



AGENDA

SPECIAL CITY COUNCIL MEETING – CLOSED SESSION

Tuesday, March 5, 2013 – 6:15 p.m.

Hillside Conference Room

REGULAR CITY COUNCIL MEETING

Tuesday, March 5, 2013 – 7:00 p.m.

City Council Chambers

Meeting Location

El Cerrito City Hall

10890 San Pablo Avenue, El Cerrito

Greg Lyman – Mayor

Mayor Pro Tem Janet Abelson
Councilmember Jan Bridges

Councilmember Rebecca Benassini
Councilmember Mark Friedman

ROLL CALL

6:15 p.m. CONVENE SPECIAL CITY COUNCIL MEETING

ANNOUNCEMENT OF CLOSED SESSION

Conference with Real Property Negotiators (*Pursuant to Government Code Section 54956.8*)

Property: A seven-acre privately owned parcel (APN 505-1420-148) that abuts the Hillside Natural Area.

Agency Negotiators: Scott Hanin, City Manager, Melanie Mintz, Environmental Services Division Manager and Trust for Public Land.

Negotiating Parties: Security Owners Corporation

Under Negotiation: Price and Terms

ORAL COMMUNICATIONS FROM THE PUBLIC

All persons wishing to speak should sign up with the City Clerk. Remarks are limited to 3 minutes per person and are limited to items listed on this special Municipal Services Corporation meeting agenda only.

RECESS INTO CLOSED SESSION

ADJOURN SPECIAL CITY COUNCIL MEETING – CLOSED SESSION

ROLL CALL

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

1. PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF MOMENT OF SILENCE – Mayor Pro Tem 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 limited to 3 minutes per person. Please state your name and city of residence for the record. Comments regarding non-agenda, presentation and consent calendar items will be heard first. Comments related to items appearing on the Public Hearing or Policy Matter portions of the Agenda are taken up at the time the City Council deliberates each action item. Individuals wishing to comment on any closed session scheduled after the regular meeting may do so during this public comment period or after formal announcement of the closed session.

4. PRESENTATIONS

A. Introduction of Bay Area Rapid Transit (BART) Director Rebecca Saltzman – *Director Saltzman has requested ten minutes of the City Council's time to introduce herself to the City Council and Public and share her vision for the future of BART.*

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

Consent Calendar items are considered to be routine by the City Council and will be enacted by one motion unless a request for removal for discussion or explanation is received prior to the time Council votes on the motion to adopt the Consent Calendar.

A. Minutes for Approval

Approve the February 19, 2013 Regular City Council meeting minutes.

B. Amendment of Agreement with 4Leaf, Inc for Building Official Services

Adopt a resolution authorizing the City Manager to amend the consultant services agreement between the City of El Cerrito and 4Leaf, Inc. in an amount not to exceed \$125,000 for Building Official staffing services.

C. Signature Authority for the City Treasurer/Finance Director

Adopt a resolution authorizing the City Manager and City Treasurer/Finance Director to sign and act on all financial accounts.

D. Co-Sponsorship Application – El Cerrito Community Garden Network

Adopt a resolution authorizing the City Manager or designee to grant co-sponsorship status to the El Cerrito Community Garden Network for use of City Parks and Recreation facilities.

E. Environmental Quality Committee Appointment

Approve an Environmental Quality Committee recommendation to appoint Anh-Vu Doan to the Committee effective March 12, 2013..

6. PUBLIC HEARING – *None*

7. POLICY MATTERS – *None*

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

A. Mayor Lyman Assignments: Commission/Committee Rules Subcommittee, Contra Costa County Mayors' Conference, Crime Prevention Committee, Human Relations Commission, Municipal Services Corporation Chair, Pension Trust Board Chair, Public Financing Authority Chair, San Pablo Avenue Area Specific Plan Committee, Successor Agency to the Former Redevelopment Agency Chair, Tree Committee, West Contra Costa Transportation Advisory Committee Alternate, West County Mayors' & Supervisors' Association and West County Integrated Waste Management Authority Delegate.

B. Mayor Pro Tem Abelson Assignments: Committee on Aging, Contra Costa County Mayors' Conference Alternate, Contra Costa Transportation Authority Board Vice-Chair, League of California Cities East Bay Division Delegate (also attends as the Council's Delegate to the Annual League Conference), Environmental Quality Committee, Municipal Services Corporation Vice-Chair, Pension Trust Board Vice-Chair, Successor Agency to the Former Redevelopment Agency Vice-Chair, West Contra Costa Transportation Advisory Committee Delegate and West County Mayors' & Supervisors' Association Alternate.

C. Councilmember Benassini Assignments: Association of Bay Area Governments General Assembly Delegate, Financial Advisory Board, Planning Commission, San Pablo Avenue Area Specific Plan Committee and Tom Bates Regional Sports Field Joint Powers Authority Delegate.

D. Councilmember Bridges Assignments: Tom Bates Regional Sports Field Joint Powers Authority Delegate and Design Review Board, Park and Recreation Commission.

E. Councilmember Friedman Assignments: Arts and Culture Commission, Association of Bay Area Governments General Assembly Alternate, Economic Development Board, Commission/Committee Rules Subcommittee, League of California Cities East Bay Division Alternate and West County Integrated Waste Management Authority Alternate.

9. ADJOURN REGULAR CITY COUNCIL MEETING

A meeting of the Municipal Services Corporation follows immediately upon adjournment of this regular City Council meeting. The next regularly scheduled City Council meeting is Tuesday, March 19, 2013 at 7:00 p.m. in the City Council Chambers, 10890 San Pablo Avenue, El Cerrito, California.

- Council Meetings can be heard live on FM Radio, KECG – 88.1 and 97.7 FM and viewed live on Cable TV - KCRT- Channel 28. The meetings are rebroadcast on Channel 28 the following Thursday and Monday at 12 noon, except on holidays. Live and On-Demand Webcast of the Council Meetings can be accessed from the City's website <http://www.el-cerrito.org/ind-ex.aspx?NID=114>. Copies of the agenda bills and other written documentation relating to items of business referred to on the agenda are on file and available for public inspection in the Office of the City Clerk, at the El Cerrito Library and posted on the City's website at www.el-cerrito.org prior to the meeting.
- In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk, (510) 215-4305. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title I).

- ***The Deadline for agenda items and communications*** is eight days prior to the next meeting by 12 noon, City Clerk's Office, 10890 San Pablo Avenue, El Cerrito, CA. Tel: 215-4305 Fax: 215-4379, email cmorse@ci.el-cerrito.ca.us
- IF YOU CHALLENGE A DECISION OF THE CITY COUNCIL IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE COUNCIL MEETING. ACTIONS CHALLENGING CITY COUNCIL DECISIONS SHALL BE SUBJECT TO THE TIME LIMITATIONS CONTAINED IN CODE OF CIVIL PROCEDURE SECTION 1094.6.
- The City Council believes that late night meetings deter public participation, can affect the Council's decision-making ability, and can be a burden to staff. City Council Meetings shall be adjourned by 10:30 p.m., unless extended to a specific time determined by a majority of the Council.

EL CERRITO CITY COUNCIL

MINUTES

REGULAR CITY COUNCIL MEETING
Tuesday, February 19, 2013 – 7:00 p.m.
City Council Chambers

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

Greg Lyman – Mayor

Mayor Pro Tem Janet Abelson
Councilmember Jan Bridges

Councilmember Rebecca Benassini
Councilmember Mark Friedman

ROLL CALL

Councilmembers Abelson, Benassini, Bridges, Friedman and Mayor Lyman all present.

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

Mayor Lyman convened the regular City Council meeting at 7:02 p.m.

1. PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF MOMENT OF SILENCE was led by Mayor Lyman

2. COUNCIL / STAFF COMMUNICATIONS

Scott Hanin, City Manager, stated that he was proud to announce the City's receipt of the Government Finance Officer Association (GFOA) award for distinguished budget presentation for the third year in a row. City Manager Hanin also introduced the City's new Finance Director, Lisa Malek-Zadeh, who previously worked for the City of Berkeley.

Mayor Lyman reported that the City sent a letter to First Selectman Patricia Llodra of New Town, Connecticut to express sympathy and condolences.

Mayor Lyman also reported that the City Council met on December 18, 2012 in closed session to consider a proposed judgment in City of El Cerrito v. Robert R. Campbell, et al., Sacramento Superior Court, Case No. 34-2012-80001200 to resolve existing litigation with the State Department of Finance and the Contra Costa County Auditor/Controller. The City had filed this litigation to challenge a demand made by the Department of Finance and the Auditor/Controller that the City's former redevelopment agency remit \$1.76 million as part of the process of

dissolving the redevelopment agency statewide. This was also referred to as the “True-Up Payment.” The City believed the true up payment had not been properly calculated. The City also challenged the constitutionality of the authority of the Department of Finance and the Auditor/Controller to withhold sales, use and property tax from the City to impose fines for refusing to remit the funds that were demanded. Under the terms of the stipulated judgment, the city is not required to make the true up payment and no fines or penalties were imposed on the City.

The West Contra Costa County Integrated Waste Management Authority (IWMA) has published its Environmental Impact Report (EIR) for the proposed regulated single use carryout bag ban in West County. The EIR is available for review. The proposed draft ordinance preventing the free distribution of single-use carry out paper and plastic bags at the point of sale is also available for review. Copies of the EIR are available at the Recyclemore office, El Cerrito City Hall and other locations. The document can also be downloaded from the Recyclemore website, www.recyclemore.com. The public comment period for this document will conclude on March 4, 2013. After the California Environmental Quality Act (CEQA) process, the City will have an opportunity to adopt the ordinance based on regional environmental analysis. Staff will perform extensive outreach to both residents and businesses in El Cerrito prior to the Council’s consideration of the ordinance. Additionally, Recyclemore is sponsoring an Elementary School three-hundred word essay contest on the subject of why littering is bad for the environment – or why reusable shopping bags are better for the environment than shopping bags? The essay deadline is March 15, 2013.

Mayor Lyman also announced that a photo of San Pablo Avenue in El Cerrito is featured on the cover of Western Cities magazine. The article covers the vast improvements the City has made along the Avenue. The City’s work along San Pablo Avenue was also featured in the most recent East Bay Municipal Utility District (EBMUD) water report.

3. ORAL COMMUNICATIONS FROM THE PUBLIC – No speakers.

4. PRESENTATIONS

A. Introduction of Bay Area Rapid Transit (BART) Director Zakhary Mallet –

Director Mallet has requested ten minutes of the City Council’s time to introduce himself to the City Council and Public and share his vision for the future of BART.

Action: Received presentation.

B. Annual El Cerrito Streets Oversight Committee Report – Presentation by Al

Miller, former Committee Chair.

Action: Received presentation.

C. Sustainability Tools for Assessing and Rating Communities (STAR)

Overview – Presentation by Melanie Mintz, Environmental Services Division Manager.

The City has been selected as one of approximately thirty communities across the United States to test the STAR Community Rating System. STAR is the nation’s first, voluntary self-reporting framework for evaluating, quantifying, and improving the livability and sustainability of communities. Staff will discuss the STAR framework and what to expect from the pilot project.

Action: Received presentation.

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

Moved, seconded (Abelson/Friedman) and carried unanimously to adopt Consent Calendar Item Nos. 5(A) and 5(C) through 5(F) in one motion as indicated below. Item No. 5(B) was withdrawn from the consent calendar by Mayor Lyman.

A. Minutes for Approval

Approve the February 5, 2013 Regular City Council meeting minutes.

Action: Approved minutes as submitted.

B. Proclamation in Recognition of Officer Sid Hubbs

Approve a proclamation congratulating Officer Sid Hubbs for his recognition by the Richmond Elks Lodge No. 1251 as the El Cerrito Police Department honoree for Police Officer Appreciation Night to be held on February 20, 2013. The City Council extends sincere appreciation to Officer Hubbs for his devotion to the mission, vision and values of the Police Department. Officer Hubbs truly epitomizes community-based policing in the City of El Cerrito.

Presenter: Robert De La Campa, Police Lieutenant.

Action: Removed from the Consent Calendar by Mayor Lyman for the purpose of acknowledging Officer Hubbs at the City Council meeting. Moved, seconded (Friedman/Benassini) and carried unanimously to approve the proclamation recognizing Officer Hubbs.

C. Support for Assembly Bill 39 – Upgrading our Schools and Creating Clean Energy Jobs

At the request of Mayor Pro Tem Abelson, authorize Mayor Lyman to sign a letter expressing the City Council's support for Assembly Bill 39 to implement Proposition 39. Proposition 39 provided up to \$550 million per year for clean energy programs at schools and other public buildings. Assembly Bill 39 (Assemblymember Skinner and Speaker Perez) establishes guidelines for clean energy expenditures at schools, colleges and other public facilities and for job training.

Action: Approved recommendation.

D. Support for Assembly Bill 48 – Bulletproofing Communities

At the request of Mayor Pro Tem Abelson, authorize Mayor Lyman to sign a letter expressing the City Council's support for Assembly Bill 48 (Skinner) which will require ammunition vendors to report all ammunition purchases to the Department of Justice and ban possession of magazine conversion kits.

Action: Approved recommendation.

E. Support for Assembly Bill 127 – Safer Building Insulation

At the request of Mayor Pro Tem Abelson, authorize Mayor Lyman to sign a letter expressing the City Council's support for Assembly Bill 127 which intends to reduce chemical flame retardants in plastic foam building insulation without reducing fire safety.

Action: Approved recommendation.

F. Tree Committee Appointment

Approve a Tree Committee recommendation to appoint Cathy Bleier to the Tree Committee effective March 11, 2013.

Action: Approved recommendation.

6. PUBLIC HEARING – None

7. POLICY MATTERS

CITY COUNCIL ITEM

A. Release of Draft Climate Action Plan

The City has released the draft Climate Action Plan (CAP) for public comment. Staff will present an overview of the content in the CAP and the public review timeline.

Presenter: Maria Sanders, Environmental Analyst.

Action: Received presentation.

CITY COUNCIL ITEM AND CITY COUNCIL ACTING AS EL CERRITO REDEVELOPMENT AGENCY SUCCESSOR AGENCY ITEMS

B. Redevelopment Agency Successor Agency's Fiscal Year 2013-14 Administrative Budget, its Draft Recognized Obligations Payment Schedule 13-14A (July-December 2013), and a Cash Flow Loan Agreement Between the City and Successor Agency

Staff requests approval of the following actions:

1. Adopt a Successor Agency resolution approving its Fiscal Year 2013-14 administrative budget;
2. Adopt a Successor Agency resolution reviewing and authorizing submittal of the draft Recognized Obligation Payment Schedule 13-14A, covering the period July to December 2013;
3. Adopt separate City Council and Successor Agency resolutions approving a cash flow loan agreement for consideration by the Oversight Board to the Successor Agency.

Actions: Moved, seconded (Friedman/Abelson) and carried unanimously to adopt City Council Resolution No. 2013–07 approving a cash flow loan agreement with the El Cerrito Redevelopment Agency Successor Agency.

Moved, seconded (Benassini/Friedman) and carried unanimously to adopt Successor Agency Resolution No. 2013–01 approving its Fiscal Year 2013-14 administrative budget.

Moved, seconded (Abelson/Benassini) and carried unanimously to adopt Successor Agency Resolution No. 2013–02 approving a cash flow loan agreement with the City of El Cerrito.

Moved, seconded (Benassini/Bridges) and carried unanimously to adopt Successor Agency Resolution No. 2013–03 authorizing submittal of the draft recognized obligation payment schedule 13-14A, as required under the dissolution act.

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

A. Mayor Lyman reported that the Municipal Services Corporation met in closed session on February 5, 2013 and provided direction to staff. At this month's meeting, the IWMA extended its existing post collection contract for six months. El Cerrito has six more months for household hazardous waste and garbage disposal at the landfill beyond the January 1, 2014 deadline if an agreement is reached beforehand. The Authority also received a report on the term

sheet for post collection services which mostly affects the four other cities in the JPA. El Cerrito is still negotiating with Republic Sanitary Services for disposal independent of the other four cities. Mayor Lyman stated that he hopes to see the final term sheet at the IWMA's meeting next month. Mayor Lyman and Mayor Pro Tem Abelson received a presentation from CCTA and CalTrans staff on the fourth bore of the Caldicott Tunnel and Bay Bridge Construction at the Contra Costa Mayors Conference. Both projects are expected to go into service later this year. At the meeting, the City of San Pablo reported that it had received an American Planning Association award for the health element of its general plan. The Contra Costa Board of Supervisors provided an annual report of the Board's activities and recently completed a goal setting session. Additionally, the Contra Costa Library system is celebrating its 100th anniversary which includes an event in El Cerrito on October 31, 2013.

The Crime Prevention Committee met and discussed activities for 2013 and began planning the National Night Out event. The Tree Committee met and discussed the City's tree selection process, the tree list and also formed an outreach subcommittee.

B. Mayor Pro Tem Abelson reported that as Vice Chair of the Contra Costa Transit Authority (CCTA) she was invited to attend a tour of the transfer platform of eBART in eastern Contra Costa County. The platform enables one to transfer from the BART we know today to eBart which uses a different technology. Diesel Multiple Unit (DMU) technology is less costly than the traditional BART. There is no station associated with the transfer platform. This project is a Measure J project. It will help relieve extreme congestion in east Contra Costa County.

The Environmental Quality Committee received a presentation on the climate action plan last week and heard comments from the public. The meeting was well attended. Councilmember Benassini also attended.

C. Councilmember Benassini – No report.

D. Councilmember Bridges – No report.

E. Councilmember Friedman – No report.

SUPPLEMENTAL REPORTS

Item No. 4(A) Introduction of Bay Area Rapid Transit (BART) Director Zakhary Mallet

1. Zakhary Mallett bio – *Submitted by Zakhary Mallet.*
2. MTC Resolution 3434 Transit-Oriented Development (TOD) Policy for Regional Transit Expansion Projects – *Submitted by Zakhary Mallet.*
3. Getting to Know Your BART Director – *Submitted by Zakhary Mallet.*

Item No. 4(C) Sustainability Tools for Assessing and Rating Communities (STAR) Overview

4. STAR powerpoint presentation – *Submitted by Melanie Mintz, Environmental Services Division Manager.*

Item No. 7(A) Release of Draft Climate Action Plan

5. Powerpoint presentation – *Submitted by Maria Sanders, Environmental Analyst.*
9. **ADJOURNED REGULAR CITY COUNCIL MEETING** at 9:07 p.m.



AGENDA BILL

Agenda Item No. 5(B)

Date: March 5, 2013

To: El Cerrito City Council

From: Karen Pinkos, Assistant City Manager

Subject: Agreement with 4Leaf, Inc for Building Official Services

ACTION REQUESTED

Adopt a resolution authorizing the City Manager to amend the consultant services agreement between the City of El Cerrito and 4Leaf, Inc. in an amount not to exceed \$125,000 for Building Official staffing services.

BACKGROUND

The position of Building Official has been vacant since October 2011. Gordon Stevenson served as Acting Building Official until his retirement in November 2012. At that time, the City entered into an agreement under the City Manager's Authority, with 4Leaf, Inc. for interim building official staffing services. Fred Cullum, CBO was assigned to the City and began work in November 2012. Mr. Cullum is an International Code Council (ICC) Certified Building Official with more than 45 years of Northern California building department experience. Mr. Cullum has maintained day-to-day operations and activities of the Building Division and has shown excellent capacity for the work.

ANALYSIS

As the City reviews its overall organizational structure and funding with respect to the current vacancies that exist, staff will be examining the duties and functions of the positions within various divisions and departments. The Building Division currently has two additional vacancies in addition to the Building Official position. Staff believes that during this review it is desirable to continue to use contracted services until such time that the City determines whether to recruit for permanent full-time positions. It is expected that Mr. Cullum's services will be needed at least through the end of calendar year 2013.

Additionally, staff believes that a review of the Building Division's operations would benefit the City and the customers that the Division serves. Mr. Cullum has experience with reviewing and auditing building departments and will serve as a resource for determining best practices for the Division moving forward.

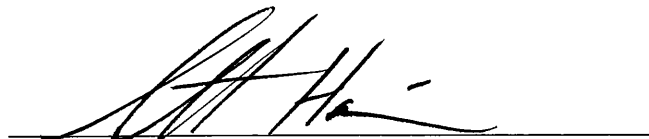
FINANCIAL CONSIDERATIONS

Staff is recommending a \$100,000 increase to an amount not to exceed \$125,000 in order to extend these staffing services through the end of calendar year 2013. Funding is available in the current approved FY 2012-13 Operating Budget via salary savings from vacancies within the Building Division. The current adopted budget anticipated backfilling this position, and likely

Agenda Item No. 5(B)

others with contract support until such time as the permanent desired structure is identified. Therefore, no budget amendment is necessary.

Reviewed by:

A handwritten signature in black ink, appearing to read 'Scott Hanin', is written over a horizontal line.

Scott Hanin
City Manager

Attachments:

1. Resolution
2. 4Leaf Scope of Work
3. Resume of Fred Cullum

RESOLUTION 2013-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO AUTHORIZING THE CITY MANAGER TO AMEND THE CONSULTANT SERVICES AGREEMENT BETWEEN THE CITY OF EL CERRITO AND 4LEAF, INC. IN AN AMOUNT NOT TO EXCEED \$125,000 FOR BUILDING OFFICIAL STAFFING SERVICES

WHEREAS, the City currently has a vacancy for the Building Official position; and

WHEREAS, the City desires to use contracted services for the Building Official position while it reviews the vacant positions that exist within the Building Division; and

WHEREAS, the City has contracted with 4Leaf, Inc. to provide staffing services for the Building Official position since November 2012; and

WHEREAS, Fred Cullum has been serving as the Building Official during this time, maintained the day-to-day operations and activities of the Building Division and has demonstrated excellent capacity for the work.

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 current agreement between the City of El Cerrito and 4Leaf, Inc. by increasing the current contract amount by an additional \$100,000 to a not-to-exceed amount of \$125,000.

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

I CERTIFY that the El Cerrito City Council passed this resolution on March 5, 2013 by the following vote:

AYES: COUNCILMEMBER:
NOES: COUNCILMEMBER:
ABSENT: COUNCILMEMBER:

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on March XX, 2013.

Cheryl Morse, City Clerk

APPROVED

Gregory B. Lyman, Mayor

EXHIBIT A SCOPE OF SERVICES

Contractor (4LEAF, Inc.) has identified key tasks:

1. Reorganization and supervision of on-going Staffing of City Building Department

Re-Organization and Ongoing Staffing of City Building Department

4LEAF will provide **Fred Cullum** as the City of El Cerrito's Chief Building Official for a rate of \$115 per hour. Fred will be responsible for supervising the Building Division and will report directly to the Assistant City Manager, Karen Pinkos. Fred's responsibility will be to maintain the day-to-day operations of the Building Department and Code Enforcement including coordination (self perform if required) of inspection and plan review services and other related activities. Fred will also prioritize, assign, supervise, and review all work of staff responsible for plan checking, building inspection, permit issuance, and code enforcement. Fred will also ensure compliance with current state laws and building codes and will be responsible for the preparation of reports in conjunction with all building inspections and plan check services.

- Chief Building Official shall be available on a consistent schedule at City Hall mutually agreed upon by City and Contractor, but in no event shall compensation to contractor be less than 8 hours for a scheduled visit at City Hall.
- On those days not present in City Hall, ensure that the Building Department's Voicemail and email is reviewed at least once daily. Respond/reply to voicemails and emails.
- Contractor and City agree mutually to use their best efforts to establish and maintain such record keeping systems as are necessary to create, maintain and safeguard such records. Upon termination of this contract, all original records are to be returned to the City forthwith.
- The Building Department staff shall report to the Assistant City Manager who shall provide oversight on behalf of the City Manager and coordination with the Building Department functions.
- Contractor shall review the standards for local codes and make recommendations about revisions or updating, applying their professional judgment.
- Contractor shall procure all permits and licenses, as necessary, required to perform services under this Agreement and to conduct business.

Terms and Conditions

Rates are inclusive of "tools of the trade" such as forms, telephones, and consumables.

- All invoicing will be done monthly
- All approved billable expenses will be charged at cost plus 20%
- Mileage will be billed at the IRS Rate plus 20%
- Payment due on receipt. All payments over 30 days will be assessed a 1.5% interest charge
- Overtime must have approval from Assistant City Manager

Fred Cullum, CBO

Chief Building Official

Experience

45+ years

Certifications

ICC Certified Building Official
ICC Certified Plans Examiner

Professional Affiliations

ICC Board of Directors
CA Architects Board
ICC Code Correlation Committee
U.S. Department of Housing Urban
Development Team
California Inspection Group
ICC Chapters; Peninsula, Napa
Solano, East Bay
Past President of California Building
Officials Organization

Experience Summary

Fred is an ICC Certified Building Official with more than 45 years of Northern California building department experience. Fred is an active member in the International Code Council (ICC) and California Building Officials (CALBO) where he has held numerous leadership positions including President. Fred has served on numerous code adoption and building standards committees and has been an advocate of promoting the California Building Code. Fred has served as Chief Building Official for many jurisdictions including the cities of American Canyon, Lodi, Rio Vista, Palo Alto, Burlingame, and San Mateo.

Select Professional Experience

4LEAF, Inc

Project Manager / Building Official

2011 - Present

Fred has served 4LEAF in a number of capacities since joining 4LEAF in 2011. Fred has worked on numerous projects as a PM including work on various projects for the County of Alameda GSA, City of Newark, and the Lands End Lookout building at the Golden Gate Bridge. Fred was responsible for inspections, attending construction meetings, consulting with contractors, etc. In addition, Fred has maintained his leadership in numerous chapters and industry committees including the California Building Officials, CAL BIG, and various ICC Chapters.

City of American Canyon

Chief Building Official

2009 - 2011

Fred has served the City of American Canyon as the Chief Building Official since 2009. Fred has been responsible for maintaining the day-to-day operations of the Building Department including coordination (self perform if required) of inspection and plan review services and other related activities. Fred also prioritizes, assigns, supervises, and reviews all work of staff responsible for plan checking, building inspection, permit issuance, and code enforcement. Fred also ensures compliance with current state laws and building codes and is responsible for the preparation of reports in conjunction with all building inspections and plan check services.

Interwest Consulting Group

2004 - 2011

Interwest Consulting Group, consultants; Member, Regulations and Enforcement Committee, **California Architects Board**; Participant in the **Tri-Chapters Interpretation Group**. Expert witness and code consultant to architects and developers. **Interim Chief Building Official** cities of Rio Vista, Lodi, and American Canyon. **Instructor** for the Lorman Group, a national technical seminar company and for the International Code Council and California Building Officials. Currently **Vice President** of the Napa-Solano Chapter of the International Codes Council.

2001-2002

Elected Second then First Vice Chair to the Board of Directors, **International Conference of Building Officials**. Appointed to the Board of Directors, **International Code Council**. Appointed to the International Code Council's **International Residential Code Interpretation Committee**. Appointed to the **California Architect Board's** Regulations and Enforcement Committee.

1999

Appointed to the International Code Council's **Code Correlation Committee**

1998

Appointed as a member of the **U.S. Department of Housing and Urban Development's** National Manufactured Home Advisory Council for two year term.

Re-elected to the **Board of Directors** of the International Conference of Building Officials for a second three-year term. ICBO published the Uniform Building Code as well as other codes and supporting publications and provides continuing education for the design and construction industry.

1981-2001

Instructor in Building Codes and Related Technologies; **Chabot College**, Hayward, CA. Also served as Code Curriculum Chair and taught module in residential Building, Plumbing, Electrical, Mechanical and Fire Codes for the **California Code Enforcement Consortium**. Presented numerous seminars including conventional construction under the Uniform Building Code for the **California Building Codes Institute**. Guest speaker for the **California Institute for Child Safety**, the **Federal Consumer Product Safety Commission**, the local AIA chapters and the **National Association of the Remodeling Industry**.

Founded **California Building Inspection Group**, an organization providing networking opportunities for building inspectors, plan checkers and permit technicians. Began and, for two years personally administered the **Peninsula Chapter Seminar Series**, now called the **Peninsula/East Bay Seminar Series**.

1993 - 1996

Member and Vice-Chair of the Board of Governors of the **California Building Officials Training Institute**. The Institute is charged with the duty of providing education for building officials, inspectors and other building inspection and fire prevention personnel as well as the design professions in the State building codes and building department administration.

1987 - Present

Member and Officer of the California Building Officials. President of the organization, 1992-93. As a member of CALBO over the years, I have served as member or Chair of the CALBO/California Energy Commission Advisory Committee, the Fire Services Committee, the State Building Standards Committee, the Handicapped Advisory Committee and many other committees, subcommittees and ad-hoc committees. Inducted into the Building Officials **Hall of Fame** in 1992. Served two two-year terms on the **State Fire Marshal's Fire and Life Safety Advisory Board** and also served on his "Partners in Protection" committee. I have also served on two of the State **Governor's task forces**. Served on a **State Seismic Commission** committee writing provisions for retrofit and repair of earthquake-damaged buildings. I was one of four appointees by the International Conference of Building Officials to a new committee to rewrite the **One and Two Family Dwelling Code**. Member of the **Silicon Valley Disabled Access Round Table**, contributing a number of clarifying documents and policies to that group. The major cities using my material are Sunnyvale and San Jose. Received the Victor L. Taugher **Building Official of the Year Award** for 1996 from the California Building Officials. This is the California Building Official's highest award for active building officials.

1993 - 2004

Building Official for the City of Burlingame, a small prosperous community with a mix of high-rise hotels and office buildings, light manufacturing and single and multi-family housing. Staff consists of three plan checkers, three inspectors and support staff. **President** of the Peninsula Chapter ICBO 1995.

1984 - 1993

Building Official, City of San Mateo. A Mid-size (87,000 pop) city with mix of high-rise offices, shopping centers and single and multi-family residential. Staff consisted of Deputy, two plan checkers, six inspectors and support staff.

1981 - 1983

Deputy Building Official, City of Palo Alto. A very progressive, well diversified university city with a staff of 18. Responsible for office and plan check operations and acted as Building Official in the Official's absence. Sat as ex-officio on the Architectural Review and Handicapped Access Appeals Boards. While with Palo Alto, I organized and administered one of the State's first handicapped access and appeals boards

1977 - 1981

Building Official, City of Pleasanton. A very rapidly growing community with a regional shopping center, tremendous residential growth and a very large office park. **President** East Bay Chapter ICBO, 1981.

1970 - 1977

Building Official/Deputy Planning Director, City of Los Altos. A wealthy residential community. Two person operation with me responsible for plan check and inspection.

1963 - 1970

Resident Inspector for the Office of the State Architect and the San Francisco Port Authority. Experience ranged from railroad work through new university lab buildings to the Chico State College Farm buildings. **Surveyor** on the California Aqueduct for the State Department of Water Resources.



AGENDA BILL

Agenda Item No. 5(C)

Date: March 5, 2013

To: El Cerrito City Council

From: Lisa Malek-Zadeh, Finance Director/City Treasurer

Subject: Authorize the City Manager and Finance Director/City Treasurer To Sign And Act On All City Financial Accounts

ACTION REQUESTED

Adopt a resolution authorizing the City Manager and Finance Director/City Treasurer to sign and act on all financial accounts.

BACKGROUND

The City maintains accounts with several financial institutions and regularly conducts financial transactions including deposits, withdrawals, check issuances, wire and fund transfers. Only the City Manager and Finance Director/City Treasurer are bonded against financial loss resulting from these transactions. The City Manager and Finance Director/City Treasurer (by title) must remain at all times signatories to all of the City's financial accounts. The City needs to maintain clear authority over the control of its accounts and ensure proper internal controls by designating specific positions that can authorize financial transactions on behalf of the City. However, maintaining the City Manager and Finance Director/City Treasurer as signatories does not preclude the assignment of responsibility over these accounts by other staff on a case by case basis as approved by both the City Manager and Finance Director/City Treasurer. The authority to open and close any financial account would remain the joint, exclusive responsibility of the City Manager and Finance Director/City Treasurer.

FINANCIAL CONSIDERATIONS

Maintaining proper signature authority enhances internal financial controls and minimizes the risk of loss of assets.

Reviewed by:

Scott Hanin, City Manager

Attachments:

1. Resolution

RESOLUTION 2013-XX

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO
APPROVING AUTHORIZATION TO ACT ON ALL CITY FINANCIAL ACCOUNTS**

WHEREAS, the City maintains accounts with several financial institutions and regularly conducts financial transactions; and

WHEREAS, only the City Manager and Finance Director/City Treasurer are bonded against financial loss resulting from these transactions; and

WHEREAS, City Manager and Finance Director/City Treasurer (by title) must remain at all times signatories to all of the City's financial accounts to minimize the City's risk by limiting those that can act on behalf of the City.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of El Cerrito hereby authorizes the City Manager and Finance Director/City Treasurer to act on all City financial accounts.

I CERTIFY that at a regular meeting on March 5, 2013 the 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 March XX, 2013.

Cheryl Morse, City Clerk

Approved:

Gregory B. Lyman, Mayor



AGENDA BILL

Agenda Item No. 5(D)

Date: March 5, 2013
To: El Cerrito City Council
From: Christopher Jones, Recreation Director
Subject: Co-Sponsorship Application – El Cerrito Community Garden Network

ACTION REQUESTED

Adopt a resolution authorizing the City Manager or designee to grant co-sponsorship status to the El Cerrito Community Garden Network for use of City Parks and Recreation facilities.

BACKGROUND

The El Cerrito Community Garden Network is an El Cerrito based organization that is a project of the Berkeley Partners for Parks, a non-profit, 501(c)3 corporation. The purpose of the network is:

1. To create and support a network of community gardens that grow food and native plants in El Cerrito that are open to everyone;
2. Support and maintain the Demonstration Community Garden currently at Fairmont Park; and
3. Identify space for a permanent Community Garden and to secure outside funding for its construction.

The El Cerrito Community Garden Network was formed in 2010 and currently has 10 key volunteers. They maintain a list of over 200 El Cerrito residents (and growing) who are interested in their efforts. They have worked closely with City Staff and the Berkeley Partners for Parks to position them for outside funding and to create a structure that can manage future gardens. Their goals are to create a network of community gardens throughout El Cerrito that are open to everyone that grows food and native plants. Co-Sponsorship by the City will formalize the growing relationship between the Network and City and provide access to City facilities for Network activities and meetings. Any proposal(s) for permanent garden locations will be brought to the Park and Recreation Commission for a recommendation to the City Council.

On February 7, 1977 the City Council established a co-sponsorship policy that would assist community non-profit organizations in providing leisure services to El Cerrito residents. The policy included provisions that would assist community organizations in making public facilities and other services available for the growth and continuation of

Agenda Item No. 5(D)

programs, and ensure that public facilities are being used for the best welfare of the community.

On October 6, 1980, the City Council amended the co-sponsorship policy upon recommendation of the Park and Recreation Commission. This policy governed the relationship between the City and non-profit organizations in the provision of recreation programs in the community. The policy was adopted to formalize a procedure in which groups would receive the use of public facilities at a reduced cost and provide priority usage of City facilities.

On March 19, 2001, the City Council approved a process to review all requests from community based organizations for co-sponsored facility use and funding. The process separated out co-sponsorship from asking for funds.

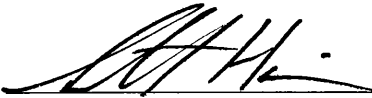
ANALYSIS

The El Cerrito Community Garden Network's mission and practices conform to Administrative Policy/Procedure I(A)(5) by increasing community involvement and service in El Cerrito as well as being a project of a 501(c)3, tax exempt organization (Berkeley Partners for Parks).

FINANCIAL CONSIDERATIONS

Use of City Facilities for meetings would be subject to the co-sponsorship rates in the Master Fee Schedule.

Reviewed by:



Scott Hanin, City Manager

Attachments:

1. Resolution
2. Co-Sponsorship Policy
3. Application for the El Cerrito Community Garden Network

RESOLUTION 2013 – XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO AUTHORIZING APPROVAL OF CO-SPONSORSHIP STATUS FOR THE EL CERRITO COMMUNITY GARDEN NETWORK AND AUTHORIZING APPLICATION OF CO-SPONSORSHIP RATES ASSOCIATED WITH THE USE OF PARK AND RECREATION FACILITIES AS ESTABLISHED IN THE 2012-13 MASTER FEE SCHEDULE.

WHEREAS, on March 19, 2001 the City Council approved a process to review all requests from community based organizations for facility use and funding; and

WHEREAS, the El Cerrito Community Garden Network desires use of and access to City Park and Recreation facilities to further their goal of establishing a network of community gardens throughout El Cerrito; and

WHEREAS, the El Cerrito Community Garden Network works closely with City Staff and outside organizations to identify funding and logistical support for the eventual establishment of permanent community gardens open to all; and

WHEREAS, the City provides support for community based organizations that have made successful applications to the City for co-sponsored facility use or grants; and

WHEREAS, community organizations through their design, improve and enhance the quality of life in El Cerrito; and

WHEREAS, public facilities are to be used to benefit the El Cerrito community.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby approves co-sponsorship status for the use of park and recreation facilities by the El Cerrito Community Garden Network and authorizes application of the co-sponsorship rates as established by the 2012-13 Master Fee Schedule for the use of City facilities.

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

I CERTIFY that at a regular meeting on March 5, 2013, the City Council of the City of El Cerrito passed this Resolution by the following vote:

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

Agenda Item No. 5(D)
Attachment 1

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on March ___, 2013. .

Cheryl Morse, City Clerk

APPROVED:

Gregory B. Lyman, Mayor

CITY OF EL CERRITO

ADMINISTRATIVE POLICY/PROCEDURE

SUBJECT: CITY CO-SPONSORSHIP AND GRANTS

NUMBER: I A 5

DATE: October 2005

AUTHORITY: City Manager

Scott Hanin

PURPOSE: To formalize the process by which groups are permitted use of public facilities at a reduced cost and/or receive priority use or apply for special support through the community service grant funding program.

POLICY: It is the policy of the City of El Cerrito to recognize the community's co-sponsored organizations that provide valuable community service; to assist these organizations by providing special fee rates for use of City facilities; to insure that public facilities are used to benefit the El Cerrito community; to encourage and assist co-sponsored community organizations to complete projects and interact socially to the benefit of the whole community; to make available community service grants for the enhancement of the community.

APPLICATION: This policy applies to all groups meeting the following co-sponsorship criteria:

- A. Membership Practice – Groups must be an El Cerrito based organization as verified by their 501(c)(3) (non-profit number) or as determined by the Council. The organizations' membership practices must promote understanding among the diverse segments of the community.
- B. Political Advocacy – Groups established primarily for advocating a political position will be ineligible for community based, non-profit facility use or community service grants.
- C. Community Involvement – Groups are eligible if they by their existence improve and support the community's quality of life. Organizations which practice discrimination or which may be divisive in the community will not be approved.

- D. Community Service – Groups seeking co-sponsorship must demonstrate through a range of programs or projects that their membership is providing an improvement to the community at large. Examples of community service projects and programs provided by community organizations are: graffiti removal; beautification, such as landscaping, litter removal and donation of equipment to enhance City facilities and programs; volunteer service in City-sponsored programs; improvements to City facilities.

PROCEDURE:

- A. Community organizations desirous of co-sponsorship shall complete and submit the attached application (Co-Sponsorship & Community Based, Co-Sponsored Facility Use and Grant Application) to the Community Center, 7007 Moeser Lane, El Cerrito. The initial application must include a copy of the organization's constitution or by-laws, a copy of the non-profit tax I.D. number, a current list of officers, the name of the person and one alternate authorized to apply for recognition, an annual activity report and a list of community services provided to the residents of El Cerrito. If financial assistance from the City is requested, the application should be submitted in conjunction with the City's budget process. If no financial assistance is requested, then the application may be submitted at any time during the year.
- B. Community organizations seeking renewal of co-sponsorship status and/or financial assistance shall submit the attached application and include the following: an annual activity report, revisions of constitution or by-laws, an updated officers' list, the name of the person and one alternate authorized to apply for recognition and projects completed which benefited the community of El Cerrito. If financial assistance from the City is requested, the application should be submitted in conjunction with the City's budget process and include an estimate of expenses. If no financial assistance is requested, then the application may be submitted at any time during the year.
- C. Recreation Department staff shall review all submitted applications and documentation provided. The Department Head shall cause an agenda item to be prepared for City Council consideration at any time during the year for those community groups that have not requested financial assistance from the City. It is within the Recreation Director's

discretion to grant approval for an event or activity for a limited period of time pending Council action. If the City Council should reject the request, the organization that had received temporary approval shall reimburse the City any relevant costs or fee. The Recreation Director shall submit an agenda item listing the community groups requiring financial assistance accompanied by applications and accompanying documentation, including expense estimates, in conjunction with the City's budget process.

- D. The City Clerk shall place the agenda item for those groups recommended by the Recreation Department on the consent calendar under the heading "Co-sponsored Groups."
- E. Community groups seeking co-sponsorship and/or community service grant funding shall have a representative from the organization in attendance at the Council meeting in which their request is scheduled for consideration. The representative should be prepared to respond to any questions that may arise regarding the organization and its request.
- F. The City Council shall review the material submitted. With the goal of maximizing services to the community, the City Council shall generally make support services that do not require an additional burden of the City's general fund reasonably available to eligible community groups. These support services typically consist of reduced rental fees for facilities in accordance with co-sponsorship, priority use of City facilities when not in use by City sponsored activities and reservations of special activities at the Community Center for up to one year. Further, the City Council may review the qualifications of an approved organization at any time to insure ongoing qualification under the guidelines.
- G. Co-sponsored groups shall complete a facility application, if needed, at least one month prior to any scheduled event. All City facility reservation rules must be followed. Groups that are granted reduced fees are required to pay the deposit amount and the hourly rate for any use under this policy.
- H. Co-sponsored groups that require ongoing use of City facilities or fields, such as youth baseball, soccer or independent

schools, shall be required to pay the appropriate maintenance enhancement fees.

- I. Recreation staff shall insure that recognized co-sponsored community groups comply with all of the facility reservation rules. Abuse of the rules by the co-sponsored group shall be cause for revocation of the benefit granted.
- J. At the conclusion of the event, Recreation staff will prepare an event summary form that represents the total costs of the program. These charges will be based on: 1) an estimate of the facility costs, based on the number of hours and the amount of rooms needed for the event; 2) an estimate of personnel costs, based on the number of staff required to assist in the planning, set-up, activity and clean up of the event and 3) variable costs, such as utility costs and additional supplies necessary to operate the event. The event summary form shall be forwarded to the City Council and the community group person listed as the event organizer.
- K. The City, through the Recreation Department, reserves the right to cancel a co-sponsored group's activity. It is anticipated that this would be a rare occurrence and all efforts would be made to allow adequate time for the group to adjust their schedule.

CITY OF EL CERRITO
CO-SPONSORSHIP & COMMUNITY BASED

CO-SPONSORED FACILITY USE AND GRANT APPLICATION

Submit to:
City of El Cerrito
Recreation Department
7007 Moeser Lane
El Cerrito, CA 94530

Deadline:

Please complete the following application using the instructions provided on the last page of this application. You may attach additional pages if necessary.

Name of Applicant: El Cerrito Community Garden Network / Berkeley Partners for Parks
Address: _____
Email: ECCommunityGarden@gmail.com
Phone: n/a

Contact 1. Name: Robin Mitchell
Phone: 510-486-4141

Contact 2. Name: Pam Austin
Phone: 415-

Federal Tax ID # or Social Security #: 94-3228356
(We are a project of Berkeley Partners for Parks)

Request: The El Cerrito Community Garden Network would like to be co-sponsored by the City of El Cerrito in order to use city facilities and potentially apply for funding in the future (no funding is currently requested).

Eligibility Requirements: Please answer the following questions:

Have you or will you be receiving funding in 2012 for this program from other sources?

~~Yes~~ No

Are you aware of any other City program providing this service? If so, which one?

The Senior Center has a few garden boxes for rent but they are only for Seniors

Program Description / Scope (please use additional pages if necessary)

Describe your program:

We want to create a network of community gardens in El Cerrito, open to everyone, to grow food, flowers (including California native plants), and community. Our first objective is to establish a community garden in the City of El Cerrito Fairmont Park. The attached brochure shows a conceptual design of the garden.

How does or will this program benefit the El Cerrito Community?

It will provide gardening space for people who can not otherwise garden, produce nutritious food, provide recreation, strengthen community, beautify the neighborhood

% of El Cerrito Residents Served potentially 100% by beautifying Fairmont Park along the Ohlone Path, planting native plants. Currently serving 1% (~200 people are on our mailing list)

Applicant Background:

See attachments which include a list of activities we have participated in, as well as a list of current projects.

This applicant is a (n): Non-Profit ~~For Profit~~ ~~Local Public Agency~~

~~State Public Agency~~ Other _____

we have been meeting
Years In Business: since 2010 Number of Employees: no paid employees

Number of Volunteers: approx 10 core (Please attach an organization chart, if available.)
volunteers with an email list of over 200
interested people

Names of Officers and Board Directors: We do not have a board of directors, but instead have a Steering Committee. Our parent organization, Berkeley Partners for Parks, has a board.

Name:	Title:
<u>Robin Mitchell</u>	<u>Chairperson</u>
<u>Pam Austin</u>	<u>Treasurer</u>
<u>Kate Creps</u>	<u>Secretary</u>
<u>Tsering Yankey</u>	<u>Outreach Coordinator</u>

Experience In Program Area:

Berkeley Partner for Parks, our parent organization, has experience running community gardens in Berkeley. We also have members in our organization who have experience with organizing community gardens, volunteer recruitment and management, fund raising experience, and non-profit administration.

Financial Capabilities / Budget:

Current funding sources and levels:

We currently do not have a funding source, but now that we have a non-profit fiscal sponsor (Berkeley Partners for Parks) we have started applying for grants and developing a fund raising plan.

Previous City funding received or requested in the past three years:

None

(Please attach a budget for program request including funding schedule.)

We are not currently applying for funding from the City of El Cerrito and therefore a budget is not attached.

Reporting Requirements:

A report on how the funds were spent will be required to be filed with the City annually, or when funds are spent, whichever comes first. Proof of program expenses are required to be held for two years, during which time the City reserves the right to audit the records.

We agree to adhere to the reporting requirements described above.

Yes ~~No~~

Certification:

We, the undersigned, do hereby attest that the above information is true and correct to the best of our knowledge.

(Two signatures required)

Robin D. Natchell
Signature
Date 2/25/2013

Chairperson
Title

Pamela Austin
Signature
Date 2/25/2013

Treasurer
Title

El Cerrito Community Garden Network History

January 2013

The El Cerrito Community Garden Network (ECCGN) was founded in 2010 with the goal of establishing a community garden in El Cerrito. We have been working with the City of El Cerrito since our inception, and have mutually identified a city park, Fairmont Park, as a potential site for a community garden. In the fall of 2010, we held a community meeting at City Hall to present the idea of a community garden to the general public, which was received enthusiastically. In 2011 & 2012, we have been building support for the garden through community activities such as local fairs and events, where we have distributed brochures about plans for the garden, general gardening information, and hundreds of free vegetable seedlings grown by volunteers. In April 2012, as one of the El Cerrito Earth Day Projects, we built two “demonstration” garden boxes at Fairmont Park to give residents a sense of the possibilities for a community garden. The project was written up in the local El Cerrito Patch (<http://elcerrito.patch.com/articles/community-garden-sprouts-during-earth-day>). With the El Cerrito Garden Club, we sponsored a “Veg Mob” garden vegetable swap during the summer months of 2011 and 2012.

We have also established two projects to introduce California native plants to the landscape. The first is the Senior Center Circle, which is now in it's third year of growth. There are several perennial native shrubs and a bright show of annuals each spring, in particular poppies. A more recent project is establishing California native plants on the city-owned path property between Shevlin Court and King Drive in the hills. After the rains started during the fall of 2012, several volunteers planted perennial and annual native plants along the bottom of the path area, in consultation with City staff.

We have recently become a project of Berkeley Partners for Parks, a local non-profit which provides us 501(c)3 status. We have established a Steering Committee which includes a representative from the Community Health for Asian Americans as well as the Executive Director of San Francisco's Heart of the City Farmers Market who has experience organizing community gardens.

The following are the community events and activities we have participated in during 2011 and 2012:

Presentation on Community Gardens to El Cerrito Co-Op Preschool, November 2012

- Presentation to 30 children and 10 parents about the El Cerrito Community Garden Project

American Cancer Society Relay For Life, Care Giver Corner, El Cerrito, July 21-22

- Made 50 flowering potted plants to give to cancer patient care givers for the El Cerrito Relay for Life event

El Cerrito 4th of July Celebration, July 2012

- Shared a table with the Environmental Quality Committee, gave away 100+ vegetable seedlings, handed out information about gardening in general and the community garden in particular.

El Cerrito Bike To Work Day, May 10, 2012

- Made 300 seed packets (purple pod beans, salad mix, rainbow chard) and put them in the Bike To Work bags that were handed out. Our name and Website URL were on the seed packets.

El Cerrito Street Play Day, April 29, 2012

- We had a table at this event, and gave away our remaining seedlings and seeds, as well as handouts about growing fruits and veggies in El Cerrito

El Cerrito Earth Day, April 21, 2012

- We built two garden boxes at Fairmont Park
- We had a table at the noon-time celebration at the Community Center -- we gave out approx 100 veggie seedlings as well as seed packets

El Cerrito 4th of July Celebration, July 2011

- Shared a table with the El Cerrito City Environmental Quality Committee, handed out information about gardening in general and the community garden in particular.

El Cerrito Earth Day, April 2011

- We had a table at the noon-time celebration at the Community Center -- we gave out 100+ veggie seedlings as well as seeds

EMAIL: ECCCommunityGarden@gmail.com

WEBSITE: <https://www.sites.google.com/site/elcerritocommunitygarden/>



Earth Day 2012 Celebration Plant Giveaway



Earth Day 2012 Demonstration Garden Box Construction with boxes in full bloom later in the year.



Senior Center Circle with California native plants in full bloom.

What Is a Community Garden ?

A community garden is any piece of land that is gardened by a group of people – it's a cooperative enterprise.

It can grow

- ❖ Flowers & herbs
- ❖ Vegetables & fruit
- ❖ Community

It can be

- ❖ One community plot
- ❖ Many individual plots

It can be run by

- ❖ Non-profit / volunteers
- ❖ Schools
- ❖ Cities / Counties
- ❖ Hybrid – City + Volunteers

Several cities in the Bay Area organize their community gardens as a hybrid structure, where the city's parks department provides the land and maintenance, and the gardens are run by volunteer groups. This is the model we propose for El Cerrito.



FAIRMONT PARK COMMUNITY GARDEN
CONCEPTUAL DESIGN
June 2011

El Cerrito Community Garden Network



A group of El Cerrito residents
interested in creating a
network of community gardens
in our town

Benefits of a Community Garden

- ❖ Provide gardening space for people to grow food and flowers
- ❖ Produce nutritious food and conserve resources by growing food locally
- ❖ Introduce children to the joys of gardening
- ❖ Provide recreation, relaxation, exercise, and therapy
- ❖ Meet other gardeners / learn new gardening skills
- ❖ Connect with nature
- ❖ Strengthen neighborhood relationships
- ❖ Beautify the neighborhood

What does it take to sustain a garden ?

- ❖ Planning, design, public support
- ❖ Building the garden – knowledge, materials, labor
- ❖ Participation & stewardship
- ❖ Programming & associated resources
- ❖ Ongoing outreach & engagement

Fairmont Park

Fairmont Park, south of the El Cerrito Senior Center running along the Ohlone Path, has been identified as a potential city park that could accommodate a community garden. The City of El Cerrito is in general agreement that this park would be an appropriate site.

The next step is to begin raising funds to build the garden infrastructure and improve the non-garden area of the park.

Once funds for the garden are raised, a design effort can begin and the City will hold public meetings to get input from neighbors and other residents who use the park.

Other Network Possibilities

- ❖ Educational workshops
- ❖ Grow food for local food banks
- ❖ Glean fruit from back yards
- ❖ Share back yard garden space
- ❖ Help back yard gardeners
- ❖ Help with school gardens

Next Steps

The El Cerrito Community Garden Network is currently an informal group of residents. We are working on the next steps in the process of making a Community Garden a reality.

Our current work includes:

- ❖ Researching other local community gardens
- ❖ Obtaining a fiscal sponsor
- ❖ Forming a non-profit organization
- ❖ Exploring fund-raising activities including writing proposals for grants
- ❖ Designing the garden, determining the budget

If you are interested in helping us with these organizational issues, and/or you have knowledge or talent in these areas, please email

ECCCommunityGarden@gmail.com

Visit our website, which contains information about the Community Garden effort as well as gardening in general:

<https://sites.google.com/site/elcerritocommunitygarden>

Berkeley Partners for Parks (BPFP)

Address:

*Berkeley Partners for Parks
PO Box 13673
Berkeley, CA 94712*

Website: <http://www.bpfp.org/>

Online documents

<http://www.bpfp.org/index.php/bpfp-official-documents/>

Officers:

John Steere, President

Charlie Bowen, Chair

Barbara West, Treasurer

Administrative Assistant/Bookkeeper: **Lily Hill**

Bylaws Summary

Adopted March 1994, and amended Oct 1996

Summary prepared by John Caner July 10, 2003

Members (2 classes)

1. **Contributing Members (non-voting)** are persons who donate funds or assets to BPFP with right to participate in all meetings and activities, but no voting rights.
2. **Formal Members (voting)** subject to following qualifications:
 - a. Member of Adopt-a-Park Group that has joined City of Berkeley Adopt-a-Park program
 - b. Group has at least 5 active participants
 - c. Member is authorized by Group to represent Group with BPFP
 - d. Only one Member per Group
 - e. Member or proxy attend at least 5 BPFP meetings a year
 - f. Payment of \$25 Adopt-a-Park Group member fee
3. Member termination: a) BoD determines seriously prejudicial conduct, b) failure to attend 5 meetings per year, c) written notice from Group that new representative or member has left Group, d) failure to pay dues within 30 days of notice.
4. Expulsion upon 15 days of written notice, with opportunity to appeal.

Member Meetings

1. Annual Member Meeting in January to elect BoD
2. Monthly Meetings 3rd Thursday of each month
3. Special Meeting called by Chairperson, President, BoD, or 1/3 of members with 10 to 90 day notice.
4. Quorum of 50% members, and action taken with majority vote.

5. Action without Member meeting if all Members consent in writing to such action.

Board of Directors (BoD) (2 types)

1. Total number of 3 to 15 Directors, as determined by vote of membership.
2. Member Directors:
 - a. Elected by BPFP Members
3. At-Large Directors:
 - a. Up to 4 At-Large Directors, elected by Member Directors
 - b. Cannot be equal or exceed number of Member Directors
 - c. Vote as Directors but not as BPFP Members.
4. Directors elect Chairperson that presides over BoD meetings
5. Directors fill mid-term vacancies
6. BoD can remove a Director: for a) cause, b) without cause with Director opportunity to communicate opposition, c) resignation
7. No BoD compensation other than approved expense reimbursement
8. BoD may not consist of more than 49% interested parties.
9. BoD Committees established by BoD with minimum of 3 persons
10. Each member has right to inspect books

BoD Meetings:

1. Quorum with 1/3 of Directors (with no fewer than 2 Directors or 1/5 of authorized Directors), and action taken with majority vote
2. Special BoD meeting may be called, by Chairman, President, two officers, or 1/3 of directors, with 7 day notice.
3. Action without BoD meeting if all Directors consent in writing to such action.
4. BPFP will indemnify Directors as permitted by law.

Officers

1. Elected by BoD at annual meeting:
 - a. President- presides over member meetings and acts as CEO
 - b. Vice President- acts as back-up to President
 - c. Secretary- record, minutes, votes, notices, member book
 - d. Treasurer- manages funds, records, disbursements
2. Can serve concurrent positions except Pres & Secretary, or Pres & Treasurer
3. No compensation for any officers

Reports

1. Annual Report for Treasurer or independent accountants including Income Statement, Balance Sheet, and Change in Assets
2. Annual Statement regarding interested parties, transactions over \$50,000, or officer reimbursement over \$10,000

Amendments:

1. Amendment of bylaws by vote of BoD

INTERNAL REVENUE SERVICE
DISTRICT DIRECTOR
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date:

MAR 23 1999

BERKELEY PARTNERS FOR PARKS
PO BOX 13673
BERKELEY, CA 94712-4673

Employer Identification Number:
94-3228356

DLN:

17053044750009

Contact Person:

JOSEPH KEVIN PHEGLEY

ID# 31184

Contact Telephone Number:
(877) 829-5500

Our Letter Dated:

August 1995

Addendum Applies:

No

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi).

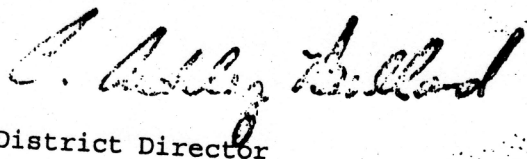
Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,



District Director

Letter 1050 (DO/CG)



AGENDA BILL

Agenda Item No. 5(E)

Date: March 5, 2013
To: El Cerrito City Council
From: Garth Schultz, Environmental Analyst
Subject: Environmental Quality Committee Appointment

ACTION REQUESTED

Approve an Environmental Quality Committee recommendation to appoint Anh-Vu Doan to the Committee, effective March 12, 2013.

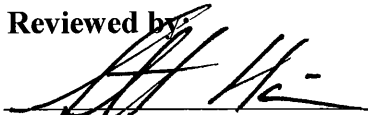
BACKGROUND

The Environmental Quality Committee recently received an application from Anh-Vu Doan. This application was distributed to all Committee members in advance of a Special Ad Hoc Membership Subcommittee Meeting held on January 8, 2013. During the Special Meeting, three members of the Committee interviewed Mr. Doan and agreed that he should be considered for a membership recommendation. During the Regular Committee Meeting on January 8, which immediately followed the Special Meeting, the Committee voted unanimously to recommend to the City Council that Anh-Vu Doan be appointed to the Environmental Quality Committee.

Mr. Doan demonstrated through his application and interview that he is committed to environmental quality and the mission of the Committee; he has also attended three consecutive regular Committee meetings during the past few months.

If the Council approves this recommendation, the number of Committee members will be 10 out of a total possible membership of 15.

Reviewed by:



Scott Hanin, City Manager

Attachments:

1. Completed application



**March 5, 2013
Regular City Council Meeting**

**Item No. 5(E) EQC Appointment
Attachment 1 – Doan Application**

on file 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