gabriel Quinto.
- 2. COUNCIL / STAFF COMMUNICATIONS**
- 3. ORAL COMMUNICATIONS FROM THE PUBLIC**

Mike Vukelich, El Cerrito, asked the Council to wait two years before implementing the smoking ordinance because the law needs more research and is unconstitutional. Mr. Vukelich stated that he believes the fourth and ninth amendments to the constitution give people the power to refrain from abiding by the ordinance. The ordinance takes a “meat axe” approach to preventing smoking and second-hand smoke. Addicts cannot stop, they need somewhere to smoke. If you are poor and live in an apartment there is nowhere to smoke. If you are rich you can smoke in a car or in a house. Mr. Vukelich stated that El Cerrito may have the strictest ordinance in the world and also has the ugliest landscaping.

Eve Ma, El Cerrito, invited all to attend the premier of her film, “Domino, Caught in the Crises” on January 28 at 7:00 p.m. at the Cerrito Theater.

Al Miller, El Cerrito, thanked the Rotary Club of El Cerrito for asking the El Cerrito Library Foundation to participate in its annual fundraising event and for presenting the Foundation with an \$11,000 check for a new library. The donation represents positive efforts in fund raising and also illustrates confidence and trust in the Library Foundation.

4. PRESENTATION

Arts and Culture Commission Work Plan – *Presentation by Ruth Cazden, Chair of the Arts and Culture Commission.*

Receive a presentation regarding the Art and Culture Commission’s accomplishments, goals and workplan.

Action: Received presentation.

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

Moved, seconded (Abelson/Lyman; Ayes – Councilmembers Abelson, Lyman, Quinto and Mayor Friedman; Noes – None; Absent – Councilmember Bridges) and carried to approve Consent Calendar Item Nos. 5(A) through 5(D) in one motion as indicated below.

A. Minutes for Approval

Approve the January 6, 2015 City Council special and regular meeting minutes.

Action: Approved minutes.

B. Planning Commission and Design Review Board Interim Appointments

Adopt a resolution interpreting Section 2.04.220 of the El Cerrito Municipal Code to permit the extension of the terms of members of the Planning Commission and Design Review Board to maintain the full membership of those bodies during a gap period that has occurred as a result of recent amendments to the Municipal Code. The resolution would also extend the terms of specific members of the Planning Commission and Design Review Board.

Action: Adopted Resolution No. 2015–02

C. Police Department Mobile Data Computer Purchase

Adopt a resolution authorizing the City Manager or his designee to enter into an agreement with C.D.C.E Incorporated in an amount not to exceed \$132,000.00 to purchase and install Mobile Data Computers and related equipment and amend the FY 2014-15 Adopted Budget to authorize the appropriation in an amount not to exceed \$105,000 from the C.O.P.S. Grant Fund and an amount not to exceed \$27,000 from the Vehicle Abatement Fund to complete the purchase and installation of the new MDCs.

Action: Adopted Resolution No. 2015–03

D. Economic Development Committee Appointment

Approve an Economic Development Committee recommendation to reappoint Jean Shrem to the Economic Development Committee, effective January 21, 2015.

Action: Approved recommendation.

6. PUBLIC HEARINGS – *None*

7. POLICY MATTERS

A. Tobacco Retail Regulation Study Session

Convene a study session and provide direction to staff regarding the development of a tobacco retailer license program in El Cerrito, particularly regarding the separation requirements for tobacco retailers and the option to provide some exemptions for existing retailers.

Presenters: Suzanne Iarla, Administrative Analyst and Margaret Kavanaugh-Lynch, Development Services Manager.

Speakers: Janna Katz, Albany, representing the American Cancer Society, Cancer Action Network, stated that she has seen the devastating impact that smoking can have on public health and commended staff and the City Council on its plan. Ms. Katz said the City

is on its way in upgrading its grade from an F to an A. Ms. Katz urged the City Council to give the hardest and strongest support to public health possible. Over 100 communities have passed a strong and effective tobacco retailers licensing ordinance. A licensing fee will aid enforcement and efforts to hold retailers accountable.

Nick Arzio, El Cerrito, thanked staff for coming up with solutions to a very complicated problem. Mr. Arzio said he has seen proposals that would increase the burden on small businesses but also sees some measures that would act as a windfall for existing businesses. The exclusion of new significant tobacco retailer licenses would give existing significant tobacco retailers a monopoly amongst themselves. Mr. Arzio asked if it would serve any good purpose toward the proposed goals to differentiate between significant and regular tobacco retailers because the definition of significant tobacco retailer is based on sales rather than type. It may be easier to monitor sales to minors in a small tobacco shop than in the supermarket.

Action: By mutual consensus, Councilmembers Abelson, Lyman, Quinto and Mayor Friedman (Absent – Councilmember Bridges) provided direction to staff to develop an ordinance which:

1) Prohibits types of business such as a Cigar Lounge, Hookah Lounge, Vape Shop or similar use and any new business that meets the criteria for a “New Significant Tobacco Retailer.”

2) Requires all businesses that sell tobacco (Tobacco Retailers) to prohibit sale of flavored tobacco products, prohibit the sale of single cigars, small-pack cigars except single cigars that are priced over \$5.00 each; prohibit self-service displays of all tobacco products; prohibit employees younger than the Minimum Legal Sale Age (MLSA) from selling tobacco products; prohibit the distribution of samples of tobacco and tobacco-related products (including electronic nicotine delivery devices (eNDDs)), samples and coupons; and any additional constraints.

[Mayor Friedman asked staff to engage in deeper discussions with the City of Richmond to see if it has plans to amend its ordinance so that there is consistency between both cities.]

3) Contains a Grandfather Clause for existing businesses. The City Council is comfortable with giving existing businesses two years to come into compliance with new business standards but suggested that staff reach out to the Economic Development Committee and the Chamber of Commerce.

4) Regarding Separation/Buffer Requirements and Economic Development Considerations, the City Council agreed with staff’s proposal to establish a 1,000 foot buffer between tobacco retailers while exempting existing retailers and allow new retailers to apply for relief through a conditional use permit to provide the City with flexibility and establish a 500’ buffer around schools, parks and other sensitive sites while excluding the Ohlone Greenway and considering other factors and criteria relating to existing and potential new retailers upon consultation with the City Attorney.

[At the request of staff, the City Council (Councilmember Bridges absent) also provided guidance regarding use permit fees for existing tobacco retailers whereby existing retailers would be provided an incentive to register quickly.]

B. Community Security Camera Registration

Receive a presentation and adopt a resolution supporting a proposed voluntary security camera registration program.

Presenter: Stephen Bonini, Police Lieutenant.

Speakers: Al Miller, El Cerrito, stated that witnesses fail to come forth and assist in the investigation of a crime because they are fearful of their own personal safety or retaliation and asked if the fear is valid and what provisions could be made to encourage people to offer assistance, including their video cameras.

Nick Arzio, El Cerrito, stated that it would be good for the Police Department to confer with the Crime Prevention Committee on this matter. Mr. Arzio stated that cameras could serve as both crime prevention and investigation devices depending on signage. Mr. Arzio also said that he would like to see more attention focused on proper positioning of cameras in the program and putting safeguards in place that will protect privacy rights.

Denise Sangster, El Cerrito, expressed support for the program. Ms. Sangster said that her neighborhood has been burglarized, credited the value of video cameras in recording thefts and noted that other communities are using it. The quality of cameras is pretty good today however the biggest differentiator is bandwidth. Ms. Sangster encouraged the city and/or Comcast to work toward decreasing costs associated with bandwidth for participants in the program and queried whether a list of participants in the program can be disclosed under the California Public Records Act.

Ben Dhindsa, local business owner, stated that he is very supportive of the program.

Action: Moved, seconded (Abelson/Quinto; Ayes – Councilmembers Abelson, Lyman, Quinto and Mayor Friedman; Noes – None; Absent – Councilmember Bridges) and carried to adopt Resolution No. 2015-04.

8. COUNCIL LOCAL AND REGIONAL LIAISON ASSIGNMENT REPORTS

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

Councilmember Abelson reported on her attendance at the League of California Cities Community Services Policy and Administrative Services Policy Committee meeting in Sacramento on January 16-17, 2015. The Healthy Eating Active Living City Campaign (HEALS) made a presentation. A new whitepaper is being prepared regarding healthy eating and active living. Councilmember Abelson stated that addressing climate change can include healthy eating and active living and suggested that the City could invest more deeply in these issues in upcoming years. Councilmember Abelson also attended an East Bay Division of League of California Cities gathering for new mayors and councilmembers in Alameda and Contra Costa County who were also attending the League's Academy in Sacramento. Councilmember Quinto also attended this event. There are many exciting people who are beginning their first term in office. Councilmember Abelson said she is looking forward to working with all of the newly elected officials and getting to know them better.

Mayor Pro Tem Lyman reported that the Environmental Quality Committee is taking up several issues including storm water pollution reduction issues and reduction of trash in storm water runoff. The Financial Advisory Board is working on its Council workplan presentation and is also working on standardizing city purchasing policies. The West County Integrated Waste Management Authority (IWMA) provided guidance to its executive recruiter regarding what qualities the IWMA would like to see in a new executive director. Guidance on salary will be given next week. Mayor Pro Tem Lyman elected chair of the IWMA starting February 1, 2015.

Mayor Friedman reported that the annual Martin Luther King Parade and celebration was a great event. Mayor Friedman thanked Assistant City Manager Pinkos, the Police Department, Fire Department, Human Relations Commission and coordinator Pat Durham for their leadership and work on the event.

9. ADJOURNED REGULAR CITY COUNCIL MEETING at 9:01 p.m.

SUPPLEMENTAL REPORTS AND COMMUNICATIONS

Item No. 4(A) Arts & Culture Commission Workplan

1. Powerpoint presentation – *Submitted by Suzanne Iarla, Staff Liaison for Arts & Culture Commission.*

Item No. 7(A) Tobacco Retail Regulation Study Session

2. Powerpoint presentation – *Submitted by Suzanne Iarla, Administrative Analyst.*
3. Comments on Tobacco Sales Restrictions and E-Cigarettes – *Submitted by Steven J. Duffy, National Association of Tobacco Outlets, Inc.*
4. Information on best practices for policies that may help achieve the City Council's goal of ending illegal sales of tobacco products to minors and preventing initiation of tobacco use among youth – *Submitted by Denice Dennis, MPH, Tobacco Prevention Program Manager.*
5. Comments encouraging adoption of a strong policy – *Submitted by Mary Jaccodine, MPH, Contra Costa Tobacco Prevention Coalition Co-Chair.*

Other:

6. Comments in opposition to existing smoking ordinance and regarding Climate Change – *Submitted by Mike Vukelich, El Cerrito.*
7. Postcard advertising the film showing, "Domino, Caught in the Crisis" – *Submitted by Eve Ma, El Cerrito.*



AGENDA BILL

Agenda Item No. 5(B)

Date: February 3, 2015
To: El Cerrito City Council
From: Melanie Mintz, Interim Community Development Director
Subject: Amend Agreement with MIG, Inc. for the Urban Greening Plan

ACTION REQUESTED

Adopt a resolution authorizing the City Manager to amend the professional services agreement between the City of El Cerrito and Moore Iacofano Goltsman, Inc. (MIG) in an amount not to exceed \$31,000, bringing the total contract to an amount not to exceed \$200,400, and to extend the term of the Agreement through August 31st, 2015 to complete the grant-funded Urban Greening Plan.

BACKGROUND

On March 19, 2013 City Council authorized the City Manager to execute a Professional Services Agreement for an amount not to exceed \$169,400 with MIG, Inc. (Consultant) to complete the Urban Greening Plan (Plan). Since then, City staff has worked closely with the consultant and the El Cerrito community to develop a plan that meets the goal of creating a master document that identifies projects, policies and strategies to create an interconnected network of green places, accommodate infill growth and improve the quality of life and the environment for existing and future El Cerrito residents. The Plan, funded by a \$239,498 Urban Greening Planning for Sustainable Communities Grant program (Proposition 84), was recommended by the Environmental Quality Committee and the Parks and Recreation Commission in 2011. The first plan of its kind in El Cerrito, the project was designed to include early and extensive community engagement, a needs assessment and opportunity analysis, and best practice research to help shape the Plan. As a result, the consultant's tasks have been adapted over the planning period to reflect planning needs, assigning additional tasks where appropriate. An additional \$31,000 above the original authorization of \$169,400 will be needed to complete the Plan. This additional spending authority includes budget to complete an Urban Greening brochure and map, to prepare for an additional Task Force meeting, to provide additional GIS services and for final Plan preparation. Because this was the City's first Urban Greening Plan and it was expected that the shape of the Plan and consultant needs would change during the planning process, staff reserved grant budget at the onset for completion of tasks to be determined through the process. Therefore, the funds for the additional spending authority are fully contained within the grant budget.

Agenda Item No. 5(B)

Original Authorized Agreement Amount	\$169,400	
Additional Spending Authority Requested	\$31,000	Includes budget to complete Urban Greening Map/Brochure, Additional Task Force Meeting, GIS services and additional Plan preparation
Total Revised Contract Amount	\$200,400	
Proposition 84 Grant Amount	\$239,498	Note: The grant funds above the consultant contract amount have been allocated to cover City expenses associated with Plan development.

Due to the simultaneous development of the San Pablo Avenue Specific Plan and Complete Streets Plan, City staff and the project consultant team have adjusted the project's schedule to accommodate both efforts. The original Professional Services Agreement term was through April 1st, 2015. Staff now anticipates adoption of the Urban Greening Plan in early summer of this year and recommends extending the agreement through August 31st, 2015 to match the terms of the grant.

ANALYSIS

The Plan development process entailed an extensive community engagement process, including early surveys, community meetings and a community design charrette. Staff estimates that, with the proposed changes and additional spending authority, the draft Urban Greening Plan will be released to the public for comment in the early spring prior to going to the Parks and Recreation Commission and Environmental Quality Committee to consider recommendation of the Plan for adoption by the City Council. Staff anticipates that the Plan will then be brought to the City Council for consideration and vote this summer.

A primary task to be added to the consultant budget is the preparation of an Urban Greening map and brochure. The product, which was included in the grant contract, will both be incorporated into the Plan and serve as a standalone document to continue to engage El Cerrito residents and visitors in experiencing, engaging with and stewarding the City's green spaces, helping to bring the long-range Plan to fruition. Staff originally anticipated that this task would be completed by a map specialist, but because MIG will be preparing all graphics for the Urban Greening Plan and has exhibited a thorough understanding of the El Cerrito community, staff requested that they submit examples of their map/brochure work and has elected to add this task to their scope of services.

Agenda Item No. 5(B)

Staff and the consultant team will release the draft Plan to the public for comment in the spring and will bring the final draft for recommendation from the Environmental Quality Committee and the Parks & Recreation Commission in May. Staff anticipates that the Plan will be completed and all grant expenditures will be booked by summer of this year.

STRATEGIC PLAN CONSIDERATIONS

Development of an Urban Greening Plan, as previously approved by the City Council, will help to fulfill the following City of El Cerrito Strategic Plan goals:

- Deepen a sense of place and community identity;
- Develop and rehabilitate public facilities as community focal points;
- Ensure the public's health and safety;
- And, foster environmental sustainability citywide.

Amendment of the existing Professional Services Agreement with MIG, Inc. will enable City staff and the consultant team to achieve the goals outlined in the Plan, in keeping with the Council's previous action.

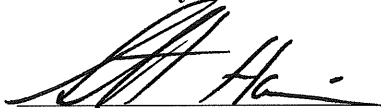
FINANCIAL CONSIDERATIONS

Funding for the \$31,000 amendment is available in the original grant allocation to the City's Grants fund included in the FY 2014-15 Community Development department's adopted budget. No new appropriations are needed.

LEGAL CONSIDERATIONS

The City Attorney has reviewed the proposed action and there are no legal issues.

Reviewed by:



Scott Hanin, City Manager

Attachments:

1. Resolution

RESOLUTION 2015-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO AUTHORIZING THE CITY MANAGER TO AMEND THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF EL CERRITO AND MOORE IACOFANO GOLTSMAN, INC. (MIG) IN AN AMOUNT NOT TO EXCEED \$31,000 AND TO EXTEND THE TERM OF THE AGREEMENT THROUGH AUGUST 31ST, 2015 TO COMPLETE THE URBAN GREENING PLAN

WHEREAS, the City Council, by Resolution No. 2013-11 authorized the City manager to execute a Professional Services Agreement with Moore Iacofano Goltsman, Inc. in the amount of \$169,400 for preparation of an Urban Greening Plan; and

WHEREAS, preparation of a citywide Urban Greening Plan was recommended by the Environmental Quality Committee on April 12, 2011 and Parks and Recreation Commission on April 26, 2011; and

WHEREAS, the City Council, by Resolution No. 2011–38, authorized staff to apply for grant funds from the Strategic Growth Council to prepare an Urban Greening Plan; and

WHEREAS, the City of El Cerrito (City) was awarded a \$239,498 Urban Greening Planning grant from the State of California’s Urban Greening for Sustainable Communities Grant Program by the Strategic Growth Council; and

WHEREAS, the City and the State of California Natural Resources Agency executed a grant agreement on January 2, 2013 with a grant performance period of January 2, 2013 through August 31, 2015; and

WHEREAS, community engagement, a needs assessment and opportunity analysis, and best practices research has helped shape the Plan’s goals and objectives, resulting in adaptations to the consultant’s scope, budget and timeline; and

WHEREAS, additional tasks, are needed to bring the Plan to completion pursuant to the agreement with the State and whereas the additional tasks will total not more than \$31,000; and

WHEREAS, funding for the \$31,000 amendment is available in the original grant allocation to the City’s Grants fund included in the FY 2014-15 Community Development Department’s adopted budget and no new appropriation of funds is required.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby authorizes the City Manager to amend the Professional Services Agreement with Moore Iacofano Goltsman, Inc. in an amount not to exceed \$31,000, bringing the total contract to \$200,400, to complete the Urban Greening Plan, and to extend the term of the Agreement through August 31st, 2015.

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

Agenda Item No. 5(B)

Attachment 1

I CERTIFY that at a regular meeting on February 3, 2015 the City Council of the City of El Cerrito passed this Resolution by the following vote:

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

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on February XX, 2015.

Cheryl Morse, City Clerk

APPROVED:

Mark Friedman, Mayor



AGENDA BILL

Agenda Item No. 5(C)

Date: February 3, 2015
To: El Cerrito City Council
From: Yvetteh Ortiz, Public Works Director/City Engineer
Subject: 2014 Pavement Rehabilitation Project, City Project No. C3074, Federal Project No. RSTP 5239(024)

ACTION REQUESTED

Adopt a resolution for the following actions:

- 1) Approve plans for the 2014 Pavement Rehabilitation Project, City Project No. C3074;
- 2) Reject one submitted bid from Interstate Grading and Paving, Inc. as non-responsive;
- 3) Accept the six remaining submitted bids;
- 4) Authorize the City Manager to execute a contract in the amount of \$664,200 with Gallagher & Burk, Inc. and to approve change orders in an amount not to exceed \$53,136 for the construction of the 2014 Pavement Rehabilitation Project; and
- 5) Amend the Capital Improvement Program/Annual Program of Maintenance and Improvement pursuant and the Fiscal Year 2014-15 Adopted Budget to appropriate an additional amount of \$69,000 in the Measure A Street Improvement Fund (Fund 211) for the 2014 Pavement Rehabilitation Project, City Project No. C3074.

BACKGROUND

The 2014 Pavement Rehabilitation Project considered pavement repairs for five street segments including Colusa Avenue from Terrace Drive to Errol Drive, Fairmount Avenue from Colusa Avenue to Richmond Street, Manila Avenue from Richmond Street to Kearney Avenue, Arlington Boulevard from Arbor Drive to Villa Nueva Drive, and Central Avenue from San Pablo Avenue to Santa Clara Avenue. The work generally consists of asphalt concrete overlay, removal and replacement of City street trees, reconstruction of limited sections of existing curb, gutter, sidewalk, and driveways that have been displaced by tree roots, construction or reconstruction of curb ramps, and installation of thermoplastic striping and pavement markers. For bidding purposes and to allow flexibility of award within the project budget, the work on the five street segments were divided into a Base Bid that included Colusa Avenue, Fairmount Avenue, and Manila Avenue, Bid Alternate Number 1 that included Arlington Boulevard and Bid Alternate Number 2 that included Central Avenue. The removal and replacement of street trees, notably along Manila Avenue, is being done under a separate contract with West Coast Arborist and work has begun.

Agenda Item No. 5(C)

A Notice Inviting Bids for the project was advertised in the West Contra Costa Times on November 17 and 24, 2014. Additionally, the notice along with a complete set of Contract Documents was sent to eight Builder and Construction Exchanges. The project was also posted on the City's website. Subsequently, one addendum was issued and all plan holders were notified.

ANALYSIS

Seven bids were received on December 16, 2014. One bid received from Interstate Grading and Paving, Inc. did not include two required pages from the bid proposal. The two omitted pages included important contractual provisions along with required company signatures. Interstate's bid without these pages would allow them to escape liability and therefore provide an unfair advantage. Staff is requesting Council to consider this bid non-responsive.

The following are the results for the remaining six bids:

Name and Location of Bidder	Base Bid - Colusa, Fairmount, Manila	Alternate 1 - Arlington	Alternate 2 - Central	Grand Total
Gallagher & Burk, Inc., Oakland	\$533,940.00	\$130,260.00	\$181,138.00	\$845,338.00
MCK Services, Concord	\$537,613.04	\$156,907.20	\$210,635.75	\$905,155.99
Ghilotti Bros, San Rafael	\$565,411.61	\$118,709.40	\$204,057.25	\$888,178.26
Maggiora & Ghilotti, San Rafael	\$595,282.95	\$145,663.00	\$227,431.28	\$968,377.23
C.F. Archibald Paving, Redwood City	\$623,011.02	\$98,241.00	\$154,472.00	\$875,724.02
Team Ghilotti, Petaluma	\$691,237.00	\$136,881.00	\$194,444.50	\$1,022,562.50
Engineer's Estimate	\$589,770.00	\$114,994.00	\$164,526.00	\$869,290.00

The Contract Documents stipulated that the low bidder was to be determined by the amount of the Base Bid. The low bidder is Gallagher & Burk, Inc. with a bid of \$533,940 for the Base Bid, which is approximately 9.5% below the Engineer's Estimate of \$589,770. Their bid of \$130,260 for Bid Alternate Number 1 is approximately 13% above the Engineer's Estimate of \$114,994. The combined low bid total for the Base

Agenda Item No. 5(C)

Bid and Alternate Number 1 of \$664,200 is 5.8% below the Engineer's Estimate of \$704,764.

Since the project includes a federal grant from the One Bay Area Grant (OBAG) Program, the low bidder is required to make a good faith effort to incorporate the services of Disadvantaged Business Enterprises (DBEs) in their bid for completing the project. The City determined a DBE goal of 4.7% of the total construction cost for this project was obtainable. The low bid exceeded the City's DBE goal by including a commitment of 6.3% of work to be performed by DBEs.

As shown below, the total project expenditures are projected to result in a funding shortfall of \$69,000. This shortfall is due to increases in construction prices over the last few years since the project was first developed. The project was value-engineered to reduce construction costs and the Engineer's Estimate was adjusted to reflect recent bids. As such, staff believes the low bid to be a good value worthy of funding of Alternate Number 1 for Arlington Boulevard. We are considering other lower-cost design options for Central Avenue and therefore not recommending award of Alternate Number 2 at this time. Staff recommends that City Council award a construction contract in the amount of \$664,200 for the Base Bid plus Alternate Number 1 to Gallagher & Burk, Inc. as the lowest responsive and responsible bidder.

STRATEGIC PLAN CONSIDERATIONS

Award of the construction contract is consistent with El Cerrito Strategic Plan Goal D – *Develop and rehabilitate public facilities as community focal points*. Specifically, it fulfills a portion of the “Develop a plan to address ongoing and deferred maintenance of facilities and infrastructure.”

ENVIRONMENTAL CONSIDERATIONS

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

Additionally, Caltrans, which provides oversight for federally-funded projects, reviewed compliance with the National Environmental Policy Act (NEPA) and determined that the project has no significant impacts on the environment as defined by NEPA and therefore the project is categorically excluded from the requirements of preparing an environment assessment or environmental impact statement.

FINANCIAL CONSIDERATIONS

The 2014 Pavement Rehabilitation Project is included in the Fiscal Year (FY) 2014-15 Capital Improvement Program/Annual Program of Maintenance and Improvement pursuant to Measure A Street Improvement Program. It is funded through a \$630,000

Agenda Item No. 5(C)

federal grant from the One Bay Area Grant (OBAG) Program with matching and additional funds of \$311,000 provided by the Measure A Street Improvement Fund for a total project budget of \$941,000. Staff is recommending an additional appropriation of Measure A funds of \$69,000 for construction of the project. The Measure A Street Improvement Fund began the fiscal year with a fund balance of approximately \$71,000.

The project expenditure budget is summarized below and includes contingency of 8% for contract change orders.

Items		Cost
A	Preliminary Engineering & Design Phase	\$130,550
B	Construction and Closeout Phase	\$879,450
	Construction Contract	\$664,200
	Construction Contract Contingency	\$53,136
	Inspect, Test & Admin	\$143,370
	West Coast Contract	\$18,744
Total		\$1,010,000

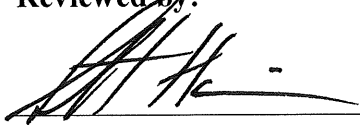
Funding of \$863,831 for the 2014 Pavement Rehabilitation Project, C3074 is included in the City's FY 2014-15 Adopted Budget in an allocation from the Measure A Street Improvement Fund within the Capital Improvement Program/Annual Program of Maintenance and Improvement pursuant to Measure A Street Improvement Program.

An amendment to the FY 2014-15 Adopted Budget is required to appropriate \$69,000 in this year's Measure A Street Improvement Fund (211) within the Capital Improvement Program/Annual Program of Maintenance and Improvement pursuant to Measure A Street Improvement Program.

LEGAL CONSIDERATIONS

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

Reviewed by:



Scott Hanin, City Manager

Attachments:

1. Resolution

RESOLUTION NO. 2015-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO APPROVING PLANS FOR THE 2014 PAVEMENT REHABILITATION PROJECT; REJECTING ONE SUBMITTED BID FROM INTERSTATE GRADING AND PAVING, INC. AS NON-RESPONSIVE; ACCEPTING THE SIX REMAINING SUBMITTED BIDS; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT IN THE AMOUNT OF \$664,200 WITH GALLAGHER & BURK, INC. AND TO APPROVE CHANGE ORDERS IN AN AMOUNT NOT TO EXCEED \$53,136 FOR THE CONSTRUCTION OF THE 2014 PAVEMENT REHABILITATION PROJECT; AND AMENDING THE CAPITAL IMPROVEMENT PROGRAM/ANNUAL PROGRAM OF MAINTENANCE AND IMPROVEMENT PURSUANT AND THE FISCAL YEAR 2014-15 ADOPTED BUDGET TO APPROPRIATE AN ADDITIONAL AMOUNT OF \$69,000 IN THE MEASURE A STREET IMPROVEMENT FUND (FUND 211) FOR THE 2014 PAVEMENT REHABILITATION PROJECT, CITY PROJECT NO. C3074

WHEREAS, the 2014 Pavement Rehabilitation Project considered pavement repairs for five street segments including Colusa Avenue from Terrace Drive to Errol Drive, Fairmount Avenue from Colusa Avenue to Richmond Street, Manila Avenue from Richmond Street to Kearney Avenue, Arlington Boulevard from Arbor Drive to Villa Nueva Drive, and Central Avenue from San Pablo Avenue to Santa Clara Avenue; and

WHEREAS, the work generally consists of asphalt concrete overlay, removal and replacement of City street trees, reconstruction of limited sections of existing curb, gutter, sidewalk and driveways that have been displaced by tree roots, construction or reconstruction of curb ramps, and installation of thermoplastic striping and pavement markers; and

WHEREAS, for bidding purposes and to allow flexibility of award within the project budget, the work on the five street segments were divided into a Base Bid that included Colusa Avenue, Fairmount Avenue and Manila Avenue, Bid Alternate Number 1 that included Arlington Boulevard and Bid Alternate Number 2 that included Central Avenue; and

WHEREAS, a Notice Inviting Bids for the project was advertised in the West Contra Costa Times on November 17 and 24, 2014, sent to eight (8) Builder and Construction Exchanges, and posted on the City's website; and

WHEREAS, seven bids were received on December 16, 2014 and one bid received from Interstate Grading and Paving, Inc. did not include two required pages from the bid proposal that included important contractual provisions along with required company signatures; and

WHEREAS, the Contract Documents stipulated that the low bidder was to be determined by the amount of the Base Bid, and Gallagher & Burk, Inc. submitted the

lowest Base Bid of \$533,940, which is approximately 9.5% below the Engineer's Estimate; and

WHEREAS, the lowest responsive, responsible bidder was Gallagher & Burk, Inc. and their combined bid for the Base Bid and Alternate Number 1 is \$664,200, which is 5.8% below the Engineer's Estimate; and

WHEREAS, the 2014 Pavement Rehabilitation Project is included in the Fiscal Year (FY) 2014-15 Capital Improvement Program/Annual Program of Maintenance and Improvement pursuant to Measure A Street Improvement Program and is funded through a \$630,000 federal grant from the One Bay Area Grant (OBAG) Program with matching and additional funds of \$311,000 provided by the Measure A Street Improvement Fund for a total project budget of \$941,000; and

WHEREAS, the Measure A Street Improvement Fund began the fiscal year with a fund balance of approximately \$71,000.

NOWTHEREFORE, BE IT RESOLVED that the City Council of the City of El Cerrito:

- 1) Approves plans for the 2014 Pavement Rehabilitation Project, City Project No. C3074;
- 2) Rejects one submitted bid from Interstate Grading and Paving, Inc. as non-responsive;
- 3) Accepts the six remaining submitted bids;
- 4) Authorizes the City Manager to execute a contract in the amount of \$664,200 with Gallagher & Burk, Inc. and to approve change orders in an amount not to exceed \$53,136 for the construction of the 2014 Pavement Rehabilitation Project; and
- 5) Amends the Capital Improvement Program/Annual Program of Maintenance and Improvement pursuant and the Fiscal Year 2014-15 Adopted Budget to appropriate an additional amount of \$69,000 in the Measure A Street Improvement Fund (Fund 211) for the 2014 Pavement Rehabilitation Project, City Project No. C3074.

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

I CERTIFY that at a regular meeting on February 3, 2015 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. 5(C)
Attachment 1

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on February 3, 2015.

Cheryl Morse, City Clerk

APPROVED:

Mark Friedman, Mayor



AGENDA BILL

Agenda Item No. 5(E)

Date: February 3, 2015

To: El Cerrito City Council

From: Janet Bilbas, Senior Services Supervisor

Subject: Committee on Aging Membership Recommendation

ACTION REQUESTED

Approve a Committee on Aging recommendation to appoint Jennifer Haller to the Committee on Aging, effective February 17, 2015.

BACKGROUND

At the January 21, 2015 Committee on Aging, regular meeting the members voted unanimously to recommend to the City Council the appointment of Ms. Jennifer Haller.

For the past 33 years Ms. Haller has been living in El Cerrito. She is retired from private practice as a psychotherapist and has had personal experiences serving on other boards that would allow her to contribute to the Committee.

She is interested in establishing excellent resources for El Cerrito seniors. She would also like to work on establishing a village community for seniors similar to "Ashby Village" located in the Berkeley area.

Reviewed by:

Scott Hanin
City Manager

Attachment:

1. Jennifer Haller Application



**February 3, 2015
City Council Meeting**

**Agenda Item 5(E)
Committee on Aging Appointment
Attachment 1 - Application**

Hardcopies are available for review at:

Office of the City Clerk
10890 San Pablo Avenue
El Cerrito, CA
(510) 215-4305

and

The El Cerrito Library
6510 Stockton Avenue
El Cerrito, CA



AGENDA BILL

Agenda Item No. 6

Date: February 3, 2015

To: El Cerrito City Council

From: Noel M. Ibalio, Senior Planner
Margaret Kavanaugh–Lynch, Development Services Manager

Subject: Planning Application PL14-0107 (Choi) for an Exception to the Subdivision Ordinance to Permit the Creation of a Parcel without Street Frontage

ACTION REQUESTED

Conduct a public hearing and upon conclusion, adopt a resolution approving Planning Application PL14-0107 for an exception to the Subdivision Ordinance (El Cerrito Municipal Code Section 18.32.050) for a minor subdivision in which frontage on a public street is not provided. *Exempt from CEQA*

BACKGROUND

The site is located in the hills of El Cerrito along the eastern border of the City, at the terminus of Clark Place. It is 13,938 square feet in size, is rectangular in shape and is oriented in an east/west direction. The lot is a down sloping lot with a grade of approximately 8 percent.

City records show that the house was built in 1926 as a four room house with a utility room and a storage room. A porch was later added in 1947. The existing house is 853 square feet. The house was built 3' from the northern property line and, as a result, is legal non-conforming with regards to setback (5' required). A variance (Application No. 2222) was approved in 1969 for an accessory structure to exceed the 15' height limit.



On October 15, 2014, the Planning Commission recommended that the City Council approve Planning Application PL14-0107. (See Attachment 2). At the same meeting, under a separate action, the Planning Commission approved a Conditional Use Permit to increase the allowable height of an addition from 25' to 28' (Table 19.06-D of the El Cerrito Municipal Code (ECMC)).

ANALYSIS

The applicant is proposing to subdivide the large rectangular lot into two parcels, one without direct street frontage. This request requires the City to consider an exception to the Subdivision Ordinance. When applications for exceptions to the subdivision ordinance are made for minor

subdivisions in which frontage on a public street is not provided for all parcels, ECMC Section 18.32.050 requires the following:

- A. When vehicular access for two or less dwelling sites is provided by way of a private access road, such road shall be of a minimum width of sixteen feet of pavement.*
- B. Design for private access roads shall be subject to approval of the city engineer. The city engineer shall require curb and gutter and drainage facilities as may in his opinion be needed. A cul-de-sac, with a paved radius of twenty-five feet, or an approved Y-turnaround shall be required to permit forward driving in both directions on private roads.*
- C. Area minimum and frontage minimum for sites fronting on a public street shall be as required by the zoning ordinance. For each site not fronting on a public street in the R-1 zone, the minimum area shall be six thousand square feet; in the R-1-B-1 zone, eight thousand square feet; and in the R-1-B-2 zone, ten thousand square feet. Private roads shall not be included in the building site area computations. Setbacks shall be as required in the zoning ordinance, and no part of the private road may be within the setback area.*
- D. All large and deep lot subdivisions shall conform to the general pattern of the neighborhood.*
- E. Since the above procedure involves exceptions to the subdivision ordinance, additional variances relating to yard requirements shall not be granted.*

The proposal will create one lot fronting on Clark Place (Parcel A) and a second lot at the rear of parcel A (Parcel B). Parcel A will be 7,477 square feet in size and will have a frontage of sixty feet. Parcel B will be 6,455 square feet in size and will have the minimum required lot width of fifty four feet. The project is proposing to include a 16' driveway along the southern property line on Parcel A will serve as a reciprocal vehicular access easement for both parcels, connecting Parcel B to Clark Place. The proposed subdivision will not result in any variances to setback requirements for the existing residential structure.

Further, staff notes that the granting of the exception is harmonious with the development pattern of the neighborhood, in that, similar lot splits have been executed in the past in the neighborhood. Several deep lot subdivisions have been executed in the immediate area and are consistent with the proposed subdivision. Records show that the property at 901 Clark Place (505-301-023) and 907 Clark Place (505-301-024), tandem parcels fronting on Clark Place, have separate owners, hence a split of the lot into two legal lots of record. Figure 1 shows how the current lots are configured based on the Contra Costa County Recorder's Office GIS map. Figure 2 shows the 1951 City of El Cerrito Sanborn Map. Between the periods of 1951 to current, the lots in the neighborhood have been reconfigured, combined, and re-subdivided to reflect the current County map. It appears that several lots have been assembled in the neighborhood to provide for larger parcels, while the lot at 901 Clark Place was subdivided to create two separate lots. The figures show that there were subdivisions in the neighborhood that reflect the same subdivision that the applicant is proposing.



Figure 1: County Recorder's Office

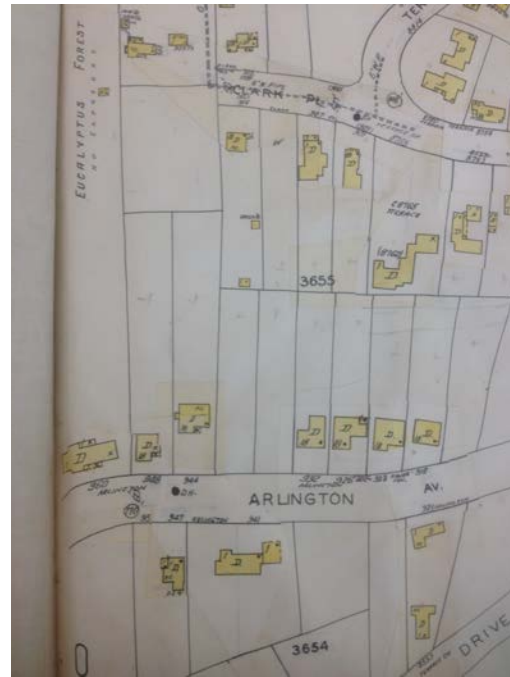


Table 2: City of El Cerrito Sanborn Map.

The Subdivision Ordinance requires that the Planning Commission consider the exception and forward a recommendation to the City Council (ECMC Section 18.32.010). Prior to sending a recommendation to the City Council, the Planning Commission made the following findings pursuant to ECMC Section 18.32.010 A.:

A. That there are special circumstances or conditions affecting said property.

At 13,938 square feet, the existing property is exceptionally large for the RS-5 zoning designation. Subdividing the property into two lots yields minimum lots greater in size than the minimum RS-5 zoning district of 5,000 feet; and that comply with all relevant sections of ECMC Chapter 18.32.050.

B. That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner;

The petitioner's intent is to subdivide the lot and sell the remaining portion at the rear. The approval of this exception allows for the subdivision of the lot into two separate

parcels thereby allowing the petitioner sell the resulting undeveloped lot, while ensuring that both lots meet all relevant sections of ECMC Chapter 18.32.050.

- C. That the granting of the exception will not be detrimental to the public welfare or injurious to the property in the vicinity of which said property is situated.*

The lot split would not be detrimental to the public welfare, in that, the subdivision is not causing the creation of new parcels that would be “land locked” or otherwise not accessible from the right of way. Approval of the subdivision creates a new lot and potential additional dwelling unit in the neighborhood, further fostering our Housing Element goal of creating, improving, and preserving new and existing housing units. The subdivision also promotes in-fill development. As noted in Attachment 1, all requirements stipulated for subdivisions of this type have been included as conditions of approval to ensure safe access and use of the rear lot. The proposed subdivision is consistent with development pattern in the neighborhood

STRATEGIC PLAN CONSIDERATIONS

Approval of the exception to the Subdivision Ordinance for a deep lot subdivision fulfills the following City of El Cerrito Strategic Plan goals:

Goal C: Deepen a sense of place and community identity. By approving the exception to the Subdivision Ordinance for a deep lot subdivision, an additional lot is created in an area of the City that is already built out. The additional lot meets the density outlined in the General Plan and minimum lot size requirement outlined in the Zoning Ordinance.

Goal F: Foster environmental sustainability citywide. By splitting the lot, resulting in an additional lot, encourages in-fill development, further utilizing existing resources, as a result, fostering environmental sustainability.

ENVIRONMENTAL CONSIDERATIONS

The exception and parcel map for deep lot subdivision is Categorically Exempt under Section 15315 Class 15 of California Environmental Quality Act.

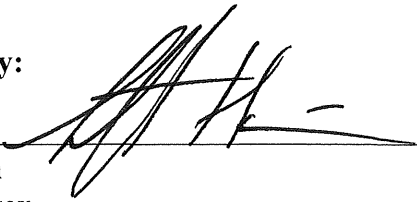
FINANCIAL CONSIDERATIONS

The proposed exemption will not result in any financial burden to the City.

LEGAL CONSIDERATIONS

The City Attorney has reviewed and commented on the proposed exception, and there are no legal considerations at this time.

Reviewed by:



Scott Hanin
City Manager

Attachments:

1. Resolution
2. Planning Commission Resolution
3. Plan Set

RESOLUTION NO. 2015-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO APPROVING AN
EXCEPTION FOR A PARCEL MAP REQUIRED FOR A DEEP LOT SUBDIVISION AT 915
CLARK PLACE IN THE RS-5 ZONING DISTRICT

WHEREAS, on July 30, 2014, the applicant submitted Planning Application PL14-0107 requesting an exception to the Subdivision Ordinance for a deep lot subdivision. The requested exception would allow the creation of a parcel without street frontage but with access to a public street (Clark Place); and

WHEREAS, the subject property is located at 915 Clark Place; and

WHEREAS, the zoning district of the site is RS-5 (Single Family Residential); and

WHEREAS, the General Plan land use designation of the site is Low Density Residential; and

WHEREAS, this project is Categorically Exempt from the provisions of California Environmental Quality Act ("CEQA") – CEQA Guidelines Section 15315 Class 15 – Minor Subdivision; and

WHEREAS, on October 15, 2014, the Planning Commission of El Cerrito, after due consideration of all evidence and reports offered for review, recommended that the City Council approve the exception requested in the application; and

WHEREAS, on February 3, 2015, the City Council held a duly noticed public hearing on Planning Application 14-0107 for an Exception to the Subdivision Ordinance for a deep lot subdivision.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of El Cerrito does hereby find that this action is exempt from CEQA under Guidelines Section 15315 Class 15 – Minor Subdivision.

BE IT FURTHER RESOLVED, that based on all evidence presented at the hearing on February 3, 2015, including all written and oral testimony, the City Council hereby finds as follows regarding Planning Application PL14-0106:

A. That there are special circumstances or conditions affecting said property.

At 13,938 square feet, the existing property is exceptionally large for the RS-5 zoning designation. Subdividing the property into two lots yields minimum lots greater in size than the minimum RS-5 zoning district of 5,000 feet that comply with all relevant sections of Chapter 18 of the El Cerrito Municipal Code.

B. That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner;

The petitioner's intent is to subdivide the lot and sell the remaining portion at the rear. The approval of this exception allows for the subdivision of the lot into two separate parcels

thereby allowing the petitioner sell the resulting undeveloped lot, while ensuring that both lots meet all relevant sections of Chapter 18 of the El Cerrito Municipal Code.

C. That the granting of the exception will not be detrimental to the public welfare or injurious to the property in the vicinity of which said property is situated.

The lot split would not be detrimental to the public welfare, in that, the subdivision is not causing the creation of new parcels that would be “land locked” or otherwise not accessible from the right of way. Approval of the subdivision creates a new lot and a potential additional dwelling unit in the neighborhood, further fostering our Housing Element goal of creating, improving, and preserving new and existing housing units. The subdivision also promotes in-fill development. Finally, the proposal is also consistent with the development pattern in the area and previous subdivisions that have been recorded in the neighborhood.

BE IT FURTHER RESOLVED, that after careful consideration of maps, facts, exhibits, correspondence, and testimony, and other evidence written and oral submitted in this matter, and, in consideration of the findings, the El Cerrito City Council hereby approves Application No. PL14-0107, subject to the following conditions:

General Conditions of Approval:

1. The project will be constructed substantially in conformance with the plans dated November 14, 2014. Minor changes may be approved by the Zoning Administrator. All improvements shall be installed in accordance with these approvals. Once constructed or installed, all improvements shall be maintained as approved in the plan set.
2. These Conditions of Approval shall apply to any successor in interest in the property and the Applicant shall be responsible for assuring that the successor in interest is informed of the terms and conditions of this approval.
3. If not recorded with the Contra Costa County Recorder’s Office, this Parcel Map shall expire one year from the date of this action.

Fire Department:

4. Address:
 - A. A monument style sign shall be created prior to the issuance of a building permit for the dwelling to be located on the rear lot. It shall be located at the side of the private driveway and plainly visible, externally illuminated, with numbers of contrasting color to the sign’s background; and plainly visible from the street.
 - B. Each house, both the existing and proposed, shall also have externally illuminated, contrasted colors address information be placed on each house prior to final inspection/Certificate of Occupancy. The existing house shall have the address sign completed 60 days from this approval.
5. Gates:
 - A. If an electronic gate is installed across the driveway access a Knox Box shall be placed adjacent to entry gate.

- B. Manually operated gates shall have a Knox Box Entry System installed for emergency operations.
 - C. All Knox Box Entry Systems used in this project shall be approved by the Fire Marshall before installations.
- 6. Driveway to rear lot shall be paved and able to support fire apparatus.
- 7. The parcel map shall be required to illustrate the private access and utility easement running the length of Parcel A. It shall include a hammerhead or other acceptable emergency vehicle turnaround with dimensions acceptable to the Fire Marshall. The turnaround shall be located at the end of the private driveway that accesses the second lot. This private driveway shall be completed prior to the issuance of a building permit for the second (rear) house.
- 8. Very High Fire Hazard Severity Zone.
 - A. The subdivision is located within the Very High Fire Hazard Severity Zone.
 - B. The new building(s) constructed in the subdivision shall be built to conform to Chapter 7A of the California Building Code, as adopted by the City.
 - C. The properties created by the subdivision shall conform to the El Cerrito Vegetation Management Standards.
- 9. The Fire Department shall review building plans for compliance before a building permit is issued. A separate plan submittal and permit requirement for Fire Sprinkler Plan. Implementation of these conditions shall be verified prior to the issuance of the Certificate of Occupancy.

Public Works Department:

- 10. Prior to the issuance of a Certificate of Occupancy, the applicant or an authorized agent shall record the approved Parcel Map and all related documents with the County of Contra Costa. After recording of the Parcel Map, the applicant or authorized agent shall return a copy of all recorded materials to the City Engineer.
- 11. Prior to the issuance of a Certificate of Occupancy, the applicant or authorized agent shall install one to two street trees, tree wells and irrigation system as approved by City Arborist along project frontage.
- 12. Prior to issuance of a building permit, applicant or an authorized agent shall have reports and plans submitted and approved or any necessary agreements executed for the following:
 - a. Drainage, Grading, Stormwater Control Plan, and Erosion and Sediment Control Plans prepared by a registered civil engineer and complying with the recommendations of the geotechnical engineer of record. All site grading shall be done per ECMC Chapters 8 and 13 and all other relevant laws, rules and regulations. Prior to commencing any grading in excess of 50 cubic yards, obtain a grading permit and approval from the Public Works Department.
 - b. A Stormwater Control Plan complying with the criteria in the most recent version of the Contra Costa Clean Water Program Stormwater C3 Guidebook.
 - c. Improvement Plan for work in the public right-of-way including installation of sidewalk, driveway approach, and City street trees along project frontage to meet

City and Title 24 Accessibility standards. These improvements will require a Public Works Encroachment Permit.

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

I CERTIFY that at a regular meeting on February 3, 2015, the City Council of the City of El Cerrito passed this Resolution by the following vote:

AYES:	COUNCIL MEMBERS
NOES:	COUNCIL MEMBERS
ABSTAIN:	COUNCIL MEMBERS
ABSENT:	COUNCIL MEMBERS

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on February ___, 2015.

Cheryl Morse, City Clerk

APPROVED:

Mark Friedman, Mayor

Planning Commission Resolution PC14-14

APPLICATION NO. PL14-0107

A RESOLUTION OF THE CITY OF EL CERRITO PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL AUTHORIZE CONDITIONAL EXCEPTIONS STIPULATED TO THE REQUIREMENT AND REGULATIONS SET FOR IN "EXCEPTION" (SECTION 19.32.010 EL CERRITO SUBDIVISION ORDINANCE) FOR A PARCEL MAP REQUIRED FOR A DEEP LOT SUBDIVISION AT 915 CLARK PLACE IN THE RS-5 ZONING DISTRICT

WHEREAS, on July 30, 2014, the applicant submitted an application requesting for an exception to the Subdivision Ordinance for a deep lot subdivision;

WHEREAS, the subject property is located at 915 Clark Place;

WHEREAS, the zoning district of the site is RS-5 (Single Family Residential);

WHEREAS, the general plan land use designation of the site is Low Density Residential;

WHEREAS, this project is Categorically Exempt from the provisions of CEQA – Section 15315 Class 15 – Minor Subdivision; and

WHEREAS, on October 15, 2014, the Planning Commission of El Cerrito, after due consideration of all evidence and reports offered for review, does find and determine the following as outlined in Section 18.32.010 of the El Cerrito Subdivision Ordinance in order to recommend to the City Council approval of the Exception to the Subdivision Ordinance for a deep lot subdivision:

A. That there are special circumstances or conditions affecting said property.

The special circumstance that exists on this property is that it is an exceptionally large lot for the RS-5 Zoning District, where 5,000 square feet is the minimum, the subject lot is 13,938 square feet.

B. That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner;

The petitioner's intent is to subdivide the lot and sell the remaining portion at the rear. The exception allows for the subdivision of the lot into two separate parcels thereby allowing the petitioner sell the remainder lot.

C. That the granting of the exception will not be detrimental to the public welfare or injurious to the property in the vicinity of which said property is situated.

The exception to the Subdivision Ordinance will not be detrimental to the public welfare or injurious to the property, in that, the subdivision is consistent with the development pattern in the area and previous subdivisions that have been recorded in the neighborhood.

NOW, THEREFORE, BE IT RESOLVED, that after careful consideration of maps, facts, exhibits,

correspondence, and testimony, and other evidence submitted in this matter, and, in consideration of the findings, the El Cerrito Planning Commission hereby approves Application No. PL14-0107, subject to the following conditions:

General Conditions of Approval:

1. The project will be constructed substantially in conformance with the plans dated August 26, 2014. Minor changes may be approved by the Zoning Administrator. All improvements shall be installed in accordance with these approvals. Once constructed or installed, all improvements shall be maintained as approved.
2. These Conditions of Approval shall apply to any successor in interest in the property and Applicant shall be responsible for assuring that the successor in interest is informed of the terms and conditions of this approval.
3. If not recorded with the Contra Costa County Recorder's Office, this Parcel Map shall expire one year from the date of this action.

Fire Department:

4. Address:
 - A. A monument style sign shall be created prior to the issuance of a building permit for the dwelling to be located on the rear lot. It shall be located at the side of the private driveway and plainly visible, externally illuminated, with numbers of contrasting color to the sign's background; and plainly visible from the street.
 - B. Each house, both the existing and proposed, shall also have an externally illuminated, contrasted colors address information be placed on each house prior to final inspection/Certificate of Occupancy. The existing house shall have the address sign completed 60 days from this approval.
5. Gates:
 - A. If an electronic gate is installed across the driveway access a Knox Box shall be placed adjacent to entry gate.
 - B. Manually operated gates shall have a Knox Box Entry System installed for emergency operations.
 - C. All Knox Box Entry Systems used in this building shall be approved by the Fire Marshall before installations.
6. Driveway to rear lot shall be paved and able to support fire apparatus.
7. The parcel map shall be required to illustrate the private driveway. It shall include a hammerhead or other acceptable emergency vehicle turnaround with dimensions acceptable to the Fire Marshall. It shall be located at the end of the private driveway that accesses the second lot. This private driveway shall be completed prior to the issuance of a building permit for the second (rear) house.
8. Chapter 7A
 - A. The subdivision is located within the Very High Fire Hazard Severity Zone

- B. The buildings constructed in the subdivision shall be buildt to conform to Chapter 7A of the CBC.
 - C. The properties cread by the subdivision shall conform to the El Cerrito Vegetation Management Standards
9. The Fire Department shall review building plans for compliance before building permit is issued. A separate plan submittal and permit requirement for Fire Sprinkler Plan. Implementation of these conditions shall be verified prior to the issuance of the Certificate of Occupancy.

Public Works Department:

- 10. Applicant shall replace sidewalk along entire property frontage to meet City and Title 24 Accessibility standards.
- 11. The Parcel Map must show existing structures to be removed and/or relocated such as porch, stairs, fence, etc.
- 12. The Tentative Map must show type of street improvements and utilities which the subdivider proposes to install including but not limited to new driveway and sidewalk to be Title 24 Accessibility standards as well as required street trees.
- 13. The subdivider must prepare a Final Map per Chapter 18.16 of the El Cerrito Municipal Code (ECMC) to the City of El Cerrito's Community Development Department and Public Works Department for review. Upon approval of the documents, the applicant or an authorized agent shall record all documents with the County of Contra Costa. After recording of the Final Map, the applicant or authorized agent shall return a copy of all recorded materials to the City Engineer.
- 14. Prior to approval of the Final Map, subdivider shall have reports and plans submitted and approved or any necessary agreements executed for the following:
 - a. Preliminary grading plan prepared by a registered civil engineer. All site grading shall be done per Chapters 8 and 13 of the ECMC and all other relevant laws, rules and regulations. Prior to commencing any grading in excess of 50 cubic yards, obtain a grading permit and approval from the Public Works Department.
 - b. Preliminary plan for soil and erosion and sediment control
 - c. Projects that create or replace 2,500 to 10,000 sf, which this project will do when considering the new concrete driveways in the public right-of-way, are required to submit a Stormwater Control Plan for Small Development Projects that meets the criteria in the most recent version of the Contra Costa Clean Water Program Stormwater C3 Guidebook. Refer to following links for more information:
http://cccleanwater.org/Publications/Guidebook/2013/C3Update_Jan_2013_d2.pdf
and
<http://cccleanwater.org/Publications/Guidebook/2012/StormwaterControlPlanforSmallLandDevelopmentProjects2012-12-01.pdf>
 - d. Applicant shall plan for installation of sidewalk and driveway approaches along project frontage to meet City and Title 24 Accessibility standards. Please note that these

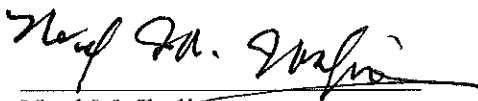
improvements, along with any new street trees will require a Public Works Encroachment Permit.

- e. Applicant shall apply for a fence clearance through the Planning Division prior to installation of the fence.

CERTIFICATION

I CERTIFY that this resolution was adopted by the El Cerrito Planning Commission at a regular meeting held on October 15, 2014 upon motion of Commissioner Pine, second by Commissioner Iswalt:

AYES: Kuhlman, Pine, Iswalt, Motoyama
NOES: None
ABSTAIN: None
ABSENT: Lucas, Hansen



Noel M. Ibalio
Senior Planner

PARCEL MAP

MS 452-14

A PORTION OF LOT 568, AMENDED OFFICIAL MAP
OF UNITS ONE AND TWO, BERKELEY COUNTRY
CLUB TERRACE, (1 M 25)
EL CERRITO, CONTRA COSTA COUNTY, CALIFORNIA

KISTER, SAVIO & REI, INC. LAND SURVEYORS & CIVIL ENGINEERS
PINOLE,
JANUARY, 2015
CALIFORNIA

OWNERS' STATEMENT

THE UNDERSIGNED, BEING THE ONLY PARTIES HAVING A RECORD TITLE INTEREST IN THE LANDS DELINEATED AND EMBRACED WITHIN THE HEAVY BLACK LINES UPON THIS MAP, DO HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF SAME.

THE UNDERSIGNED FURTHER STATES THAT THE AREA DESIGNATED "16' ACCESS AND UTILITY EASEMENT" IS NOT HEREBY DEDICATED FOR USE BY THE GENERAL PUBLIC BUT IS FOR THE USE OF PARCELS A & B FOR ACCESS AND UTILITY PURPOSES.

BY: _____
WAI KIN COI

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND THAT THE SUBDIVISION AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES APPLICABLE AT THE TIME OF TENTATIVE MAP APPROVAL, HAVE BEEN COMPLIED WITH.

DATE: _____

BY: _____
YVETTEH D. ORTIZ, RCE 62368
CITY ENGINEER, CITY OF CITY EL CERRITO,

ACKNOWLEDGMENT

STATE OF CALIFORNIA)
COUNTY OF _____) SS

ON _____, BEFORE ME, _____, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____

_____, PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT, THE PERSON(S), OR ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.
WITNESS MY HAND,

SIGNATURE: _____

PRINTED NAME: _____

COMMISSION NO. _____

MY COMMISSION EXPIRES: _____

PRINCIPAL PLACE OF BUSINESS: _____ COUNTY

CITY SURVEYOR'S STATEMENT

I PATRICK M. REI, ACTING CITY SURVEYOR OF THE CITY OF EL CERRITO, STATE OF CALIFORNIA, HAVE EXAMINED THE HERIN EMBODIED PARCEL MAP AND I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

DATE: 1-27-15

BY: _____
PATRICK M. REI, L.S. 8178
ACTING CITY SURVEYOR,
CITY OF EL CERRITO



CITY CLERK'S STATEMENT

I, CHERYL MORSE, CITY CLERK OF THE CITY OF EL CERRITO, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DO HEREBY STATE THAT THIS MAP CONSISTING OF TWO (2) SHEETS AND ENTITLED "PARCEL MAP, MS NO. 452-14", WAS PRESENTED TO THE CITY COUNCIL AS PROVIDED BY LAW AT A REGULAR MEETING HELD ON _____ AND THAT SAID COUNCIL DID THEREUPON BY RESOLUTION APPROVE SAID MAP.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND THIS _____ DAY

OF _____, 20____.

BY: _____
CHERYL MORSE
CITY CLERK
CITY OF EL CERRITO, CALIFORNIA

CLERK OF THE BOARD OF SUPERVISORS STATEMENT

I CERTIFY AS CHECKED BELOW THAT:

☐ A TAX BOND ASSURING THE PAYMENT OF ALL TAXES WHICH ARE NOW A LIEN, BUT NOT PAYABLE, HAS BEEN RECEIVED AND FILED WITH BOARD OF SUPERVISORS, CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

☐ ALL TAXES DUE HAVE BEEN PAID AS CERTIFIED BY THE COUNTY REDEMPTION OFFICER.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND THIS _____ DAY

OF _____, 20____.

DAVID TWA
CLERK OF THE BOARD OF SUPERVISORS AND
COUNTY ADMINISTRATOR, CONTRA COSTA
COUNTY, STATE OF CALIFORNIA

BY: _____
DEPUTY CLERK

COUNTY RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 20____, AT _____ M.

IN BOOK _____ OF PARCEL MAPS AT PAGE _____, AT THE REQUEST OF CHICAGO TITLE COMPANY.

JOSEPH CANCEMIALLA
COUNTY RECORDER, COUNTY OF CONTRA
COSTA, STATE OF CALIFORNIA

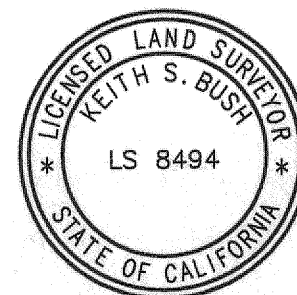
BY: _____
DEPUTY COUNTY RECORDER

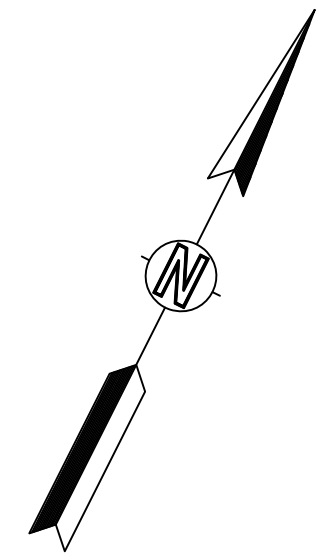
SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME, OR UNDER MY DIRECTION, AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF WAI KIN CHOI IN NOVEMBER, 2014. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY.

DATE: 1/27/2015

BY: _____
KEITH S. BUSH
L.S. NO. 8494





BASIS OF BEARINGS

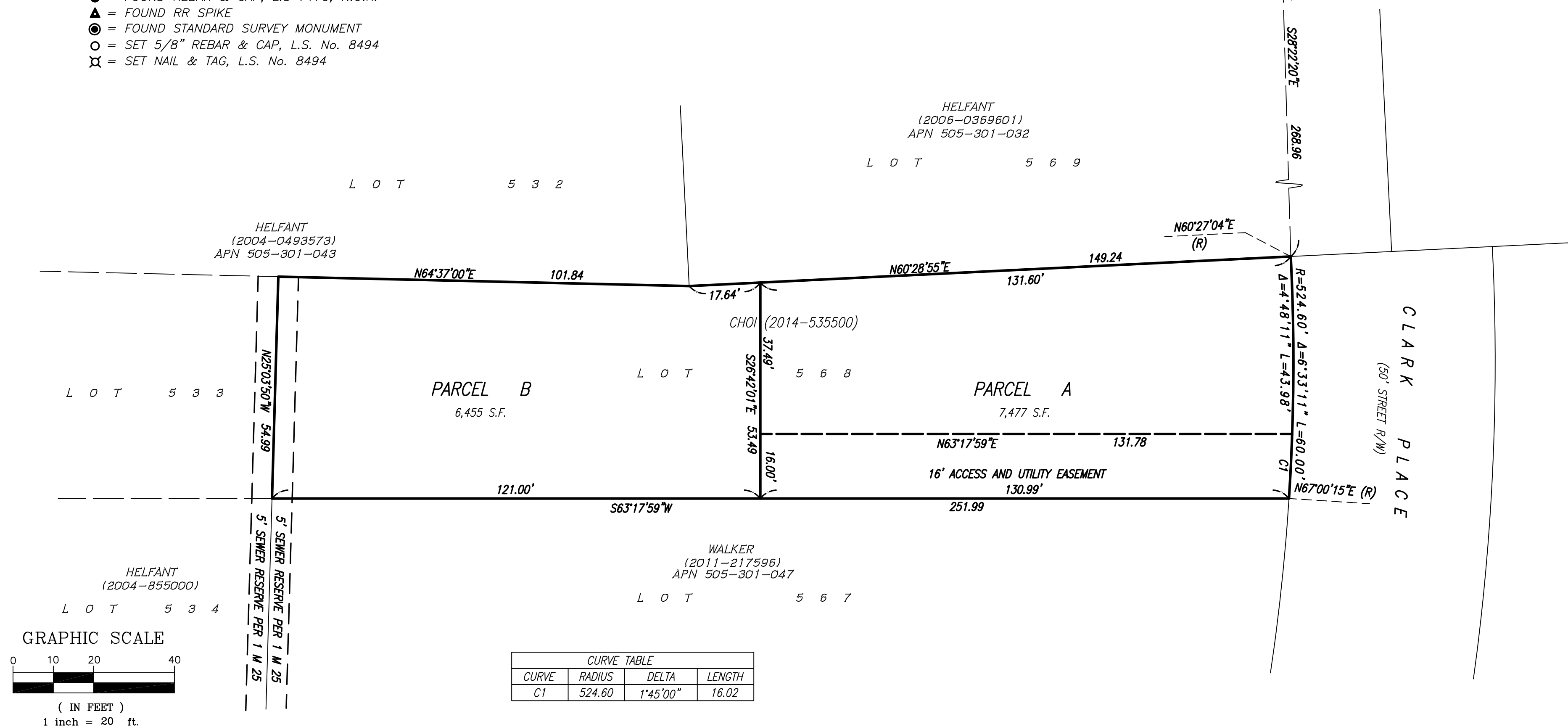
THE BEARING NORTH 41° 09' 56" W BETWEEN TWO MONUMENTS ON DON CAROL DRIVE AS SHOWN ON THE MAP OF TRACT 2580, RECORDED IN BOOK 69 OF MAPS, PAGE 20, CONTRA COSTA COUNTY RECORDS.

LEGEND

- + = FOUND CUT CROSS
- = FOUND REBAR & CAP, L.S. 7170, N.O.R.
- ▲ = FOUND RR SPIKE
- ⊙ = FOUND STANDARD SURVEY MONUMENT
- = SET 5/8" REBAR & CAP, L.S. No. 8494
- ⌵ = SET NAIL & TAG, L.S. No. 8494

PARCEL MAP
MS NO. 452-14
A PORTION OF LOT 568, AMENDED OFFICIAL MAP
OF UNITS ONE AND TWO, BERKELEY COUNTRY
CLUB TERRACE, (1 M 25)
EL CERRITO, CONTRA COSTA COUNTY, CALIFORNIA

KISTER, SAVIO & REI, INC. LAND SURVEYORS & CIVIL ENGINEERS
PINOLE, CALIFORNIA
JANUARY, 2015
SCALE: 1" = 20'



P:\projects\19367\KSR DWGS\R-1951.dwg 1/27/15



AGENDA BILL

Agenda Item No. 7(A)

Date: February 2, 2015
To: El Cerrito City Council
From: Karen Pinkos, Assistant City Manager
Subject: Agreement with Godbe Research to perform voter research on a future revenue measure for a library facility

ACTION REQUESTED

Adopt a resolution authorizing the City Manager to enter into an agreement with Godbe Research to undertake a voter survey to ascertain voter opinions related to a future revenue measure to fund a new library facility as well as support for several elements of recreational/community center facilities that could be harmonious with a library.

BACKGROUND/ANALYSIS

The City's Strategic Plan identifies "Develop and Rehabilitate Public Facilities as Community Focal Points" as a primary goal. The strategies outlined for this goal include continuing to assess facilities to prioritize and strategize investment (i.e., library, public safety building, senior center, community center).

In May 2013, City staff engaged Godbe Research to perform a statistically valid survey related to potential future revenue measures. The results of the survey indicated that there was broad voter support for a new library building, as well as support for several elements of recreational/community center facilities that could be harmonious with a library. On July 16, 2013, staff received consensus from the City Council to pursue planning for a new library building, including the steps necessary to consider a ballot measure to fund the facility in November 2016. In March 2014, the Council received the results from the update to the 2006 Needs Assessment for the El Cerrito Library as part of the first phase of the planning process.

One of the next steps for the development of the library facility, along with site selection and initiating the architectural/design process, is developing the financing plan. To that end, staff believes that conducting a survey of El Cerrito voters that is focused on the funding mechanisms as well as the desired physical elements for the building would assist the City in determining the best options for gaining public financial support for the facility. In previous surveys, Godbe Research asked numerous questions about the development of a library facility, and these prior efforts would be built upon within this new survey to further refine the community's feedback.

Godbe Research was originally selected as the City's polling and research firm as a result of a competitive procurement process. Since that time, they have assisted the City in survey research related to the Utility Users Tax, Landscape and Lighting Assessment

District, communication methods, City facilities, capital improvement programs, the street improvement program Measure A, and the sales tax Measure R. Godbe has also provided valuable assistance with determining timing of potential measures as well as development of ballot phrasing and language. Staff has been consistently very happy with the firm's research and responsiveness and requests City Council authorization to sole source this engagement.

STRATEGIC PLAN CONSIDERATIONS

Adoption of the proposed amendment would help fulfill Goal D: Develop and Rehabilitate Public Facilities as Community Focal Points as detailed in the City of El Cerrito Strategic Plan; as well as Goal B: Achieve Long-term Financial Sustainability and Goal C: Deepen a Sense of Place and Community Identity. Specifically, adoption of the proposed Ordinance would contribute to achieving the following strategies:

- *Continue the facilities assessment to prioritize and strategize investment (i.e., library, public safety building, senior center, community center).*
- *Develop a financial plan to address ongoing and deferred maintenance of facilities and infrastructure.*
- *Identify, promote, and/or develop entertainment, recreational, and leisure activities for people of all ages and demographics.*

FINANCIAL CONSIDERATIONS

Based on the proposal included as Attachment 2, staff believes the cost of the research is in line with similar research performed in the past and comparable to similar research projects undertaken elsewhere. Godbe has kept their fees roughly flat for many years. Additional costs are now necessary due to the need to collect data with other methods in addition to traditional phone surveys. Therefore, staff is recommending approval of a base appropriation of \$27,730, plus a 10% contingency making a not-to-exceed amount of \$30,503, which will be paid from unrestricted General Fund reserves, should actual expenses exceed the approved annual appropriation amount.

Reviewed by:



Scott Hanin, City Manager

Attachments:

1. Accompanying Resolution
2. Proposal

RESOLUTION NO. 2015-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH GODBE RESEARCH TO UNDERTAKE A VOTER SURVEY TO ASCERTAIN VOTER OPINIONS RELATED TO A FUTURE REVENUE MEASURE TO FUND A NEW LIBRARY FACILITY

WHEREAS, the City has expressed interest in further studying a future ballot initiative to fund a new library facility; and

WHEREAS, the City had previously selected Godbe Research through a very competitive proposal process; and

WHEREAS, City staff has been very happy with the work products, responsiveness and professionalism of Godbe Research; and

WHEREAS, the City Manager has requested that a proposal for future research be obtained from Godbe Research in order to provide the City Council with more information related to voter priorities and preferences for financing a new library facility; and

WHEREAS, Godbe Research has submitted such a proposal and City staff has recommended City Council approval.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of El Cerrito authorizes the City Manager to enter into an agreement with Godbe Research to provide survey research related to a future ballot measure and appropriates \$30,503 from the General Fund for this project.

I CERTIFY that at the regular meeting on February 3, 2015, the El Cerrito City Council passed this resolution by the following vote:

AYES: COUNCILMEMBERS

NOES: COUNCILMEMBERS

ABSENT: COUNCILMEMBERS

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on February____, 2015.

Cheryl Morse, City Clerk

APPROVED:

Mark Friedman, Mayor



GODBE RESEARCH
Gain Insight

PROPOSAL TO CONDUCT A VOTER SURVEY

Presented to the City of El Cerrito

January 27, 2015

PROPOSED WORK PLAN

Godbe Research believes that the success of any opinion research project depends on recognizing the individual and unique needs of each of our clients. To this end, Godbe Research has crafted the following proposal for the City of El Cerrito (El Cerrito or City) to illustrate the types of considerations that go into each of our voter research studies. This proposal is designed to become an exhibit or attachment to the City's standard agreement, if the project is approved by the City.

Research Objectives

Before beginning any research project, Godbe Research spends significant time reviewing the client's research objectives to choose the most appropriate research design. Based on information supplied by El Cerrito, Godbe Research understands that there are several key research objectives, the most important of which is to evaluate voter opinions and attitudes on a variety of topics and issues in the City, including a potential future revenue measure. Additional research objectives will be refined between Godbe Research and El Cerrito at the project kick-off meeting and as the project unfolds.

Scope of Work

To accomplish the research objectives of the City of El Cerrito for the voter survey, Godbe Research recommends a hybrid Internet and telephone survey methodology of voters. This hybrid survey approach is designed to balance declining response rates to traditional telephone surveys among voters age 18 to 49 by leveraging technologies that are preferred by certain demographic groups. Based on this recommended approach, below is a list of specific services for the survey of El Cerrito voters:

- Conducting an in-person kick-off meeting with the City of El Cerrito and other project the City wishes to include in the process, as well as additional meetings, conference calls, and correspondence to discuss the research objectives and other aspects of the voter survey in detail.
- Reviewing El Cerrito resident and voter demographics, previously conducted and related opinion research, and other information that will help to inform and support this current voter survey process.
- Designing and refining a survey instrument of approximately 15 to 18-minutes in length so that it addresses the research objectives of the City of San El Cerrito for the voter survey. This is done through an iterative process between Godbe Research and City. The survey will be designed to be formatted for both Internet and telephone survey modalities as a 'hybrid survey' and both versions of the survey will be identical.
- Programming, refining, and testing the Internet version of the survey instrument using our Internet survey software package. This will be done by our team of IT and programming experts.
- CATI programming the telephone version of the survey instrument for efficient and accurate data collection, and training telephone interviewing personnel on the questionnaire and interviewing protocol.
 - ❖ For our telephone interviewing projects, Godbe Research uses only live interviewers, who have been intensively trained on the survey questionnaire, and who are located in the western United States.

- Pre-testing the survey instrument in both modalities to ensure that the questions and response codes are understandable to respondents, and to ensure that the survey length coincides with the budgeted survey length for the project.
- Developing a recruitment email for the Internet version of the survey and working with the City to send recruitment emails to voters with known email addresses in the voter file.
 - ❖ Based on the City's preference and communications policies, we can develop the recruitment email and process to be completed by our 'white listed' provider, or the City can send recruitment emails internally where respondents are re-directed to our web site to take the survey.
 - ❖ Finally, we can also match any internal email lists the City has (e.g. park and recreation lists, City communications lists) to the voter file, so that we can include additional voters that do not have email addresses in the State Voter File.
- Development of a stratified and clustered listed sample of El Cerrito voters appropriate to the research objectives of this current survey. The listed sample will be primarily constructed using email addresses from the voter file, as the Internet modality will be conducted first in the hybrid survey process. Once we have developed the Internet sample, the rest of the sample will be de-duplicated by matching names, addresses, and phone numbers from Internet survey respondents to those in the voter file. We will then remove any voter from the telephone survey sample who previously completed the survey via the Internet. Further, we will ask survey respondents in the telephone sample if they have already completed the survey via the Internet and will remove those voters from the survey process through a screening question.
 - ❖ For review, there are a total of approximately 13,560 total voters in the City of El Cerrito for which we have email addresses for approximately 3,129 voters or about 23% of the total voting electorate in the City. Further, we have also identified that there are a total of approximately 12,041 likely November 2016 voters for which we have 2,710 email addresses or 23% coverage. As the Presidential general election cycle, November 2016 represents the largest turnout election cycle in any four-year cycle.
- Conducting 15 to 18-minute Internet and telephone interviews with approximately 400 (n=400) total El Cerrito voters according to a strict interviewing protocol and our approved sampling design. A sample size of 400 would provide for a margin of error of no greater than +/-4.9% at the 95% confidence level, when looking at all voters in the City.
 - ❖ Within the overall sample size, and based on the number of voter email addresses and telephone numbers in the voter file, we would expect to collect approximately 100 to 200 interviews via the Internet and approximately 200 to 300 interviews via telephone.
- Merging the Internet and telephone data files, as well as processing and weighting the data to adjust for population distribution and strategic oversampling, as needed.

- Developing a topline report of aggregate findings for the City of El Cerrito. We will also meet with the City to review the topline/aggregate survey results. This will help our more detailed analysis and reporting to be of maximum value to the City.
- Analyzing the survey results and preparing a report of findings conclusions, and recommendations for the City (draft and final formats), which directly addresses the research objectives outlined for the voter survey. Our reports typically include sections for key findings and conclusions, a methodology discussion, analysis of the questions and topics in narrative and graphical format, as well as a copy of the survey questionnaire and a complete set of crosstabulations for all survey questions.
- Presenting the results and recommendations from the voter survey to City of El Cerrito staff, administration, and Council, and potentially other stakeholders groups. The costs presented later in this scope of work document are valid for two presentations.
- Post-survey consulting on the results and recommendations from the voter survey as needed by the City of El Cerrito.

PROPOSED PROJECT COSTS

Godbe Research takes great pride in delivering reliable and practical opinion research projects 'on time and on budget'. In doing so, we prefer to provide a firm, fixed fee format for our proposals. This is because we do not believe in assigning arbitrary hours and rarely do projects (even highly similar in nature) take the same amount of time or resources. Thus, we feel that firm and fixed-fee pricing represents the best value to our clients.

Based on our understanding of the needs of the City of El Cerrito for this specific voter survey, Godbe Research has provided costs to conduct a 15 to 18-minute survey comprised of 400 (n=400) total El Cerrito voters, using a hybrid Internet and telephone survey methodology. Using the other clients as a guide, we would expect to be able to collect approximately 25% to 40% of interviews via the Internet modality and approximately 60% to 75% of interviews using the telephone modality, with the Internet portion of the survey collecting the majority of interviews with voters ages 18 to 49 and the telephone portion of the survey collecting the majority of interviews with voters 49+.

The prices below reflect the all inclusive costs to complete the survey project -- the overall cost will not exceed those shown below, provided that parameters (e.g. hybrid survey methodology, survey length, sample size, etc.) of the project conform to those outlined in this proposal. Should project parameters or El Cerrito needs change, we will be happy to provide amended costs prior to proceeding. Finally, the City will only be billed the total amount from the options below that reflects the final time-tested survey length employed for this specific survey.

Hybrid Survey of 400 (n=400) El Cerrito Voters

<u>Project Task</u>	<u>15-min.</u>	<u>18-min.</u>
Listed Voter Sample and De-duplication	\$1,100.00	\$1,100.00
Additional Cell/Land Line Match	\$850.00	\$850.00
CATI Programming	\$1,275.00	\$1,530.00
Survey Pretest	\$100.00	\$100.00
Internet Version Programming/Testing	\$4,250.00	\$4,750.00
Internet Version Recruitment	\$500.00	\$500.00
Telephone Interviewing	\$6,900.00	\$8,100.00
Data Processing and File Merge	\$950.00	\$1,050.00
Research Fee	\$7,250.00	\$7,250.00
Project Management	\$2,250.00	\$2,250.00
<u>Miscellaneous Expenses</u>	<u>\$250.00</u>	<u>\$250.00</u>
Project Total	\$25,675.00	\$27,730.00



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