



AGENDA

SPECIAL CITY COUNCIL MEETING
Tuesday, April 16, 2019 – 6:30 p.m.
Hillside Conference Room

REGULAR CITY COUNCIL MEETING
Tuesday, April 16, 2019 – 7:00 p.m.
City Council Chambers

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

Rochelle Pardue-Okimoto – Mayor

Mayor Pro Tem Greg Lyman
Councilmember Paul Fadelli

Councilmember Janet Abelson
Councilmember Gabriel Quinto

6:30 PM ROLL CALL - CONVENE SPECIAL CITY COUNCIL MEETING

1. 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 and to items on the special meeting agenda only.

2. COMMISSION INTERVIEWS, STATUS AND APPOINTMENTS

Action Proposed: Conduct interviews of candidates for City Boards and Commissions. Interviews may result in an announcement of appointment at the meeting.

Contact: Holly M. Charléty, City Clerk, City Management

3. ADJOURN SPECIAL CITY COUNCIL MEETING

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| ▪ The special meeting will not be televised. |
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7:00 PM ROLL CALL - CONVENE REGULAR CITY COUNCIL MEETING

1. PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF MOMENT OF SILENCE – *Councilmember 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 and staff.

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

4. ADOPTION OF THE CONSENT CALENDAR
All items on the consent calendar shall be acted upon in one motion, unless a member of the City Council or staff request separate consideration.

A. Education and Sharing Day Proclamation

Action Proposed: Pass a motion to approve a proclamation declaring April 16, 2019 as Education and Sharing Day in the City of El Cerrito and calling upon educators, volunteers, and residents to reach out to young people and work to create a better, brighter, and more hopeful future for all.

Contact:

B. Appointment of Member to Economic Development Committee

Action Proposed: Pass a motion to approve the appointment of Jason Somer to the Economic Development Committee, effective April 2, 2019.

Contact: Jennifer Peat, Management Assistant and Committee Liaison; Melanie Mintz, Community Development Director, Community Development Department

C. Cash & Investments Report for Quarter Ending March 31, 2019

Action Proposed: Receive and file the City's Quarterly Investment Report for the Quarter ending March 31, 2019.

Contact: Mark R. Rasiah, Finance Director/City Treasurer, Finance Department

**D. Regulation Managing Priority Polychlorinated Biphenyls (PCBs)-
Containing Materials During Building Demolition Projects**

Action Proposed: Adopt a resolution implementing a program to manage polychlorinated biphenyls (PCBs) in building materials during the demolition of certain buildings.

Contact: Mark Soltes, Building Official, Community Development Department; Will Provost, Clean Water Program Coordinator, Public Works Department

**E. Acceptance of Public Open Space Easements for Projects within the
San Pablo Avenue Specific Plan Area**

Action Proposed: Adopt a resolution authorizing the City Manager to accept grant deeds on behalf of the City of El Cerrito for Public Open Space Easements required for projects within the San Pablo Avenue Specific Plan area.

Contact: Sean Moss, Acting Planning Manager, Community Development Department

**F. Senate Bill 1 – The Road Repair and Accountability Act, List of
Projects for Fiscal Year 2019-20**

Action Proposed: Approve a resolution adopting a list of projects to receive funding from Senate Bill 1 – The Road Repair and Accountability Act, Road Maintenance and Rehabilitation Account revenues in Fiscal Year 2019-20.

Contact: Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department

5. PRESENTATIONS

6. PUBLIC HEARINGS

**A. Public Hearing regarding Fiscal Year 2019-20 Storm Drain Annual
Report and Method of Collecting Storm Drain Fees** *Notice published
on 4/3/2019 and 4/8/2019*

Action Proposed: Conduct a public hearing and upon conclusion adopt a resolution approving the Fiscal Year 2019-20 Storm Drain Annual Report and directing that Storm Drain Fees be collected on the property tax rolls.

Contact: Shannon Collins, Accounting Supervisor, Finance Department; Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department; Mark Rasiah, Finance Director/Treasurer, Finance Department

**A. Public Hearing to Confirm the Diagram and to Levy the Assessment
for Fiscal Year 2019-20 for Landscape and Lighting Assessment
District No. 1988-1** *Notice published on 4/5/2019*

Action Proposed: Conduct a public hearing and upon conclusion adopt a resolution setting the annual Landscape and Lighting Assessment for Fiscal Year (FY) 2019-20 as \$72 per single-family residential parcel and as noted in the Engineer's Report for other classes of properties.

Contact: Shannon Collins, Accounting Supervisor, Finance Department; Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department; Mark Rasiah, Finance Director/Treasurer, Finance Department

B. Tentative Parcel Map and an Exception to Title 18 for Two Lots at 922 Clark Place *Notice published on 4/5/2019*

Action Proposed: Conduct a public hearing, and upon conclusion adopt a resolution approving the Tentative Parcel Map for a two-lot subdivision and an exception to Title 18 of the City's Municipal Code for a minor subdivision proposing a lot without frontage on a public street at 922 Clark Place.

Contact: Jeff Ballantine, Associate Planner; Sean Moss, Acting Planning Manager, Community Development Department

7. POLICY MATTERS

A. Strategic Plan Update and Progress Report

Action Proposed: Receive an update on the Strategic Plan and provide staff with direction on strategic goals and focus for the upcoming Fiscal Year 19-20.

Contact: Karen Pinkos, City Manager, City Management

8. CITY COUNCIL LOCAL & REGIONAL LIAISON ASSIGNMENTS

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

9. ADJOURN REGULAR CITY COUNCIL MEETING

The next regularly scheduled City Council meeting is Tuesday, May 7, 2019 at 7:00 p.m. in the City Council Chambers, 10890 San Pablo Avenue, El Cerrito.

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

- Council Meetings can be heard live on FM Radio, KECG – 88.1 and 97.7 FM and viewed live on Cable TV - KCRT- Channel 28 and AT&T Uverse Channel 99. The meetings are rebroadcast on Channel 28 the following Thursday and Monday at 12 noon, except on holidays. Live and On-Demand Webcast of the Council Meetings can be accessed from the City's website <http://www.el-cerrito.org/streamingmedia> and is streamed with closed caption. 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 cityclerk@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.



Date: April 16, 2019
To: Honorable Mayor and Members of the City Council
From: Holly M. Charléty, City Clerk
Subject: Commission Interviews

ACTION REQUESTED

Staff requests that City Council conduct interviews and, at the conclusion of interviews, confer with staff regarding the ongoing recruitments, any remaining vacancies, and the scheduling of further special meetings to conduct interviews (if applicable). Council may decide to make appointments at the conclusion of the meeting.

INTERVIEW SCHEDULE

April 16, 2019		
6:30 p.m.	Anisha Desai	Civil Service Commission Human Relations Commission
6:45 p.m.	Alice Morris	Human Relations Commission

BACKGROUND

Staff continues to publicize board, commission and committee vacancies as they occur. Vacancies are published on the City's website and in the West County Times, and posted at City Hall, the Community Center and Library. Staff is also utilizing social media outlets to increase awareness and opportunities for citizens to participate by attending meetings and/or serving on a board, commission or committee.

Interviews that have been conducted by Council and are still pending a decision are as follows:

6:30 p.m.	Andrew Adams	Civil Service Commission	Interviewed 4/2/19
6:45 p.m.	Walter M. Williams III	Human Relations Commission	Interviewed 4/2/19

Attachments:

1. Current Board, Commission, and Committee Vacancy List
2. Application(s) on file with the City Clerk's Office

Commission Vacancies/Application Status – Last Revised 4/9/19

Advisory Body (Current Vacancies)	CC Mosquito & Vector Control (1)	Civil Service Commission (1)	Committee on Aging (2)	Crime Prev. Committee (9)	Economic Dev. Committee (7)	Env. Quality Committee (1)	Human Relations Commission (1)	Park and Rec. Commission (1)	Planning Commission (0)	Urban Forest Committee (9)	Date Application Received	Notes/Status	Council Interview Date	Appointment Notes
Pending Applicants														
Andrew Adams		X									3/12/19		4/2	Pending
Buddy Akacic			AM								3/12/19	Also interested in Arts & Culture		
Prachi Amin						AM					11/19/18	2/19/19 – Appointed to Street Oversight Committee		
Liz Block			AM		AM						12/21/18			
Anisha Desai		X					X				3/25/19		4/16	
George Fruehan					AM						12/13/18	Interviewed for Streets, not appointed		
Daniel Hamilton						AM			X		12/18/18	Application rec'd after last Planning interviews		
Alice Morris							X				3/11/19	4/2/19 – applicant cancelled interview, rescheduled for 4/16	4/16	
Sajuti Rahman									X		10/16/18	2/6/19 – expressed interest in next vacancy		
Bradley Scheick					AM						4/5/19			
Jason Somer					AM						12/7/18	4/16/19 – Consent item scheduled to appoint		
Walter M. Williams III				AM			X				3/25/19		4/2	Pending
Jonathan Zazove					AM						12/3/18			

AM = Attending Meetings



**April 16, 2019
Special City Council Meeting**

Commission Interviews

Attachment 2 Applications

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

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

and

The El Cerrito Library
El Cerrito
6510 Stockton Avenue

EL CERRITO CITY COUNCIL PROCLAMATION
Designating April 16, 2019 as Education & Sharing Day in El Cerrito

WHEREAS, excellence in education is vital to the success of our city; and in El Cerrito we seek to instill each child and adolescent with a good education; and

WHEREAS, by preparing our students for the responsibilities and opportunities of the future, education develops the intellect through lessons on literacy, math, and science; and

WHEREAS, the Rebbe, Rabbi Menachem Schneerson, of righteous memory, dedicated his life to the betterment of mankind and tirelessly advocated for a better education for all Americans; and

WHEREAS, the Rebbe taught that education, in general, should not be limited to the acquisition of knowledge and preparation for a career, or, in common parlance, “to make a better living,” and we must think in terms of a “better living” not only for the individual but also for the society as a whole, and that the educational system must, therefore, pay more attention, indeed the main attention, to the building of character; and

WHEREAS, the United State Congress has established “Education & Sharing Day, USA” as an annual national day to commemorate the Rebbe’s achievement’s; and the lessons and the vision he set forth are relevant to us all today.

NOW, THEREFORE, the City Council of the City of El Cerrito, does hereby proclaim April 16, 2019 as Education and Sharing Day in the City of El Cerrito and calls upon educators, volunteers and citizens, to reach out to young people and work to create a better, brighter, and more hopeful future for all.

Dated: April 16, 2019

Rochelle Pardue-Okimoto, Mayor



AGENDA BILL

Agenda Item No. 4(B)

Date: April 16, 2019
To: El Cerrito City Council
From: Jennifer Peat, Management Assistant/EDC Staff Liaison
Melanie Mintz, Community Development Director
Subject: Appointment of Member to Economic Development Committee

ACTION REQUESTED

Approve an Economic Development Committee recommendation to appoint Jason Somer to the Economic Development Committee, effective April 16, 2019.

BACKGROUND

An application to be appointed to the Economic Development Committee (EDC) was recently received from Jason Somer, who has attended three meetings of the Economic Development Committee. During the regular Committee meeting on March 28, 2019 the Committee voted unanimously to recommend to the Council that Jason Somer be appointed to the Economic Development Committee.

Jason is an El Cerrito resident and is on the Advisory Board for Symio Systems, LLC. Jason has an extensive background in technology and is the Founder and CEO of Aethion Systems Integration, Inc. Jason owns/manages two multi-family properties in El Cerrito and has a strong interest in developing the El Cerrito economy and to take an active role in the City.

If the Council approves this recommendation, the number of Committee members will be 9. Resolution 2013-66 establishes the maximum committee size at 15.

Reviewed by:

Karen Pinkos
City Manager

Attachments:

1. Application



April 16, 2019
Regular City Council Meeting

Agenda 4(B)

Appointment of Member to
Economic Development Committee

Attachment 1 Application

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

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

and

The El Cerrito Library
El Cerrito
6510 Stockton Avenue



AGENDA BILL

Agenda Item No. 4(C)

Date: April 16, 2019
To: El Cerrito City Council
From: Mark R. Rasiah, Finance Director/City Treasurer
Subject: Cash & Investments Report for Quarter Ending March 31, 2019

ACTION REQUESTED

Receive and file the City's Quarterly Investment Report for the Quarter ending March 31, 2019.

BACKGROUND

It is the policy of the City of El Cerrito ("City"), to invest public funds in a manner which provides for safety of principal while providing enough liquidity to cover the City's short- and long-term needs while generating the appropriate yield. All investment activity will conform to the California Government Code, Sections 53601 through 53659.

ANALYSIS

The Quarterly Investment Report for January 1, 2019 to March 31, 2019 shows that the City's investments had a par value of \$3,284,806 as of March 31, 2019. The City continues to have minimal investments that are not required for debt service reserves and to have limited, if any, interest earnings on restricted funds. Of the total amount invested, \$3,098,166 is invested in the pooled funds with the State Treasurer's Local Agency Investment Funds (LAIF) and \$186,640 is held in money market funds. Cash with Mechanics Bank was \$1,563,286. Total cash and investments were \$4,848,092. Of this amount, \$4,661,452 was available to meet operating expenses for the next six months.

STRATEGIC PLAN CONSIDERATIONS

The purpose of the City's Investment Policy is to provide guidelines for prudent investment of the City's idle funds and ensure policies, procedures and systems represent best practices in financial management (Goal B).

FINANCIAL CONSIDERATIONS

During the quarter interest of approximately \$3,743 was earned and debt service payments for the Recycle Center, City Hall, Master Lease, Swim Center and the Public Financing Authority Tax Allocation Refunding Bonds from the Redevelopment Agency debt were made, totaling \$1,925,000.

LEGAL CONSIDERATIONS

The City's investments comply with the "Authorized Investments" section of the Investment Policy.

Reviewed by:



Karen Pinkos
City Manager

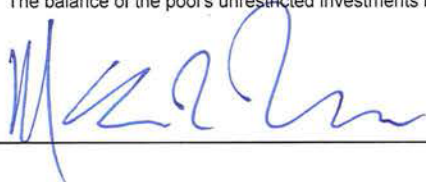
Attachments:

1. Cash & Investment Report for the Quarter ending March 31, 2019

City of El Cerrito
Quarterly Cash & Investment Report
For the Period Ending March 31, 2019

FUND	INVESTMENT TYPE	INVESTMENT	TRUSTEE/ BROKER	PAR VALUE	COST	INTEREST OR YIELD	MATURITY DATE	COST/ 100	*MARKET VALUE
Pooled Investments	Pooled Fund	Local Agency Investment Fund(LAIF)	CA State Treasurer	\$3,098,166	\$3,098,166	2.30%	N/A	100.00	\$3,098,166
Swim Center Fund	Blackrock Institutional Money Market	Union Bank/Blackrock Liquidity	Union Bank of CA	\$186,640	\$186,640	0.01%	N/A	100.00	\$186,640
				\$3,284,806	\$3,284,806				\$3,284,806
Cash with Bank (General Checking)	Mechanics Bank	N/A	N/A	\$1,563,286	\$1,563,286	N/A	N/A	N/A	\$1,563,286
Total Cash and Investments				\$4,848,092	\$4,848,092				\$4,848,092

I certify that this report is in compliance with the City of El Cerrito Investment Policy and the California Government Code Section 53646. The City has sufficient cash flow to meet the next six months of estimated expenditures as required by the Code. The balance of the pool's unrestricted investments in combination with anticipated operating cash inflows and the balance in the general checking account, will be used to meet the expenditure requirements for the next six months.



Mark R Rasiah, Finance Director/City Treasurer



AGENDA BILL

Agenda Item No. 4(D)

Date: April 16, 2019
To: El Cerrito City Council
From: Mark Soltes, Building Official
Will Provost, Clean Water Program Coordinator
Subject: Regulation Managing Priority Polychlorinated Biphenyls (PCBs)-Containing Materials During Building Demolition Projects

ACTION REQUESTED

Adopt a resolution to adopt and implement a program to manage polychlorinated biphenyls (PCBs) in building materials during the demolition of certain buildings.

BACKGROUND

Water quality within the San Francisco Bay Region is regulated by the Regional Water Quality Control Board ("Regional Water Board"). One way that the Regional Water Board protects water bodies within the San Francisco Bay Region is to develop Total Maximum Daily Loads (TMDLs), which are programs to restore water quality in water bodies impaired by pollutants such as PCBs. Currently there is a TMDL established for PCBs in the Bay. This TMDL was established in part because PCBs have been detected in elevated levels in certain sport fish in the San Francisco Bay. To make the fish safer to eat for both humans and wildlife, PCBs sources to the Bay need to be identified and controlled. To achieve the goals of the TMDL, a reduction in the amount of inputs of PCBs to the Bay is required. The PCBs TMDL estimates that 20 kilograms per year (kg/year) of PCBs enters the Bay in stormwater runoff and requires that this input be reduced to 2 kg/year by 2030, a 90% reduction.

Urban stormwater runoff is considered a significant pathway for PCBs into the Bay. Accordingly, the Regional Water Board is requiring that Bay Area municipalities address sources of PCBs in stormwater runoff discharged to the Bay from municipal separate storm sewers systems (MS4s). For example, the Bay Area Municipal Regional Stormwater Permit (MRP) contains Provision C.12.f., which requires municipalities to develop regulations to manage PCBs-containing building materials during demolition. The MRP requires that these new regulations are adopted and their implementation started by July 1, 2019. The Bay Area Stormwater Management Agencies Association (BASMAA) developed guidance, tools, and outreach and training materials to assist municipalities such as the City of El Cerrito in addressing this requirement and developing the new regulation.

The proposed regulation targets priority building materials that may contain relatively high levels of PCBs, especially in buildings constructed or remodeled from January 1, 1950 to December 31, 1980, with remodeling, partial building, wood framed structure, and single-family residence demolition projects being exempt. During demolition, these

building materials and associated PCBs may be released to the environment and transported to the Bay by stormwater runoff. The priority building materials are caulking, thermal/fiberglass insulation, adhesive/mastic, and rubber window gaskets.¹ Detailed information on the methodology used to select these priority materials can be found in the PCBs Building Materials Prioritization workbook developed by Larry Walker Associates for BASMAA.²

ANALYSIS

The proposed regulation and program to manage PCBs requires an assessment process for PCBs in building materials that is analogous in some ways to the process currently implemented for asbestos-containing materials. It also requires that the City of El Cerrito initially notify demolition permit applicants about the new requirements to conduct a PCBs in Priority Building Materials Screening Assessment.

An applicant package, screening assessment protocols, and model adoption language were developed by BASMAA in coordination with the Contra Costa County Clean Water Program, municipalities, and industry stakeholders. The PCBs in Priority Building Materials Screening Assessment Applicant Package (outlining the process for determining if this regulation applies to a structure as well as the protocols for screening for PCBs and providing the proper documentation to the City) are included as Attachment 3 to this Agenda Bill.

Applicants shall follow the directions provided in the Applicant Package, which includes an overview of the process, applicant instructions, a process flow chart, a screening assessment form, and the protocol for assessing priority PCBs-containing materials before building demolition. It is anticipated that many projects will not involve the demolition of applicable structures.³ Demolition permit applicants for projects that don't involve applicable structures will only need to address the initial screening questions in the Applicant Package and certify the answers.

For projects where one or more Priority Building Materials with PCBs are identified, the applicant must comply with all related applicable federal and state laws, including potential notification of the appropriate regulatory agencies, including the U.S. Environmental Protection Agency (USEPA), the Regional Water Board, and/or the California Department of Toxic Substances Control (DTSC).

Depending on the approach for sampling and removing building materials containing PCBs, the Applicant may need to notify or seek advance approval from the USEPA before building demolition.

¹ BASMAA 2018. Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition. Prepared for Bay Area Stormwater Management Agencies Association (BASMAA). August 2018.

² Larry Walker Associates (LWA) 2017. PCBs Building Materials Prioritization, Excel Workbook. October 2017.

³ *Applicable structures* are defined as structures built or remodeled from January 1, 1950 to December 1, 1980, with remodeling, partial building, wood framed structure, and single-family residence demolition projects being exempt.

The focus of this regulation is on PCBs runoff prevention to protect water quality. The regulation does not:

- Ask for municipal oversight or enforcement of human health protection standards.
- Ask for municipal oversight of PCBs abatement or remediation of materials or lands contaminated by PCBs.
- Establish remediation standards.

At all demolition sites, routine construction controls, including dust, erosion, and sediment controls, should also be implemented per the requirements of the MRP and the statewide Construction General Permit issued by the California State Water Resources Control Board.

STRATEGIC PLAN CONSIDERATIONS

Aligning the building demolition process to control for PCBs and reduce the risks associated with those pollutants is consistent with Strategic Plan Goal E – Ensure the Public’s Health and Safety, and Goal F – Foster Environmental Sustainability Citywide. Specifically, aligning with a strategy from Goal E, it "continue[s] multi-division/department teamwork to ensure and enhance the community’s safety through a thorough, efficient and comprehensive plan review, permitting and inspection process". In addition, the regulation, which will be implemented throughout the Bay Area, aligns with a strategy from Goal F, to “be a leader in setting policies and providing innovative programs that promote environmental sustainability”.

ENVIRONMENTAL CONSIDERATIONS

Adoption of the attached resolution is categorically exempt from environmental review under the California Environmental Quality Act (CEQA), Guidelines Section 15308, Actions by Regulatory Agencies for Protection of the Environment. This exemption provision applies to actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment as discussed above. No unacceptable negative impacts have been identified.

FINANCIAL CONSIDERATIONS

For projects that don’t involve applicable structures under the regulation, the additional amount of municipal staff time needed to process the demolition permit application is expected to be minimal and there should not be a need for cost recovery.

However, each applicant for demolition of an applicable structure will be required to screen priority building materials for PCBs and certify the results. For these projects, additional municipal staff hours will be needed to review and process the demolition permit application. City staff will need to confirm that the applicant has submitted all the required information and that the information appears to be consistent with the requirements of the program (i.e., review the application for completeness). It is estimated that on average two to three hours of municipal staff time will be required to

review and approve the application and accept and archive final supporting documents for projects that involve applicable structures and the average cost for staff time for applicable structures is estimated to be approximately \$400. Pursuant to the attached resolution, a fee to recover the City's costs of processing applications will be included for City Council consideration in the proposed FY 2019-20 Master Fee Schedule.

Due to the requirements of this regulation, applicants for demolition permits for applicable structures (including the City of El Cerrito while implementing public projects) would incur additional costs. Types of activities potentially required of applicants and the associated resources to implement the activities are summarized in Table 1, included as Attachment 2 of this Agenda Bill. The actual specific activities/resources required, and associated costs will vary depending on the project.

LEGAL CONSIDERATIONS

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

Reviewed by:



Karen Pinkos
City Manager

Attachments:

1. Resolution
2. Types of Activities Potentially Required of Applicants for Demolition Permits by this Regulation and the Associated Resources to Implement the Activities (Table 1)
3. PCBs in Priority Building Materials: Model Screening Assessment Applicant Package

RESOLUTION 2019-XX

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO AUTHORIZING
AND DIRECTING THE CITY MANAGER TO DEVELOP AND PROMULGATE
REGULATIONS TO ADOPT AND IMPLEMENT A PROGRAM TO MANAGE PCBs IN
BUILDING MATERIALS DURING THE DEMOLITION OF CERTAIN BUILDINGS**

WHEREAS, polychlorinated biphenyls (PCBs) have been detected in elevated levels in fish and sediment in the San Francisco Bay making fish unsafe to eat; and

WHEREAS, urban runoff through storm drain systems and other discharges is considered a significant pathway for PCBs into the Bay; and

WHEREAS, PCBs in caulk and other priority building materials that were used in building construction and remodeling projects between 1950 and 1980 have been found to have particularly high PCBs concentrations; and

WHEREAS, during demolition these building materials may be released to the environment and transported to receiving waters by stormwater runoff; and

WHEREAS, the San Francisco Bay Regional Water Quality Control Board adopted on November 19, 2015 the reissued Municipal Regional Permit ("MRP"), a National Pollutant Discharge Elimination System ("NPDES") permit that regulates discharges of stormwater runoff from municipal separate storm sewers systems ("MS4s"). The MRP includes provisions that implement the requirements in the PCBs Total Maximum Daily Load ("TMDL"), a program to address the Bay's impairment by PCBs; and

WHEREAS, the MRP requires the Permittees, including the City of El Cerrito, to reduce discharges of PCBs in stormwater runoff to the San Francisco Bay; and

WHEREAS, the MRP requires the Permittees, including the City of El Cerrito, to develop and implement new programs to manage PCBs-containing building materials during demolition; and

WHEREAS, the MRP requires the Permittees to require that demolition permits for buildings that were built or remodeled during the period from January 1, 1950 to December 31, 1980 be screened for the presence of PCBs in priority building materials; and

WHEREAS, remodeling, partial building, wood framed structure, and single-family residence demolition projects are exempt from screening for the presence of PCBs in priority building materials; and

WHEREAS, Section 15308 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA) applies to actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment; and

WHEREAS, the MRP requires that these new programs be adopted by June 30, 2019 and implemented by July 1, 2019.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Cerrito hereby authorizes and directs the City Manager or designee to adopt a program to manage PCBs in building materials during demolition by June 30, 2019 and to implement it by July 1, 2019.

BE IT FURTHER RESOLVED, that the City Council authorizes and directs the City Manager or designee to promulgate regulations and procedures to create and manage the program including the development of conditions of approval, demolition permit requirements and/or construction and demolition waste management forms.

BE IT FURTHER RESOLVED, that the City Council finds, under the provisions of CEQA Guidelines Section 15308, that the program to manage PCBs in building materials during demolition is categorically exempt from environmental review under CEQA, and that no unacceptable negative impacts from the program have been identified.

BE IT FURTHER RESOLVED, that the City Council authorizes and directs the City Manager or designee to develop the appropriate permit fees and/or other cost recovery mechanisms for processing applications required by the program, to be considered by the City Council as part of the Fiscal Year 2019-20 updates to the City's Master Fee Schedule.

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

I CERTIFY that at a regular meeting on April 16, 2019 the City Council of the City of El Cerrito passed this Resolution by the following vote:

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

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on April XX, 2019.

Holly M. Charl  ty, City Clerk

APPROVED:

Rochelle Pardue-Okimoto, Mayor

Table 1. Types of Activities Potentially Required of Applicants for Demolition Permits by this Regulation and the Associated Resources to Implement the Activities.

Potentially Required Applicant Activity¹	Resource¹
Initial screening: building age, use, construction type	Applicant staff time
PCBs in priority building materials screening	
Research material specific formulations	Applicant staff time and/or hire consultant
Develop representative sampling plan	Hire consultant
Sample collection and analysis	Hire consultant and analytical laboratory
Notifications to regulators	Applicant staff time and/or hire consultant
Removal of priority PCBs-containing materials	
Develop removal/disposal plan	Hire consultant
Implement removal plan	Hire consultant and/or abatement contractor
Verification sample collection and analysis	Hire consultant/contractor and analytical laboratory
Any required additional site investigation and cleanup ²	
Work with regulator (e.g., EPA) before and during investigation and cleanup	Applicant staff time and/or hire consultant
Develop site investigation and cleanup plan	Hire consultant
Implement site investigation and cleanup plan	Hire consultant and/or abatement contractor
Verification sample collection and analysis	Hire consultant/contractor and analytical laboratory
Waste transport and disposal	
PCBs waste transport and disposal	Hazardous waste transport and landfill fees
Municipal waste transport and disposal	Municipal waste transport and landfill fees
Reporting, completion of forms, certifications	Applicant staff time, hire consultant
Oversight and management	Applicant staff time, hire consultant

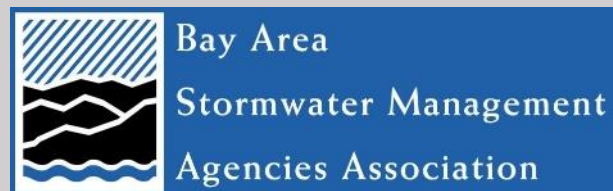
¹ The actual specific activities/resources required and associated costs will vary greatly depending on the project.

² For example, cleanup of substrates adjacent to the PCBs-containing materials, site sediments, and/or site soils.

PCBs in Priority Building Materials: Model Screening Assessment Applicant Package



Managing PCBs–Containing Building Materials during Demolition: Guidance, Tools, Outreach and Training



August 2018

This document is a deliverable of the Bay Area Stormwater Management Agencies Association (BASMAA) project *Managing PCBs–Containing Building Materials during Demolition: Guidance, Tools, Outreach and Training*. BASMAA developed guidance, tools, and outreach and training materials to assist with San Francisco Bay Area municipal agencies’ efforts to address the requirements of Provision C.12.f. of the Bay Area Municipal Regional Stormwater Permit (referred to as the MRP). Provision C.12.f of the MRP requires Permittees to manage PCBs–containing building materials during demolition.

We gratefully acknowledge the BASMAA Steering Committee for this project, which provided overall project oversight, including during the development of this and other project deliverables:

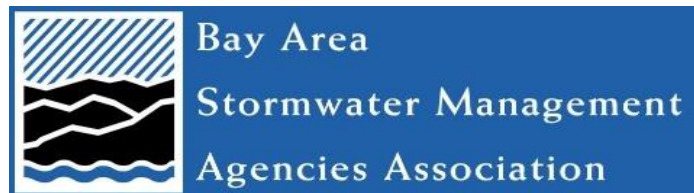
- Reid Bogert, Stormwater Program Specialist, San Mateo Countywide Water Pollution Prevention Program (BASMAA Project Manager)
- Amanda Booth, Environmental Program Analyst, City of San Pablo
- Kevin Cullen, Program Manager, Fairfield-Suisun Urban Runoff Management Program
- Matt Fabry, Program Manager, San Mateo Countywide Water Pollution Prevention Program
- Gary Faria, Supervisor, Inspection Services, Building Inspection Division, Contra Costa County
- Napp Fukuda, Deputy Director - Watershed Protection Division, City of San José
- Ryan Pursley, Chief Building Official, Building Division, City of Concord
- Pam Boyle Rodriguez, Manager, Environmental Control Programs – Stormwater, City of Palo Alto
- Jim Scanlin, Program Manager, Alameda Countywide Clean Water Program
- Melody Tovar, Regulatory Programs Division Manager, City of Sunnyvale

We also gratefully acknowledge the project Technical Advisory Group, which provided feedback from a variety of project stakeholders during development of selected project deliverables:

Stakeholder Group	Representative(s)
Regulatory – stormwater/PCBs	Luisa Valiela and Carmen Santos, U.S. EPA Region 9
Regulatory – stormwater/TMDL	Jan O’Hara, San Francisco Bay Regional Water Quality Control Board
Regulatory – experience with related program (asbestos management)	Ron Carey and Richard Lew, Bay Area Air Quality Management District
Industry – demolition contractors	Avery Brown, Ferma Corporation
Industry – remediation consultants	John Martinelli, Forensic Analytical Consulting John Trenev, Bayview Environmental Services, Inc.
MRP Permittee – large municipality	Patrick Hayes, City of Oakland
MRP Permittee – medium municipality	Kim Springer, San Mateo County Office of Sustainability
MRP Permittee – small municipality	Amanda Booth, City of San Pablo

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Prepared by:

EOA, Inc.
Larry Walker Associates
Geosyntec Consultants
Stephanie Hughes
David J. Powers & Associates, Inc.



MEMORANDUM

TO: BASMAA Board of Directors

FROM: BASMAA Project Team: EOA, Inc., Larry Walker Associates, Geosyntec Consultants, Stephanie Hughes, and David J. Powers & Associates, Inc.

DATE: August 13, 2018

SUBJECT: Supplemental Demolition Permit Application Materials - Managing PCBs–Containing Building Materials during Demolition: Guidance, Tools, Outreach and Training

This memorandum transmits a deliverable for Task 5 (Supplemental Demolition Permit Application Materials) of the Bay Area Stormwater Management Agencies Association (BASMAA) project *Managing PCBs–Containing Building Materials during Demolition: Guidance, Tools, Outreach and Training*. BASMAA developed guidance, tools, and outreach and training materials to assist with San Francisco Bay Area municipal agencies’ efforts to address the requirements of Provision C.12.f. of the Bay Area Municipal Regional Stormwater Permit (SFBRWQCB 2015, referred to as the MRP). The MRP is issued by the San Francisco Bay Regional Water Quality Control Board¹ (Regional Water Board). Provision C.12.f requires Permittees to manage PCBs–containing building materials during demolition.

OBJECTIVES OF THIS TECHNICAL MEMORANDUM

MRP Provision C.12.f.ii (2) requires that by July 1, 2019 Permittees “implement or cause to be implemented the PCBs management protocol for ensuring PCBs are not discharged to MS4s from demolition of applicable structures via vehicle track-out, airborne releases, soil erosion, or stormwater runoff.” This memorandum was developed to assist Permittees to comply with Provision C.12.f.ii (2) by transmitting a *PCBs in Priority Building Materials: Model Screening Assessment Applicant Package*.

PCBS IN PRIORITY BUILDING MATERIALS SCREENING ASSESSMENT APPLICANT PACKAGE

The attached *PCBs in Priority Building Materials Screening Assessment Applicant Package (Applicant Package)* contains model supplemental demolition permit application materials that incorporate the PCBs in building materials control program requirements in the MRP. It includes supplemental demolition permit application model materials, including an overview of the process, forms, applicant instructions, and process flow charts. The starting point was the model process flowcharts and forms developed for the PCBs in Caulk Project in 2011.²

The *Applicant Package* incorporates the steps outlined in the *Protocol for Evaluating Priority PCBs–Containing Materials before Building Demolition* (BASMAA 2018), which was developed via Task 3 of this BASMAA regional project, and converts those steps into appropriate application questions and submittals. In addition, the *Applicant Package* incorporates gathering tracking and assessment

¹ The MRP was reissued November 19, 2015, with an effective date of January 1, 2016. There are 77 Phase I municipal stormwater Permittees in five Bay Area counties, which are among the over 90 local agencies represented by BASMAA.

² <http://www.sfestuary.org/taking-action-for-clean-water-pcbs-in-caulk-project>

information related to the MRP Provision C.12.f.ii (3) requirement to develop an assessment methodology and data collection program to quantify reductions in PCBs loads to MS4s through the new program for controlling PCBs during demolition. Task 7 of this BASMAA regional project developed a conceptual approach to developing the assessment methodology and data collection program that is coordinated with the *Applicant Package*.

The *Applicant Package* summarizes the typical process that a local agency will need to follow to implement a new program to manage PCBs-containing materials during building demolition. It is anticipated that each jurisdiction's approach to implementing the new program will vary depending upon that agency's current procedures and needs. Potential approaches include using the model materials as a stand-alone program, or incorporating questions in the model materials into existing demolition permit or building permit applications, Construction and Demolition (C&D) applications and plan development guidance, and/or information management systems such as GreenHalo™. However, the *Applicant Package* was developed as a stand-alone package in order to provide a complete overview of a model process.

REFERENCES

California Regional Water Quality Control Board, San Francisco Bay Region (SFBRWQCB) 2015. Municipal Regional Stormwater NPDES Permit, Order R2–2015–0049, NPDES Permit No. CAS612008. November 19, 2015.

BASMAA 2018. Protocol for Evaluating Priority PCBs–Containing Materials before Building Demolition. Prepared for Bay Area Stormwater Management Agencies Association (BASMAA). August 2018.

**PCBs in Priority Building Materials:
Model Screening Assessment Applicant Package**

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DISCLAIMER

Information contained in BASMAA products is to be considered general guidance and is not to be construed as specific recommendations for specific cases. BASMAA is not responsible for the use of any such information for a specific case or for any damages, costs, liabilities or claims resulting from such use. Users of BASMAA products assume all liability directly or indirectly arising from use of the products.

The material presented in this document is intended solely for the implementation of a municipal regulatory program required by the San Francisco Bay Area Regional Water Quality Control Board Municipal Regional Stormwater Permit for the protection of water quality under the Clean Water Act.

BASMAA prepared the tools and guidance herein to assist MRP Permittees' efforts to address the requirements of Provision C.12.f. of the MRP. The project team received input from a variety of stakeholders during development of the tools and guidance, including regulators (San Francisco Bay Regional Water Quality Control Board, U.S. EPA, and Bay Area Air Quality Management District staff), Bay Area municipal agency staff, and industry representatives.

This document does not address other environmental programs or regulations (e.g., PCBs regulations under the Toxic Substances Control Act (TSCA); federal, state, or local regulations for hazardous material handling and hazardous waste disposal; health and safety practices to mitigate human exposure to PCBs or other hazardous materials; recycling mandates; and abatement at sites with PCBs (or other contaminants). The applicant is responsible for knowing and complying with all relevant laws and regulations.

The mention of commercial products, their source, or their use in connection with information in BASMAA products is not to be construed as an actual or implied approval, endorsement, recommendation, or warranty of such product or its use in connection with the information provided by BASMAA.

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Process Overview

This document provides a model PCBs in Priority Building Materials Screening Assessment process to be conducted by demolition project proponents (applicants). A flow chart illustrating the above processes is provided in **Attachment A**.

Applicants proposing to demolish buildings must conduct the PCBs screening assessment. Through the PCBs screening assessment applicants will:

- 1) Determine whether the building proposed for demolition is likely to have PCBs-containing building materials (see discussion of applicable structure); and
- 2) Determine whether PCBs are present at a concentration equal to or greater than 50 parts per million (ppm) in building materials.

Use the *PCBs Screening Assessment Form (Attachment B)* to summarize and certify the information required by the municipality to issue the demolition permit. The form is divided into four parts:

- **Part 1** provide applicant information and project location.
- **Part 2** complete the questions to identify whether the project involves an applicable structure. If the demolition does not involve an applicable structure, the form may be certified and submitted without completing Part 3.
- **Part 3** complete the questions to provide the concentrations of PCBs in any priority building materials.
- **Part 4** certify the information being submitted.

Note that fluorescent light ballasts, polyurethane foam furniture, and Askarel fluid used in transformers, all of which may contain PCBs, are typically managed during pre-demolition activities under current regulations and programs that require removal of universal waste and outdated transformers. For this process it is assumed that those materials will be evaluated and managed under those existing programs.

This screening process is part of a program for water quality protection and was designed in accordance with requirements in the MRP.¹ It does not address other environmental programs or regulations (e.g., PCBs regulations under the Toxic Substances Control Act (TSCA); federal, state, or local regulations for hazardous material handling and hazardous waste disposal; health and safety practices to mitigate human exposure to PCBs or other hazardous materials; recycling mandates; or abatement at sites with PCBs (or other contaminants). **The applicant is responsible for complying with all relevant laws and regulations. See the Notices to Applicants section for additional information.**

Water quality within the San Francisco Bay Region is regulated by the San Francisco Bay Area Regional Water Quality Control Board (Regional Water Board).

In 2015, the Regional Water Board reissued the Municipal Regional Permit (MRP)¹ that regulates discharges of stormwater runoff. The MRP includes provisions for reducing discharges of polychlorinated biphenyls (PCBs) in stormwater runoff and requires municipalities to develop a program to manage priority PCBs-containing building materials during demolition and implement the program by July 1, 2019.

Existing federal and state regulations create the framework for managing PCBs in building materials once those PCBs are identified through this program and for disposing of wastes containing PCBs.

¹ A National Pollutant Discharge Elimination System (NPDES) permit, Order No. R2-2015-0049, issued to municipalities in the counties of Alameda, Contra Costa, San Mateo, and Santa Clara, and the Cities of Fairfield, Suisun City, and Vallejo.

Applicant Instructions for Completing the PCBs Screening Assessment Form

Applicants for demolition permits or other permits that involve the complete demolition of a building must conduct an assessment to screen for PCBs in priority building materials. Use the *PCBs Screening Assessment Form*, to summarize and certify the information needed by the municipality to issue a demolition permit. The form is provided in **Attachment B**. If the project includes the demolition of multiple buildings complete one form for each building to be demolished.

Part 1. Owner and project information

Complete the owner and consultant information and the project location information.

For the Type of Construction select one of the following options:

- **Wood Frame** (Buildings constructed with lumber or timbers, which make up the studs, plates, joists, and rafters.)
- **Masonry Construction** (Buildings constructed with concrete blocks or bricks as the load bearing walls typically with the floors and ceilings constructed with wooden joists.)
- **Steel Frame Construction** (Buildings constructed with steel studs or steel columns and steel joists or trusses to support floors and roofs. Includes light gauge steel construction and high-rise steel construction.)
- **Concrete Frame** (Buildings constructed with reinforced concrete columns, concrete beams, and concrete slabs.)
- **Pre-Engineered** (Buildings constructed with pre-engineered parts bolted together.)

Part 2. Is building subject to the screening requirement based on type, use, and age of the building?

Part 2 documents the determination of whether the proposed demolition will affect an applicable structure. If the demolition does not affect an applicable structure, then the assessment is complete, and the form can be certified.

This determination screens out buildings that are a lower priority with regard PCBs-containing materials and provides an off-ramp from the rest of the screening process.

Key Definitions

Demolition means the wrecking, razing, or tearing down of any building. The definition is intended to be consistent with the demolition activities undertaken by contractors with a C-21 Building Moving/Demolition Contractor's License.

Priority Building Materials are:

1. Caulk;
2. Thermal insulation;
3. Fiberglass insulation;
4. Adhesive mastics; and
5. Rubber window gaskets.

Buildings are structures with a roof and walls standing more or less permanently in one place. Buildings are intended for human habitation or occupancy.

Applicable Structures are defined as buildings constructed or remodeled between January 1, 1950 and December 31, 1980. Wood framed buildings and single-family residential buildings are not applicable structure regardless of the age of the building.

Question 2.a: Is the building to be demolished wood framed and/or single family residential?

- If YES the PCBs Screening Assessment is complete, skip to the certification in Part 4.
- If NO, continue to Question 2.b.

Question 2.b: Was the building to be demolished constructed or remodeled between January 1, 1950 and December 31, 1980?

- If YES continue to Question 2.c.
- If NO, the PCBs Screening Assessment is complete, skip to the certification in Part 4.

Studies have found the highest concentrations of PCBs in building materials in buildings that were built or remodeled from 1950 to 1980.

For this process, the date that the building permit was issued will be used to determine applicability.

Question 2.c: Is the proposed demolition a complete demolition of the building (as defined in key definitions of this document)?

- If YES continue to Part 3.
- If NO, the PCBs Screening Assessment is complete, skip to the certification in Part 4.

Part 3. Report concentrations of PCBs in priority building materials

Part 3 documents the results of the assessment of PCBs concentrations in priority building materials. Part 3 is only required for proposed demolition of an applicable structure, as determined in Part 2. Check the option used.

- **Option 1** Conduct representative sampling and analysis of the priority building materials per the *Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition* (August 2018) provided in **Attachment C**.
- **Option 2** Use existing sampling results of the priority building materials. Applicants who have conducted sampling prior to the publication of the protocol may use that data provided it is consistent with the protocol (e.g., analytical methods, sample collection frequency, QA/QC). It is anticipated that prior sampling results will rarely be available and that most Applicants will need to use Option 1.

3.a Option 1 – Conduct representative sampling

Check this box if you conducted representative sampling and analysis of the priority building materials per the *Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition* (August 2018) (**Attachment C**).

- Complete the applicable tables for each priority building material.
- Attach the contractor's report² documenting the evaluation results.
- Attach (or include in the contractor's report) the QA/QC checklist (see **Attachment C**, Section 3.2.4).
- Attach copies of the analytical data reports.

² The contractor's report of the findings of the PCBs building material evaluation. See section 3 of Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition (Attachment C).

3.a Option 2 – Use existing sampling records

In some cases, a property owner may have conducted sampling of the priority building materials for PCBs. If such data exist, you may use these data to demonstrate the concentration of PCBs in the priority building materials for the PCBs screening. However, if the sampling must be consistent with the *Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition*.

- Complete the applicable tables for each priority building material.
- Attach the contractor's report/statement that the results are consistent with the *Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition*.
- Attach copies of the analytical data reports.

Part 3 Tables Summarize concentrations of PCBs in priority building materials

Use these tables to summarize the concentrations of PCBs in the priority building materials.

- Each page of the table is for a different material. Duplicate the pages as needed to report all concentration data.
- A blank page is provided. Applicants have the option of submitting PCBs concentration data on other materials in addition to the priority building materials.

Column 1: required for all priority building material PCBs concentrations

- Use column 1 to report all PCBs concentrations in the priority building materials. Provide short description of the sample location, concentration.

Column 2: only required for PCBs concentrations ≥ 50 ppm

- Use column 2 to estimate the amount of material associated with each sample.

Part 4. Certification

- Complete the certification. The certification must be signed by the property owner or the owner's agent or legal representatives and the consultant who complete the application form.

Notices to Applicants Regarding Federal and State PCBs Regulations

Applicants that determine PCBs exist in priority building materials must follow applicable federal and state laws. This may include reporting to U.S. Environmental Protection Agency (USEPA), the San Francisco Bay Regional Water Quality Control Board, and the California Department of Toxic Substances Control (DTSC). These agencies may require additional sampling and abatement of PCBs.

Depending on the approach for sampling and removing building materials containing PCBs, you may need to notify or seek advance approval from USEPA before building demolition. Even in circumstances where advance notification to or approval from USEPA is not required before the demolition activity, the disposal of PCBs waste is regulated under Toxic Substances Control Act (TSCA).

Additionally, the disposal of PCBs waste is subject to California Code of Regulations (CCR) California Code of Regulations (CCR) Title 22, Section Division 4.5, Chapter 12, Standards Applicable to Hazardous Waste Generators.

Building owners and employers need to consider worker and public safety during work involving hazardous materials and wastes including PCBs.

Federal and State Regulations

Building materials containing PCBs at or above 50 ppm that were manufactured with PCBs (e.g., caulk, joint sealants, paint) fall under the category of PCBs bulk product wastes. See 40 Code of Federal Regulations (CFR) 761.3 for a definition of PCBs bulk product wastes.

Building materials such as concrete, brick, metal contaminated with PCBs are PCBs remediation wastes (e.g., concrete contaminated with PCBs from caulk that contains PCBs). 40 CFR 761.3 defines PCBs remediation wastes.

Disposal of PCBs wastes are subject to TSCA requirements such as manifesting of the waste for transportation and disposal. See 40 CFR 761 and 40 CFR 761, Subpart K.

TSCA-regulated does not equate solely to materials containing PCBs at or above 50 ppm. There are circumstances in which materials containing PCBs below 50 ppm are subject to regulation under TSCA. See 40 CFR 761.61(a)(5)(i)(B)(2)(ii).

Disposal of PCBs wastes are subject to California Code of Regulations (CCR) Title 22, Section Division 4.5, Chapter 12, Standards Applicable to Hazardous Waste Generators.

California hazardous waste regulatory levels for PCBs are 5 ppm based on the Soluble Threshold Limit Concentration test and 50 ppm based on the Total Threshold Limit Concentration test, see CCR, Title 22, Section 66261.24, Table III.

Agency Contacts

Applicants should contact the appropriate agencies and review the relevant guidance and information about PCBs in building materials. Municipal staff are not able to advise you on the requirements of the applicable federal and state laws.

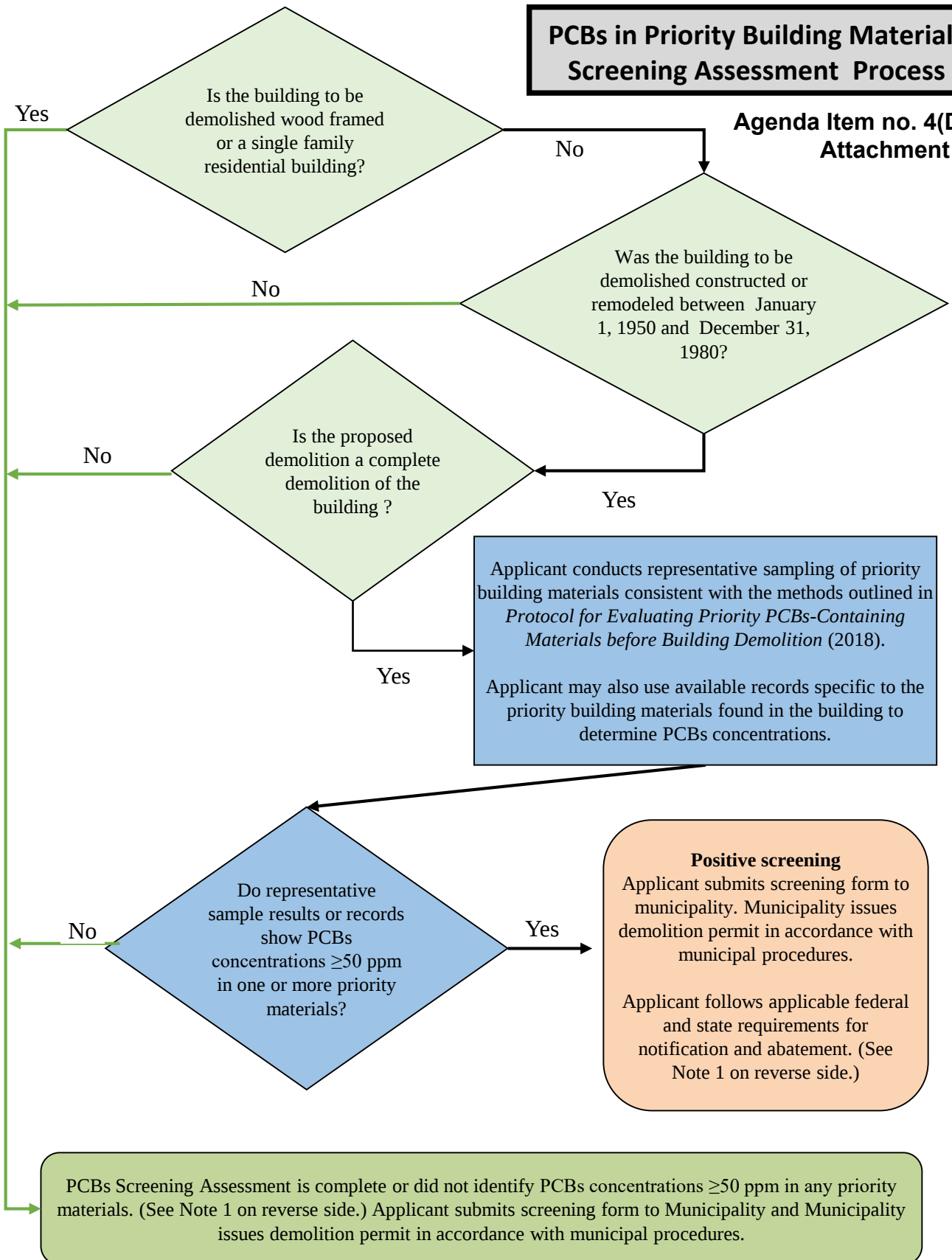
Agency	Contact	Useful Links
US Environmental Protection Agency	Steve Armann (415) 972-3352 armann.steve@epa.gov	https://www.epa.gov/pcbs (EPA PCB website) https://www.epa.gov/pcbs/questions-and-answers-about-polychlorinated-biphenyls-pcbs-building-materials (PCBs in Building Materials Fact Sheet and Q/A Document) https://www.epa.gov/pcbs/pcb-facility-approval-streamlining-toolbox-fast-streamlining-cleanup-approval-process (USEPA PCB Facility Approval Streamlining Toolbox (PCB FAST)) https://www.epa.gov/pcbs/polychlorinated-biphenyls-pcbs-building-materials#Test-Methods (See Information for Contractors Working in Older Buildings that May Contain PCBs)
San Francisco Bay Regional Water Quality Control Board	Jan O'Hara (510) 622-5681 Janet.O'Hara@waterboards.ca.gov Cheryl Prowell (510) 622-2408 Cheryl.Prowell@waterboards.ca.gov	https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/TMDLs/sfbaypcbstdl.shtml https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/sitecleanupprogram.html
Department of Toxic Substances Control	Regulatory Assistance Office 1-800-72TOXIC RAO@dtsc.ca.gov	http://www.dtsc.ca.gov/SiteCleanup/Brownfields/upload/PUB_SMP_Guide-to-Selecting-a-Consultant.pdf
California Division of Occupational Safety and Health (known as Cal/OSHA)	Cal/OSHA Consultations Services 1-800-963-9424	https://www.dir.ca.gov/dosh/consultation.html

Attachment A

Process Flow Chart

PCBs in Priority Building Materials Screening Assessment Process

Agenda Item no. 4(D)
Attachment 3



Note 1

- ❖ Building materials containing PCBs at or above 50 ppm that were manufactured with PCBs (e.g., caulk, joint sealants, paint) fall under the category of PCBs bulk product wastes. See 40 Code of Federal Regulations (CFR) 761.3 for a definition of PCBs bulk product wastes.
- ❖ Building materials such as concrete, brick or metal contaminated with PCBs are PCBs remediation wastes (e.g., concrete contaminated with PCBs from caulk that contains PCBs). 40 CFR 761.3 defines PCBs remediation wastes.
- ❖ Disposal of PCBs wastes are subject to TSCA requirements such as manifesting of the waste for transportation and disposal. See 40 CFR 761 and 40 CFR 761, Subpart K.
- ❖ TSCA-regulated does not equate solely to “materials containing PCBs at or above “50 mg/kg.” There are circumstances in which materials containing PCBs below 50 mg/kg are subject to regulation under TSCA. See 40 CFR 761.61(a)(5)(i)(B)(2)(ii).
- ❖ Disposal of PCBs wastes are subject to California Code of Regulations (CCR) Title 22, Section Division 4.5, Chapter 12, Standards Applicable to Hazardous Waste Generators.
- ❖ California hazardous waste regulatory levels for PCBs are 5 ppm based on the Soluble Threshold Limit Concentration test and 50 ppm based on the Total Threshold Limit Concentration test, see CCR, Title 22, Section 66261.24, Table III.

Attachment B
PCBs in Priority Building Materials Screening
Assessment Form

For Municipality Use Only

PCBs Screening Assessment Form

Date Received	
File #	

This screening process is part of a program for water quality protection and was designed in accordance with requirements in the Bay Area regional municipal stormwater NPDES permit (referred to as the Municipal Regional Permit). This process **does not** address other environmental programs or regulations (e.g., PCBs regulations under the Toxic Substances Control Act (TSCA); federal, state, or local regulations for hazardous material handling and hazardous waste disposal; health and safety practices to mitigate human exposure to PCBs or other hazardous materials; recycling mandates; or abatement at sites with PCBs or other contaminants). **The applicant is responsible for knowing and complying with all relevant laws and regulations. See Notices to Applicants section in the Applicant Instructions and at the end of this form.**

Complete all applicable parts of the PCBs Screening Assessment Form and submit with your demolition permit application.

All Applicants must complete Part 1 and Part 2.

Part 1. Owner/Consultant and project information		
Owner Information		
Name		
Address		
City	State	Zip
Contact (Agent)		
Phone	Email	
Consultant Information		
Firm Name		
Address		
City	State	Zip
Contact Person		
Phone	Email	
Project Location		
Address		
City	State CA	Zip
APN (s)		
Year Building was Built	Type of Construction	
Estimated Demolition Date		

Part 2. Is building subject to the PCBs screening requirement based on type, use, and age of the building?

2.a Is the building to be demolished wood framed and/or single family residential? ☐ Yes ☐ No

If the answer to question 2.a is **Yes**, the PCBs Screening Assessment is complete, skip to Part 4. If the answer is **No**, continue to Question 2.b.

2.b Was the building to be demolished constructed or remodeled between January 1, 1950 and December 31, 1980? ☐ Yes ☐ No

➤ If the answer to Question 2.b is **No** the PCBs Screening Assessment is complete, skip to Part 4. If the answer is **Yes**, continue to Question 2.c.

2.c Is the proposed demolition a complete demolition of the building? ☐ Yes ☐ No

➤ If the answer to Question 2.c is **No** the PCBs Screening Assessment is complete, skip to Part 4. If the answer is **Yes**, complete Part 3.

All applications affecting applicable structures and demolitions must complete Part 3 and the Part 3 Tables.

Part 3. Report concentrations of PCBs in priority building materials

Option 1. Applicants conducted representative sampling and analysis of the priority building materials per the Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition (2018) (Attachment C).

Option 2. Applicants possess existing sample results that are that are consistent with the Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition (2018) (Attachment C).

3.a Select option and report PCBs concentrations in the priority building materials and the source of data for each of the priority building materials. Provide the required supporting information

☐ Option 1 Conduct Representative Sampling

- Summarize results on Part 3 Tables; and
- Provide the following supporting information:
 - ☐ Contractor's report documenting the assessment results;
 - ☐ QA/QC checklist (see Attachment C, section 3.2.4); and
 - ☐ Copies of the analytical data reports.

☐ Option 2 Use Existing Sampling Records

- Summarize results on Part 3 Tables; and
- Provide the following supporting information:
 - ☐ Contractor's report/statement that the results are consistent with the Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition.
 - ☐ Copies of the analytical data reports.

All Applicants must complete Part 4.

Part 4. Certification

I certify that the information provided in this form is, to the best of my knowledge and belief, true, accurate, and complete. I further certify that I understand my responsibility for knowing and complying with all relevant laws and regulations related to reporting, abating, and handing and disposing of PCBs materials and wastes. I understand there are significant penalties for submitting false information. I will retain a copy of this form and the supporting documentation for at least 5 years.

Signature: _____ Date: _____
(Property Owner//Agent/Legal Representative)

Print/Type: _____
(Property Owner/Agent/Legal Representative Name)

Signature: _____ Date: _____
(Consultant Completing Application Form)

Print/Type: _____
(Consultant Completing Application Form)

Notices to Applicants Regarding Federal and State PCBs Regulations

Applicants that determine PCBs exist in building materials must follow applicable federal and state laws. This may include reporting to U.S. Environmental Protection Agency (USEPA), the San Francisco Bay Regional Water Quality Control Board, and the California Department of Toxic Substances Control (DTSC). These agencies may require additional sampling and abatement of PCBs. Depending on the approach for sampling and removing building materials containing PCBs, you may need to notify or seek advance approval from USEPA before building demolition. Even in circumstances where advance notification to or approval from USEPA is not required before the demolition activity, the disposal of PCBs waste is regulated under TSCA and the California Code of Regulations. (See Note 1)

Note 1 - Federal and State Regulations

Building materials containing PCBs at or above 50 ppm that were manufactured with PCBs (e.g., caulk, joint sealants, paint) fall under the category of PCBs bulk product wastes. See 40 Code of Federal Regulations (CFR) 761.3 for a definition of PCBs bulk product wastes.

Building materials such as concrete, brick, metal contaminated with PCBs are PCBs remediation wastes (e.g., concrete contaminated with PCBs from caulk that contains PCBs). 40 CFR 761.3 defines PCBs remediation wastes.

Disposal of PCBs wastes are subject to TSCA requirements such as manifesting of the waste for transportation and disposal. See 40 CFR 761 and 40 CFR 761, Subpart K.

TSCA-regulated does not equate solely to materials containing PCBs at or above 50 ppm. There are circumstances in which materials containing PCBs below 50 ppm are subject to regulation under TSCA. See 40 CFR 761.61(a)(5)(i)(B)(2)(ii).

Disposal of PCBs wastes are subject to California Code of Regulations (CCR) Title 22, Section Division 4.5, Chapter 12, Standards Applicable to Hazardous Waste Generators.

California hazardous waste regulatory levels for PCBs are 5 ppm based on the Soluble Threshold Limit Concentration test and 50 ppm based on the Total Threshold Limit Concentration test, see CCR, Title 22, Section 66261.24, Table III.

Agency	Contact	Useful Links
US Environmental Protection Agency	Steve Armann (415) 972-3352 armann.steve@epa.gov	https://www.epa.gov/pcbs (EPA PCBs website) https://www.epa.gov/pcbs/questions-and-answers-about-polychlorinated-biphenyls-pcbs-building-materials (PCBs in Building Materials Fact Sheet and Q/A Document) https://www.epa.gov/pcbs/pcb-facility-approval-streamlining-toolbox-fast-streamlining-cleanup-approval-process (USEPA PCB Facility Approval Streamlining Toolbox (PCB FAST)) https://www.epa.gov/pcbs/polychlorinated-biphenyls-pcbs-building-materials#Test-Methods (See Information for Contractors Working in Older Buildings that May Contain PCBs)
San Francisco Bay Regional Water Quality Control Board	Jan O'Hara (510) 622-5681 Janet.O'Hara@waterboards.ca.gov Cheryl Prowell (510) 622-2408 Cheryl.Prowell@waterboards.ca.gov	https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/TMDLs/sfbaypcbstmtl.shtml https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/sitecleanupprogram.html
Department of Toxic Substances Control	Regulatory Assistance Office 1-800-727-TOXIC RAO@dtsc.ca.gov	http://www.dtsc.ca.gov/SiteCleanup/Brownfields/upload/PUB_SMP_Guide-to-Selecting-a-Consultant.pdf
California Division of Occupational Safety and Health (Cal/OSHA)	CalOSHA Consultations Services 1-800-963-9424	https://www.dir.ca.gov/dosh/consultation.html

Part 3 Caulk Applications Table			
Column 1. Report all PCBs concentrations for each homogenous area of caulking area (see Attachment C, Section 3.2.2). Use sample designators/descriptions from laboratory report.		Column 2. Complete for each concentration ≥ 50 ppm	
<u>Caulk Application Sample Description</u>	<u>Concentration (mg/kg)</u>	<u>Estimate Amount of Material</u>	<u>Units</u>
<i>Example:</i> <u>Caulk Sample 1</u>	<u>320</u>	<u>48</u>	<i>Linear Feet</i>
1. _____	_____	_____	Linear Feet
2. _____	_____	_____	Linear Feet
3. _____	_____	_____	Linear Feet
4. _____	_____	_____	Linear Feet
5. _____	_____	_____	Linear Feet
6. _____	_____	_____	Linear Feet
7. _____	_____	_____	Linear Feet
8. _____	_____	_____	Linear Feet
9. _____	_____	_____	Linear Feet
10. _____	_____	_____	Linear Feet

Duplicate page if additional space is needed.

Part 3 Fiberglass Insulation Applications Table			
Column 1. Report all PCBs concentrations for each homogenous area of fiberglass insulation (see Attachment C, Section 3.2.2). Use sample designators/descriptions from laboratory report.		Column 2. Complete for each concentration ≥ 50 mg/kg	
<u>Fiberglass Insulation Application Sample Description</u>	<u>Concentration (mg/kg)</u>	<u>Estimate Amount of Material</u>	<u>Units</u>
<i>Example:</i> <u>Fiberglass Insulation Sample 1</u>	<u>78</u>	<u>86</u>	<i>Square Feet</i>
1. _____	_____	_____	Square Feet
2. _____	_____	_____	Square Feet
3. _____	_____	_____	Square Feet
4. _____	_____	_____	Square Feet
5. _____	_____	_____	Square Feet
6. _____	_____	_____	Square Feet
7. _____	_____	_____	Square Feet
8. _____	_____	_____	Square Feet
9. _____	_____	_____	Square Feet
10. _____	_____	_____	Square Feet

The area of insulation wrapped around a pipe may be estimated using the following formula:
 Area (square feet) = $2\pi rh$; where r is the pipe radius (feet) and h is the pipe length (feet).

Duplicate page if additional space is needed.

Part 3 Thermal Insulation Applications Table			
Column 1. Report all PCBs concentrations for each homogenous area of thermal insulation (see Attachment C, Section 3.2.2). Use sample designators/descriptions from laboratory report.		Column 2. Complete for each concentration ≥ 50 mg/kg	
<u>Thermal Insulation Application Sample Description</u>	<u>Concentration (mg/kg)</u>	<u>Estimate Amount of Material</u>	<u>Units</u>
<i>Example:</i> <u>Thermal Insulation Sample 1</u>	<u>20</u>	_____	Square Feet
1. _____	_____	_____	Square Feet
2. _____	_____	_____	Square Feet
3. _____	_____	_____	Square Feet
4. _____	_____	_____	Square Feet
5. _____	_____	_____	Square Feet
6. _____	_____	_____	Square Feet
7. _____	_____	_____	Linear Feet
8. _____	_____	_____	Square Feet
9. _____	_____	_____	Square Feet
10. _____	_____	_____	Square Feet

The area of of insulation wrapped around a pipe may be estimated using the following formula:

Area (square feet) = $2\pi rh$, where r is the pipe radius (feet) and h is the pipe length (feet).

Duplicate page if additional space is needed.

Part 3 Adhesive Mastic Applications Table			
Column 1. Report PCBs concentrations for each homogenous area of mastic (see Attachment C, Section 3.2.2. Use sample designators/descriptions from laboratory report.)		Column 2. Complete for each concentration ≥ 50 mg/kg	
<u>Adhesive Mastic Application Sample Description</u>	<u>Concentration (mg/kg)</u>	<u>Estimate Amount of Material</u>	<u>Units</u>
<i>Example:</i> <u>Adhesive Mastic Sample 1</u>	<u>87.4</u>	<u>800</u>	<u>Square Feet</u>
1. _____	_____	_____	Square Feet
2. _____	_____	_____	Square Feet
3. _____	_____	_____	Square Feet
4. _____	_____	_____	Square Feet
5. _____	_____	_____	Square Feet
6. _____	_____	_____	Square Feet
7. _____	_____	_____	Linear Feet
8. _____	_____	_____	Square Feet
9. _____	_____	_____	Square Feet
10. _____	_____	_____	Square Feet

Duplicate page if additional space is needed.

Part 3 Rubber Window Gasket Applications Table			
Column 1. Report PCBs concentrations for each gasket (see Attachment C, Section 3.2.2). Use sample designators/descriptions from laboratory report.		Column 2. Complete for each concentration ≥ 50 mg/kg	
<u>Rubber Window Gasket Application Sample Description</u>	<u>Concentration (mg/kg)</u>	<u>Estimate Amount of Material</u>	<u>Units</u>
<i>Example:</i> <u>Window Gasket Sample 1</u>	<u>70</u>	<u>75</u>	<i>Linear Feet</i>
1. _____	_____	_____	Linear Feet
2. _____	_____	_____	Linear Feet
3. _____	_____	_____	Linear Feet
4. _____	_____	_____	Linear Feet
5. _____	_____	_____	Linear Feet
6. _____	_____	_____	Linear Feet
7. _____	_____	_____	Linear Feet
8. _____	_____	_____	Linear Feet
9. _____	_____	_____	Linear Feet
10. _____	_____	_____	Linear Feet

Duplicate page if additional space is needed.

Part 3 Other Materials Table			
Column 1. Optional: Use this form to report PCBs concentration data from materials other than priority building materials. Report PCBs concentrations for each material and homogeneous area. Use sample designators/descriptions from laboratory report.		Column 2. Complete for each concentration ≥ 50 mg/kg	
<u>Material Sample Description</u>	<u>Concentration (mg/kg)</u>	<u>Estimate Amount of Material</u>	<u>Units</u>
<i>Example:</i> <u>Wall paint Sample 1</u>	<u>228</u>	<u>1500</u>	<u>Square Feet</u>
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____
7. _____	_____	_____	_____
8. _____	_____	_____	_____
9. _____	_____	_____	_____
10. _____	_____	_____	_____

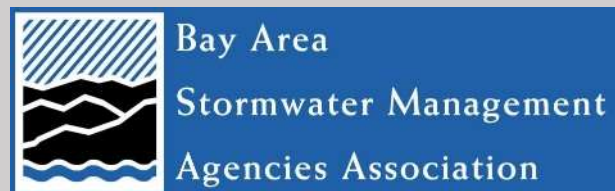
Duplicate page if additional space is needed.

Attachment C
Protocol for Evaluating Priority PCBs-Containing
Materials before Building Demolition

Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition



Managing PCBs–Containing Building Materials during Demolition: Guidance, Tools, Outreach and Training



August 2018

This document is a deliverable of the Bay Area Stormwater Management Agencies Association (BASMAA) project *Managing PCBs–Containing Building Materials during Demolition: Guidance, Tools, Outreach and Training*. BASMAA developed guidance, tools, and outreach and training materials to assist with San Francisco Bay Area municipal agencies' efforts to address the requirements of Provision C.12.f. of the Bay Area Municipal Regional Stormwater Permit (referred to as the MRP). Provision C.12.f of the MRP requires Permittees to manage PCBs–containing building materials during demolition.

We gratefully acknowledge the BASMAA Steering Committee for this project, which provided overall project oversight, including during the development of this and other project deliverables:

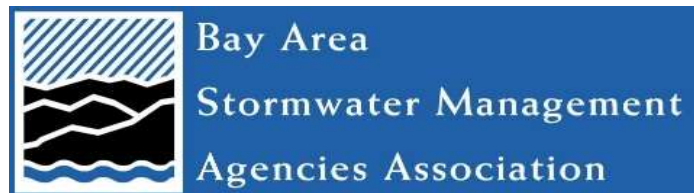
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Regulatory – stormwater/TMDL	Jan O'Hara, San Francisco Bay Regional Water Quality Control Board
Regulatory – experience with related program (asbestos management)	Ron Carey and Richard Lew, Bay Area Air Quality Management District
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DISCLAIMER

Information contained in BASMAA products is to be considered general guidance and is not to be construed as specific recommendations for specific cases. BASMAA is not responsible for the use of any such information for a specific case or for any damages, costs, liabilities or claims resulting from such use. Users of BASMAA products assume all liability directly or indirectly arising from use of the products.

The material presented in this document is intended solely for the implementation of a municipal regulatory program required by the San Francisco Bay Area Regional Water Quality Control Board Municipal Regional Stormwater Permit for the protection of water quality under the Clean Water Act.

BASMAA prepared the tools and guidance herein to assist MRP Permittees' efforts to address the requirements of Provision C.12.f. of the MRP. The project team received input from a variety of stakeholders during development of the tools and guidance, including regulators (San Francisco Bay Regional Water Quality Control Board, U.S. EPA, and Bay Area Air Quality Management District staff), Bay Area municipal agency staff, and industry representatives.

This document does not address other environmental programs or regulations (e.g., PCBs regulations under the Toxic Substances Control Act (TSCA); federal, state, or local regulations for hazardous material handling and hazardous waste disposal; health and safety practices to mitigate human exposure to PCBs or other hazardous materials; recycling mandates; and abatement at sites with PCBs (or other contaminants). The applicant is responsible for knowing and complying with all relevant laws and regulations.

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Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition**1. INTRODUCTION**

The San Francisco Bay Region Municipal Regional Stormwater NPDES permit, referred to as the Municipal Regional Permit (MRP)¹, includes provisions that implement stormwater-related aspects of the Total Maximum Daily Load (TMDL) for polychlorinated biphenyls (PCBs) in the Bay. Provision C.12.f. requires that Permittees develop and implement or cause to be developed and implemented an effective protocol for managing materials with PCBs concentrations of 50 milligrams per kilogram (mg/kg) (equivalent to parts-per-million, or ppm), the target management level, or greater in applicable structures at the time such structures undergo demolition², so that PCBs do not enter municipal storm drain systems. Applicable structures include, at a minimum, non-residential structures constructed or remodeled between the years 1950 and 1980 with building materials such as caulking and thermal insulation with PCBs concentrations of 50 ppm or greater. Single-family residential and wood frame structures are exempt. Also, a Permittee is exempt from this requirement if it provided evidence acceptable to the Executive Officer in its 2016/17 Annual Report that the only structures that existed pre-1980 within its jurisdiction were single-family residential and/or wood-frame structures.³

Permittees are required to develop a protocol by June 30, 2019 that includes each of the following components, at a minimum:

1. The necessary authority to ensure that PCBs do not enter municipal storm drains from PCBs-containing materials in applicable structures at the time such structures undergo demolition;
2. A method for identifying applicable structures prior to their demolition; and
3. Method(s) for ensuring PCBs are not discharged to the municipal storm drain from demolition of applicable structures.

By July 1, 2019 and thereafter, Permittees are required to:

- Implement or cause to be implemented the PCBs management protocol for ensuring PCBs are not discharged to municipal storm drains from demolition of applicable structures via vehicle track-out, airborne releases, soil erosion, or stormwater runoff.
- Develop an evaluation methodology and data collection program to quantify in a technically sound manner PCBs loads reduced through implementation of the protocol for controlling PCBs during demolition of applicable structures.

¹ The Municipal Regional Stormwater Permit, Order No. R2-2015-0049, was adopted November 19, 2015.

² Demolition means the wrecking or taking out of any load-supporting structural member of a facility together with any related handling operations (40 CFR., Part 61, Subpart M).

³ The City of Clayton provided evidence to support an exemption from the requirement.

Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition

On behalf of MRP Permittees, the Bay Area Stormwater Management Agencies Association (BASMAA) is conducting a regional project to assist MRP Permittees to achieve compliance with Provision C.12.f. The regional project is developing guidance materials, tools, protocols and training materials and conducting outreach. The goal is to assist Permittees to develop local programs to prevent PCBs from being discharged to municipal storm drains due to demolition of applicable buildings. Local agencies will need to tailor the BASMAA products for local use and train local staff to implement the new program.

This document is the deliverable for Task 3 of the regional project, which is to develop a protocol for the assessment of prioritized PCBs-containing building materials prior to demolition. The full scope of work for the regional project is presented in the Project team's *Proposal for Tools, Protocol, Outreach & Training Work Plan: PCBs Materials Management during Building Demolition Project* (dated January 31, 2017; revised March 2017). If materials are found or known to contain PCBs, those materials must be managed appropriately and according to all applicable local, state, and federal requirements. Management of PCBs-containing materials is beyond the scope of this document.

To establishing the PCBs protocol, current established protocols were evaluated that are widely accepted in the building demolition industry for other Federal- and State-regulated constituents of concern. This document provides applicable examples of sampling and evaluation procedures for building materials potentially contaminated with asbestos-containing material (ACM)⁴ and lead-based paint (LBP)⁵, which are summarized and referenced to provide the foundation for the PCBs protocol. These components include guidance on sampling frequencies, laboratory sample analysis, quality assurance and quality control procedures, and reporting.

⁴ Asbestos-containing material (ACM) means any material or product which contains more than one percent asbestos.

⁵ Lead-based paint (LBP) is any paint, varnish, shellac, or other coating that contains lead equal to or greater than 1.0 mg/cm² as measured by XRF device or laboratory analysis, or 0.5 percent by weight (5,000 ppm or 5,000 mg/kg) as measured by laboratory analysis.

Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition

2. CURRENTLY ESTABLISHED BUILDING MATERIAL EVALUATION PROTOCOLS

This section presents evaluation protocols for ACM and LBP, which provide a foundation for the PCBs protocol summarized in Section 3. This section includes guidance on sampling frequencies, laboratory sample analysis, quality assurance and quality control procedures derived from regulatory procedures for ACM and LBP.

2.1 Asbestos Containing Material Evaluation Procedures

Asbestos bulk sampling procedures are specified in several Federal regulations, implemented primarily by the United States Environmental Protection Agency (EPA) as well as the Occupational Safety and Health Administration (OSHA). The Consumer Product Safety Commission (CPSC) and the Mine Safety and Health Administration (MSHA) specify additional regulations and procedures, but these are generally less applicable to evaluation procedures.

The foundational regulations pertaining to asbestos sampling in buildings are the Asbestos Hazard Emergency Response Act (AHERA; Toxic Substances Control Act [TSCA] Title II) (15 U.S.C. § 2641-2656) as well as the Asbestos School Hazard Abatement Reauthorization Act (ASHARA). EPA promulgated regulations under AHERA to require inspection of schools for asbestos-containing building materials, and to perform resultant corrective actions. Furthermore, AHERA tasked the EPA with developing a plan for accreditation of asbestos inspectors. ASHARA extended funding for asbestos programs at schools and expanded accreditation requirements to cover asbestos abatement at commercial buildings other than schools.

Pursuant to AHERA, the Asbestos-Containing Materials in Schools rule (40 CFR Part 763, Subpart E) details specific requirements for building material inspections at schools, preparation of asbestos management plans, and implementation of response actions. EPA regulation on asbestos related to structure demolition is specified in subpart M of the National Emission Standards for Hazardous Air Pollutants (NESHAP) regulations (40 CFR Part 61, Subpart M).

The following sections summarize the evaluation procedures specified in the Asbestos-Containing Materials in Schools rule as well as the Asbestos NESHAP regulations. Both OSHA and EPA worker protection requirements are also discussed.

2.1.1 Asbestos-Containing Materials in Schools Rule

The following sections summarize the inspection, re-inspection, sampling, analysis, and evaluation procedures specified in the Asbestos-Containing Materials in Schools rule (40 CFR Part 763, Subpart E).

Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition***Evaluation***

For each inspection and re-inspection of asbestos-containing building material (ACBM)⁶, the local education agency shall have an accredited inspector provide a written evaluation of all friable known or assumed ACBM. The evaluation shall consider the following:

- Location and amount of material, both in total quantity and as a percentage of the functional space;
- Condition of the material, specifying:
 - Type of damage or significant damage (e.g., flaking, blistering, water damage, or other signs of physical damage);
 - Severity of damage (e.g., major flaking, severely torn protective jackets, as opposed to occasional flaking, minor tears to jackets);
 - Extent or spread of damage over large areas or large percentages of the homogeneous⁷ area;
- Whether the material is accessible;
- The material's potential for disturbance;
- Known or suspected causes of damage or significant damage (e.g., air erosion, vandalism, vibration, water); and
- Preventive measures that could potentially eliminate the reasonable likelihood of undamaged ACBM from becoming significantly damaged.

The inspector shall classify and give reasons in the written evaluation for classifying the ACBM and suspected ACBM assumed to be ACM into one of the following categories:

1. Damaged or significantly damaged thermal system insulation ACM;
2. Damaged friable surfacing ACM;
3. Significantly damaged friable surfacing ACM;
4. Damaged or significantly damaged friable miscellaneous ACM;
5. ACBM with potential for damage;
6. ACBM with potential for significant damage; and
7. Any remaining friable ACBM or friable suspected ACBM.

⁶ Asbestos-containing building material (ACBM) means surfacing ACM, thermal system insulation ACM, or miscellaneous ACM that is found in or on interior structural members or other parts of a building.

⁷ Homogenous refers to a substance or area that is uniform in texture, color, and general physical appearance and properties.

Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition

Inspection and Re-inspection

Inspect any building that is to be used as a school, prior to such use, by an accredited inspector. In emergency situations, inspect the building within 30 days of commencement of such use.

For each area of the building, complete the following inspection procedure:

- Visually inspect the area to identify suspected ACBM;
- Touch suspected ACBM to determine friability (Friable material is material that may be crumbled or pulverized by hand pressure alone. Note that thermal system insulation that has retained its structural integrity and that has an undamaged protective jacket or wrap that prevents fiber release shall be treated as non-friable.);
- Categorize all areas into homogenous areas of friable suspected ACBM and non-friable suspected ACBM;
- Assume that some or all the homogeneous areas are ACBM, and for each homogeneous area that is not assumed to be ACBM, collect and submit samples for bulk analysis. Do not sample areas that an accredited inspector assumes to contain ACBM. For uncertain areas, collect and bulk samples and submit for analysis (see Sampling below);
- Assess friable material in areas where samples are collected, in areas where samples are not collected but ACBM is assumed to be present, and in areas identified in previous inspections;
- Record the following information and submit a copy for inclusion in an asbestos management plan, within 30 days of the inspection:
 - An inspection report including the signature, state of accreditation, and accreditation number of each inspector, as well as the date of the inspection;
 - A comprehensive inspection inventory, including the date and locations of samples, locations of areas assumed to contain friable ACBM, and locations of areas assumed to contain non-friable ACBM;
 - A description of the manner used to determine sampling locations;
 - A list of all categorized and identified homogenous areas into surfacing material, thermal system insulation, or miscellaneous material; and
 - Evaluations made of friable material.

Repeat this process as a re-inspection at least once every 3 years after a management plan is in effect. Reassess the condition of friable known or assumed ACBM previously identified. Identify any homogenous areas with material that has become friable since the last inspection or re-inspection and collect and submit samples of the material.

Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition

Sampling

Collect samples in a statistically random manner that is representative of each homogeneous area.

- For surfacing material, the number of samples to be collected is as follows:
 - Collect at least three samples from each homogenous area less than 1,000 square feet;
 - Collect at least five samples from each homogenous area between 1,000 and 5,000 square feet; and
 - Collect at least seven samples from each homogenous area greater than 5,000 square feet.
- For thermal system insulation:
 - Collect at least one bulk sample from each homogeneous area that is not assumed to be ACM;
 - Collect at least one bulk sample from each homogeneous area of patched insulation that is not assumed to be ACM, if the patched section is less than six linear or square feet;
 - Where cement or plaster is used on fittings such as tees, elbows or valves, collect samples to determine if material is ACM or not;
 - If the accredited inspector determines that the thermal system insulation is fiberglass, foam glass, rubber, or other non-ACBM, samples are not required to be collected;
- For miscellaneous material, collect bulk samples from each homogeneous area of friable material that is not assumed to be ACM.

Analysis

Samples should be analyzed by laboratories accredited by the National Bureau of Standards (NBS). The laboratories must have received interim accreditation for polarized light microscopy (PLM) analysis under the EPA Interim Asbestos Bulk Sample Analysis Quality Assurance Program until the NBS PLM laboratory accreditation program for PLM is operational.

Samples should be analyzed for asbestos content by PLM using the “Interim Method for the Bulk Determination of Asbestos in Bulk Insulation Samples”, found at Appendix E to Subpart E of 40 CFR Part 763. Samples should not be composited.

A homogenous area is considered not to contain ACM only if the results of all samples from that area show asbestos in concentrations of 1 percent or less. An area is considered to contain ACM if at least one sample from the area shows asbestos in concentrations greater than 1 percent.

Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition

Submit the name and address of each laboratory performing the analysis, the date of the analysis, and the person performing the analysis for inclusion into the management plan within 30 days of the analysis.

2.2 Lead-Based Paint (LBP) Evaluation Procedures

Lead-Based Paint (LBP) evaluation procedures are codified in various federal and state regulations.

Title IV of the Toxic Substances Control Act (TSCA) as well as other authorities in the Residential Lead-Based Paint Hazard Reduction Act of 1992 directs the EPA to regulate lead-based paint hazards. The primary Federal regulations and guidelines related to LBP evaluation procedures include:

- The Lead Renovation, Repair and Painting Program (RRP) Rule (40 CFR 745, Subpart E);
- The National Lead Laboratory Accreditation Program (TSCA Section 405(b)); and
- The Housing and Urban Development (HUD) Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing (2012 Edition) (pursuant to Section 1017 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, A.K.A. “Title X”)

Furthermore, the California Department of Public Health (CDPH) Title 17, California Code of Regulations, Division 1, Chapter 8 “Accreditation, Certification, and Work Practices for Lead-Based Paint and Lead Hazards,” specifies some LBP evaluation procedures as part of the accreditation program.

The HUD Guidelines provide the most comprehensive procedures for LBP evaluations and are referenced by many other regulations.

There are three primary methods of performing LBP evaluation: test kits, X-ray Fluorescence (XRF) devices, and laboratory testing of paint chips. Sampling procedures for each method are detailed in the following sections.

Under CDPH Title 17, certified Lead Inspector/Assessors are required to use XRF devices or laboratory analysis, and not test kits.

2.2.1 LBP Sampling Procedures: Test Kits

In 2008, the EPA published the RRP rule, which, among other things, established criteria for lead test kits for use in LBP evaluation. Lead test kits recognized by EPA before September 1, 2010, must meet only the negative response criterion outlined in 40 CFR 745.88(c)(1):

Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition

For paint containing lead at or above the regulated level, 1.0 mg/cm² or 0.5% by weight, a demonstrated probability (with 95% confidence) of a negative response less than or equal to 5% of the time must be met.

Lead test kits recognized after September 1, 2010, must meet both the negative response and positive response criteria outlined in 40 CFR 745.88(c)(1) and (2). The positive-response criterion states:

For paint containing lead below the regulated level, 1.0 mg/cm² or 0.5% by weight, a demonstrated probability (with 95% confidence) of a positive response less than or equal to 10% of the time must be met.

To date, no lead test kit has met both criteria⁸. However, three lead test kits recognized before September 1, 2010, exist and are recognized by EPA:

- 3M™ LeadCheck™, manufactured by the 3M Company, for use on wood, ferrous metal, drywall, and plaster surfaces;
- D-Lead®, manufactured by ESCA Tech, Inc., for use on wood, ferrous metal, drywall, and plaster surfaces; and
- The Commonwealth of Massachusetts lead test kit, for use only on drywall and plaster surfaces.

Test kits cannot determine the concentration of lead, only presence or absence at best. For this reason, test kits are best used by homeowners or other non-professionals as a preliminary evaluation before using an XRF device or laboratory analysis of paint chips.

There are currently no detailed sampling procedures for test kits that would be applicable to PCBs evaluation. However, test kit technology may be a useful paradigm for PCBs evaluation if a kit can be developed to test PCBs at an acceptable concentration that uses a repeatable methodology to meet the data quality objectives.

2.2.2 LBP Sampling Procedures: XRF Devices

The following sections summarize LBP evaluation procedures for XRF devices, including description of sampling equipment, collection techniques and frequency, sample analysis, and quality assurance.

⁸ US EPA, Lead Test Kits, <https://www.epa.gov/lead/lead-test-kits>, accessed September 19, 2017.

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LBP Analyzers

According to the HUD Guidelines, portable XRF devices are the most common primary analytical method for inspections in housing because of their versatility in analyzing a wide variety of surface types, non-destructive measurement, high speed, and low cost per sample. Each XRF device must have a HUD-issued XRF Performance Characteristic Sheet (PCS), which contains information about XRF readings taken on specific surface types, calibration check tolerances, and interpretation of XRF readings.

Collection Techniques and Frequency

HUD Guidelines provide separate sampling techniques for single- and multi-family housing. However, the general approach to sampling is the following seven-step procedure:

- List all testing combinations of building components and substrates (e.g., wood doors, metal doors, plaster walls, concrete walls);
- Select testing combinations. A numbering system, floor plan, sketch or other system may be used to document which testing combinations were tested;
- Perform XRF testing, including calibration;
- Collect and analyze paint-chip samples as needed;
- Classify XRF and paint-chip results;
- Evaluate the work and results to ensure the quality of the inspection; and
- Document the findings in a summary and in a complete technical report.

Because of the large surfaces and quantities of paint involved, and the potential for spatial variation, HUD Guidelines recommend taking at least four readings per room, with special attention paid to surfaces that clearly have different painting history. The selection of test locations should be representative of locations most likely to be coated with old paint or other lead-based coatings, such as areas with thick paint; areas with worn or scraped off paint should be avoided.

For large buildings with many similar units, HUD Guidelines recommend testing a designated sample of units to provide 95% confidence that most units are below the lead standard. The sample size should be carefully chosen using statistical techniques (see HUD Guidelines, Table 7.3).

Sample Analysis

Portable XRF devices expose a surface to X-ray or gamma radiation and measure the emission of characteristic X-rays from each element in the analyzed surface. The XRF reading is compared with a range specified in the PCS for the specific XRF device being used and the specific substrate beneath the painted surface.

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When discrepancies exist between the PCS, HUD Guidelines, and the XRF device's manufacturer's instructions, the most stringent guideline should be followed.

Quality Assurance

HUD Guidelines provide several techniques for evaluation of inspection quality.

A knowledgeable observer independent of the inspection firm should be present for as much XRF testing as possible, especially if they have knowledge of LBP evaluation and/or the paint history of the facility.

The client should ask the inspector to provide copies of the results as soon as possible, or daily, allowing for immediate review.

Data from HUD's private housing lead-based paint hazard control program show that it is possible to successfully retest painted surfaces without knowing the exact spot which was tested. Therefore, the client may consider selecting 10 testing combinations for retesting at random from the already compiled list of all testing combinations, using the XRF device used for the original measurements, if possible. The average of the 10 repeat XRF results should not differ from the 10 original XRF results by more than the retest tolerance limit. The procedure for calculating the retest tolerance limit is specified in the PCS. If the limit is exceeded, the procedure should be repeated using 10 different testing combinations. If the retest tolerance limit is exceeded again, the original inspection is considered deficient.

Currently XRF technology and methods are not applicable to PCBs building material evaluation, as the precision is not adequate to provide a concentration that could be relied upon for this program.

2.2.3 LBP Sampling Procedures: Laboratory Testing of Paint Chips

The following sections summarize LBP evaluation procedures for XRF devices, including the description of sampling equipment, collection techniques and frequency, sample analysis, and quality assurance.

Laboratory analysis of paint chip samples is only recommended by HUD for inaccessible areas or building components with irregular (non-flat) surfaces that cannot be tested using XRF devices, for confirmation of inconclusive XRF results, or for additional confirmation of conclusive XRF results.

Unlike XRF analysis, paint chip collection techniques may be more directly applicable to potential PCBs collection techniques.

Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition***Sampling Equipment***

Common hand tools can be used to scrape paint chips from a surface; specialized equipment is not necessary. However, HUD Guidelines recommend that samples should be collected in sealable rigid containers rather than plastic bags, which generate static electricity and make laboratory transfer difficult.

Collection Techniques

HUD Guidelines, which are consistent with ASTM E1729, Standard Practice for Field Collection of Dried Paint Samples for Subsequent Lead Determination, recommend that only one paint chip needs to be taken for each testing combination, although additional samples are recommended for quality control.

The paint chip sample should be taken from a representative area that is at least 4 square inches in size. The dimensions of the surface area must be accurately measured to the nearest 1/16th of an inch so that laboratory results can be reported in units of mg/cm². Paint chip collection should include collection of all the paint layers from the substrate, but collection of actual substrate should be minimized. Any amount of substrate included in the sample may cause imprecise results.

Sample Analysis

A laboratory used for LBP analysis must be recognized under EPA's National Lead Laboratory Accreditation Program (NLLAP) for the analysis of lead paint; however, States or Tribes may operate an EPA-authorized lead-based paint inspection certification program with different requirements.

There are several standard laboratory techniques to quantify lead in paint chip samples, including Atomic Absorption Spectroscopy, Inductively Coupled Plasma-Atomic Emission Spectroscopy (ICP-AES), Anodic Stripping Voltammetry, and Potentiometric Stripping Analysis.

For analytical methods that require sample digestion, samples should be pulverized so there is adequate surface area to dissolve the sample before laboratory instrument measurement. In some cases, the amount of paint collected from a 4-square-inch area may exceed the amount of paint that can be analyzed successfully. It is important that the actual sample mass analyzed not exceed the maximum mass the laboratory has successfully tested using the specified method. If subsampling is required to meet analytical method specifications, the laboratory must homogenize the paint chip sample (unless the entire sample will eventually be analyzed, and the results of the subsamples combined). Without homogenization, subsampling would likely result in biased, inaccurate lead results. If the sample is properly homogenized and substrate inclusion is negligible, the result can be reported as a loading, in milligrams per square centimeter (mg/cm²), the preferred unit, or as percent by weight, or both.

Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition***Quality Assurance***

Laboratory reference materials processed with the paint chip samples for quality assurance purposes should have close to the same mass as those used for paint-chip samples (refer to ASTM methods E1645, E1613, E2051, and E1775).

Reporting

The laboratory report for analysis of paint chip samples should include at a minimum, the information outlined in the EPA National Lead Laboratory Accreditation Program Laboratory Quality System Requirements, Revision 3.0, section 5.10.2, Test Reports⁹. In addition to those minimum requirements, test reports containing the results of sampling must include specified sampling information, if available.

⁹ National Lead Laboratory Accreditation Program: Laboratory Quality System Requirements <https://www.epa.gov/sites/production/files/documents/lqsr3.pdf>, accessed September 20, 2017.

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3. PCBs BUILDING MATERIAL EVALUATION PROTOCOL

This section presents the evaluation protocol for identifying building materials in structures constructed or remodeled between the years 1950 and 1980¹⁰ that may contain a significant mass of PCBs. Once identified as containing PCBs at concentrations exceeding 50 ppm, these materials should be properly managed prior to building demolition, to ensure PCBs are not discharged to the municipal storm drain system.

This protocol is not intended to address all PCBs-containing materials that may be disturbed during building demolition. Additional sampling is likely to be required to comply with EPA and Cal/OSHA regulations pertaining to the management, removal and disposal of PCBs-containing materials.

For this program, it is assumed that organizations and staff qualified to sample, test, remediate, and dispose of PCBs at the building site will coordinate processes for other hazardous building materials at the building site, to ensure proper sampling, testing, remediation, and disposal of all statutorily-required hazardous materials handling.

3.1 Priority Building Materials to be Tested

A prioritized list of PCBs-containing materials is provided in Appendix A. Building materials were evaluated based upon the following criteria:

- **Source Material** – Does the building material contain PCBs through the original product manufacturing process or was the building material contaminated (impregnated) with PCBs from an adjacent building material that already contained PCBs? For the evaluation, building materials originally manufactured with PCBs at or above 50 mg/kg were prioritized.
- **Concentration** – Building materials were evaluated based on readily available existing data regarding ranges of PCBs concentrations identified in the materials.
- **Prevalence** – A prevalence factor was assigned based upon best professional judgement of the prevalence of occurrence of the PCBs-containing materials in buildings, which ranged from highly prevalent to low prevalence.
- **Ease of Removal** – Building materials were evaluated based on their attachment to the building, which ranged from “very easily removed” to “difficult to remove,” under the assumption that higher ease of removal results in higher feasibility and lower costs for removing a material before demolition.

¹⁰ Single-family residential and wood frame structures are exempt.

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- **Flaking/Crumbling** – Building materials were evaluated based on their tendency to flake or crumble during disturbance or demolition, which could lead to a higher likelihood of entering stormwater as a result of building demolition.
- **PCBs Removed by Other Waste Program** – This factor addresses materials that are removed from buildings because of other waste management programs (e.g., Universal Waste Rule). Fluorescent light ballasts¹¹, polyurethane foam furniture, and Askarel fluid used in transformers, all of which may contain PCBs, are typically managed during pre-demolition activities under current regulations and programs that require removal of universal waste and outdated transformers. For this program it is assumed that those materials will be evaluated and managed under those existing programs.

Material prioritization was conducted by assigning a score on a scale of 1 to 5 (low to high) for each criterion. The final score for each material type was calculated as the average of the scores assigned to the six criteria. The materials given the highest scores through the prioritization analysis are shown below, along with their typical locations in a building. For this evaluation, thermal insulation and fiberglass insulation were grouped together as they tend to be co-located and are typically managed together. The materials listed below (along with typical locations where they are found) are the materials that should be sampled using the protocols described in Section 3.2.

1. Caulks and Sealants:
 - a. Around windows or window frames;
 - b. Around door frames; and
 - c. Expansion joints between concrete sections (e.g., floor segments).
2. Thermal/Fiberglass Insulation and Other Insulating Materials:
 - a. Around HVAC systems,
 - b. Around heaters,
 - c. Around boilers,
 - d. Around heated transfer piping, and
 - e. Inside walls or crawls spaces.
3. Adhesive/Mastic:
 - a. Below carpet and floor tiles;

¹¹ Fluorescent light ballasts that contain PCBs are not required to be managed under the Universal Waste Rule Program but are recommended by the EPA to be identified in a pre-demolition survey of a structure and to be managed with the removal of other required wastes in the abatement process.

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- b. On, under, or between roofing materials and flashing.
- 4. Rubber Window Seals/Gaskets:
 - a. Around windows or window frames.

Examples of the prioritized PCBs-containing building materials and what they may look like in a building planned for demolition are provided in Appendix B.

3.2 PCBs Sampling Procedures

Many building materials may contain PCBs. The building owner is responsible for identifying and handling all hazardous materials in accordance with all applicable laws, including all materials with 50 ppm or more PCBs. For purposes of obtaining a demolition permit, the City requires a building owner to sample the limited number of materials shown below:

- 1. Caulks and Sealants:
 - a. Around windows or window frames;
 - b. Around door frames; and
 - c. Expansion joints between concrete sections (e.g., floor segments).
- 2. Thermal/Fiberglass Insulation and Other Insulating Materials:
 - a. Around HVAC systems,
 - b. Around heaters,
 - c. Around boilers,
 - d. Around heated transfer piping, and
 - e. Inside walls or crawls spaces.
- 3. Adhesive/Mastic:
 - a. Below carpet and floor tiles;
 - b. On, under, or between roofing materials and flashing.
- 4. Rubber Window Seals/Gaskets:
 - a. Around windows or window frames.

It should be noted that some materials that are being evaluated for PCBs in this protocol may also be associated with asbestos, lead, or other hazardous substances. Since this protocol follows pre-established asbestos management program guidelines and procedures, the sampling frequency, types of building materials, and surveying techniques overlap with the PCBs survey protocol. If a

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material has been determined to contain asbestos, lead or other hazardous substances and will be abated under an associated waste program, that material need not be sampled for PCBs under this program.

3.2.1 Sampling Equipment

Building materials that are planned to be collected for laboratory analysis should be placed in laboratory-supplied glass jars with Teflon-sealed lids. Samples should be collected with either factory-sealed or decontaminated equipment that will be used to remove a representative building material sample (i.e., scissors, tweezers, pliers, spoons, or putty knife).

For sampling equipment (i.e., scissors, tweezers, pliers, spoons, putty knife, etc.) that will be decontaminated, the following three bucket wash procedure should be performed, which is in general accordance with standard decontamination procedures defined in SESDPROC-205-R3 (EPA, 2015):

- In the first bucket, mix a residue free cleaning detergent (e.g., Alconox®), with distilled water to generate the recommended detergent concentration specified in the product directions;
- Fill the second bucket with distilled water;
- Fill the third bucket with distilled water;
- Clean the equipment in the first bucket with the cleaning detergent, then rinse in the second and then the third bucket. If the second bucket becomes slightly discolored during the rinse, change the contents of the second bucket with distilled water. Change the third bucket, if any dirt or material is observed in the water, since the third bucket needs to stay clean as it is the final rinse; and
- At the end of cleaning, let the equipment air dry in a clean area before use in sample collection. The rinse water should then be drummed and sampled for disposal. The planned disposal facility should be contacted to determine the required sample analysis for the rinse water characterization and profiling and that the disposal procedures comply with state and federal regulations.

If disposable sampling tools are used, the above decontamination procedures do not apply.

3.2.2 Sample Collection Frequency

For the four prioritized building materials, the following collection techniques and frequency should be followed.

Caulking

Three different types of caulking should be evaluated:

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1. Window caulking;
2. Door frame caulking; and
3. Floor and expansion joint caulking.

For each type of caulking material identified, the following number of samples should be collected:

- Collect at least one sample from each homogenous area that contains less than 50 linear feet of caulking;
- Collect at least three samples from each homogenous area that contains between 50 and 250 linear feet of caulking;
- Collect at least five samples from each homogenous area that contains between 250 and 1,000 linear feet of caulking;
- Collect at least seven samples from each homogenous area that contains between 1,000 and 2,500 linear feet of caulking; and
- Collect at least nine samples from each homogenous area that contains greater than 2,500 linear feet of caulking.

If homogenous caulking material is found throughout the building, samples should be spatially distributed so as to not collect the required number of samples from one area. In addition, the width or cross-sectional area of the caulking bead is not relevant for determining the linear footage to be sampled. It is also recommended that the sampler performing the evaluation inspect the entire building prior to sample collection to insure proper distribution is performed.

Thermal/Fiberglass Insulation

For thermal/fiberglass insulation:

- Collect at least one bulk sample from each homogeneous area.

Adhesive/Mastic

For each type of adhesive/mastic material identified, the following number of samples should be collected:

- Collect at least three samples from each homogenous area less than 1,000 square feet;
- Collect at least five samples from each homogenous area between 1,000 and 5,000 square feet; and
- Collect at least seven samples from each homogenous area greater than 5,000 square feet.

If homogenous adhesive/mastic material is found throughout the building, samples should be spatially distributed so as to not collect the required number of samples from one area. It is

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recommended that the sampler performing the evaluation inspect the entire building prior to sample collection to insure proper distribution is performed.

Rubber Window Seals/Gaskets

For rubber window seals/gaskets identified, the following number of samples should be collected:

- Collect at least one sample from each homogenous area that contains less than 50 linear feet of caulking (of any width or cross-sectional area of bead);
- Collect at least three samples from each homogenous area that contains between 50 and 250 linear feet of caulking;
- Collect at least five samples from each homogenous area that contains between 250 and 1,000 linear feet of caulking;
- Collect at least seven samples from each homogenous area that contains between 1,000 and 2,500 linear feet of caulking; and
- Collect at least nine samples from each homogenous area that contains greater than 2,500 linear feet of caulking.

If homogenous rubber window seals/gaskets are found throughout the building, samples should be spatially distributed so as to not collect the required number of samples from one area. It is also recommended that the sampler performing the evaluation inspect the entire building prior to sample collection to insure proper distribution is performed.

3.2.3 Sample Analysis and Preservation

Samples collected to evaluate building materials for PCBs should be analyzed for Aroclors by EPA Method 8082/8082A¹² by an accredited analytical laboratory. The minimum reporting limit should be 50 micrograms per kilogram ($\mu\text{g/kg}$) and the laboratory should be contacted before sampling to confirm minimum material volume required to meet the reporting limit objectives. A sample reporting limit of 50 $\mu\text{g/kg}$ is well below the target management level of 50 mg/kg.

Samples should immediately be chilled in an ice cooler and then kept at 4 degrees Celsius (39.2 degrees Fahrenheit) or colder during storage and transportation to the laboratory. Proper chain-of-custody¹³ procedures should be followed from the time the samples are collected until they are delivered to the laboratory for analysis. Holding times for EPA Method 8082/8082A are sample extraction within 14 days of sample collection and analysis of the extract within 40 days of

¹² Provision C.12.f. requires that Permittees develop and implement or cause to be developed and implemented an effective protocol for managing materials with PCBs concentrations of 50 ppm. EPA Method 8082/8082A is an acceptable method to quantify PCBs. Analysis of PCBs congeners is not required to meet the permit requirement.

¹³ Chain-of-custody is the procedure to document, label, store, and transfer samples to personnel and laboratories. For a detailed list of procedures, refer to the *Sample and Evidence Management*, Operating Procedure (SESDPROC-005-R2), January 29, 2013

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extraction. However, PCBs are very stable in a variety of matrices and holding times may be extended to as long as one year. Once extracted, analysis of the extract should take place within 40 days.

3.2.4 Quality Assurance and Quality Control

For this program, general quality assurance and quality control (QA/QC) procedures will be utilized. The following checklist should be used by the contractor performing the evaluation:

- QA/QC Checklist:
 - Proper specified sampling equipment was used (pre-cleaned or other, stainless steel);
 - Proper decontamination procedures were followed;
 - Sampling collection spatial frequency was met;
 - A National Environmental Laboratory Accreditation Program (NELAP) laboratory was utilized;
 - Samples were received by the laboratory within proper temperature range;
 - Samples were extracted and analyzed within the method holding time for EPA Method 8082/8082A; and
 - Sample reporting limit met data quality objectives.

3.3 Reporting and Notifications

The following considerations are applicable to reporting and notification:

- Assessment results must be submitted to the applicable Permitting Authority by the project applicant;
- Applicants that determine PCBs exist in priority building materials must follow applicable federal and state laws. This may include reporting to USEPA, the San Francisco Bay Regional Water Quality Control Board, and the California Department of Toxic Substances Control (DTSC). These agencies may require additional sampling and abatement of PCBs.
- Depending on the approach for sampling and removing building materials containing PCBs, applicants may need to notify or seek advance approval from USEPA before building demolition. Even in circumstances where advance notification to or approval from USEPA is not required before the demolition activity, the disposal of PCBs waste is regulated under TSCA.
- The disposal of PCBs waste is subject to California Code of Regulations (CCR) Title 22, Section Division 4.5, Chapter 12, Standards Applicable to Hazardous Waste Generators.

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- Building owners and employers need to consider worker and public safety during work involving hazardous materials and wastes including PCBs.

For further information, applicants should refer to the *PCBs in Priority Building Materials Screening Assessment Applicant Package*, BASMAA, July 2018.

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4. REFERENCES

Guidelines for Asbestos Sampling:

- <https://www.epa.gov/asbestos/asbestos-laws-and-regulations>

Guidelines for Lead-Based Paint Evaluations:

- Environmental Protection Agency (EPA) - Created the Renovation, Repair, and Painting (RRP) Rule which requires training and certification for anyone working for compensation in pre-1978 residential structures, day care centers, and schools where known or assumed lead-based paint is impacted. The EPA website with complete information on this regulation is <https://www.epa.gov/lead/renovation-repair-and-painting-program>.
- California Department of Public Health (CDPH) - Created "Title 17" which includes lead testing and abatement provisions in residential and public structures in California. Several important definitions are contained in Title 17 including Abatement, Clearance Inspection, Containment, Lead-Based Paint.
- Lead Contaminated Dust and Soil, Lead Hazard, and Lead Hazard Evaluation. Title 17 establishes that lead testing be performed using XRF equipment or by paint chip sample analysis in California. Lead test kits are not accepted. It also establishes testing in California be performed by a State certified lead inspector/assessor if the testing is related to a project involving compensation.
- Department of Housing and Urban Development (HUD) - Created the HUD Guidelines which contain protocols for lead testing and abatement.

EPA Method 8082A – Polychlorinated Biphenyls (PCBs) by Gas Chromatography

- <https://www.epa.gov/sites/production/files/2015-07/documents/8082a.pdf>

SESDPROC-205-R3, *Field Equipment Cleaning and Decontamination*, replaces SESDPROC-205-R2. December 18, 2015

- https://www.epa.gov/sites/production/files/2016-01/documents/field_equipment_cleaning_and_decontamination205_af.r3.pdf

SESDPROC-005-R2, *Sample and Evidence Management*, Operating Procedure, January 29, 2013

- <https://www.epa.gov/sites/production/files/2015-06/documents/Sample-and-Evidence-Management.pdf>

APPENDIX A

**PCBs Building Material Prioritization
Worksheet**

Appendix A - PCBs Building Materials Prioritization

Material	Material Class	Median/Average/Single Reported Concentration (ppm)	Minimum (ppm)	Maximum (ppm)	PCBs Source Material? (Rating values: source = 5, or not source = 1)	Concentration (Rating values: 1 to 5, higher value means higher concentration)	Prevalence of PCBs Containing Material in Buildings (Rating values: high = 5, medium = 3, or low = 1)	Ease of Removal (Rating values: 1 to 5, higher value means easier to remove)	Flaking/ Crumbling (Rating values: 1 to 5, higher value means more likely to flake/crumble)	PCBs Removed by Other Waste Program? (Rating values: not removed by other = 5, or removed = 1)	Prioritization Score
Caulking (sealant, plaster)	Caulk/sealant/tape/glue		0.001	752,000	5	5	5	3	5	5	4.67
Thermal insulation	Insulation			73,000	5	5	5	4	4	5	4.67
Fiberglass insulation	Insulation			39,158	5	4	5	4	4	5	4.50
Adhesives/mastic	Caulk/sealant/tape/glue			3,100	5	3	5	3	5	5	4.33
Rubber gaskets	Gaskets/Rubber			84,000	5	5	3	3	4	5	4.17
Wool felt gaskets	Gaskets/Rubber			688,498	5	5	3	3	4	5	4.17
Cloth/paper insulating material	Insulation			12,000	5	4	3	4	4	5	4.17
Foam rubber insulation	Insulation			13,100	5	4	3	4	4	5	4.17
Ceiling tiles coated w/flamm resistant sealant	Internal nonstructural surface		53	110,000	5	5	5	3	2	5	4.17
Backer rod	Caulk/sealant/tape/glue			99,000	1	5	5	3	5	5	4.00
Roofing/siding material	External nonstructural surface		0	30,000	5	4	5	3	2	5	4.00
Paint (complete removal)	Paint/pigment/coatings		0.001	97,000	5	5	5	1	3	5	4.00
Insulating materials in electric cable	Electrical		0	280,000	5	5	3	4	1	5	3.83
Adhesive tape	Caulk/sealant/tape/glue			1,400	5	3	1	3	5	5	3.67
Surface coating	Paint/pigment/coatings			255	5	3	5	1	3	5	3.67
Coal-tar enamel coatings	Paint/pigment/coatings			1,264	5	3	5	1	3	5	3.67
Grout	Caulk/sealant/tape/glue			9,100	5	4	1	2	5	5	3.67
Cove base	Internal nonstructural surface			170	5	3	3	4	2	5	3.67
Plastics/plasticizers	Electrical			13,000	5	4	3	3	1	5	3.50
GE silicones	Caulk/sealant/tape/glue	<1.9	0	1.8	5	1	3	2	5	5	3.50
Glazing	Caulk/sealant/tape/glue	Up to 100% liquid PCBs		51	5	2	3	3	3	5	3.50
Flooring and floor wax/sealant	Internal nonstructural surface	Maximum likely >50		51	5	2	3	3	2	5	3.33
Light ballast	Light ballasts	Minimum likely <50	49	1,200,000	5	5	3	5	1	1	3.33
Anti-fouling compounds	Paint/pigment/coatings			59,000	5	4	1	1	3	5	3.17
Polyurethane foam (furniture)	Caulk/sealant/tape/glue			50	5	2	1	5	5	1	3.17
Askarel fluid/cutting oils/hydraulic fluid	Oils/dielectric fluids			450,000	5	5	1	5	2	1	3.17
Fire retardant coatings	Paint/pigment/coatings			59,000	5	4	1	1	3	5	3.17
Waterproofing compounds	Paint/pigment/coatings			59,000	5	4	1	1	3	5	3.17
Electrical wiring	Electrical			14	5	1	3	4	1	5	3.17
Concrete	Concrete/stone	2.5	0.001	17,000	1	4	3	1	4	5	3.00
Foam rubber	Gaskets/Rubber			1,092	1	3	1	3	4	5	2.83
Soil/sediment/sand	Soil/dust	0.15	0.001	581	1	3	1	2	5	5	2.83
Brick/mortar/cinder block	Concrete/stone			1,100	1	3	3	1	4	5	2.83
Wood	Wood			380	1	3	3	3	2	5	2.83
Door frame	Internal nonstructural surface			102	1	2	3	4	2	5	2.83
Metals surfaces in contact with caulk/sealant	Metal surfaces	448	51	448	1	3	1	2	4	5	2.67

Appendix A - PCBs Building Materials Prioritization

Material	Material Class	Median/Average/Single Reported Concentration (ppm)	Minimum (ppm)	Maximum (ppm)	PCBs Source Material? (Rating values: source = 5, or not source = 1)	Concentration (Rating values: 1 to 5, higher value means higher concentration)	Prevalence of PCBs Containing Material in Buildings (Rating values: high = 5, medium = 3, or low = 1)	Ease of Removal (Rating values: 1 to 5, higher value means easier to remove)	Flaking/ Crumbling (Rating values: 1 to 5, higher value means more likely to flake/crumble)	PCBs Removed by Other Waste Program? (Rating values: not removed by other = 5, or removed = 1)	Prioritization Score
Asphalt	Concrete/stone			140	1	2	1	2	4	5	2.50
Carpet	Internal nonstructural surface		0.46	9.7	1	1	1	5	2	5	2.50
Stone (granite, limestone, marble, etc.)	Concrete/stone			130	1	2	1	1	4	5	2.33
Air handling system	Air system		0.46	9.7	1	1	1	3	1	5	2.00

APPENDIX B

Priority Building Materials

Photographic Log

Appendix B

Priority Building Materials to be Tested for PCBs

Photograph 1

Window Caulking:

Damaged caulking around a window.



Photograph 2

Window Caulking:

Worn and potentially friable caulking around a window.



Appendix B

Priority Building Materials to be Tested for PCBs

Photograph 3

Door Frame Caulking:

**Damaged, friable
caulking on an interior
door frame.**



Photograph 4

**Floor and Expansion
Joint Caulking:**

**Joint compound between
flooring segments.**



Appendix B

Priority Building Materials to be Tested for PCBs

Photograph 5

Thermal Insulation:

Foam insulation material in an attic.



Photograph 6

Thermal Insulation:

Damaged floor foam insulation.



Appendix B

Priority Building Materials to be Tested for PCBs

Photograph 7

Thermal Insulation:

Damaged pipe foam insulation.



Photograph 8

Thermal Insulation:

Exposed/damaged pipe insulation.



Appendix B

Priority Building Materials to be Tested for PCBs

Photograph 9

Thermal Insulation:

Damaged pipe insulation.



Photograph 10

Thermal Insulation:

Exposed pipe insulation.



Appendix B

Priority Building Materials to be Tested for PCBs

Photograph 11

Adhesive / Mastic:

**Friable adhesive on a
cement surface.**



Photograph 12

Adhesive / Mastic:

**Adhesive beneath a
carpet.**



Appendix B

Priority Building Materials to be Tested for PCBs

Photograph 13

Adhesive / Mastic:

Adhesive remnants on flooring.



Photograph 14

Adhesive / Mastic:

Exposed adhesive on roofing.



Appendix B

Priority Building Materials to be Tested for PCBs

Photograph 15

**Rubber Window
Seal/Gasket:**

**Grey rubber window
seal/gasket in a wood
type frame.**



Photograph 16

**Rubber Window
Seal/Gasket:**

**Off white rubber
window seal/gasket in
an aluminum type
frame.**





AGENDA BILL

Agenda Item No. 4(E)

Date: April 16, 2019
To: El Cerrito City Council
From: Sean Moss, Acting Planning Manager
Subject: Acceptance of Public Open Space Easements for Projects within the San Pablo Avenue Specific Plan Area

ACTION REQUESTED

Adopt a resolution authorizing the City Manager to accept grant deeds on behalf of the City of El Cerrito for Public Open Space Easements required for projects within the San Pablo Avenue Specific Plan area.

BACKGROUND/ANALYSIS

The San Pablo Avenue Specific Plan requires new projects of at least 25,000 square feet to provide publicly accessible open space on-site or pay an in-lieu fee. These publicly accessible spaces remain privately owned and maintained but are typically accessible to the public during daytime hours. Typically, requirements are placed on these open spaces through the Conditions of Approval for a project. Through Conditions of Approval, the City has been requiring the recordation of a public open space easement, which ensures that the open space remains accessible to the public for the life of the project.

Government Code Section 27281 requires the City to consent to the acceptance of “any interest in or easement upon real estate” through a Certificate of Acceptance. The City Council “by a general resolution, may authorize one or more officers or agents to accept and consent to such deeds or grants.”

Open space easements are recorded prior to issuance of a building permit for most projects. Due to the frequency with which these easements will be required and the desire to remove obstacles to building permit issuance, City staff is requesting that the City Council adopt a resolution that authorizes the City Manager to accept grant deeds specifically for Public Open Space Easements for projects in the San Pablo Avenue Specific Plan area.

Pursuant to El Cerrito Municipal Code Section 2.12.040, if the City Manager is unavailable and has appointed an Acting City Manager, the Acting City Manager would be authorized to accept a Public Open Space Easement.

STRATEGIC PLAN CONSIDERATIONS

Acceptance of grant deeds for Public Open Space Easements will allow projects in the San Pablo Avenue Specific Plan area to move forward and will further Goal C of the El Cerrito Strategic Plan by “developing a vision for underdeveloped and underutilized properties...that encourage[s] investment and/or new development.”

ENVIRONMENTAL CONSIDERATIONS

Acceptance of easements are typically exempt from review under the California Environmental Quality Act (CEQA). In addition, Public Open Space Easements in the San Pablo Avenue Specific Plan area are typically part of a larger project which was previously reviewed under CEQA. Acceptance of a Public Open Space Easement would be consistent with the CEQA document for a larger project that identified on-site public open space.

FINANCIAL CONSIDERATIONS

Staff anticipates minimal costs to the City associated with the acceptance of Public Open Space Easements. Project applicants will bear the cost of recording such easements. Legal review will be required of these easements. However, these costs will be minimized as a standard template is developed for future easements.

LEGAL CONSIDERATIONS

The City Attorney has reviewed and approved this report and the attached resolution. The City Attorney will review all easements, or a standard easement template, prior to recordation.

Reviewed by:



Karen Pinkos
City Manager

Attachments:

1. Resolution

RESOLUTION 2019-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO AUTHORIZING THE
CITY MANAGER TO ACCEPT AND CONSENT TO GRANT DEEDS OR OTHER
INSTRUMENTS FOR PUBLIC OPEN SPACE EASEMENTS FOR PROJECTS IN THE SAN
PABLO AVENUE SPECIFIC PLAN AREA.

WHEREAS, the San Pablo Avenue Specific Plan requires the creation of on-site public open space for projects over 25,000 square feet in size, or payment of an in-lieu fee; and

WHEREAS, Government Code Section 27281 requires a governmental agency to consent to the acceptance of easements; and

WHEREAS, Government Code Section 27281 permits the City Council to authorize the City Manager to consent to the acceptance of easements.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby authorizes the City Manager to consent to the acceptance of public open space easements for projects within the San Pablo Avenue Specific Plan area, and to execute all grant deeds or other instruments and all certificates of acceptance associated with such easements; and to authorize recordation of all such easements in the official records of Contra Costa County.

I CERTIFY that at a regular meeting on April 16, 2019 the City Council of the City of El Cerrito passed this Resolution by the following vote:

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

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on April XX, 2019.

Holly M. Charléty, City Clerk

APPROVED:

Rochelle Pardue-Okimoto, Mayor



AGENDA BILL

Agenda Item No. 4(F)

Date: April 16, 2019
To: El Cerrito City Council
From: Yvetteh Ortiz, Public Works Director/City Engineer
Subject: Senate Bill 1 – The Road Repair and Accountability Act, List of Projects for Fiscal Year 2019-20

ACTION REQUESTED

Adopt a resolution adopting a list of projects to receive funding from Senate Bill 1 – The Road Repair and Accountability Act, Road Maintenance and Rehabilitation Account revenues in Fiscal Year 2019-20.

BACKGROUND

Senate Bill 1 (SB 1) – The Road Repair and Accountability Act of 2017, was passed by the California Legislature and signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide. Senate Bill 1 provided the first significant, stable, and on-going increase in state transportation funding in more than two decades by increasing per gallon fuel excise taxes, increasing diesel fuel sales taxes and vehicle registration fees, stabilizing the problematic price-based fuel tax rates and providing for inflationary adjustments to tax rates in future years. The State Controller (Controller) is depositing Senate Bill 1 funding that is to be apportioned by formula to eligible cities and counties for basic road maintenance, rehabilitation, and critical safety projects on the local streets and roads system into the recently created Road Maintenance and Rehabilitation Account (RMRA).

Program Requirements

Senate Bill 1 emphasizes the importance of accountability and transparency in the delivery of California's transportation programs. Therefore, to be eligible for RMRA funding, the statute requires cities provide basic annual RMRA project reporting to the California Transportation Commission (Commission). The main requirements for the program include the following:

- Prior to receiving an apportionment of RMRA funds from the Controller in a fiscal year, a city must adopt by resolution a list of projects to be funded with RMRA revenues and submit it to the Commission.
- For each fiscal year in which RMRA funds are received and expended, a city must submit an expenditure report to the Commission.
- A city must sustain a maintenance of effort (MOE) by spending at least the annual average of its General Fund expenditures for street, road, and highway purposes as described below.

- By July 1, 2023, a city receiving RMRA funds must follow guidelines to be developed by the California Workforce Development Board that address participation and investment in, or partnership with, new or existing pre-apprenticeship training programs.

Program Priorities and Eligible Projects

RMRA funds must be prioritized for expenditure on basic road maintenance and rehabilitation projects, and on critical safety projects. More specifically, RMRA local streets and roads allocations must be used for projects “that include, but are not limited to” the following:

- Road maintenance and rehabilitation
- Safety projects
- Railroad grade separations
- Traffic control devices
- Complete street components (including active transportation purposes, pedestrian and bicycle safety projects, transit facilities, and drainage and storm-water capture projects in conjunction with any other allowable project).

RMRA funds may also be used to satisfy a match requirement to obtain state or federal funds for eligible projects. In addition, if a city has an average Pavement Condition Index (PCI) that meets or exceeds 80, that city may spend its RMRA funds on transportation priorities other than those listed above.

Maintenance of Effort

Senate Bill 1 requires a maintenance of effort (MOE) for funds allocated through the RMRA to ensure that these new funds do not supplant existing levels of General Fund (discretionary) spending on streets and roads. The Controller computed the official MOE requirements for all local agencies based on review of General Fund spending for the period of July 1, 2009 through June 30, 2012. In February 2018, the Controller determined the average annual expenditure from the General Fund for street purposes to be \$279,446 for the City of El Cerrito. This amount is a portion of Public Works Department expenditures within the General Fund and will be the City’s MOE for Senate Bill 1 moving forward.

ANALYSIS

As indicated above, prior to receiving an apportionment of RMRA funds from the Controller in each fiscal year, a city must submit to the Commission a list of projects proposed to be funded with these funds pursuant to an adopted resolution. The list must include for each project: description, location, schedule, and estimated useful life. The project list does not limit the flexibility of a city to spend on projects in accordance with local needs and priorities so long as the projects are consistent with RMRA priorities and expenditures are reported on an annual basis.

Because El Cerrito streets currently have an average Pavement Condition Index of 84, the City has flexibility in use of RMRA funds. This “very good” condition rating, as classified by the Metropolitan Transportation Commission, has been accomplished as a result of Measure A, the El Cerrito Pothole Repair, Local Street Improvement and Maintenance Measure, approved by El Cerrito voters in 2008. However, as previously reported, significant needs remain in maintaining, repairing, and rehabilitating pedestrian and bicycle infrastructure including sidewalks, boardwalks and paths; replacing and updating traffic signal systems and traffic signs citywide; addressing a handful of local streets in need of total reconstruction; and other roadway work such as roadway repairs at creek overcrossings.

The City has through various efforts undergone a robust public process to obtain public input into our community’s transportation priorities including as part of the development of the City’s Americans with Disabilities Act Transition Plan adopted by the City Council in 2009, the San Pablo Avenue Specific Plan adopted by the City Council in 2014, the Active Transportation Plan adopted by the City Council in 2016, and the 10-year Capital Improvement Program (CIP) adopted by the City Council in 2018. City staff reviewed the numerous transportation infrastructure needs and priorities identified in these plans and CIP and considered on-going maintenance services and deferred repairs of sidewalk, signs and signals throughout the City. The Senate Bill 1 transportation funding is limited relative to the City’s substantial transportation needs especially considering that a portion of Senate Bill 1 funding is needed to backfill reduced Highway Users Tax Account (also known as Gas Tax) revenues. As previously reported, Gas Tax revenues have been sensitive to the price and volume of motor fuel purchases and these revenues have been unstable and generally declining since Fiscal Year 2013-14 as fuel prices were decreasing and drivers migrated to alternative fuel vehicles. The Senate Bill 1, RMRA revenues were needed to eliminate the projected deficit in the City’s Gas Tax Fund in Fiscal Year 2018-19 to maintain the existing service levels.

The RMRA revenues now are enabling the City to continue providing essential street maintenance services, to begin addressing deferred transportation infrastructure repair and safety projects, and to implement active transportation (pedestrian and bicycle) improvement projects that would not have been possible without Senate Bill 1. Six projects, adopted by the City Council for Fiscal Years 2017-18 and 2018-19, will continue to use RMRA revenues. For Fiscal Year 2019-20, City staff is proposing four additional projects to be funded in-part with RMRA funds, if needed, to leverage other funds. City staff recommends that the following list of projects be funded by Senate Bill 1, RMRA revenues in Fiscal Year 2018-19:

Previously Adopted Projects

- Sidewalk Infrastructure Maintenance
- Street Light & Traffic Signal Maintenance
- Street Light, Traffic Signal & Street Sign Replacement and Upgrades
- Access Modifications – Streets & Sidewalk
- Central Ave & San Diego Street Pedestrian Crossing Improvement
- Active Transportation Program

Proposed Projects

- Eureka Avenue and Lexington Avenue Street Improvements – previously programmed in CIP; may be needed to leverage Measure A Street Improvement funds and SB 1 Local Partnership Program funds
- Central Avenue and Carlson Boulevard Street Improvements – previously programmed in CIP; may be needed to leverage One Bay Area Grant Program federal funds, Measure A Street Improvement funds and SB 1 Local Partnership Program funds.
- San Pablo Avenue Complete Streets Improvements – to leverage Safe Routes to Transit grant funds, Transportation Impact Fee revenues, developer contributions and other potential grant sources
- Del Norte Transit Oriented Development (TOD) Complete Streets Improvements – to leverage One Bay Area Grant Program federal funds, Measure J Transportation for Livable Communities grant funds, Transportation Impact Fee revenues, developer contributions and other potential grant sources.

Detailed information about each project is contained in Exhibits A and B to the Resolution. In order to be eligible for RMRA funding in Fiscal Year 2019-20, the City must provide a resolution adopting the list of projects to the Commission by May 1, 2019.

STRATEGIC PLAN CONSIDERATIONS

The proposed action will support the following El Cerrito Strategic Plan Goals:

- Goal D – *Develop and rehabilitate public facilities as community focal points* by helping to develop a plan to address ongoing and deferred maintenance of facilities and infrastructure; and
- Goal E – *Ensure the public's health and safety* by improving pedestrian and bicycle safety; and
- Goal F – *Foster environmental sustainability citywide* by encouraging alternative modes of transportation to the single occupancy vehicle.

FINANCIAL CONSIDERATIONS

The State Department of Finance has estimated the total amount of funding that will be deposited into the RMRA annually. The League of California Cities used this information to develop city level estimates of RMRA funds. For El Cerrito, the estimated funding is \$412,800 in Fiscal Year 2019-20. The Controller will continuously apportion RMRA funds on a monthly basis to eligible local agencies using a process and system similar to that of the Gas Tax.

The Senate Bill 1 fund appropriations for the projects will be brought to the City Council for consideration as part of the upcoming Fiscal Year 2019-20 budget process in June.

LEGAL CONSIDERATIONS

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

Reviewed by:



Karen Pinkos
City Manager

Attachments:

1. Resolution
Exhibit A – Proposed Project List
Exhibit B – Previously proposed and Adopted Project List

RESOLUTION 2019-XX

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO ADOPTING A
LIST OF PROJECTS TO RECEIVE FUNDING FROM SENATE BILL 1 – THE ROAD
REPAIR AND ACCOUNTABILITY ACT, ROAD MAINTENANCE AND
REHABILITATION ACCOUNT IN FISCAL YEAR 2019-20**

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City must adopt by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the City, will receive an estimated \$412,800 in RMRA funding in Fiscal Year 2019-20 from SB 1; and

WHEREAS, this is the third year in which the City is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

WHEREAS, the City has through various efforts undergone a robust public process to ensure public input into our community's transportation priorities including as part of the development of the City's American with Disabilities Act (ADA) Transition Plan adopted by the City Council in 2009, the San Pablo Avenue Specific Plan adopted by the City Council in 2014, the Active Transportation Plan adopted by the City Council in 2016, and the 10-year Capital Improvement Program (CIP) adopted by the City Council in 2018; and

WHEREAS, the City reviewed these plans and CIP and considered on-going maintenance services and deferred repairs to develop the SB 1 project list to ensure revenues are being used on projects that meet the community's needs and priorities for transportation investment; and

Agenda Item No. 4(F)
Attachment 1

WHEREAS, as of 2018, the City has an average Pavement Condition Index of 84, a “very good” rating, and this provides the City flexibility in use of RMRA funding for multi-modal projects; and

WHEREAS, the City has significant needs in maintaining, repairing, and rehabilitating pedestrian and bicycle infrastructure including sidewalks, boardwalks and paths; replacing and updating traffic signal systems and traffic signs citywide; addressing a handful of local streets in need of total reconstruction; and other roadway work; and

WHEREAS, the funding from SB 1 will help the City maintain, rehabilitate and improve our transportation network and add active transportation infrastructure throughout the City this year and numerous similar projects into the future; and

WHEREAS, the 2018 California Statewide Local Streets and Roads Needs Assessment found that the City’s streets and roads are in “very good” condition and this revenue will help us over the next decade keep our streets in “very good” condition; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide; and

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

1. The foregoing recitals are true and correct.
2. The list of proposed projects attached as Exhibit A will be funded in-part or solely with Fiscal Year 2019-20 Road Maintenance and Rehabilitation Account revenues.
3. The list of previously proposed and adopted projects attached as Exhibit B may utilize Fiscal Year 2019-20 Road Maintenance and Rehabilitation Account revenues in their delivery. With the relisting of these projects in the adopted Fiscal Year 2019-20 resolution, the City is reaffirming to the public and the State our intent to fund these projects with Road Maintenance and Rehabilitation Account revenues.

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

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

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

ABSENT: COUNCILMEMBERS:

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on April XX, 2019.

Holly M. Charléty, City Clerk

APPROVED:

Rochelle Pardue-Okimoto, Mayor

Agenda Item No. 4(F)
Attachment 1
Exhibit A

City of El Cerrito

Senate Bill (SB) 1 - Local Streets and Roads Program
Fiscal Year 2019/20 Submission

Proposed Project List

Proposed Fiscal Year	Project Title	Project Description	Project Location	Estimated Completion Date		Estimated Useful Life (# of years)	
				Pre-Construction	Construction	Minimum	Maximum
19/20	Eureka Avenue and Lexington Avenue Street Improvements	Rehabilitate pavement, repair sidewalks, reconstruct and install new curb ramps, modify drainage, remove and replace street trees and improve traffic signing and pavement markings	Eureka Avenue from Kearney Street to Liberty Street and Lexington Avenue from Eureka Avenue to one block north ending at Fairmount Elementary School	6/2019	06/2020	10	25
19/20	Central Avenue and Carlson Boulevard Street Improvements	Rehabilitate pavement, repair sidewalks, reconstruct and install new curb ramps, modify drainage, remove and replace street trees and improve traffic signing and pavement markings	Central Avenue from Santa Clara Avenue to Carlson Boulevard and Carlson Boulevard from Central Avenue to the northern city limits	11/2019	12/2020	10	25
19/20	San Pablo Avenue Complete Streets Improvements	Sidewalk replacement, pedestrian-level lighting, crosswalk improvements (curb bulb-outs, refuge islands, flashing lights, and enhanced signing and striping), new mid-block crosswalks, new bikeways (routes and lanes), bus islands, street tree planting, landscaping and street furniture/amenities as identified in the San Pablo Avenue Specific Plan, adopted in 2014.	San Pablo Avenue from southern City limits (just south of Carlson Boulevard) to northern City limits (just north of Ohio Street) and intersecting streets within the San Pablo Avenue Specific Plan Area.	12/2021	12/2025	7	25
19/20	Del Norte TOD Complete Streets Improvements	Access, circulation, safety and congestion relief improvements for bicyclists, pedestrians, local and regional bus, rapid bus, and automobiles to support BART and TOD/PDA development; accessibility improvements; and lighting, street tree and landscaping improvements. Major elements include new signalized crossings for pedestrians, new bicycle lanes, reduction in turning lanes/auxiliary lanes and conversion of one-way to two-way streets for improved vehicle flow, and signalization changes on San Pablo Avenue at the intersections of Hill Street and Cutting Boulevard.	San Pablo Avenue from Ohlone Greenway to Potrero Avenue, Eastshore Boulevard from Potrero Avenue to San Pablo Avenue, Hill Street from San Pablo Avenue to Liberty Street, Cutting Boulevard from I-80 to Key Boulevard, and Knott Avenue from San Pablo Avenue to Key Boulevard.	6/2021	12/2023	7	25

Agenda Item No. 4(F)
Attachment 1
Exhibit B

City of El Cerrito

Senate Bill (SB) 1 - Local Streets and Roads Program
Fiscal Year 2019/20 Submission

Previously Proposed and Adopted Project List

Original Fiscal Year	Project Title	Project Description	Project Location	Estimated Completion Date		Estimated Useful Life (# of years)	
				Pre-Construction	Construction	Minimum	Maximum
18/19	Sidewalk Infrastructure Maintenance	Repair sidewalk areas uplifted by street tree roots, including tree root pruning or tree removal.	Locations are on major Pedestrian Routes: San Pablo Ave, Richmond St, Central Ave, Potrero Ave, and Cutting Blvd. Locations have yet to be finalized and will be selected based on a methodology that prioritizes locations on major Pedestrian Routes (designated in the City's Active Transportation Plan), and based on their proximity to schools, the severity of the sidewalk damage and repair method, and other factors (e.g. requests received).	12/2019	06/2020	20	25
18/19	Street Light & Traffic Signal Maintenance	Street light and traffic signal on-going maintenance	Citywide for on-going maintenance of 12 traffic signalized intersections, 1728 City owned street light locations, and 19 flashing beacons/ in-roadway lights/ radar speed feedback signs locations.	7/2019	06/2020	10	20
18/19	Street Light, Traffic Signal & Street Sign Replacement and Upgrades	Replacement, repair and upgrades of street light equipment, traffic signal equipment and street signs	Citywide on arterial and collector streets; Principal Arterials: Carlson Blvd, Central Ave, Fairmount Ave, San Pablo Ave; Minor Arterials: Ashbury Ave, Arlington Blvd, Barrett Ave, Colusa Ave, Cutting Blvd, Elm Street, Hill St, Key Blvd, Moeser Ln, Potrero Ave, Richmond St; and Major Collectors: Alta Punta, Ashbury Ave, Avis Dr, Buckingham Dr, Colusa Ave, Edwards Ave, Eureka Ave, Fairview Dr, Ganges Ave, Jordan Ave, King Dr, Macdonald Ave, Manila Ave, Navellier St, San Mateo St, Sea View Dr, Shevin Dr, South 55th St, Terrace Dr, and Tulare Ave. All locations have yet to be finalized and will be selected based on safety need, condition of existing asset, and traffic volumes.	10/2019	06/2020	10	25
18/19	Access Modifications - Streets & Sidewalks	Implement the City's American with Disabilities Act (ADA) Transition Plan, adopted by City Council in 2009 to remove physical barriers along the street right-of-way including mid-block sections of sidewalks, intersections and pedestrian signals	Locations are on major Pedestrian Routes and serving City facilities: Moeser Lane and Pomona Ave adjacent to the Civic Theater and connecting to Community Center/Swim Center. Additional locations are on other major Pedestrian Routes including Arlington Blvd, Ashbury Ave, Barrett Ave, Central Ave, Colusa Ave, Cutting Blvd, Fairmount Ave, Hill St, Navellier St, Moeser Ln, Potrero Ave, Richmond St, San Pablo Ave, Schmidt Ln, Stockton Ave. Locations have yet to be finalized and will be selected based on methodology contained in the City's ADA Transition Plan. These are locations along Pedestrian Routes designated in the City's ADA Transition Plan, locations requested by persons with disabilities, locations serving state and local government office and facilities, locations serving important transportation including pathways to schools, and locations serving commercial zones and other Title III entities.	12/2019	06/2020	10	25
18/19	Central Ave & San Diego St Pedestrian Crossing Improvements	Pedestrian Crossing Improvements including flashing beacons and median modifications	Carlson Boulevard at San Diego St	12/2019	06/2020	10	25
17/18	Active Transportation Program	Implement the Active Transportation Plan, adopted by the City Council in April 2016, includes access, safety and other enhancements to pedestrian and bicycle infrastructure.	Locations are on major Pedestrian and Bicycle Routes as identified in the City's Active Transportation Plan including San Pablo Avenue, BART to Bay Trail connection along Fairmount Avenue-Carlson Blvd-Cerrito Creek path-Lassen St-San Diego Street-Belmont Ave-Central Ave, Richmond St, Fairmount Ave, Key Blvd and Arlington Blvd. Locations have yet to be finalized and will be selected based on leveraging of other funding opportunities and grant prioritization criteria and prioritization criteria in the Active Transportation Plan.	12/2022	12/2035	7	25



AGENDA BILL

Agenda Item No. 6(A)

Date: April 16, 2019
To: El Cerrito City Council
From: Shannon Collins, Accounting Supervisor
Yvetteh Ortiz, Public Works Director/City Engineer
Mark Rasiah, Finance Director/Treasurer
Subject: Public Hearing regarding Fiscal Year 2019-20 Storm Drain Annual Report and Method of Collecting Storm Drain Fees

ACTION REQUESTED

Conduct a public hearing and upon conclusion adopt a resolution approving the Fiscal Year 2019-20 Storm Drain Annual Report and directing that Storm Drain Fees be collected on the property tax rolls.

BACKGROUND

In March 1993, the voters of the City of El Cerrito approved the issuance of \$6.3 million in revenue bonds for the reconstruction of the City's storm drain system. In June 1993, the City Council adopted Ordinance 93-4, which amends Title 4 (Revenue and Finance) of the El Cerrito Municipal Code by adding a new Chapter 4.44, providing for the imposition and collection of Storm Drain Fees to pay the debt service on the revenue bonds and to fund the acquisition, construction, reconstruction, maintenance, and operation of storm drain facilities. Ordinance 93-4 set the Storm Drain Fee at \$58 for each single-family residential property and other amounts for other property types.

Ordinance 93-4 further provided that the Storm Drain Fees are to be collected on the property tax roll, based on amounts specified in an annual written report. Attachment 2 to this staff report is the FY 2019-20 Storm Drain Annual Report which contains the description of each parcel of real property receiving storm drain services and the amount of the annual fee for each parcel. The engineering firm of NBS Local Government Solutions prepared the Annual Report.

The City must annually conduct a public hearing to consider the method of collecting the Storm Drain Fees. Notice of such a public hearing must be made at least twice within a two-week period, as specified in Government Code §6066, as follows:

Publication of notice pursuant to this section shall be once a week for two successive weeks. Two publications in a newspaper published once a week or oftener, with at least five days intervening between the respective publication dates not counting such publication dates, are sufficient. The period of notice commences upon the first day of publication and terminates at the end of the fourteenth day, including therein the first day.

The City met this notification requirement by publishing the notice of public hearing in the *West County Times* on April 3, 2019 and April 8, 2019.

This hearing is not for consideration of the amounts of the Storm Drain Fees, which were already set by the City Council by adoption of Ordinance 1993-4; however, the City Council may consider corrections to the use classification of properties in the Annual Report.

ANALYSIS

The City Council needs to determine whether a majority protest exists with respect to the method of collecting the Storm Drain Fees. If a majority protest is lodged against collecting these fees on the property tax roll (as a method of collection), the Storm Drain Fees shall be collected on behalf of the City by a public utility and the City Council would be required to authorize negotiation of an agreement with such a utility.

If the City Council finds that protest is made by the owners of a majority of the parcels of property described in the Annual Report, then the Annual Report shall not be adopted. In the event of such majority protest, the Storm Drain Fees may be collected with the rates for any publicly or privately owned utility through an agreement with such utility.

The administrative costs of collecting the Storm Drain Fee through utility services are substantially higher than by using the property tax bill. Also, if collected through a utility, the Storm Drain Fees would not constitute a lien against any parcel or parcels of land, which would make delinquent collections far more cumbersome and costly.

Since the amount of the Storm Drain Fee is based on property use, the public hearing also provides an opportunity for property owners to contest the fee amount based on the actual use of their property. The City Council may accordingly adjust the fee amount based on the property use.

The adoption of the Annual Report requires the same two-thirds vote as was required to enact Ordinance 1993-4. If approved, the Annual Report must be filed with the County Auditor-Controller not later than August 9, 2019, per California Health and Safety Code Section 5474.4, as follows:

On or before the tenth day of August of each year following such final determination, the legislative body shall certify to the auditor a list of the lots or parcels of land, as they appear on the current assessment roll, subject to such fees or charges and the amounts of the installments of such fees or charges and interest to be entered against such lots or parcels on the assessment roll.

STRATEGIC PLAN CONSIDERATIONS

Approving the attached resolution will allow the City to fulfill Goal B – Achieve long-term financial sustainability, for implementing the Storm Drain Maintenance Program that benefits all residents of the City.

FINANCIAL CONSIDERATIONS

The annual Storm Drain Fee will continue to be assessed at \$58 for each single-family residential unit. Such a rate is expected to generate annual revenues of approximately \$702,000. The last debt service payment on the Storm Drain Revenue Bonds was paid in FY 2013-14. Therefore, the FY 2019-20 proceeds of the Storm Drain Fees will be used to fund storm drain improvements, maintenance and operations, which will be reflected in the City's FY 2019-20 Budget.

LEGAL CONSIDERATIONS

California Health and Safety Code Section 5470 et seq. requires that a public hearing be held prior to adopting a resolution to accept the Annual Report and levying the annual Storm Drain Fees. The City has complied with the minimum public notice requirements.

Reviewed by:



Karen Pinkos
City Manager

Attachments:

1. Resolution
2. FY 2019-20 Storm Drain Annual Report

RESOLUTION NO. 2019–XX

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO ADOPTING
THE FISCAL YEAR 2019-20 STORM DRAIN ANNUAL REPORT AND DIRECTING
THAT STORM DRAIN FEES FOR FISCAL YEAR 2019-20 BE COLLECTED
THROUGH THE PROPERTY TAX ROLLS**

WHEREAS, the City of El Cerrito, by Ordinance 1993–4, directed the filing of an annual report for the imposition and collection of storm drain fees; and

WHEREAS, the Engineering firm of NBS Local Government Solutions has prepared said Fiscal Year 2019-20 Storm Drain Annual Report (the “Annual Report”); and

WHEREAS, the City provided notice on April 3, 2019 and April 8, 2019 of a public hearing to be held by the City Council, with the notice of the hearing being given in the time and manner required by law; and

WHEREAS, at the public hearing the City Council afforded to every interested person an opportunity to make a protest to the Annual Report and the City Council has considered each protest.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of El Cerrito hereby confirms the storm drain fees as set forth in the Annual Report, directs the collection of these fees through the property tax rolls, and directs the City Clerk through NBS Local Government Solutions to file the Annual Report or a certified copy thereof with the County Auditor-Controller not later than August 9, 2019.

I CERTIFY that at a regular meeting on April 16, 2019 the City Council of the City of El Cerrito passed this Resolution by the following vote:

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

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on April XX, 2019.

Holly M. Charléty, City Clerk

APPROVED:

Rochelle Pardue-Okimoto, Mayor



CITY OF EL CERRITO

Storm Drain Reconstruction Project Fee

Annual Report

Fiscal Year 2019/20

Prepared by:



Corporate Headquarters
32605 Temecula Parkway, Suite 100
Temecula, CA 92592
Toll free: 800.676.7516

CITY OF EL CERRITO
10890 San Pablo Avenue
El Cerrito, California 94530
Phone - (510) 215-4300
Fax - (510) 215-4319

CITY COUNCIL

Rochelle Pardue-Okimoto, Mayor

Greg Lyman, Mayor Pro Tem

Janet Abelson, Councilmember

Paul Fadelli, Councilmember

Gabriel Quinto, Councilmember

CITY STAFF

Karen Pinkos, City Manager

Mark Rasiah, Finance Director / City Treasurer

Yvetteh Ortiz, Public Works Director / City Engineer

Shannon Collins, Accounting Supervisor

NBS

Tim Seufert, Client Services Director

Greg Davidson, Project Manager

Andrew Kraus, Financial Analyst

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Section 1. EXECUTIVE SUMMARY

On March 2, 1993, the qualified voters of the City of El Cerrito (the “City”) approved the issuance of revenue bonds in an amount not to exceed \$6.3 million to finance the first phase of the reconstruction of the City’s storm drain system. The qualified voters also approved the repayment of those bonds through the imposition of an annual storm drain fee on property within the City.

Section 5470, et seq. of the *California Health and Safety Code* authorizes cities to enact an ordinance, approved by a two-thirds vote of the members of the legislative body, establishing fees and charges for services and facilities furnished by the City in connection with its storm drain system. The proceeds of these fees and charges may be used only for the acquisition, construction, reconstruction, maintenance, and operation of its storm drain facilities, including the repayment of principal and interest on bonds issued to finance the construction or reconstruction of such facilities.

According to the ordinance establishing the storm drain fee, the storm drain fees and charges may be used exclusively for the purposes of the storm drain system and for the payment of interest and redemption, including premiums payable from the calling of bonds, for those bonds authorized by the qualified voters on March 2, 1993, and for the payment of interest and redemption, including premiums payable from the calling of bonds, for any other bonds for storm drain construction or reconstruction which may be authorized in the future, provided that such bonds are approved in the manner required by California law.

The proposed Fiscal Year 2019/20 rates for the storm drain fee are as follows:

Parcel Classification	Rate
Single Family residential	\$58.00 per unit
Multi Family residential 2 through 20 units	43.50 per unit
Multi Family residential over 20 units	870.00 plus 29.00 for each unit over 20
Commercial/Industrial	870.00 per acre
Institutional (Churches, Schools, Fraternal and Service Organizations)	406.00 per acre
Golf Courses, Cemeteries, Vacant Land	11.60 per acre

The following table summarizes the estimated Fiscal Year 2019/20 annual levy by Classification of parcel. These amounts are subject to change based upon Contra Costa County’s final secured roll data.

Parcel Classification	Number of Parcels ⁽¹⁾	Levy Total ⁽²⁾
Single Family residential	7,507	\$440,908.00
Multi Family residential	628	128,267.00
Commercial/Industrial	256	99,876.88
Institutional (Churches, Schools, Fraternal and Service Organizations)	50	32,105.14
Golf Courses, Cemeteries, Vacant Land	203	2,283.86
Exempt	155	0.00
TOTAL	8,799	\$703,440.88

(1) Includes parcels divided by City boundaries.

(2) Total amount may vary slightly due to rounding adjustments.

Section 2. FEES

2.1 Fee Methodology

The number of Equivalent Residential Units (“ERUs”) was determined for each parcel based upon an estimate of the impervious surface associated with the use of the property.

- 1) Single Family (detached) Residential (“SFR”) parcels were assumed to have an average of 2,900 sq. ft. of impervious surface. Approximately 90% of the properties in the City are SFRs. These parcels were assigned 1.0 ERU.
- 2) Multi Family dwelling unit complexes of up to 20 units were assigned 0.75 ERU (2,175 sq. ft.) of impervious surface area per unit. Complexes of more than 20 units were assigned 15 ERU plus 0.5 ERU (1,450 sq. ft.) for each unit over 20.
- 3) Commercial/Industrial uses were assigned 15.0 ERU (43,560/2,900 sq. ft.) of impervious surface area per acre.
- 4) Institutional uses such as Churches, Schools, Fraternal and Service Organizations were assigned 7.0 ERU (21,000 sq. ft.) of impervious surface area per acre based upon the Contra Costa County Report on Stormwater Utility Assessment dated March 1994 (County Report).
- 5) Golf courses, cemeteries, and other open spaces were assigned 0.2 ERU (580 sq. ft.) per acre based upon the County Report.

The storm drain fee for a parcel is calculated by multiplying the number of ERU assigned to such parcel by the rate per ERU. The rate for the 2019/20 Fiscal Year is \$58.00/ERU.

The following table shows a breakdown of Classification of parcels by County Use Code and the associated rates for Fiscal Year 2019/20:

Parcel Classification	County Use Code ⁽¹⁾⁽²⁾	ERU ⁽³⁾	Rates
Single Family residential	11, 12, 13, 14, 15, 16, 19, 29, 89	1.0	\$58.00 per unit
Multi Family residential 2 through 20 units	21, 22, 23, 24, 25, 26, 27, 28	0.75*n	43.50 per unit
Multi Family residential over 20 units	21, 22, 23, 24, 25, 26, 27, 28	15.0 + 0.5*m	870.00 + 29.00 for each unit over 20
Commercial/Industrial	31, 32, 33, 34, 35, 36, 41, 42, 43, 44, 45, 46, 47, 48, 49, 53, 85	15.0*A	870.00 per acre
Institutional (Churches, Schools, Fraternal and Service Organizations)	70, 71, 72, 75, 76	7.0*A	406.00 per acre
Golf Courses, Cemeteries, Vacant Land	10, 17, 18, 20, 30, 37, 38, 50, 63, 74, 78, 81	0.2*A	11.60 per acre

(1) Use Code 79 is assigned to Government Owned, and is not charged

(2) Use Code 83 is assigned to State Board Assessed, and is not charged

(3) n = number of residential units up to 20

m = number of residential units over 20

A = acreage, per Contra Costa County Assessor or City Estimate

2.2 Collection of Fees and Charges

The storm drain fees and charges may be collected on the tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from, the City's general taxes.

The City Council will have prepared each year, prior to the commencement of the fiscal year, a written report which will be filed with the City. The report is to contain a description of each parcel of real property receiving storm drain services and the amount of the annual fee and charge for each parcel. This charge will be computed in conformity with the fees and charges prescribed in the report.

2.3 Annual Hearing

Each year, prior to the commencement of the fiscal year, the City Council will hold a public hearing at which the Council will hear and consider all objections and protests, if any, to the written report. The City Council may continue the hearing from time to time. If the City Council finds that protest is made by the owners of a majority of the parcels of property described in the report, then the report will not be adopted. In the event of such majority protest, the storm drain fees and charges will be collected with the rates for any other publicly or privately owned public utility through agreement with such utility. If collected in this manner, the storm drain fees and charges will not constitute a lien against any parcel or parcels of land.

2.4 Notice

Notice of the filing of the report and of the time and place of hearing thereon, is to be published once a week for two consecutive weeks prior to the hearing, in a newspaper of general circulation printed, published or distributed in the City.

Section 3. LIST OF CHARGES

The parcel list of charges is provided as a separate document and is incorporated herein by reference.



April 16, 2019
Regular City Council Meeting

Agenda Item No. 6(A)

Storm Drain Annual Report

Attachment 2 List of Charges

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

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

and

The El Cerrito Library
El Cerrito
6510 Stockton Avenue

CITY HALL 10890 San Pablo Avenue, El Cerrito, CA 94523-3034
Telephone (510) 215-4305 | Fax (510) 215-4319 | <http://www.el-cerrito.org>



AGENDA BILL

Agenda Item No. 6(B)

Date: April 16, 2019
To: El Cerrito City Council
From: Shannon Collins, Accounting Supervisor
Yvetteh Ortiz, Public Works Director/City Engineer
Mark Rasiah, Finance Director/City Treasurer
Subject: Public Hearing to Confirm the Diagram and to Levy the Assessment for Fiscal Year 2019-20 for Landscape and Lighting Assessment District No. 1988-1

ACTION REQUESTED

Conduct a public hearing and upon conclusion adopt a resolution setting the annual Landscape and Lighting Assessment for Fiscal Year (FY) 2019-20 as \$72 per single-family residential parcel and as noted in the Engineer's Report for other classes of properties.

BACKGROUND/ANALYSIS

On June 6, 1988, the City Council established Assessment District No. 1988-1 pursuant to the Landscape and Lighting Act of 1972. The purpose of this Landscape and Lighting Assessment District (LLAD) is to raise funds to support improvements and maintenance of the City's park areas, landscaping areas, and street lighting. Every year since 1988, this Assessment District has generated approximately \$775,000 to support LLAD activities.

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

In order to impose this annual assessment, the City Council must annually authorize an Engineer's Report to identify the costs, uses, and general benefits of those parcels within the Assessment District. As detailed in the Engineer's Report, the revenues are used for eligible activities including staff salaries and wages, utility costs for the District, landscaping services and supplies, and park maintenance. The City Council authorized such a report on March 19, 2019. The Engineer of Record, NBS Local Government Solutions (NBS) prepared and delivered the Engineer's Report prior to the April 2, 2019 City Council meeting. At the April 2, 2019 City Council meeting, this public hearing was scheduled.

In order for these assessments to be imposed, the City Council must accept the Engineer's Report and conduct a public hearing to hear comments on their imposition. The City is also required to cause the notice of the public hearing to be published one time at least ten days prior to the hearing in a newspaper of

Agenda Item No. 6(B)

general circulation. Such a notice was published in the *West County Times* on April 5, 2019.

The purpose of this public hearing is to confirm the diagram and the assessment, as appearing in the Engineer's Report. The procedures for conducting the public hearing and receiving protests are the same as for forming the District; however, there are no provisions for majority protest.

The California Streets and Highways Code Section 22631 specifies the options available to the City Council, as follows:

If a majority protest has not been filed, the legislative body may adopt a resolution confirming the diagram and assessment, either as originally proposed or as changed by it. The adoption of the resolution shall constitute the levy of an assessment for the fiscal year referred to in the assessment.

FINANCIAL CONSIDERATIONS

Staff estimates that the current rate of assessment will generate approximately \$781,000 of revenue, which is included in the total revenue estimate for the City's FY 2019-20 Budget.

The LLAD does not contain a provision for inflation and has unfortunately not kept pace with the growth in costs for personnel, utilities, and supplies, as the assessment rate has not increased since inception in 1988. A proposed Assessment District with increased rates was presented to the City's property owners in 2006, but due to a majority protest that was filed, the assessment rates were not increased. Since FY 2015-16 certain lighting and landscaping expenses have been paid for by the General Fund to fill an operating deficit in the LLAD. Staff recognizes that additional or alternative funding sources will need to be identified in the next biennial budget for FY 2020-21, just to maintain existing service levels into the future.

STRATEGIC PLAN

Approving the attached resolution will help the City to fulfill Goal B – Achieve long-term financial sustainability for the Landscape and Lighting Maintenance Program that benefits all residents of the City.

LEGAL CONSIDERATIONS

The provisions of the Landscape and Lighting Act of 1972 require that a public hearing be held prior to adopting a resolution levying the annual assessment.

Reviewed by:



Karen Pinkos
City Manager

Attachments:

1. Resolution

RESOLUTION NO. 2019-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO CONFIRMING THE DIAGRAM AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2019-20 FOR THE LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 1988-1.

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

WHEREAS, the City of El Cerrito, by Resolution No. 2019-13 dated March 19, 2019, directed the filing of the Annual Report of the Engineer of Record for Assessment District No. 1988-1; and

WHEREAS, the Engineer of Record, NBS Local Government Solutions prepared and, on March 28, 2019 filed said Annual Report; and

WHEREAS, the City of El Cerrito by Resolution No. 2019-18, dated April 2, 2019, reviewed and accepted said annual report and declared its intent to order improvements and provided notice of a public hearing to be held April 16, 2019, and notice of the hearing was given in the time and manner required by law; and

WHEREAS, in November 1996, the voters approved the Landscape and Lighting Assessment thereby complying with the provisions of Proposition 218; and

WHEREAS, at the public hearing, the City Council afforded to every interested person an opportunity to make a protest to the annual report, and the City Council has considered each protest.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that the diagram and assessment as set forth in the Annual Report of the Engineer of Record is hereby confirmed and the assessment set forth therein for Fiscal Year 2019-20 is hereby levied.

BE IT FURTHER RESOLVED that this Resolution is adopted pursuant to California Streets and Highways Code §22631.

BE IT FURTHER RESOLVED that upon adoption of this resolution, the diagram and assessment, or a certified copy thereof is hereby directed to be filed with the County Auditor no later than August 9, 2019.

I CERTIFY that at a regular meeting on April 16, 2019 the City Council of the City of El Cerrito passed this Resolution by the following vote:

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

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on April XX, 2019.

Holly M. Charléty, City Clerk

APPROVED:

Rochelle Pardue-Okimoto, Mayor



AGENDA BILL

Agenda Item No. 6(C)

Date: April 16, 2019
To: El Cerrito City Council
From: Jeff Ballantine, Associate Planner
Sean Moss, Acting Planning Manager
Subject: Tentative Parcel Map and an Exception to Title 18 for Two Lots at 922 Clark Place

ACTION REQUESTED

Conduct a public hearing, and upon conclusion adopt a resolution approving the Tentative Parcel Map for a two-lot subdivision and an exception to Title 18 of the City's Municipal Code for a minor subdivision proposing a lot without frontage on a public street at 922 Clark Place.

BACKGROUND

The California Government Code and the El Cerrito Municipal Code include relevant sections regarding the requirements of Parcel Maps and the role of the City Council regarding purview of a Parcel Map requiring an exception to Title 18 of the City's Municipal Code. California Government Code Sections 66444-66450 contain requirements for the preparation and filing of tentative parcel maps. Chapter 18.12 of the El Cerrito Municipal Code (ECMC) regulates tentative maps and Chapter 18.32 ECMC regulates subdivision maps which require an exception to the Subdivision Ordinance (Title 18). The role of the City Council in this action is to verify that the Tentative Parcel Map complies with requirements in Title 18 ECMC (Subdivision Ordinance).

Section 18.32.050 ECMC specifically includes requirements for minor subdivisions (4 or fewer lots) in which frontage on a public street is not provided for all parcels. For instance, a private access road serving two or less dwelling sites shall be at least 16 feet wide and shall be approved by the City Engineer with regard to improvements and turn around provisions to permit forward driving in both directions. This Section also requires that parcels in the historical R-1 zone (which historically applied to the project site) not fronting on a public street shall be a minimum of 6,000 square feet. Finally, this Section requires that the subdivision shall conform to the general pattern of the neighborhood and that additional variances relating to yard requirements shall not be granted.

The project site is located at the northeast corner of where Clark Place dead ends. The parcel is 25,633 square feet with a shape that is mostly rectangular. The property slopes upward toward the northeast. The existing residence has access from Clark Place, which dead ends at the project site. There is an existing access easement and driveway located on the project site that currently serve 912 Clark Place and 914 Clark Place. The site has the Low Density Residential General Plan designation and the RS-5, Single Family Residential zoning designation.

On August 2, 2017, Kazuo Negishi submitted an application for a Tentative Parcel Map. On March 20, 2019 the Planning Commission reviewed the Tentative Parcel Map and recommended its approval to the City Council (Resolution PC19-04) as included in Attachment 4. As part of the recommendation, the Planning Commission added a condition of approval requiring that signage shall be installed on the private access road informing vehicles not to back out of the driveway, prior to issuance of any Certificate of Occupancy for proposed Parcel B.

ANALYSIS

The requested entitlements for consideration by the City Council are a Tentative Parcel Map for a two-lot minor subdivision and an exception to Title 18 of the City's Municipal Code for minor subdivisions because one of the proposed lots does not have frontage on a public street. The proposed two-lot subdivision would allow the creation of a single-family house on the proposed Parcel B. Proposed Parcel A is developed with an existing single-family house, an attached addition to the residence, a detached accessory dwelling unit, and a detached garage. Proposed Parcel A would be 16,570 square feet and proposed Parcel B would be 9,063 square feet. Excluding the area of the 3,701 square foot private road easement, proposed Parcels A and B would be 14,421 square feet and 7,511 square feet, respectively. The private road is located on the southern edge of the project site, Parcel A is on the western portion, and Parcel B is on the eastern portion of the project site. The proposed parcels are similar in size and dimensions to the immediately surrounding parcels that generally range in size from 6,000 to 9,000 square feet. The RS-5 district allows lots with a minimum size of 5,000 square feet, and Section 18.32.050 requires that lots without street frontages are a minimum of 6,000 square feet.

New residential construction on proposed Parcel B will require that the existing driveway on the project site that serves 914 Clark Place will also serve proposed Parcel B and will be improved to 16 feet wide and will support the load of a fire truck. The applicant will also be required to install a fire hydrant in the vicinity where Clark Place dead ends at 922 Clark Place.

The future single-family residence on proposed Parcel B would be required to conform with all development standards of the RS-5 zoning district. Pursuant to Section 18.32.050 (E), variances to the development standards are not permitted on lots that are granted exception to the Title 18.

Staff members, including the Public Works Department and the Fire Department, have reviewed the proposed Tentative Parcel Map (Attachment 2) and have found that it conforms with Section 18.32.050 ECMC.

VICINITY MAP



FINDINGS

The City Council shall make the following findings as outlined in Chapter 18.32 and Section 18.12.030 ECMC in order to approve the Tentative Parcel Map:

- 1) That there are special circumstances or conditions affecting said property.

The existing parcel is located at the northeast corner of where Clark Place dead ends. It is not feasible nor desirable to require a public street be constructed such that both proposed parcels will have frontage entirely along a public street. The proposed Tentative Parcel Map includes improving an existing driveway within an existing easement to meet the standards described in Section 19.32.050 ECMC.

- 2) That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner.

The exception will allow the applicant to subdivide an existing 25,633 square foot parcel into two parcels of 16,570 square feet and 9,063 square feet. These proposed parcel sizes are consistent with the surrounding properties and would allow the applicant to develop the proposed vacant parcel in a manner similar to surrounding properties.

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

As described in the two findings above, the proposed Tentative Parcel Map includes a driveway that complies with City requirements (particularly Section 19.32.050 ECMC) in a manner that continues to serve 914 Clark Place. In addition, the proposed parcel sizes are consistent with the surrounding properties. Development on the proposed vacant parcel will be required to conform with all development standards of the RS-5 zoning district, and will not negatively impact other properties.

- 4) 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 16 feet of pavement.

The proposed new driveway is 16 feet wide and will be surfaced with asphalt, concrete, or other approved surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.

- 5) 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 or her 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.

The City Engineer and the Fire Department reviewed and approved the proposed private access road. A cul-de-sac or a Y-turnaround were determined by the Fire Department and the City Engineer to not be necessary for this Tentative Parcel Map given that proposed Parcel B is sufficiently close to Clark Place for fire truck access and given that 914 Clark Place currently has a driveway allowing sufficient turn-around space and that proposed Parcel B will be required to provide sufficient driveway space to allow turn-around space as well.

- 6) 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.

These zoning designations existed as until 2008, when the current Zoning Ordinance was adopted. These designations have been changed by the current Zoning Ordinance. The references in the Subdivision Ordinance were not updated accordingly. The project site was designated as R-1 on the previous Zoning Map. Both of the proposed Parcel A and the proposed Parcel B do not have the required frontage on a public street and both proposed parcels comply with the minimum six thousand square feet in area requirement. Excluding the area of the private road, proposed Parcel A is 14,421 square feet and proposed Parcel B is 7,511 square feet.

Agenda Item No. 6(C)

Per Table 19.06-B within Section 19.06.030 of the Municipal Code the minimum lot width at the front setback line shall be at least 50 feet. This dimension is approximately 108 feet and 72 feet for proposed Parcels A and B, respectively.

- 7) All large and deep lot subdivisions shall conform to the general pattern of the neighborhood.

Parcels in the immediately surrounding area predominantly range in size from 6,000 square feet to 9,000 square feet, and the proposed Parcels A and B are similar in size to these surrounding parcels.

- 8) Since the above procedure involves exceptions to the subdivision ordinance, additional variances relating to yard requirements shall not be granted.

The applicant does not propose any additional variances relating to yard requirements beyond the exception to the subdivision ordinance described above.

- 9) The proposed lots are in conformity with the requirements of Chapter 18; the proposed parcels comply with the necessary size and shape; and the lots will have the proper and sufficient access to a public street.

The proposed Tentative Parcel Map is in conformity with Chapter 18 excluding the exception described above for frontage on a public street. The proposed parcels also comply with the minimum 5,000 square feet in area and minimum 50 feet lot width for interior lots in the RS-5 zoning district per Table 19.06-B in Section 19.06.030 ECMC, in addition to the minimum area requirements described in Finding 6 above.

STRATEGIC PLAN CONSIDERATIONS

The following goal of the Strategic Plan is addressed by this action: *Goal C: Deepen a sense of place and community identity.*

The proposed tentative parcel map will allow for future development of a single family house on proposed Parcel B and will allow for new development on an underutilized property. The future single-family residence on proposed Parcel B would be required to conform with all development standards of the RS-5 zoning district.

ENVIRONMENTAL CONSIDERATIONS

This project is categorically exempt from review under the California Environmental Quality Act pursuant to Section 15315, Class 15: Minor Land Divisions.

FINANCIAL CONSIDERATIONS

There are no costs to the City associated with this action.

LEGAL CONSIDERATIONS

The resolution has been reviewed and approved by the City Attorney.

Reviewed by:



Karen Pinkos
City Manager

Attachments:

1. Resolution
2. Tentative Parcel Map
3. Erosion Control and Grading Plan
4. Planning Commission Resolution 19-04 Recommending City Council Approval of the Tentative Parcel Map

RESOLUTION 2019-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO APPROVING A TENTATIVE PARCEL MAP FOR A TWO-LOT SUBDIVISION AND AN EXCEPTION TO TITLE 18 OF THE CITY'S MUNICIPAL CODE FOR A MINOR SUBDIVISION PROPOSING A LOT WITHOUT FRONTAGE ON A PUBLIC STREET AT 922 CLARK PLACE WITH ASSESSOR'S PARCEL NUMBER 505-301-033

WHEREAS, on August 2, 2017, Kazuo Negishi (the "Applicant") submitted an application for a Tentative Parcel Map to subdivide a parcel of 25,633 square feet into two parcels. Proposed Parcel "A" would be 16,570 square feet and is developed with a single-family house, an attached addition to the residence, a detached accessory dwelling unit, and a detached garage; proposed parcel "B" would be 9,063 square feet and is vacant; and

WHEREAS, the current address of the site is 922 Clark Place; and

WHEREAS, the current Assessor's Parcel Number of the site is 505-301-033; and

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

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

WHEREAS, the Project is Categorically Exempt from review under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15315: Class 15, Minor Land Divisions; and

WHEREAS, approval of a Tentative Parcel Map is governed by Sections 66444 - 66450 of the State of California Government Code (Subdivision Map Act) and Title 18 Divisions of Land of the El Cerrito Municipal Code; and

WHEREAS, on March 20, 2019 the Planning Commission adopted Resolution PC19-04, finding that the Tentative Parcel Map is in conformity with the requirements of Section 18.32.050 of the El Cerrito Municipal Code. Based on its findings, the Planning Commission recommended approval of the Tentative Parcel Map to the City Council; and

WHEREAS, the administrative record, including the Agenda Bill prepared in support of this Resolution and submitted to the City Council at its April 16, 2019, meeting, establishes that the Tentative Parcel Map is in conformity with the requirements of Section 18.32.050 of the El Cerrito Municipal Code including all changes permitted and all requirements imposed as a condition to its acceptance.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of El Cerrito, after due consideration of all evidence and reports offered for review, does find and determine the following pursuant to Chapter 18.32 and Section 18.12.030, ECMC:

- 1) That there are special circumstances or conditions affecting said property.

The existing parcel is located at the northeast corner of where Clark Place dead ends. It is not feasible nor desirable to require a public street be constructed such that both proposed parcels will have frontage entirely along a public street. The proposed Tentative Parcel Map includes improving an existing driveway within an existing easement to meet the standards described in Section 19.32.050 ECMC.

- 2) That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner.

The exception will allow the applicant to subdivide an existing 25,633 square foot parcel into two parcels of 16,570 square feet and 9,063 square feet. These proposed parcel sizes are consistent with the surrounding properties and would allow the applicant to develop the proposed vacant parcel in a manner similar to surrounding properties.

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

As described in the two findings above, the proposed Tentative Parcel Map includes a driveway that complies with City requirements (particularly Section 19.32.050 ECMC) in a manner that continues to serve 914 Clark Place. In addition, the proposed parcel sizes are consistent with the surrounding properties. Development on the proposed vacant parcel will be required to conform with all development standards of the RS-5 zoning district, and will not negatively impact other properties.

- 4) 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 16 feet of pavement.

The proposed new driveway is 16 feet wide and will be surfaced with asphalt, concrete, or other approved surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.

- 5) 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 or her 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.

The City Engineer and the Fire Department reviewed and approved the proposed private access road. A cul-de-sac or a Y-turnaround were determined by the Fire Department and the City Engineer to not be necessary for this Tentative Parcel Map given that proposed Parcel B is sufficiently close to Clark Place for fire truck access and given that 914 Clark Place currently have a driveways allowing sufficient turn-around space and that proposed Parcel B will be required to provide sufficient driveway space to allow turn-around space as well.

- 6) 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.

These zoning designations existed as until 2008, when the current Zoning Ordinance was adopted. These designations have been changed by the current Zoning Ordinance. The references in the Subdivision Ordinance were not updated accordingly. The project site was designated as R-1 on the previous Zoning Map. Both of the proposed Parcel A and the proposed Parcel B do not have the required frontage on a public street and both proposed parcels comply with the minimum six thousand square feet in area requirement. Excluding the area of the private road, proposed Parcel A is 14,421 square feet and proposed Parcel B is 7,511 square feet.

Per Table 19.06-B within Section 19.06.030 of the Municipal Code the minimum lot width at the front setback line shall be at least 50 feet. This dimension is approximately 108 feet and 72 feet for proposed Parcels A and B, respectively.

- 7) All large and deep lot subdivisions shall conform to the general pattern of the neighborhood.

Parcels in the immediately surrounding area predominantly range in size from 6,000 square feet to 9,000 square feet, and the proposed Parcels A and B are similar in size to these surrounding parcels.

- 8) Since the above procedure involves exceptions to the subdivision ordinance, additional variances relating to yard requirements shall not be granted.

The applicant does not propose any additional variances relating to yard requirements beyond the exception to the subdivision ordinance described above.

- 9) The proposed lots are in conformity with the requirements of Chapter 18; the proposed parcels comply with the necessary size and shape; and the lots will have the proper and sufficient access to a public street.

The proposed Tentative Parcel Map is in conformity with Chapter 18 excluding the exception described above for frontage on a public street. The proposed parcels also comply with the minimum 5,000 square feet in area and minimum 50 feet lot width for interior lots in the RS-5 zoning district per Table 19.06-B in Section 19.06.030 ECMC, in addition to the minimum area requirements described in Finding 6 above.

BE IT FURTHER RESOLVED, that based on the foregoing findings and information presented related to the Tentative Parcel Map at its April 16, 2019 meeting, it hereby approves the Tentative Parcel Map for a two-lot subdivision at 922 Clark Place with Assessor's Parcel Number 505-301-033, subject to the following conditions:

Planning Division:

1. The project shall be developed and maintained substantially in compliance with the Tentative Parcel Map dated March 15, 2019 except as amended by subsequent conditions of this Resolution. Minor changes may be approved by the Zoning Administrator.
2. The scope of this approval shall be limited to a Tentative Parcel Map and an exception to Title 18 for a two-lot minor subdivision.
3. If not recorded, the approval of this Tentative Parcel Map shall expire two years from the date of approval.
4. When any new residences are constructed on the project site, they will be subject to the zoning regulations in place at the time that the building permit is submitted.
5. Prior to the issuance of a building permit, a construction staging plan shall be submitted to the Zoning Administrator. The construction staging plan shall illustrate where the construction equipment will be staged and the location of parking for the construction employees. This construction and staging plan may also require the submission of a Temporary Use Permit.
6. Prior to recordation of the Parcel Map, the covered attachment to the garage on proposed Parcel A that encroaches into the neighboring property at APN 505-301-032 shall be removed.
7. Prior to issuance of any Certificate of Occupancy for proposed Parcel B, signage approved by the Planning Division shall be installed on the improved private access road informing vehicles not to back out of the driveway.

Public Works Department:

The following conditions shall be required when a new building is proposed:

8. Projects that create or replace between 2,500 and 10,000 square feet of new area are required to submit a Storm Water Control Plan that meets the criteria in the most recent version of The Contra Costa Clean Water Program Stormwater C3 Guidebook. Refer to Appendix C of the following link for more information: https://www.cccleanwater.org/userfiles/kcfinder/files/Stormwater_C3_Guidebook_7th_Edition_2017-05-12%281%29.pdf
9. Applicant shall provide a detailed civil plan for the frontage and driveway.

10. Any new street trees are required to have irrigation and an establishment period of 3 years prior to acceptance by the City.
11. Applicant shall provide detailed drainage plan including rain leaders, roof slopes, downspouts, drainage piping information, slopes, cleanouts. All drainage is encouraged to stay onsite, draining away from foundations, and discharged a distance more than 10-FT from property lines, and shall not cause a nuisance to neighboring properties. Show how storm water runoff from the proposed driveway will be collected and treated.
12. Prior to the issuance of a building permit, applicant shall submit an estimate of grading and earthwork to be completed for the project. Any earthwork and/or grading operations in excess of 50 cubic yards will require the applicant to submit a detailed grading plan, obtain a Grading & Transportation Permit and pay all associated fees.
13. Before the start of ANY work in the public right-of-way, including any street tree, sidewalk and driveway work, applicant must obtain a Public Works Encroachment Permit and pay all associated fees.
14. Prior to the issuance of a building permit, obtain approval for an Erosion and Sediment Control Plan for construction.

Fire Department:

15. Building Construction

- A. Building construction shall meet current California Building, Fire, and Residential Codes and the El Cerrito Fire Code.
- B. Door from the dwelling to an attached garage shall be self-closing, self-latching, 1 3/8 inch solid core, 1 3/8 inch steel or 20 minute rated door.
- C. All electrical breakers shall be labeled.

16. Fire Apparatus Access

- A. With the exception of the width which shall not be less than 16 feet wide fire apparatus access from the street to the structure shall meet the requirements of Appendix D of the 2016 California Fire Code.
- B. Buildings or portions of buildings hereafter constructed shall be accessible to Fire Department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34 050 kg).
- C. Per previous discussions, one fire hydrant shall be installed at the North end of Clark Place prior to any building permit approval for proposed Parcel B.

17. Carbon Monoxide Detectors

- A. Carbon monoxide alarm shall be installed outside of and adjacent to sleeping areas where fuel-burning appliances are installed; and in dwelling units that have attached garages.
- B. Carbon Monoxide detectors shall be installed in accordance with NFPA 720.
- C. Carbon Monoxide alarms shall be 120v Powered with battery backup and be interconnected with the smoke detectors.

18. Smoke Detection

- A. Smoke detection shall be installed in each bedroom, in hallways adjacent to bedrooms, and one detector per floor level (top and bottom of stairs).
- B. Smoke detectors shall be 120v powered with battery backup.
- C. Smoke detectors shall be interconnected.

19. Automatic Fire Sprinklers

- A. NFPA 13D Automatic Fire Sprinklers are required throughout.
- B. Plans shall be submitted for review and approval under separate cover.

20. Premises Identification

- A. Approved numbers or address shall be provided in such a position to be plainly visible and legible from the street fronting the property.
- B. Address shall be either internally or externally illuminated.

21. Emergency Egress

- A. Every sleeping room shall have at least one operable window or door approved for emergency escape or rescue.
- B. Escape or rescue windows shall be installed in accordance with California Residential Code R310.2.1 & R310.2.2.

22. Wildland-Urban Interface

- A. Area is located within designated Very High Fire Hazard Severity Zone (VHFHSZ) and is subject to the requirements of the Wildland-Urban Interface. Building construction shall meet all applicable codes and requirements including those in CRC Section R337.
- B. El Cerrito Vegetation Management Standards shall be strictly enforced.
- C. State Law and City Ordinance require that all roofing within the VHFHSZ be Class B or better in new construction.
- D. Spark arresters with a maximum of ½" openings in the mesh are required over the outlet of chimney shall be installed.

Solid Waste:

23. Solid waste, recycling, and green waste carts shall be brought to the curb of Clark Place for service.

Building Division:

24. Prior to building permit approval, a geotechnical report shall be provided for peer review and shall be used by a structural engineer in the design of the foundation system.

I CERTIFY that at a regular meeting on April 16, 2019, the City Council of the City of El Cerrito passed this Resolution by the following vote:

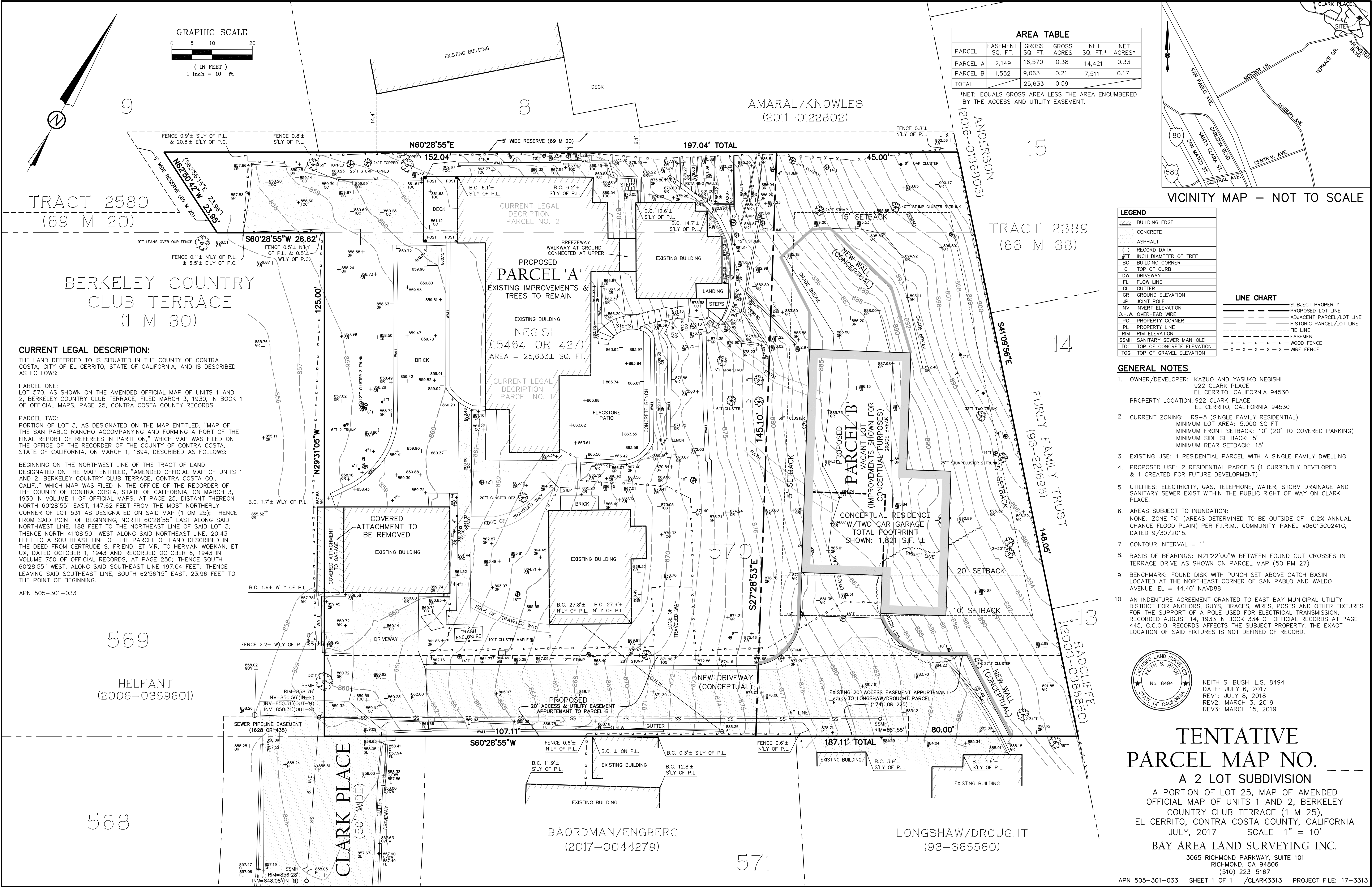
AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:

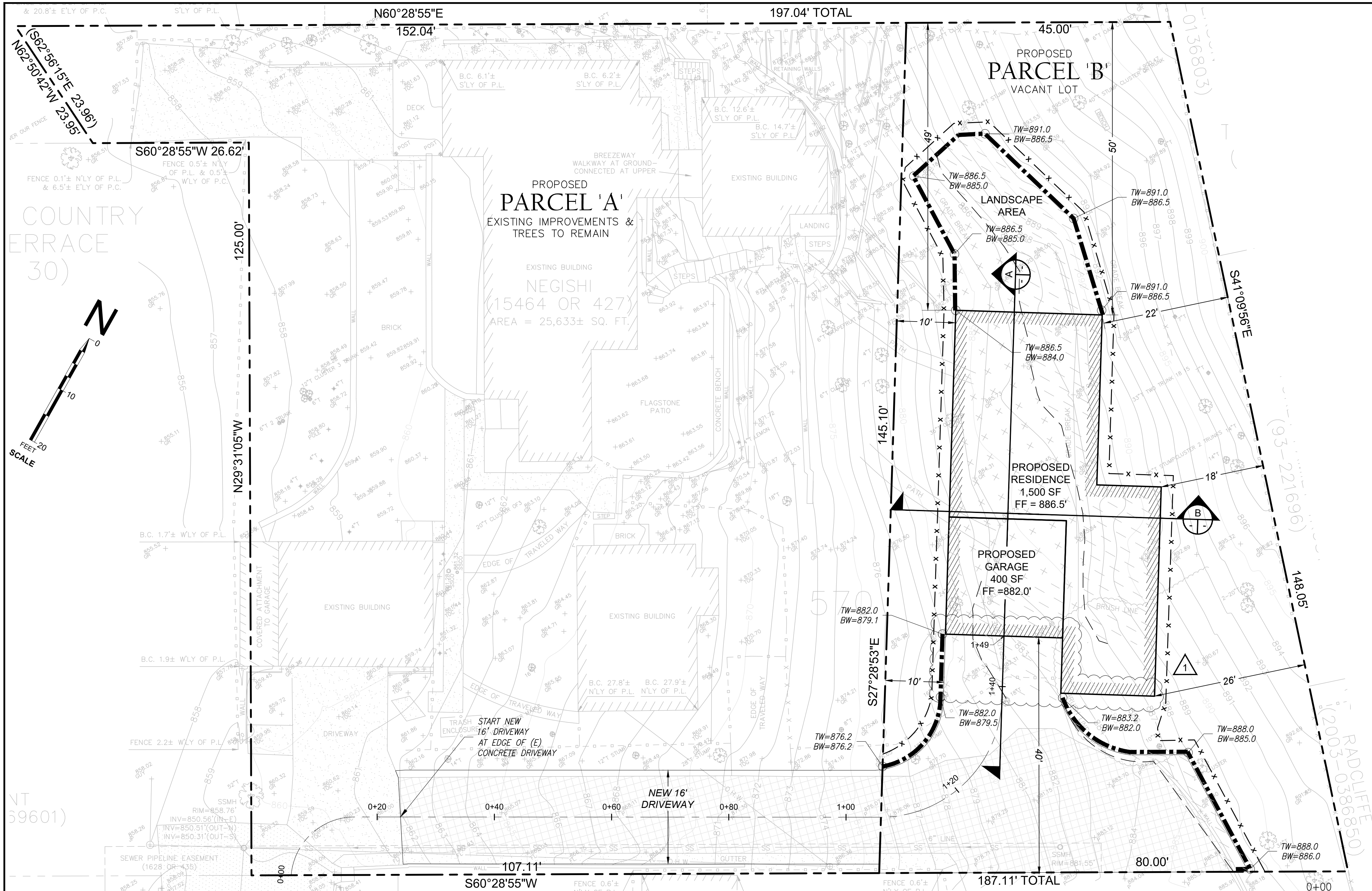
IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on April XX, 2019.

Holly M. Charléty, City Clerk

APPROVED:

Rochelle Pardue-Okimoto, Mayor





LEGEND

EXISTING MINOR CONTOUR
EXISTING MAJOR CONTOUR
EXISTING TOPO POINTS

PROPERTY LINE

PROPOSED WALL

PROPOSED CUT

CUT/FILL LINE

PROPOSED FILL

PROPOSED STRAW WATTLE

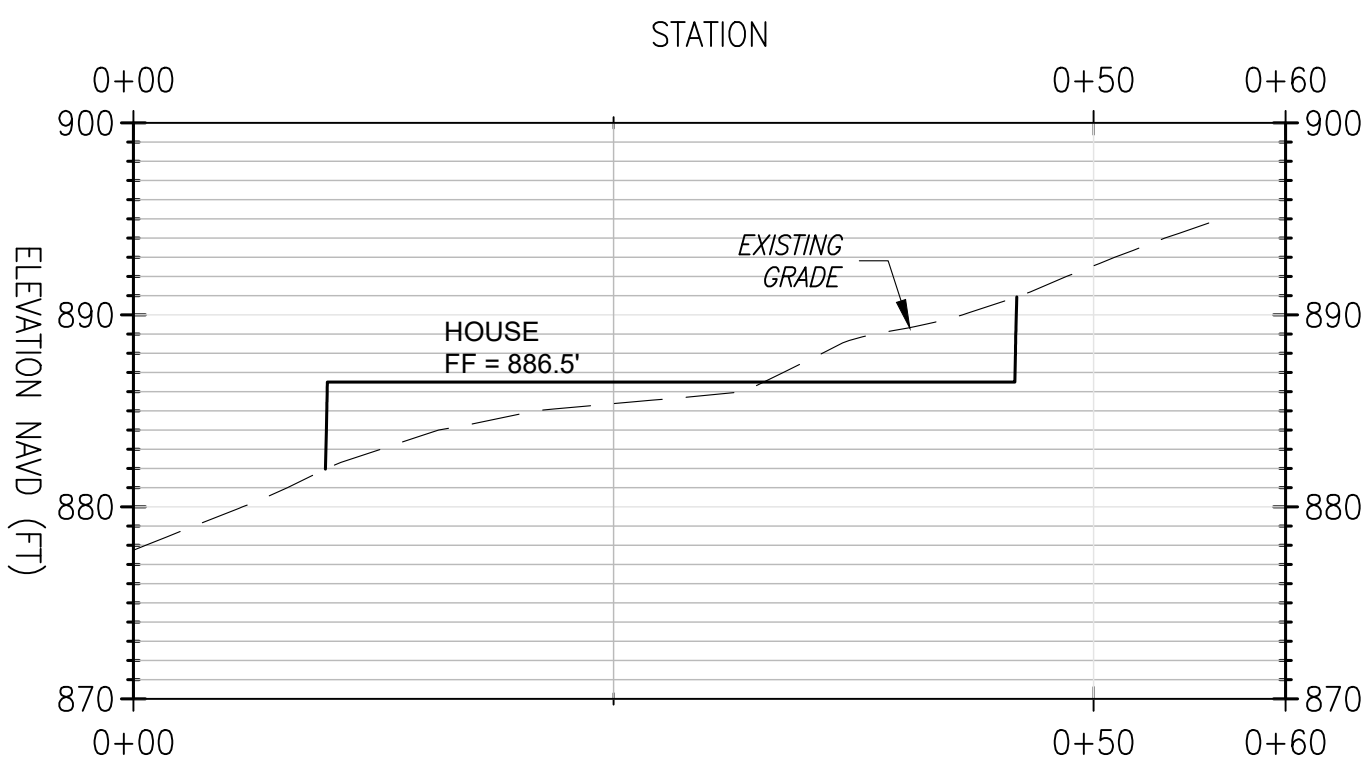
CUT/FILL TABLE

ELEMENT	FILL (CY)	CUT (CY)	NET (CY)
BACKYARD AND DRIVEWAY	20	-50	-30
HOUSE	35	-65	-30
NET	55	-115	-60

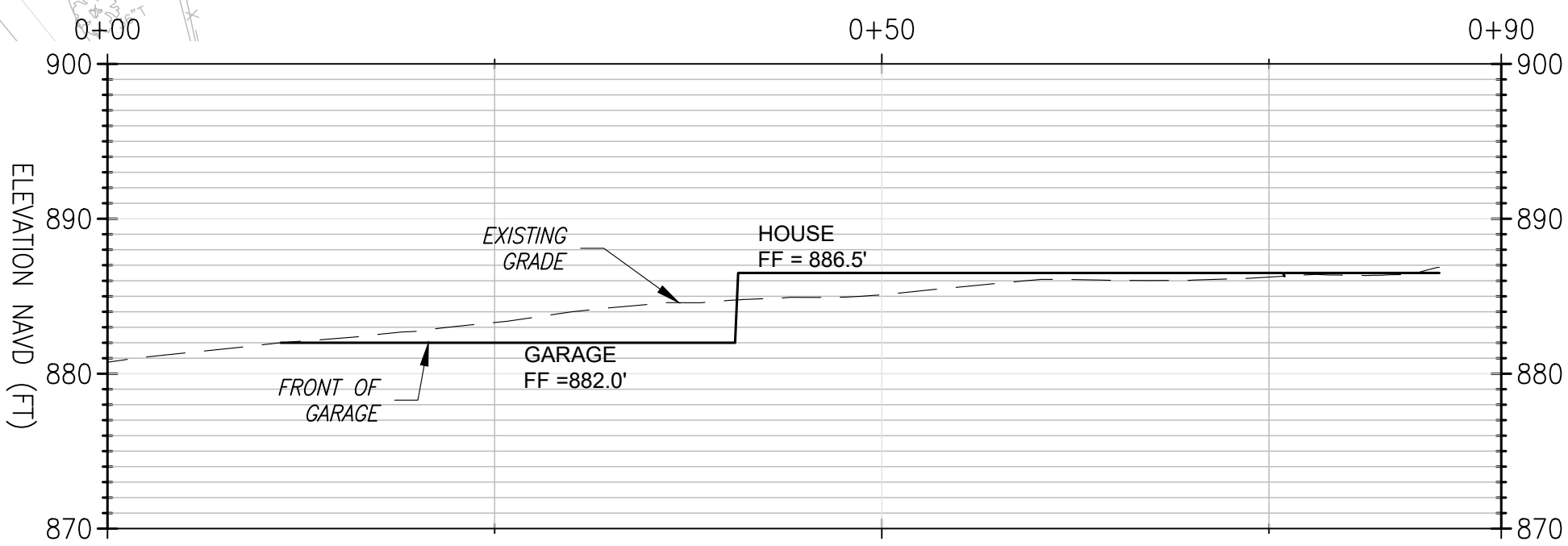
TOTAL DISTURBED AREA: 4,500 SF

GRADING NOTES

1. LOCATION OF CUTS AND FILLS ARE APPROXIMATE. CONTRACTOR TO VERIFY GRADING EXTENTS IN THE FIELD.
2. ALL GRADING SHALL BE PERFORMED PER THE RECOMMENDATIONS IN THE GEOTECHNICAL STUDY AND STRUCTURAL DRAWINGS.
3. CONTRACTOR SHALL CONSTRUCT DRAINAGE IMPROVEMENTS PRIOR TO GRADING TO PREVENT RUN-ON TO WORK AREA. IF IT IS NOT FEASIBLE TO CONSTRUCT DRAINAGE PRIOR TO GRADING, TEMPORARY DRAINAGE FACILITIES SHALL BE PROVIDED BY THE CONTRACTOR.
4. MAXIMUM FILL SLOPE SHALL BE 2:1 (HORIZONTAL:VERTICAL)
5. MAXIMUM CUT SLOPE SHALL BE 2:1 (HORIZONTAL:VERTICAL)



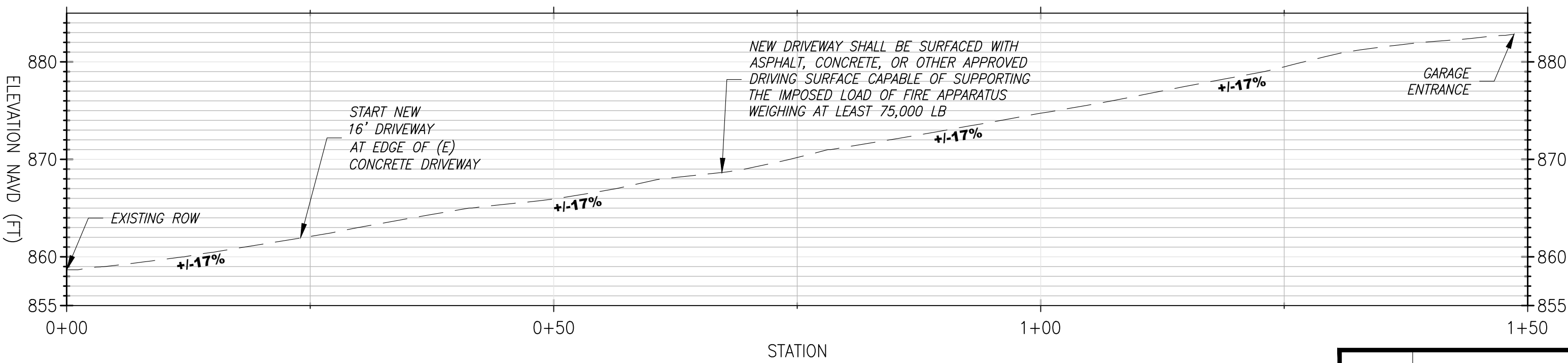
TYPICAL SECTION - PARCEL B



TYPICAL SECTION - PARCEL B

PERMIT SET

GRADING PLAN



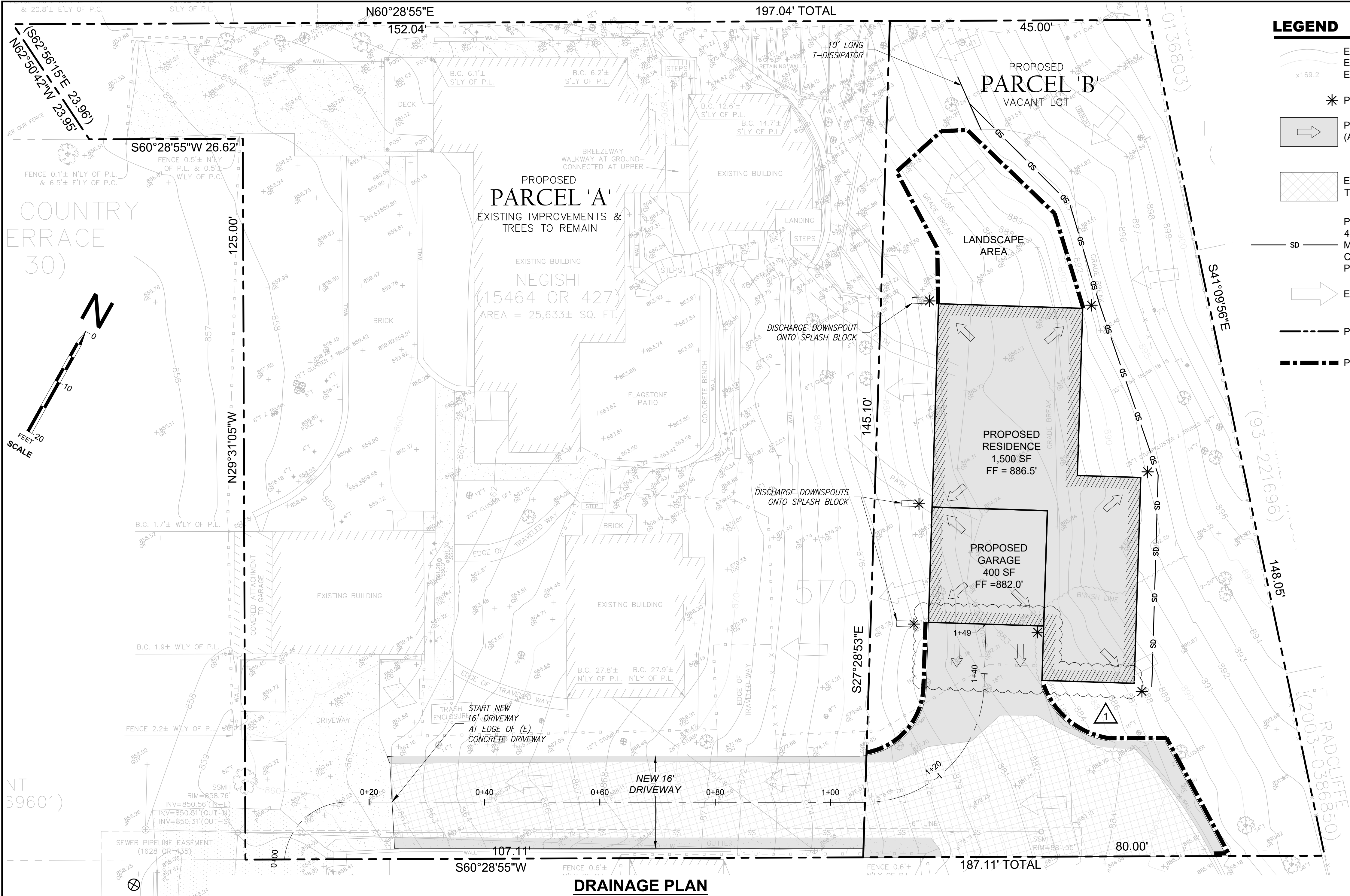
DRIVEWAY CL PROFILE

REVISIONS			
REV. NO.	DESCRIPTION	DATE	APPROVED
1	REVISED FRONT SETBACKS	3/14/19	



DATE: 03/14/2019
LOT SPLIT
922 CLARK PLACE
EL CERRITO, CA
EROSION CONTROL AND
GRADING PLAN

DESIGNED BY: AP
DRAWN BY: AP
SURVEYED BY: BALS
CHECKED BY: AP
SHEET NO. 1 OF 2



LEGEND

- EXISTING MINOR CONTOUR
- EXISTING MAJOR CONTOUR
- EXISTING TOPO POINTS
- PROPOSED DOWNSPOUT
- PROPOSED IMPERVIOUS AREA (ARROW INDICATES DRAINAGE PATTERN)
- EXISTING IMPERVIOUS AREAS TO BE RESURFACED
- PROPOSED GRAVITY STORMDRAIN 4" SDR35 PVC PIPE MIN 2% SLOPE, MIN 18" BURIAL DEPTH CLEANOUTS SHALL BE PROVIDED AT ALL PIPE BENDS AND INTERSECTIONS
- EXISTING SITE DRAINAGE PATTERN
- PROPERTY LINE
- PROPOSED RETAINING WALL

IMPERVIOUS AREAS TABLE		
ELEMENT	EXISTING AREA (SF)	PROPOSED AREA (SF)
DRIVEWAY (SUBJECT PROPERTY)	1,050	1,460
DRIVEWAY (ADJACENT PROPERTY)	1,075	1,315
PROPOSED RESIDENCE	0	1,820
TOTAL	2,125	4,595
NET NEW IMPERVIOUS AREA: 2,470 SF		

GENERAL NOTES

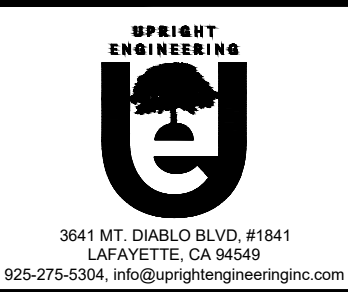
- BUILDING CONSTRUCTION NOTES:
 - BUILDING CONSTRUCTION SHALL MEET CURRENT CALIFORNIA BUILDING, FIRE, AND RESIDENTIAL CODES AND THE EL CERRITO FIRE CODE.
 - DOOR FROM THE DWELLING TO AN ATTACHED GARAGE SHALL BE SELF CLOSING, SELF LATCHING, 1-3/8 INCH SOLID CORE, 1-3/8 INCH STEEL OR 20 MINUTE RATED DOOR.
 - ALL ELECTRICAL BREAKERS SHALL BE LABELED.
- FIRE APPARATUS ACCESS NOTES:
 - WITH THE EXCEPTION OF THE WIDTH WHICH SHALL NOT BE LESS THAN 16 FEET WIDE FIRE APPARATUS ACCESS FROM THE STREET TO THE STRUCTURE SHALL MEET THE REQUIREMENTS OF APPENDIX D OF THE 2016 CALIFORNIA FIRE CODE.
 - BUILDINGS OR PORTIONS OF BUILDINGS HEREAFTER CONSTRUCTED SHALL BE ACCESSIBLE TO FIRE DEPARTMENT APPARATUS BY WAY OF AN APPROVED FIRE APPARATUS ACCESS ROAD WITH AN ASPHALT, CONCRETE, OR OTHER APPROVED DRIVING SURFACE CAPABLE OF SUPPORTING THE IMPOSED LOAD OF FIRE APPARATUS WEIGHING AT LEAST 75,000 POUNDS.
- CARBON MONOXIDE DETECTORS:
 - CARBON MONOXIDE ALARM SHALL BE INSTALLED OUTSIDE OF AND ADJACENT TO SLEEPING AREAS WHERE FUEL-BURNING APPLIANCES ARE INSTALLED; AND IN DWELLING UNITS THAT HAVE ATTACHED GARAGES.
 - CARBON MONOXIDE DETECTORS SHALL BE INSTALLED IN ACCORDANCE WITH NFPA 720.
 - CARBON MONOXIDE ALARMS SHALL BE 120V POWERED WITH BATTERY BACKUP AND BE INTERCONNECTED WITH THE SMOKE DETECTORS.
- SMOKE DETECTION:
 - SMOKE DETECTION SHALL BE INSTALLED IN EACH BEDROOM, IN HALLWAYS ADJACENT TO BEDROOMS, AND ONE DETECTOR PER FLOOR LEVEL (TOP AND BOTTOM OF STAIRS).
 - SMOKE DETECTORS SHALL BE 120V POWERED WITH BATTERY BACKUP.
 - SMOKE DETECTORS SHALL BE INTERCONNECTED.
- AUTOMATIC FIRE SPRINKLERS:
 - NFPA 13D AUTOMATIC FIRE SPRINKLERS ARE REQUIRED THROUGHOUT.
- PREMISES IDENTIFICATION:
 - APPROVED NUMBERS OR ADDRESS SHALL BE PROVIDED IN SUCH A POSITION TO BE PLAINLY VISIBLE AND LEGIBLE FROM THE STREET FRONTING THE PROPERTY.
 - ADDRESS SHALL BE EITHER INTERNALLY OR EXTERNALLY ILLUMINATED.
- EMERGENCY EGRESS:
 - EVERY SLEEPING ROOM SHALL HAVE AT LEAST ONE OPERABLE WINDOW OR DOOR APPROVED FOR EMERGENCY ESCAPE OR RESCUE.
 - ESCAPE OR RESCUE WINDOWS SHALL BE INSTALLED IN ACCORDANCE WITH CALIFORNIA RESIDENTIAL CODE R310.2.1 & R310.2.2.
- WILDLAND-URBAN INTERFACE:
 - AREA IS LOCATED WITHIN DESIGNATED VERY HIGH FIRE HAZARD SEVERITY ZONE (VHFHSZ) AND IS SUBJECT TO THE REQUIREMENTS OF THE WILDLAND-URBAN INTERFACE. BUILDING CONSTRUCTION SHALL MEET ALL APPLICABLE CODES AND REQUIREMENTS INCLUDING THOSE IN CRC SECTION R337.
 - EL CERRITO VEGETATION MANAGEMENT STANDARDS SHALL BE STRICTLY ENFORCED.
 - STATE LAW AND CITY ORDINANCE REQUIRE THAT ALL ROOFING WITH THE RHVHSZ BE CLASS B OR BETTER IN NEW CONSTRUCTION.
 - SPARK ARRESTERS WITH A MAXIMUM OF 1/2" OPENINGS IN THE MESH ARE REQUIRED OVER THE OUTLET OF CHIMNEY SHALL BE INSTALLED.

GENERAL STORMWATER NOTES

- STOCKPILES: ALL STOCKPILES ASSOCIATED WITH THE PROJECT SHALL BE COVERED WITH PLASTIC SHEETING PRIOR TO ANY PRECIPITATION EVENT TO PREVENT RUNOFF OF SEDIMENT. SHEETING SHALL BE FIRMLY HELD IN PLACE WITH SANDBAGS OR OTHER WEIGHTS PLACED NO MORE THAN 10FT APART. SEAMS SHALL BE TAPED OR WEIGHTED DOWN THEIR ENTIRE LENGTH AND THERE SHALL BE AT LEAST A 12 INCH OVERLAP.
- DUST CONTROL: BEST MANAGEMENT PRACTICES SHALL BE USED THROUGHOUT ALL PHASES OF CONSTRUCTION. THIS INCLUDES ANY SUSPENSION OF WORK, ALLEVIATION OR PREVENTION OF ANY FUGITIVE DUST NUISANCE AND THE DISCHARGE OF SMOKE OR ANY OTHER AIR CONTAMINANTS INTO THE ATMOSPHERE IN SUCH QUANTITY AS WILL VIOLATE ANY REGIONAL AIR POLLUTION CONTROL RULES, REGULATIONS, ORDINANCES, OR STATUTES. WATER SHALL BE APPLIED AS REQUIRED. DUST NUISANCE SHALL ALSO BE ABATED BY CLEANING, VACUUMING AND SWEEPING OR OTHER MEANS AS NECESSARY.
- INTERIM EROSION AND SEDIMENT CONTROL: THIS PLAN INCLUDES INTERIM EROSION AND SEDIMENTATION CONTROL MEASURES TO BE TAKEN DURING WET SEASONS UNTIL PERMANENT EROSION AND SEDIMENTATION CONTROL MEASURES CAN ADEQUATELY MINIMIZE EROSION, EXCESSIVE STORM WATER RUNOFF AND SEDIMENTATION. THIS PLAN INCLUDES THE MINIMUM NECESSARY MEASURES TO BE TAKEN TO PREVENT EXCESSIVE STORM WATER RUNOFF OR CARRYING BY STORM WATER RUNOFF OF SOLID MATERIALS ON TO LANDS OF ADJACENT PROPERTY OWNERS, PUBLIC STREETS, OR TO WATERCOURSES AS A RESULT OF CONDITIONS CREATED BY GRADING OPERATIONS. ADDITIONAL MEASURES MAY BE REQUIRED IF DETERMINED BY THE CONTRACTOR, THE CITY, THE COUNTY, OR THE ENGINEER AS CHANGING CONDITIONS OCCUR. GRADING SHALL NOT TAKE PLACE

- DURING THE RAINY SEASON WITHOUT THE IMPLEMENTATION OF ADDITIONAL BMP'S TO PREVENT EROSION AND RUNOFF.
- PERMANENT EROSION AND SEDIMENT CONTROL: PERMANENT EROSION AND SEDIMENT CONTROL SHALL BE PROVIDED BY LANDSCAPING OF DISTURBED AREAS OF THE PROJECT SITE. LANDSCAPING SHALL CONSIST OF SOME OR ALL THE FOLLOWING: SPREADING OF MULCH, SEEDING, AND PLANTING OF CONTAINER PLANTS. ANTICIPATED TIME UNTIL ESTABLISHMENT FOR THESE 3 LANDSCAPING METHODS IS AS FOLLOWS: IMMEDIATE, 3 MONTHS, 1 MONTH (RESPECTIVELY, ASSUMING APPROPRIATE IRRIGATION IS PROVIDED. DOWNSPOUTS SHALL BE DIRECTED INTO THE UNDERGROUND DRAINAGE SYSTEM AS INDICATED ON THE DRAINAGE PLAN OR AWAY FROM STRUCTURES.
 - PROJECT SHALL CONFORM TO THE COUNTY OF CONTRA COSTA C.3 PROVISIONS "STORMWATER C.3 GUIDEBOOK" 7TH EDITION DATED MAY 12, 2017 AND ADDENDA.
 - THIS PROJECT WILL DISPERSE ALL RUNOFF FROM ROOFS AND HARDSCAPE AREAS TO APPROPRIATE LOCATIONS AND AS SHOWN ON THE PLANS.
 - STORMWATER DISCHARGE ADJACENT TO FOUNDATIONS AND OTHER STRUCTURES IS NOT PERMITTED.

REVISIONS			
REV. NO.	DESCRIPTION	DATE	APPROVED
1	REVISED FRONT SETBACKS	3/14/19	



DATE: 03/14/2019	DESIGNED BY: AP
LOT SPLIT	DRAWN BY: AP
922 CLARK PLACE	SURVEYED BY: BALS
EL CERRITO, CA	CHECKED BY: AP
DRAINAGE PLAN	SHEET NO. 2 OF 2



Planning Commission Resolution No. 19-04

APPLICATION NO. PL17-0109

A RESOLUTION OF THE CITY OF EL CERRITO PLANNING COMMISSION RECOMMENDING CITY COUNCIL APPROVAL OF A TENTATIVE PARCEL MAP FOR A TWO-LOT SUBDIVISION AND AN EXCEPTION TO TITLE 18 OF THE CITY'S MUNICIPAL CODE FOR A MINOR SUBDIVISION PROPOSING A LOT WITHOUT FRONTAGE ON A PUBLIC STREET AT 922 CLARK PLACE WITH ASSESSOR'S PARCEL NUMBER 505-301-033

WHEREAS, the existing address of the site is 922 Clark Place; and

WHEREAS, the existing Assessor's Parcel Number of the site is 505-301-033; and

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

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

WHEREAS, on August 2, 2017, the applicant submitted an application for a Tentative Parcel Map to subdivide a parcel of 25,633 square feet into two parcels. Proposed Parcel "A" would be 16,570 square feet and is developed with a single-family house, an attached addition to the residence, a detached accessory dwelling unit, and a detached garage; proposed parcel "B" would be 9,063 square feet and is vacant;

WHEREAS, the project is Categorically Exempt from review under the California Environmental Quality Act pursuant to Section 15315: Class 15, Minor Land Divisions; and

WHEREAS, approval of the Tentative Parcel Map is governed by Sections 66444 – 66450 of the State of California Government Code (Subdivision Map Act) and Title 18 Divisions of Land of the El Cerrito Municipal Code; and

WHEREAS, on March 20, 2019, the Planning Commission of El Cerrito, after due consideration of all evidence and reports offered for review, does find and determine the following pursuant to Sections 18.32.010 and 18.12.030, ECMC:

- 1) That there are special circumstances or conditions affecting said property.

The existing parcel is located at the northeast corner of where Clark Place dead ends. It is not feasible nor desirable to require a public street be constructed such that both proposed parcels will have frontage entirely along a public street. The proposed Tentative Parcel Map includes improving an existing driveway within an existing easement to meet the standards described in Section 19.32.050 ECMC.

- 2) That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner.

The exception will allow the applicant to subdivide an existing 25,633 square foot parcel into two parcels of 16,570 square feet and 9,063 square feet. These proposed parcel sizes are consistent with the surrounding properties, and would allow the applicant to develop the proposed vacant parcel in a manner similar to surrounding properties.

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

As described in the two findings above, the proposed Tentative Parcel Map includes a driveway that complies with City requirements (particularly Section 19.32.050 ECMC) in a manner that continues to serve 914 Clark Place. In addition, the proposed parcel sizes are consistent with the surrounding properties. Development on the proposed vacant parcel will be required to conform with all development standards of the RS-5 zoning district, and will not negatively impact other properties.

- 4) 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 16 feet of pavement.

The proposed new driveway is 16 feet wide and will be surfaced with asphalt, concrete, or other approved surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.

- 5) 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 or her 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.

The City Engineer and the Fire Department reviewed and approved the proposed private access road. A cul-de-sac or a Y-turnaround were determined by the Fire Department and the City Engineer to not be necessary for this Tentative Parcel Map given that proposed Parcel B is sufficiently close to Clark Place for fire truck access and given that 914 Clark Place currently has a driveway allowing sufficient turn-around space and that proposed Parcel B will be required to provide sufficient driveway space to allow turn-around space as well.

- 6) 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.

These zoning designations existed as until 2008, when the current Zoning Ordinance was adopted. These designations have been changed by the current Zoning Ordinance. The references in the Subdivision Ordinance were not updated accordingly. The project site was designated as R-1 on the previous Zoning Map. Both of the proposed Parcel A and the proposed Parcel B do not have the required frontage on a public street and both proposed parcels comply with the minimum six thousand square feet in area requirement. Excluding the area of the private road, proposed Parcel A is 14,421 square feet and proposed Parcel B is 7,511 square feet.

Per Table 19.06-B within Section 19.06.030 of the Municipal Code the minimum lot width at the front setback line shall be at least 50 feet. This dimension is approximately 108 feet and 72 feet for proposed Parcels A and B, respectively.

7) All large and deep lot subdivisions shall conform to the general pattern of the neighborhood.

Parcels in the immediately surrounding area predominantly range in size from 6,000 square feet to 9,000 square feet, and the proposed Parcels A and B are similar in size to these surrounding parcels.

8) Since the above procedure involves exceptions to the subdivision ordinance, additional variances relating to yard requirements shall not be granted.

The applicant does not propose any additional variances relating to yard requirements beyond the exception to the subdivision ordinance described above.

9) The proposed lots are in conformity with the requirements of Chapter 18; the proposed parcels comply with the necessary size and shape; and the lots will have the proper and sufficient access to a public street.

The proposed Tentative Parcel Map is in conformity with Chapter 18 excluding the exception described above for frontage on a public street. The proposed parcels also comply with the minimum 5,000 square feet in area and minimum 50 feet lot width for interior lots in the RS-5 zoning district per Table 19.06-B in Section 19.06.030 ECMC, in addition to the minimum area requirements described in Finding 6 above.

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 recommends City Council approval of Application No. PL17-0109, subject to the following conditions:

Planning Division:

1. The project shall be developed and maintained substantially in compliance with the Tentative Parcel Map dated March 15, 2019 except as amended by subsequent conditions of this Resolution. Minor changes may be approved by the Zoning Administrator.
2. The scope of this approval shall be limited to a Tentative Parcel Map for a two-lot minor subdivision.
3. If not recorded, the approval of this Tentative Parcel Map shall expire two years from the date of approval.
4. When new residences are constructed, they will be subject to the zoning regulations in place at the time that the building permit is submitted.

5. Prior to the issuance of a building permit, a construction staging plan shall be submitted to the Zoning Administrator. The construction staging plan shall illustrate where the construction equipment will be staged and the location of parking for the construction employees. This construction and staging plan may also require the submission of a Temporary Use Permit.
6. Prior to recordation of the Parcel Map, the covered attachment to the garage on proposed Parcel A that encroaches into the neighboring property at APN 505-301-032 shall be removed.

Public Works Department:

The following conditions shall be required when a new building is proposed:

7. Projects that create or replace between 2,500 and 10,000 square feet of new area are required to submit a Storm Water Control Plan that meets the criteria in the most recent version of The Contra Costa Clean Water Program Stormwater C3 Guidebook. Refer to Appendix C of the following [link](https://www.cccleanwater.org/userfiles/kcfinder/files/Stormwater_C3_Guidebook_7th_Edition_2017-05-12%281%29.pdf) for more information: https://www.cccleanwater.org/userfiles/kcfinder/files/Stormwater_C3_Guidebook_7th_Edition_2017-05-12%281%29.pdf
8. Applicant shall provide a detailed civil plan for the frontage and driveway.
9. If any trees are removed, they must be replaced with three new trees, and must be from the City Master Tree List and approved by the City Arborist before installation. Tree species, location, spacing, tree well size, and planting details, are to be approved by the City Arborist before installation
10. Any new street trees are required to have irrigation and an establishment period of 3 years prior to acceptance by the City.
11. Applicant shall provide detailed drainage plan including rain leaders, roof slopes, downspouts, drainage piping information, slopes, cleanouts. All drainage is encouraged to stay onsite, draining away from foundations, and discharged a distance more than 10-FT from property lines, and shall not cause a nuisance to neighboring properties. Show how storm water runoff from the proposed driveway will be collected and treated.
12. Prior to the issuance of a building permit, applicant shall submit an estimate of grading and earthwork to be completed for the project. Any earthwork and/or grading operations in excess of 50 cubic yards will require the applicant to submit a detailed grading plan, obtain a Grading & Transportation Permit and pay all associated fees.
13. Before the start of ANY work in the public right-of-way, including any street tree, sidewalk and driveway work, applicant must obtain a Public Works Encroachment Permit and pay all associated fees.
14. Prior to the issuance of a building permit, include an Erosion and Sediment Control Plan for construction.

Fire Department:

15. Building Construction

- A. Building construction shall meet current California Building, Fire, and Residential Codes and the El Cerrito Fire Code.
- B. Door from the dwelling to an attached garage shall be self-closing, self-latching, 1 3/8 inch solid core, 1 3/8 inch steel or 20 minute rated door.
- C. All electrical breakers shall be labeled.

16. Fire Apparatus Access

- A. With the exception of the width which shall not be less than 16 feet wide fire apparatus access from the street to the structure shall meet the requirements of Appendix D of the 2016 California Fire Code.
- B. Buildings or portions of buildings hereafter constructed shall be accessible to Fire Department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34 050 kg).
- C. Per previous discussions, one fire hydrant shall be installed at the North end of Clark Place prior to any building permit approval for proposed Parcel B.

17. Carbon Monoxide Detectors

- A. Carbon monoxide alarm shall be installed outside of and adjacent to sleeping areas where fuel-burning appliances are installed; and in dwelling units that have attached garages.
- B. Carbon Monoxide detectors shall be installed in accordance with NFPA 720.
- C. Carbon Monoxide alarms shall be 120v Powered with battery backup and be interconnected with the smoke detectors.

18. Smoke Detection

- A. Smoke detection shall be installed in each bedroom, in hallways adjacent to bedrooms, and one detector per floor level (top and bottom of stairs).
- B. Smoke detectors shall be 120v powered with battery backup.
- C. Smoke detectors shall be interconnected.

19. Automatic Fire Sprinklers

- A. NFPA 13D Automatic Fire Sprinklers are required throughout.
- B. Plans shall be submitted for review and approval under separate cover.

20. Premises Identification

- A. Approved numbers or address shall be provided in such a position to be plainly visible and legible from the street fronting the property.
- B. Address shall be either internally or externally illuminated.

21. Emergency Egress

- A. Every sleeping room shall have at least one operable window or door approved for emergency escape or rescue.
- B. Escape or rescue windows shall be installed in accordance with California Residential Code R310.2.1 & R310.2.2.

22. Wildland-Urban Interface

- A. Area is located within designated Very High Fire Hazard Severity Zone (VHFHSZ) and is subject to the requirements of the Wildland-Urban Interface. Building construction shall meet all applicable codes and requirements including those in CRC Section R337.
- B. El Cerrito Vegetation Management Standards shall be strictly enforced.
- C. State Law and City Ordinance require that all roofing within the VHFHSZ be Class B or better in new construction.
- D. Spark arresters with a maximum of ½" openings in the mesh are required over the outlet of chimney shall be installed.

Solid Waste:

- 23. Solid waste, recycling, and green waste carts shall be brought to the curb of Clark Place for service.

Building Division:

- 24. Prior to building permit approval, a geotechnical report shall be provided for peer review and shall be used by a structural engineer in the design of the foundation system.

Planning Commission:

- 25. Prior to issuance of any Certificate of Occupancy for proposed Parcel B, signage approved by the Planning Division shall be installed on the improved private access road informing vehicles not to back out of the driveway.

CERTIFICATION

I CERTIFY that this resolution was adopted by the El Cerrito Planning Commission at a regular meeting held on March 20, 2019 upon motion of Commissioner Bloom, second by Commissioner Navarrete:

AYES: Hansen, Bloom, Crump, Gillett, Lucas, Mendez, Navarrete

NOES: None

ABSTAIN: None

ABSENT: None



Sean Moss, AICP

Acting Planning Manager

El Cerrito Strategic Plan Goals and Strategies Progress Report

City Council Meeting
April 16, 2019

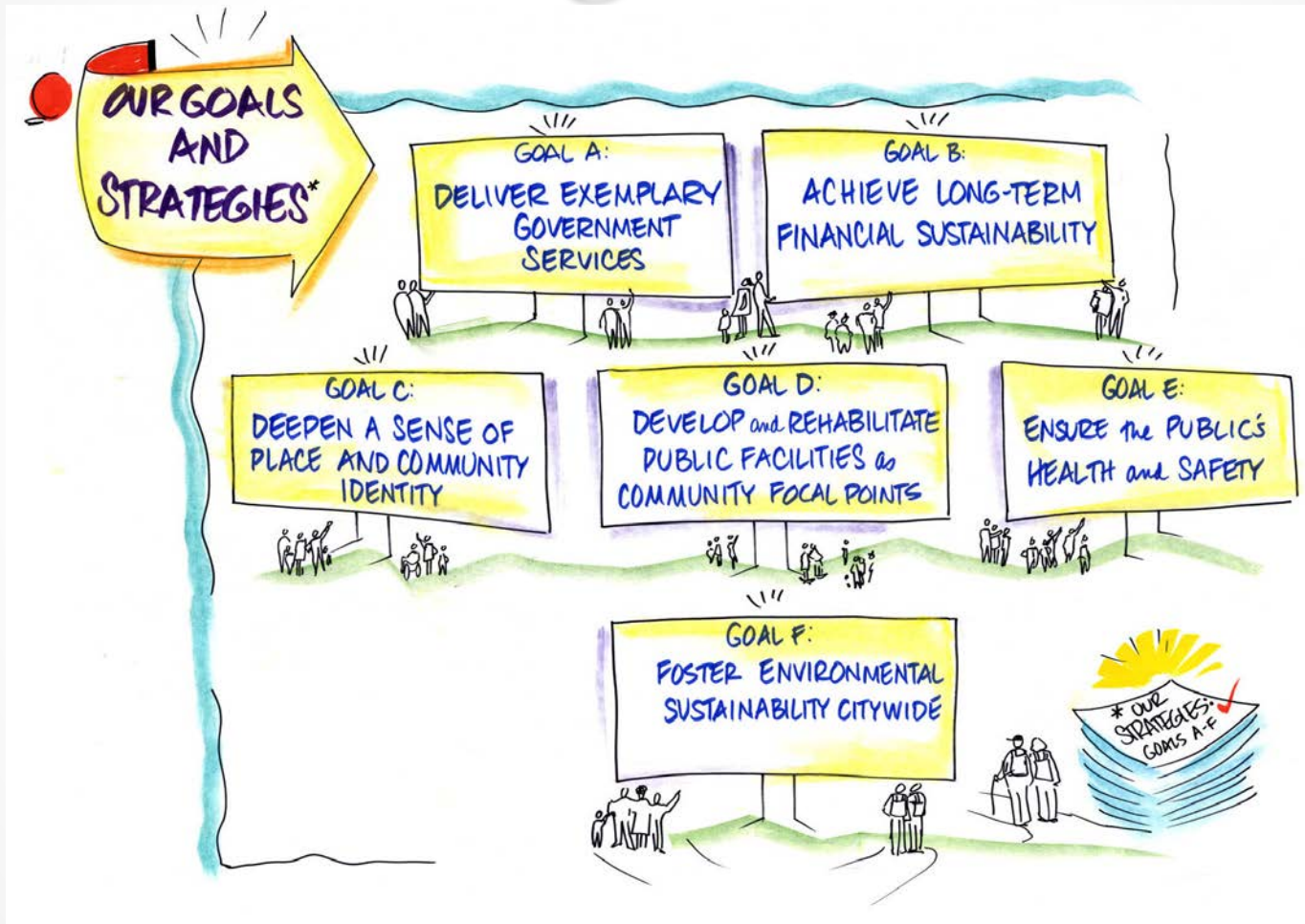


Strategic Plan - Progress

- Strategic Plan adopted 2013, updated in 2015; meant to cover time period through 2020
- Last Progress Report to City Council: April 2017
- Previous Reports and Presentations are available at www.elcerrito.org/strategicplan
- This report covers progress on Strategic Goals for the period covering 2017-2019



Strategic Goals



Goal A: Deliver Exemplary Government Services



Goal A Strategies

Strategy	Status	Notes
Increase productivity and efficiency by utilizing data-driven analysis to ensure appropriate resource allocation	Ongoing	- National Citizen Survey underway for 2019 to measure performance Citywide - Parks and Recreation Facilities Master Plan completed and approved - Periodic surveys of residents and voters to determine priorities - Consideration of Rent Registry ordinance to gather data regarding rental housing Citywide
Promote employee development and professional growth	Ongoing	- Enhanced training opportunities including onsite, online, and conferences/workshops - Participation and founding member of Contra Costa Leadership Academy - Encourage and promote membership for staff participation and leadership in professional associations, and maintain certifications
Recruit and retain a talented and effective workforce	In progress/ Ongoing	- Implemented online performance evaluation module - Continued review and updating of job classifications and organizational structure - Strategies endeavor to hire diverse candidates, including persons who speak other languages - Broadened avenues of recruitment, including social media and LinkedIn - Annually host a Climate Corps AmeriCorps Fellow to introduce college graduates to public sector environmental jobs and assist with environmental initiatives in the City - Maintain excellent benefits, including: health and wellness, providing discounts for Recreation programs, flexible scheduling where possible, frequent employee events
Ensure City programs and services are inclusive of people of diverse backgrounds	Ongoing	- Broad outreach to public, community partners, and organizations, including increased social media presence to include more diverse participation - Increased amount of communication and mailings in multiple languages - Programs, events celebrating El Cerrito's diverse culture (many free/low cost) - David Hunter Scholarship Program - Bilingual employees throughout organization; ECPD has employees who are fluent in Mandarin, Cantonese, Spanish, Tagalog



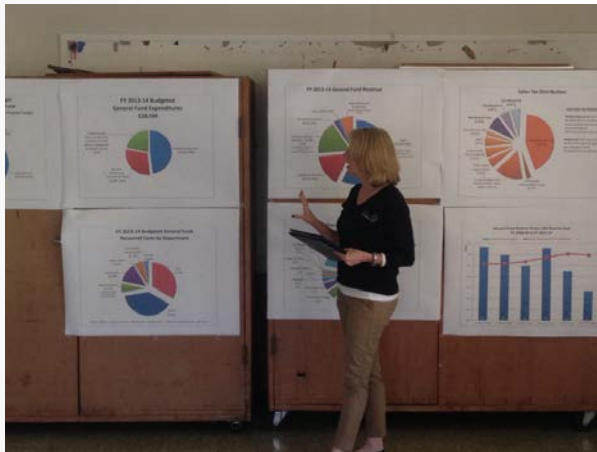
Goal A Strategies (continued)

Agenda Item No. 7(A)

Strategy	Status	Notes
Develop and strengthen relationships with public and private partners, residents, businesses, schools, and community groups	Ongoing	• City Co-sponsorship program • Childcare and enrichment programming with EC schools • EDC sponsored events with businesses including Restaurant Week and mixers • Continue to strengthen relationships with community groups by organizing or supporting educational workshops, special events, and volunteer opportunities • Continue to build strong relationships with county and regional programs & agencies including RecycleMore, MCE, East Bay Energy Watch, City County Engineering Advisory Committee of Contra Costa, and CCCWP • Partnered with neighboring and regional agencies on several planning and capital projects including I-80 Integrated Corridor Mobility-SMART Corridor Program, Del Norte BART Station Modernization, I-80/Central Avenue Interchange, AC Transit Multimodal Corridor Guidelines, West County High Capacity Transit Study, and Bike-share Program • Coordinate with East Bay Sanitary and Private Property owners to address removal of illegally dumped waste, litter, and graffiti found on private property
Maintain emphasis on providing excellent customer service	Ongoing	• Emphasis on responsive, exemplary service to all members of the public • Increased service training opportunities for staff, updating policies/procedures • Added several online service features, including: Business License payments, inspection scheduling, class registration, interactive zoning information • Consistently exceed legal requirements for service and transparency • Provided funding for increased hours at the El Cerrito Library, now open 7 days a week • Public Works Maintenance crew acts as first-responders providing all-hour, on-call response to emergencies involving public facilities, infrastructure and landscapes, including response to flooding, vehicle accidents, illicit discharges and spills, downed tree limbs, and other urgent after-hours needs • Recycling + Environmental Resources Center provides 7 day a week customer service, making approximately 400 contacts per week. • Public Works Maintenance removes approximately 1,000 pick-up truck loads of trash and illegally dumped material from public spaces per year • Curbside Recycling service makes 8,490 pick-ups per week (441,480 pick-ups per year)



Goal B: Achieve Long-term Financial Sustainability



Goal B Strategies

Strategy	Status	Notes
Maintain financial discipline by establishing decision-making guidelines to evaluate whether or when to pursue a new project or program	In progress/ Ongoing	- Continued review of administrative financial policies and procedures - Financial Advisory Board review of annual budgets, financial statements, and financial policies
Ensure policies, procedures and systems represent best practices in financial management	Ongoing	- Updating Comprehensive Financial Policies - GFOA and CSMFO awards for excellence in budgeting and financial statements
Maximize opportunities for existing and expanding businesses	In progress/ Ongoing	- Approved 4 new commercial spaces totaling over 17,000 square feet with an additional 3 spaces totaling over 9,000 square feet under review - Reviewing plans for new hotel at Cutting and San Pablo Avenue - Sold former RDA properties to existing businesses, including the Rialto Cerrito Theater operators and the Mira Vista Hotel operators to construct new hotel at Eastshore - Reworked tenant improvement permit fees to be more business friendly
Explore opportunities for public/private partnerships	Ongoing	- Establishing and increasing partnerships with WCCUSD, co-sponsored groups, and other agencies to share resources for serving the public - Conducting Library Feasibility Study per MOU with BART
Continue to pursue and support opportunities for new funding, including outside grants and ballot measures	Ongoing	- Successful passage of Measure V, establishing Real Property Transfer Tax - Secured grants to update the San Pablo Avenue Specific Plan - Applied for grant to inventory soft story structures - Adopted new citywide Transportation Impact Fee to continue to improve the multimodal transportation network - Continue annual efforts to obtain grants for purchase of Fire apparatus, promote brush clearing, and procure equipment - Successful grant awards (over \$6m since 2013) and pending applications for Hillside Natural Area, transportation projects, and public safety programs/equipment
Develop a financial plan to address ongoing and deferred maintenance of facilities and infrastructure	In progress	- Parks and Recreation Facilities Master Plan completed, including a financial plan to address deferred and on-going maintenance in the City's recreational facilities and parks - Refinance and rehabilitation of Idaho Apartments (affordable housing) - Developing the City's Storm Drain Master Plan Update, which will include a financial plan
Develop a plan to ensure that Citywide revenue meets the cost of providing Citywide services, including adequate reserves for unanticipated revenue shortfalls	In progress/ Ongoing	- Developing 5 year plan to increase General Fund reserve & focus on financial health - Financial Advisory Board proposal for an Economic & Disaster Recovery Fund (EDRF) - Utilize revenues from RPTT to increase General Fund reserve balance
Track and promote State and Federal legislation that would create new funding opportunities	Ongoing	- Active participation in League of California Cities legislative priorities and platform - Monitor legislation through staff professional associations

Goal C: Deepen a Sense of Place and Community Identity



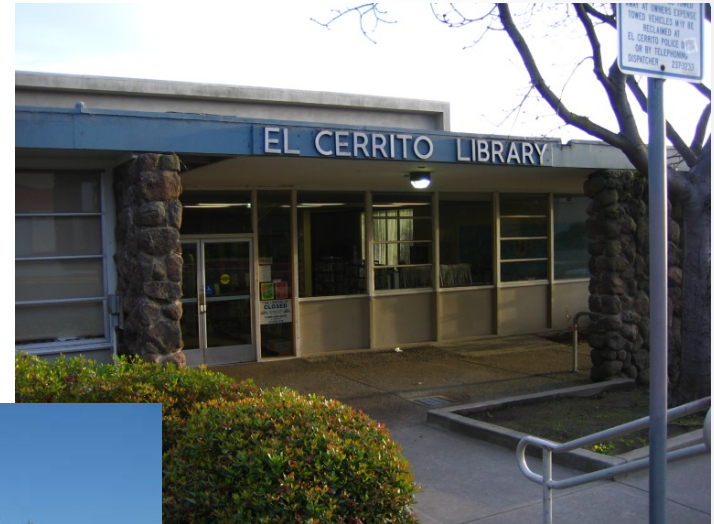
Goal C Strategies

Strategy	Status	Notes
Promote strong neighborhoods	Ongoing	- Continued successful National Night Out program, increasing participation and neighborhood parties each year - Issued Certificate of Occupancy for Metro 510 (128 new residential; including 19 below market rate) and Hana Gardens (63 affordable units) - Entitled and in the process of issuing building permits for new development along San Pablo Avenue, including the Mayfair site - Approved new public open spaces and pedestrian “mews” and in lieu fees along San Pablo Avenue as a part of new development to create a stronger public realm along San Pablo Avenue and create more pedestrian connectivity - Conducted outreach and City Council process for considering Tenant Protection Policies as a part of implementing the City’s Affordable Housing Strategy - Adopted an Inclusionary Zoning policy to require and promote affordable housing as a component of new development and encourage income-diverse neighborhoods - Completed a grant-funded On-Street Parking Study to understand and recommend programs to manage parking demand in light of new commercial and residential development - Hosted ADU Workshops to encourage property owners to take advantage of discounted permit fees and new regulations 16 ADU Building Permits were issued in 2018
Celebrate the City’s diversity by welcoming residents of all ages and cultures and encouraging their civic involvement	Ongoing	- HRC Events: MLK Parade/Rally, Loving Day, Diversity Forums - Increased number of volunteer applications for Boards/Commissions - City Manager Updates include information on current programs, projects, and upcoming events to engage community members
Adopt a Revised General Plan that meets the needs of the community now and in the future	Pending	Scheduling staff information and coordination meetings to identify scope and budget and tracking SB2 funds to help with effort
Develop a vision for underdeveloped and underutilized properties through advanced planning efforts that encourage investment and/or new development	In progress/ Ongoing	- San Pablo Avenue Specific Plan Implementation, including entering into DDAs and Purchase and Sale Agreements for long underutilized, former RDA properties - Entitled or currently reviewing over 15 projects on privately owned properties, in addition to processing numerous façade, sign and tenant improvements for existing businesses
Develop an Economic Development action plan to build on our strengths, including our diversity, arts, culture, and environmental sustainability	Completed	Adopted March 2016

Goal C Strategies (continued)

Strategy	Status	Notes
Review and update policies on preservation of historic and cultural resources and develop an inventory of historical and cultural assets in the City	In progress	Historic Resources inventory is underway, expected to be brought to Council late 2019/early 2020
Encourage dense business nodes to minimize or eliminate automobile traffic	Ongoing	Adoption of San Pablo Avenue Specific Plan and Complete Streets Plan
Identify, promote, and/or develop entertainment, recreational, and leisure activities for people of all ages and demographics	In progress/Ongoing	- Continue to identify and offer a diverse range of recreational activities and events to the public, including free or low-cost programs - Established monthly talks and workshops at the Senior Center on topics that are important to older adults - Community partnerships and events including Arbor Week, Earth Day, Bike to Work Day, Hillside Festival, Coastal Clean-Up Day, Baxter Creek Gateway Monthly Clean-ups, Prospect Sierra Environmental Classrooms, and numerous Environmental Quality Committee events - Planned and implemented the relocation of senior services to a temporary modular facility at 10940 San Pablo Avenue after lease of Senior Center terminated by WCCUSD
Promote arts and culture and community celebrations	In progress/ Ongoing	- EDC and Arts & Culture Commission collaborated to add music to 2018 Restaurant Week - New development has generated funding through Art in Public Places program, will also result in several onsite public art installations - Poet Laureate Program, second Poet Laureate named - New Loving Day Event with Off the Grid, continued annual events including July 4 World One Festival and MLK Parade/Rally - Artist-in-residence program at Recycling Center, second artist named
Develop plans for the City's 100th year anniversary (2017)	Completed	- Established Centennial Task Force, partnered with Historical Society, Chamber of Commerce, and volunteers to plan events for entire year - Successful events included Citywide parade, gala, events for all ages, and activities in partnership with each City Board, Commission, Committee - ECPD and ECFD Officers wore Centennial Celebration badges in 2017 - Time Capsule permanently installed in City Hall
Be a strong partner with the schools	In progress/ Ongoing	- EC STARS internship program partnership with ECHS - Ongoing enrichment programming through Recreation Department - Successful School Resource Officer program, officers at El Cerrito High and Korematsu Middle schools

Goal D: Develop and Rehabilitate Public Facilities as Community Focal Points



Goal D Strategies

Agenda Item No. 7(A)

Strategy	Status	Notes
Develop a plan to address ongoing and deferred maintenance of facilities and infrastructure.	In progress	• Approval of the Park and Recreation Facilities Master Plan, which quantifies and provides a financial plan to address deferred and on-going maintenance in the City's recreational facilities and parks • Measure A (Streets) programs up to date, once again recognized by MTC as ranking in top three in the Bay Area for pavement conditions • Developed preliminary cost estimates for critical and mandated rehabilitation projects at the Swim Center through Park and Recreation Facilities Master Plan • Managing design of various park & trail improvement projects including Fairmont Park, Hillside Natural Area Signage, and Ohlone Wayfinding • Developing the City's Storm Drain Master Plan Update, to incorporate Green Infrastructure elements, an asset management system, and financial plan • Completed and on-going deferred maintenance and repairs: painted all clubhouses in City parks; roof repair at Harding Clubhouse; rehabilitated asphalt pathways in Arlington and Castro Parks; sediment and vegetation removal from storm system to prevent flooding; repair, replace, or install approximately 100 street signs per year; resurface one tennis court every year. • Launched new Sidewalk Repair Program via SB 1 removing over 200 trip hazards per year through concrete shaving and rehabilitating approximately 25 sidewalk locations per year damaged by street trees. • Researching funding avenues and/or schedule to address maintenance issues with Fire Stations due to deferred repairs
Continue the facilities assessment to prioritize and strategize investment (i.e., library, public safety facility, senior center, community center).	In progress	• Seeking to place renewal of Measure A Swim Center parcel tax on ballot in 2019 • Parks and Recreation Facilities Master Plan completed, including needs assessment and cost estimates for Recreation buildings, facilities, and parks/open space • Conducting Library Feasibility Study at El Cerrito Plaza BART station with BART, due to be completed Spring 2019 • Continued work on future Library planning, including consideration of a future ballot measure
Revisit and update the Structural Facilities Management Plan	In progress	• Parks and Recreation Facilities Master Plan completed • An update to most facilities in the Structural Facilities Management Plan is included in the Parks and Recreation Facilities Master Plan



Goal E: Ensure the Public's Health and Safety

Agenda Item No. 7(A)



Goal E Strategies

Strategy	Status	Notes
Provide transparent information on crime and address perceptions of safety through outreach and education	Ongoing	- ECPD Annual Reports available online - Increased social media presence including Twitter, NextDoor, and Nixle providing emergency alerts, community information, and weekly police blotters - Community crime maps available on City website
Utilize environmental design techniques to deter and prevent crimes	Ongoing	- Continued regular Design Review Team meetings to review new development for CPTED; every project is routed to Police & Fire Departments for review and comment - Partnership with community on Camera Surveillance Registration Program
Apply data-driven analysis to target law enforcement and fire resources and enhance safety	Ongoing	- Increased use of technology to enhance safety, including a new cloud-based Computer Aided Dispatch Program - Implemented Body Worn Cameras and associated policies for their use - Continuous review of calls for service by ECPD and ECFD to provide risk assessment - ECFD enhanced training and technical rescue skills based on analysis of call history
Maintain disaster preparedness programs and ensure emergency response plans are current	Ongoing	- Conducting update of Emergency Operations Plan led by ECFD with all departments, to include scheduling updated NIMS training and drills for all City staff and City Council - ECPD and ECFD partnering to establish evacuation routes and maps, and provide information to the public - Initiating a Master Plan for the Hillside Natural Area, to assess fire safety hazards, develop cost estimates, and conduct required CEQA analysis (FY 2019-20) - Building Division hosted a series of Homeowner's Workshops in 2018 including "The First 72" and a Brace & Bolt Program - Continued growth in popular CERT program, CPR and First Aid instruction for residents - Community Water Safety Day at the Swim Center which offers free swim to both increase individuals' water safety skills and provide real life training scenarios for the Swim Center staff
Continue multi-division/department teamwork to ensure and enhance the community's safety through a thorough, efficient and comprehensive plan review, permitting and inspection process	Ongoing	- Hold regular Design Review Team meetings to review new development applications - Updated database for all occupancy inspection and maintain goal of 100% of all occupancies being inspected every year - Emergency Operations Plan update in progress with all City departments for community safety issues



Goal E Strategies (continued)

Strategy	Status	Notes
Continue to work with local partners (i.e., BART, the school district, other communities, East Bay Regional Park District) on a coordinated approach to public safety	Ongoing	- Coordinated efforts with East Bay Regional Park District to complete fuel break in Wildcat Canyon - Reinstating joint training with Richmond Fire Department to insure consistent service to the public
Utilize community-oriented policing and problem solving	Ongoing	- Held successful Community Police Academies to engage and educate residents - Several events including “Coffee with a Cop” and “Pizza with the Police”, “Barks and Bells”, National Night Out, a children’s water play event, and a Dodgeball Tournament for Police Explorers - Dramatically increased our volunteer program, adding 10 new volunteers - Reinvested effort into Explorer Post and revitalized the unit
Utilize a diverse array of crime prevention techniques (e.g., School Resource Officer [SRO] program, Traffic Unit, Bike Patrol, etc.).	Ongoing	- Continued successful SRO program of officers, despite continued decrease in funding from WCCUSD - Continued to deploy effective Traffic Unit and Bike Patrol programs - Work with Crime Prevention Committee to bring information to the public - Parks and Recreation Facilities Master Plan identifies best design practices in parks and facilities to deter crime and mitigate risk - Worked with retail and dining establishments to encourage greater ownership of business safety issues
Explore innovative and best practices for promoting public health (e.g., smoking ordinances, nutrition, obesity prevention, living wage, and strategies to promote walking/biking)	In progress/ Ongoing	- Senior Nutrition programs - Employee Wellness Program - Sponsor annual Bike to Work Day - ECPD support of obesity prevention by utilizing bicycle patrol to make the walkways safe, and off road motorcycles to encourage safety for those using paths in the Hillside Natural Area - Completed a 1-year pilot program with LimeBike, offering bike-share services - Developed various multi-modal improvements including construction of significant improvements at the intersection of Elm Street/Key Boulevard/Hill Street that included the City's first green bike lane and first bike box; and coordinated with the City of Richmond to complete the signalized mid-block crossing on San Pablo Avenue to connect the Richmond and Ohlone Greenways - Developing Public Tree and Shrub Ordinance to improve standards for maintenance of the City’s Urban Forest and to meet a pre-requisite of becoming a Tree City USA

Goal F: Foster Environmental Sustainability Citywide



Goal F Strategies

Strategy	Status	Notes
Be a leader in setting policies and providing innovative programs that promote environmental sustainability	Ongoing	- As a member of MCE Clean Energy, El Cerrito has one of the highest percentages throughout MCE territory for enrollment in the 100% Renewable Deep Green electricity option - All City municipal energy accounts were enrolled in MCE's Deep Green option - Reviewing development applications for over 700 TOD units with reduced parking - Successful and award-winning Recycling and Environmental Resource Center - Continued progress toward more electronic record keeping and documentation, including many online services and creation of electronic repository for the City's legislative history - Working with EQC to develop a draft Expanded Food Ware Ordinance, that may seek to prohibit plastic straws - As part of the City's Clean Water Program, achieved a 84.5% Trash Load Reduction, installed 122 trash capture devices, developing Green Infrastructure Plan, implementing new Program Managing PCBs in Building Demolition, and secured a Streambed Alteration Agreement from CDFW - Received three Beacon Spotlight Awards from the League of California Cities: Gold Level award for community greenhouse gas reductions, a Platinum Level award for energy savings, and a Platinum Level award for natural gas savings. - Honorable Mention from the National Waste & Recycling Association in its 2018 Recycling Facility of the Year Award program providing national recognition to the El Cerrito Recycling + Environmental Resource Center for its state-of-the-art design and the comprehensive array of services it provides
Promote environmental education to facilitate behavioral changes by working with the school district and other community groups	Ongoing	- Published the "Green Happenings" monthly e-newsletter reaching over 1,000 subscribers each month and three Greener El Cerrito Newsletters, which are mailed to every solid waste account holder in El Cerrito. - Instituted a new bi-annual Commercial Edition of the Greener El Cerrito Newsletter in order to provide environmental information specifically relevant to commercial or multi-family properties - Per the franchise agreement, East Bay Sanitary staff met with approximately 100 businesses each year to review solid waste management requirements and options.



Goal F Strategies (continued)

Strategy	Status	Notes
Implement polices to promote waste diversion (i.e., mandatory commercial recycling and green waste)	In progress	- Continue to divert waste from the landfill, decreasing land-filled waste by 34.7% since 2005; land-filled trash has held steady at roughly 7,500 tons, with the rest of solid waste being diverted by recycling and green waste programs. - CalGreen Diversion standards included as part of building permit issuance - Ongoing operation of the City's curbside recycling program and award winning Recycling and Environmental Resource Center; management of the City's collection franchise and post-collection agreement, AB939 compliance, and other waste management and diversion programs, including enforcement of the City's single-use bag and EPS foam ordinances and State-mandated commercial recycling and green waste collection - Launched new Every Tuesday Household Hazardous Waste (HHW) Collection at Recycling Center, doubling resident participation in the HHW Collection program within first 6 months of operation - Maintaining high quality solid waste and recycling services and exploring stable markets for the community's recyclable materials during a time of unprecedented upheaval in the international recycling markets - The Recycling and Environmental Resource Center continues to be a one-stop shop for recycling, including a resource for disposing of various materials banned from landfills
Encourage alternative modes of transportation to the single occupancy vehicle	Ongoing	- Sponsor annual Bike to Work Day - Completed Construction of Arlington/Brewster Curve Safety Improvements Project - Constructing the 2018 Curb Ramp and Sidewalk Repair Project - Designed and bid the Korematsu Safe Routes to School Project (TDA Grant Funded) - Designed and bidding Eureka Avenue and Lexington Avenue Street Improvements (funded by Senate Bill 1 Local Partnership Program and Measure A Street Improvements)



Goal F Strategies (continued)

Strategy	Status	Notes
Implement and monitor the City’s Climate Action Plan to: • Reduce vehicle miles traveled (by creating a well connected, pedestrian, bicycle and transit-oriented urban forms that will make it easier for residents and visitors to leave their car behind.) • Facilitate energy and water efficiency and greater use and generation of clean energy • Reduce the amount of waste generated in El Cerrito • Make municipal operations more resource efficient and environmentally friendly	In progress	• As a part of SPASP implementation, have required two new pedestrian mews, connecting to the Greenway or shortening blocks and creating improved pedestrian connectivity at current Big 5 and Mayfair project locations • Each Hana Gardens resident received AC Transit Easy Pass through the Affordable Housing Sustainable Communities (AHSC) Program • Conducted a municipal GHG inventory in 2018 and plans to complete a Climate Action Plan Implementation Report in 2019 • Replacing older Fire apparatus with updated “Clean Idle” diesel engines • Continuing with the 48/96 work schedule for Fire Department personnel that has cut firefighter commute in half





SUPPLEMENTAL AGENDA MATERIALS

CITY COUNCIL MEETING APRIL 16, 2019

AGENDA ITEM 4(A) – Education and Sharing Day Proclamation

1. Material received at the meeting

AGENDA ITEM 4(D) – Regulation Managing Priority Polychlorinated Biphenyls (PCBs)-Containing Materials During Building Demolition Projects

1. PowerPoint Presentation

AGENDA ITEM 4(E) – Acceptance of Public Open Space Easements for Projects within the San Pablo Avenue Specific Plan Area

1. Revised resolution received at the meeting

AGENDA ITEM 6(C) – Tentative Parcel Map and an Exception to Title 18 for Two Lots at 922 Clark Place

1. PowerPoint Presentation
2. Material received at the meeting

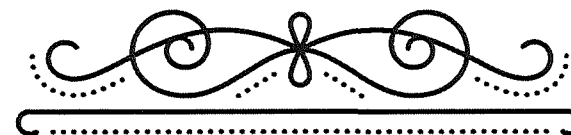
AGENDA ITEM 7(A) – Strategic Plan Update and Progress Report

1. PowerPoint Presentation

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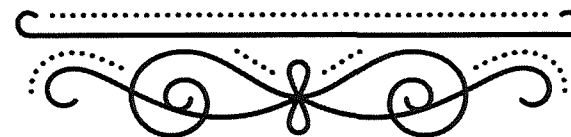
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APR 16 2019

CITY OF EL CERRITO
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EDUCATION

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El Paso, TX

Rabbi Mendy Greenberg
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Chicago, IL



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A MOMENT OF SILENCE

It is imperative to base school education on the recognition of a Supreme Being. It is such a basic element in education that it should be done before all other lessons. A law should therefore be passed establishing that the school day open with a moment of silence, in which students will think about the Creator and Ruler of the world.

Why a moment of silence, specifically? Because when fulfilling G-d's will, one must keep in mind that G-d wants it done pleasantly and peacefully, not with quarrels and strife, especially when it can be easily avoided.

This is different from proposing a spoken acknowledgment of G-d in school, which immediately leads to arguments about interference with an individual's religious beliefs, etc. Even with full provisions for non-coercion and neutrality concerning any particular religion, nothing can assure that the teacher or principal would not exert some pressure on the students concerning a particular religious belief. For it is extremely difficult for teachers or principals to talk to students day after day about matters of faith, and simultaneously not mention anything about their own particular beliefs.

A moment of silence, by contrast, consists of thinking instead of speaking. Students can think freely without any external pressure, and thus the goal of acknowledging G-d is achieved pleasantly and peacefully.



INTRODUCTION

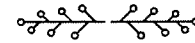
Rabbi Menachem Mendel Schneerson (1902–1994), known as “the Lubavitcher Rebbe” or simply as “the Rebbe,” was born in Nikolaev, Ukraine, on the 11th of Nisan, 5662 (April 18, 1902). When World War II erupted, he made his way to America, settling in Brooklyn, New York.

A towering spiritual leader of the twentieth century, the Rebbe inspired and guided people from across all walks of life to live a kinder and more purpose-oriented life.

In his hundreds of addresses and thousands of writings, there is hardly another subject the Rebbe discussed as frequently and passionately as education. His contributions have been recognized by leaders within the field of education, as well as by leaders of the civic, religious, and political spheres. Indeed, every U.S. president since Jimmy Carter has paid tribute to the Rebbe by declaring Education and Sharing Day USA each year on his birthday. The U.S. Congress and many state and local governments have issued similar declarations as well.

Society is woefully mistaken, the Rebbe insisted, to view education as the pursuit of knowledge as a step stool to a career. Rather, an educator must prepare a child for life in its entirety—a life of purpose, benevolence, justice, and morality. It is not what we know, but who we are and how we act that counts. No, education is more than how to earn a living; it is teaching how to live.

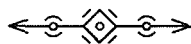
The Rebbe encouraged the widespread adoption of a moment of silence in our schools. This would prompt children to ask their parents what they ought to think about during this moment of reflection. Parents who previously may not have had the time or courage will now want to talk to their children about faith. They will impress upon their children to think at the beginning of each school day that the world in which they live is not a jungle, that each person is created for a specific purpose, and that the Creator cares about each of our choices.



TREATING THE CAUSE, NOT THE SYMPTOM

The acknowledgment of a Divine authority is absolutely necessary in order to impress upon the minds of our growing-up generation that the world in which they live is not a jungle, where brute force, cunning, and unbridled passion rule supreme. Rather, we must emphasize that this world has a Master Who is not an abstraction, but a personal G d; and that this Supreme Being takes a personal interest in the affairs of each individual, and everyone is accountable to Him for their daily conduct.

Juvenile delinquency, the tragic symptom of the disillusionment, insecurity, and confusion of the young generation, has not abated; rather, the reverse is the case. Obviously, it is hard to believe that the police and law-enforcement agencies will succeed in deterring delinquency and crime, not to mention completely eliminating them at the root, even if there were enough police officers to keep an eye on every recalcitrant child. The remedy lies in removing the cause, not in merely treating the symptoms. It will not suffice to tell the juvenile delinquent that crime does not pay and that he will eventually land in jail. Nor will he be particularly impressed if he is admonished that law-breaking is an offense against society. It is necessary to engrave upon the child's mind the idea that any wrongdoing is an offense against the Divine authority and order.



UPLIFT AND EMPOWER

When admonishing children, a teacher or parent must be careful not to evoke a sense of helplessness and despondency on the part of the child. In other words, the child should not get the impression that he is good-for-nothing, that all is lost and, therefore, he may as well continue acting as he wishes. On the contrary, the child should always be encouraged in the feeling that he is capable of overcoming his difficulties and that it is only a matter of will and determination.



DO AS I DO

Parents must be living examples of appropriate conduct for their children. If they preach one thing but act in a contrary way, their preaching will have no effect on their children, who cannot comprehend the dichotomy. By contrast, if, in addition to being skilled at teaching, parents are also adept at doing what's right, they can expect results—provided that they speak from the heart, with full sincerity, so that their message and personal example penetrates the hearts of their children, inspiring them to live accordingly not only while at school, but also at home, in the street, and so forth.

Parents who do not want to convey these messages can still find benefit in the moment of silence. They can instruct their children to utilize this brief island of time to reflect on family, peace, the importance of being considerate, or what it means to maintain one's integrity. These are sources of meaning that can sustain a young boy or girl beyond the worksheets and popularity contests. These are the values that make everything else matter.

The Rebbe breathes hope into education. If we cannot fix everything, we should put all of our efforts into fixing something. Every effort will bear fruit. Feed a child hope. Help the child to believe in and empower himself or herself.

To the Rebbe, education stretches beyond dismissal and into extracurricular activities; beyond classrooms, into the streets; beyond feeding information, into concern for overall well-being; and beyond the now, into the future.

In the pages that follow, we offer a few nuggets of his wisdom on education.



SEEDS OF LIFE

The Torah compares humans to trees. An alteration—however slight—inflicted upon a seed will have a radical influence on the entirety of the tree that sprouts from that seed. The same is true of a child's education. It is worth investing tremendous effort into producing even the slightest improvements to a child's education, especially if the status quo requires repair in important areas that will influence a child for the rest of his or her life. We can be assured that every such effort done in good faith will bear fruit.



A LABOR OF LOVE

Education must be implemented with love and affection. We readily observe that education flowing from noticeable love is more effective and successful than education imposed via fear and intimidation. As a rule, it is inadvisable to cause children anxiety, for this inhibits their ability to live with tranquility, serenity, and joy—all necessary ingredients to maximize their potential.



CULTIVATING KINDNESS

The most important thing is to promote action. Therefore, we should educate children, even the very young, about giving charity.

All children should be encouraged to have their very own charity box, with their names written on it, into which they will give charity from time to time. And when their box is full, they should be encouraged to call a charitable organization and arrange for the funds to be delivered.

This will teach children from a very young age about the need to have empathy for others. It will impress upon them that when they see someone else in need, adult or child, it is their responsibility to help—even by giving away hard-earned money—and to do so happily, knowing that G-d takes great satisfaction when one overcomes a sense of apathy to help another.



EXTRACURRICULAR

Students are in school only part of their day, where they should be educated in good character and behavior. Outside of school, however, they may be surrounded by negative environments that uproot some of the good they are taught.

It is imperative to positively influence the students beyond school hours as well. Teachers may be too busy preparing lessons to take on this challenge, but it is, nevertheless, certainly the duty and privilege of school administrators to be proactive in this matter.

One approach is to wait until the child absorbs negative influences, and then seek to rectify the problem. But the correct approach is to proactively hold frequent events outside of school hours, offering healthy activities for the children as viable and attractive alternatives to negative pursuits. A further suggestion is to organize good deed competitions, with rewards and incentives, whereby students regularly register positive activities they have engaged in outside of school.



THE PARADOX

The role of education is to provide solid foundations that do not change with time or location, upon which children construct their entire lives. We therefore teach justice, morality, and faith—for these are unchanging. When children express a will or desire to the contrary, we explain that these foundations are not subject to exceptions.

At the same time, we educate children to never remain static. Rather than say, "You reached the objective, so you need not return to school tomorrow," we insist that, "Because you retained all that you mastered until now, you must advance further tomorrow." Life is growth; just as the child's body grows continuously, so must they unceasingly advance as a person, progressing in character, qualities, activities, and insight.

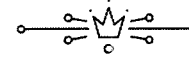
The foundations must remain unchanging, while allowing the edifice built upon that framework to never stop rising.



THE GIFT OF RESTRAINT

Modern entertainment leaves children with an unfortunate message: pursue whatever your heart desires, and if you are smart enough, you will succeed in satisfying your desires. This ultimately leads to immoral activity, for it is human nature to be unsatisfied with what one has and to incessantly desire more. If we teach children to obtain their every whim, the result will be citizens who are even willing to steal to satisfy their desires. To raise a generation of thieves, one need not teach children to steal. Merely teaching them to be self-centered can be a direct cause of criminal activity.

We do not need to give children everything they want. We must explain that it is in their interest not to pursue or obtain every whim. Children can relate to this message: when a doctor tells a child to avoid certain foods because they are dangerous or even life-threatening, the child obeys these instructions even if the foods are tempting and sugar-coated. They may not understand the medical reality, but they are happy to trust the doctor who invested years studying medicine. We must convey the same message to our children regarding their desires, in order to ensure the well-being of their character.



NARCISSISTIC KNOWLEDGE

The modern secular educational system is premised on the notion that it is sufficient for children to accumulate knowledge about numerous disciplines. However, it often fails to teach that the purpose in accumulating all this knowledge is to bring goodness to others, which is also true goodness for oneself. Instead, it convinces students that the goal of their studies is to pursue their own careers and display their own prowess, leading to self-centeredness and narcissism.

This reality is due to the assumption that we may not interfere with children's lives, but must allow them to develop autonomously. Although humans are born with negative impulses, many assume that adults have no responsibility to change this but should allow children to develop as they see fit.

Children are legally required to attend school, but modern schools operate as though their sole task is to provide children with knowledge. In reality, a real education means to teach students how to be a mentsh and decent citizen, how to develop virtuous character traits, and that the primary objective of all study is to promote goodness in one's surroundings.

Program Managing Polychlorinated Biphenyls (PCBs) During Building Demolition

El Cerrito City Council
April 16, 2019

Will Provost
Public Works Analyst

1

BACKGROUND

- ▶ PCBs have been detected in elevated levels in the San Francisco Bay, posing potential health risks for both humans and wildlife.
- ▶ Urban stormwater runoff is considered a significant pathway for PCBs into the Bay, including during the building demolition process.



▶ 2

2

Managing PCBs in Building Demolition

- ▶ The Bay Area Municipal Regional Stormwater Permit (MRP), which applies to El Cerrito, requires municipalities to manage PCBs during building demolition.
- ▶ The regulation focuses on managing PCBs in “priority building materials” in certain types of buildings.



▶ 3

3

Applicable Structures

Applicable Structures are defined as buildings constructed or remodeled between January 1, 1950 and December 31, 1980. Wood framed buildings and single-family residential buildings are not applicable structures regardless of the age of the building.

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Priority Materials to be Tested for PCBs

Adhesive / Mastic



Window Caulking



Rubber Window Seal/Gasket



Thermal and Fiberglass Insulation



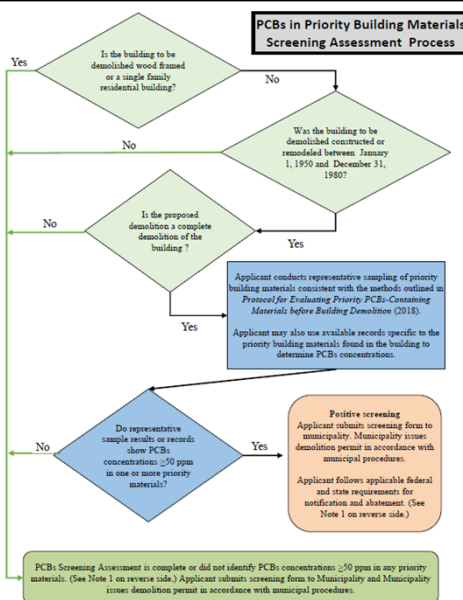
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5

Applicant Process

- For applicable structures, program requires an assessment process for PCBs in priority building materials
- If not applicable or screening is negative, applicants just submit certified form
- Requires applicants to follow applicable Federal and State requirements if screening is positive

► 6



6

Implementation of Program

- ▶ Program relies on self-certification
- ▶ It is estimated that it will take 2-3 hours of municipal staff time to review, archive, and report on applications associated with applicable structures



Point Isabel in Richmond

As a region, with all Bay Area municipalities implementing this program, the end result should greatly reduce PCBs from entering the Bay

▶ 7

7

QUESTIONS?

Will Provost
Clean Water Program Coordinator
wprovost@ci.el-cerrito.ca.us
(510) 525-7622

▶ 8

8

RESOLUTION 2019-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO AUTHORIZING THE CITY MANAGER TO ACCEPT AND CONSENT TO GRANT DEEDS OR OTHER INSTRUMENTS FOR PUBLIC OPEN SPACE EASEMENTS FOR PROJECTS IN THE SAN PABLO AVENUE SPECIFIC PLAN AREA.

WHEREAS, the San Pablo Avenue Specific Plan requires the creation of on-site public open space for projects over 25,000 square feet in size, or payment of an in-lieu fee; and

WHEREAS, Government Code Section 27281 requires a governmental agency to consent to the acceptance of easements; and

WHEREAS, Government Code Section 27281 permits the City Council to authorize the City Manager to consent to the acceptance of easements.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby authorizes the City Manager to consent to the acceptance of public open space easements for projects within the San Pablo Avenue Specific Plan area, and to execute all grant deeds or other instruments and all certificates of acceptance associated with such easements; and to authorize recordation of all such easements in the official records of Contra Costa County.

BE IT FURTHER RESOLVED that the City Manager, or designee, will provide an annual report to the City Council on the open space easements accepted during the previous year.

I CERTIFY that at a regular meeting on April 16, 2019 the City Council of the City of El Cerrito passed this Resolution by the following vote:

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

RECEIVED
AT THE MEETING OF

APR 16 2019

CITY OF EL CERRITO
CITY CLERK

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on April XX, 2019.

Holly M. Charléty, City Clerk

APPROVED:

Rochelle Pardue-Okimoto, Mayor

922 Clark Place

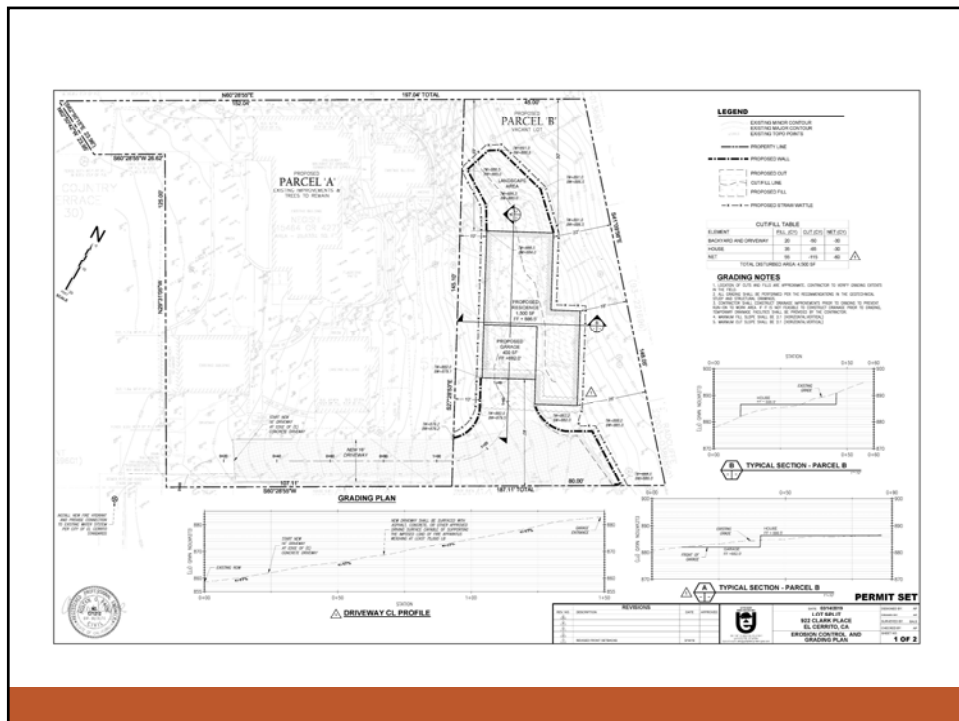


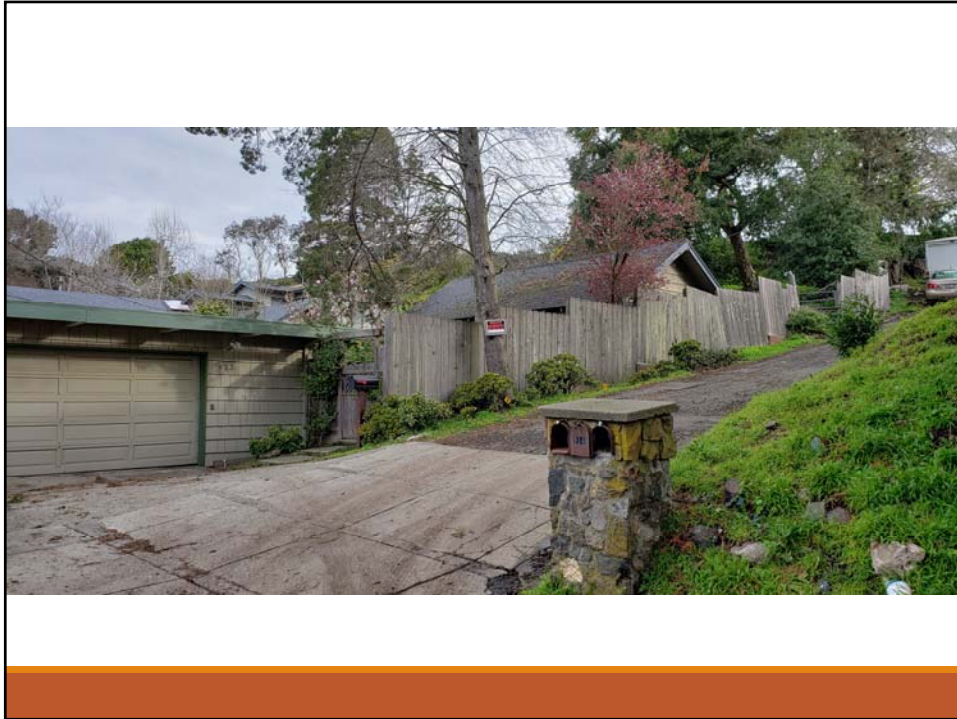
CITY OF EL CERRITO
CITY COUNCIL
APRIL 16, 2019

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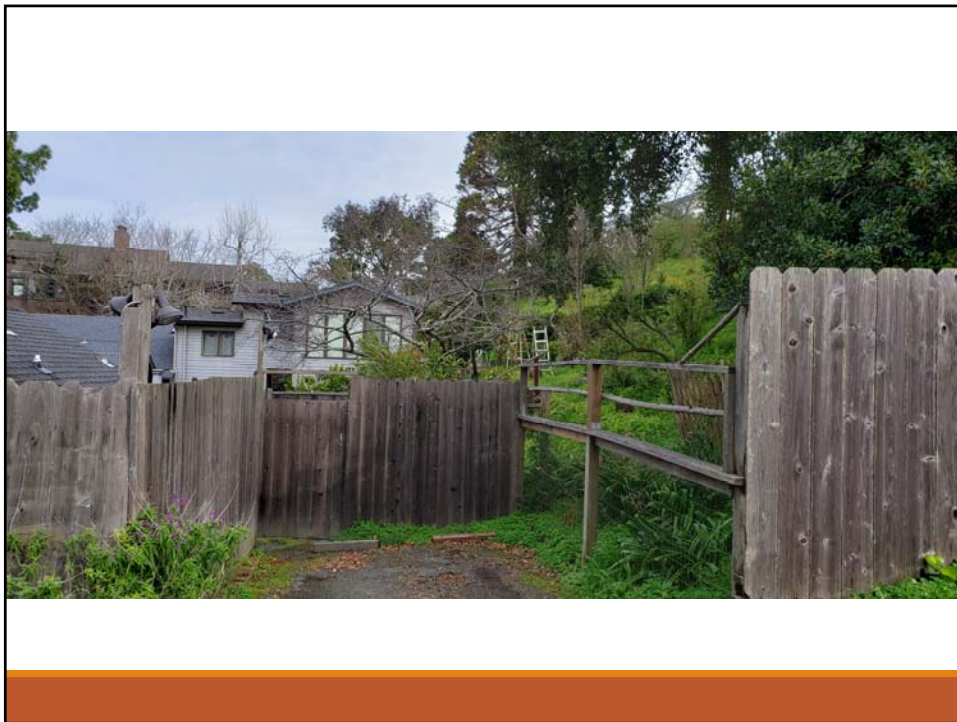


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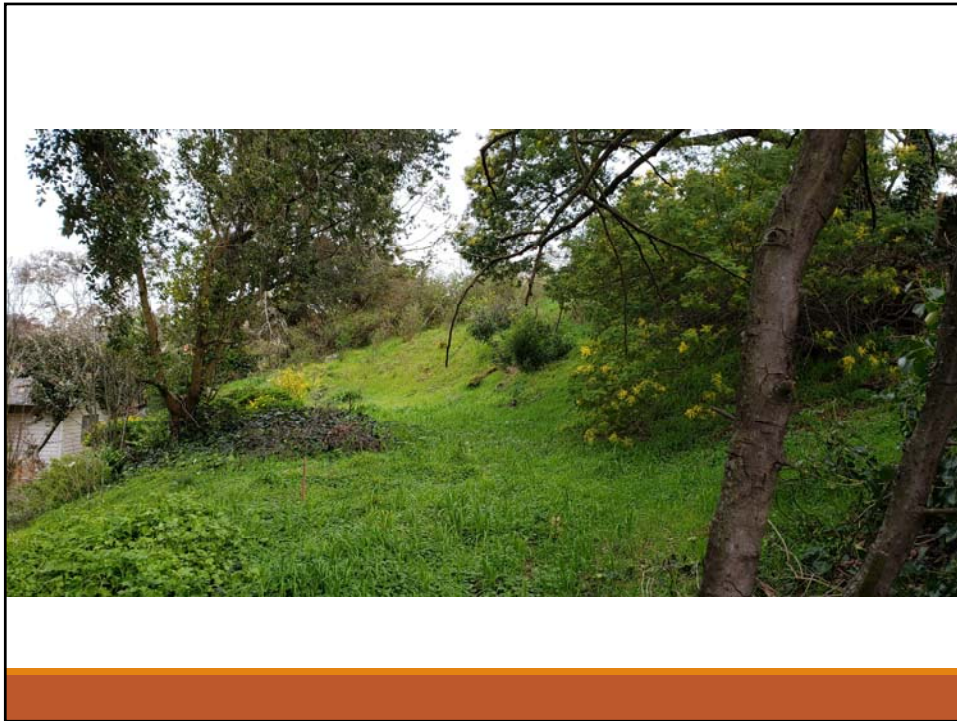




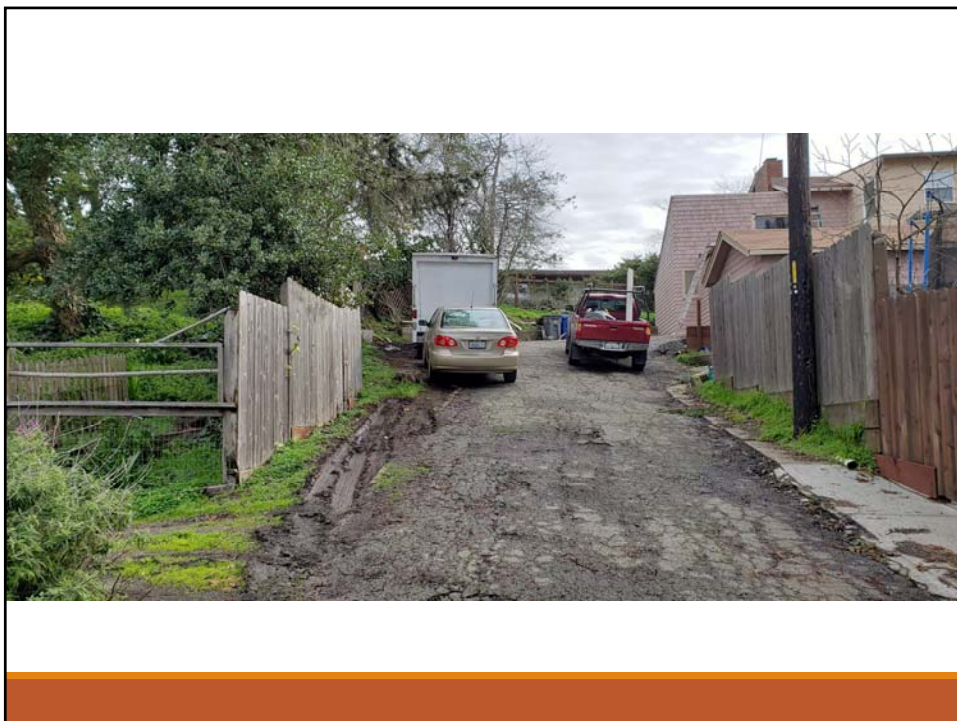
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APR 16 2019

Signature	Date
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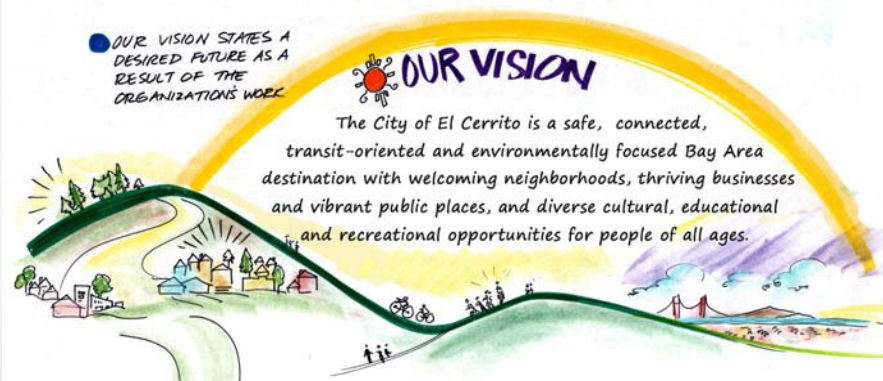
El Cerrito Strategic Plan Goals and Strategies Progress Report Presentation

City Council Meeting
April 16, 2019



1

Vision Statement



OUR VISION

The City of El Cerrito is a safe, connected, transit-oriented and environmentally focused Bay Area destination with welcoming neighborhoods, thriving businesses and vibrant public places, and diverse cultural, educational and recreational opportunities for people of all ages.




2

Mission Statement



3

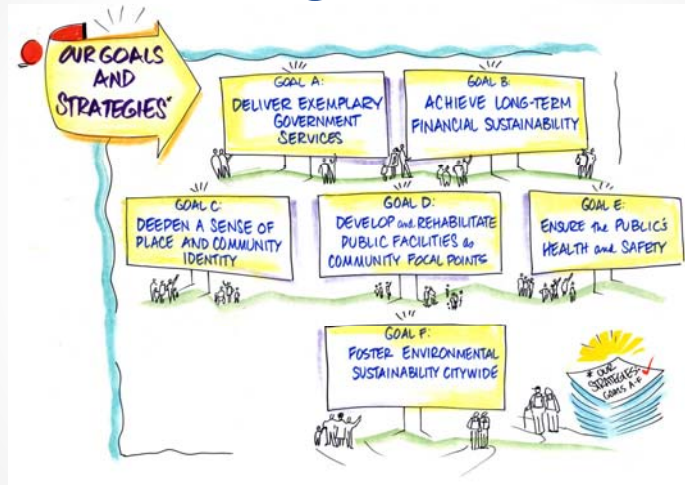
Organizational Values

- Ethics and Integrity
- Fiscal Responsibility
- Inclusiveness and Respect for Diversity
 - Innovation and Creativity
 - Professional Excellence
 - Responsiveness
- Transparency and Open Communication
 - Sustainability



4

Strategic Goals



5

Goal A: Deliver Exemplary Government Services



6

Goal A Strategies

Strategy	Status
Increase productivity and efficiency by utilizing data-driven analysis to ensure appropriate resource allocation	Ongoing
Promote employee development and professional growth	Ongoing
Recruit and retain a talented and effective workforce	In progress/ Ongoing
Ensure City programs and services are inclusive of people of diverse backgrounds	Ongoing
Develop and strengthen relationships with public and private partners, residents, businesses, schools, and community groups	Ongoing
Maintain emphasis on providing excellent customer service	Ongoing



7

Goal B: Achieve Long-term Financial Sustainability



8

Goal B Strategies

Strategy	Status
Maintain financial discipline by establishing decision-making guidelines to evaluate whether or when to pursue a new project or program	In progress/ Ongoing
Ensure policies, procedures and systems represent best practices in financial management	Ongoing
Maximize opportunities for existing and expanding businesses	In progress/ Ongoing
Explore opportunities for public/private partnerships	Ongoing
Continue to pursue and support opportunities for new funding, including outside grants and ballot measures	Ongoing
Develop a financial plan to address ongoing and deferred maintenance of facilities and infrastructure	In progress
Develop a plan to ensure that Citywide revenue meets the cost of providing Citywide services, including adequate reserves for unanticipated revenue shortfalls	In progress/ Ongoing
Track and promote State and Federal legislation that would create new funding opportunities	Ongoing



9

Goal C: Deepen a Sense of Place and Community Identity



10

Goal C Strategies

Strategy	Status
Promote strong neighborhoods	Ongoing
Celebrate the City's diversity by welcoming residents of all ages and cultures and encouraging their civic involvement	Ongoing
Adopt a Revised General Plan that meets the needs of the community now and in the future	Pending
Develop a vision for underdeveloped and underutilized properties through advanced planning efforts that encourage investment and/or new development	In progress/ Ongoing
Develop an Economic Development action plan to build on our strengths, including our diversity, arts, culture, and environmental sustainability	Completed
Review and update policies on preservation of historic and cultural resources and develop an inventory of historical and cultural assets in the City	In progress
Encourage dense business nodes to minimize or eliminate automobile traffic	Ongoing
Identify, promote, and/or develop entertainment, recreational, and leisure activities for people of all ages and demographics	In progress/Ongoing
Promote arts and culture and community celebrations	In progress/Ongoing
Develop plans for the City's 100th year anniversary (2017)	Completed
Be a strong partner with the schools	In progress/Ongoing



11

Goal D: Develop and Rehabilitate Public Facilities as Community Focal Points



12

Goal D Strategies

Strategy	Status
Develop a plan to address ongoing and deferred maintenance of facilities and infrastructure.	In progress
Continue the facilities assessment to prioritize and strategize investment (i.e., library, public safety facility, senior center, community center).	In progress
Revisit and update the Structural Facilities Management Plan	In progress



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Goal E: Ensure the Public's Health and Safety



14

Goal E Strategies

Strategy	Status
Provide transparent information on crime and address perceptions of safety through outreach and education	Ongoing
Utilize environmental design techniques to deter and prevent crimes	Ongoing
Apply data-driven analysis to target law enforcement and fire resources and enhance safety	Ongoing
Maintain disaster preparedness programs and ensure emergency response plans are current	Ongoing
Continue multi-division/department teamwork to ensure and enhance the community's safety through a thorough, efficient and comprehensive plan review, permitting and inspection process	Ongoing
Continue to work with local partners (i.e., BART, the school district, other communities, East Bay Regional Park District) on a coordinated approach to public safety	Ongoing
Utilize community-oriented policing and problem solving	Ongoing
Utilize a diverse array of crime prevention techniques (e.g., School Resource Officer [SRO] program, Traffic Unit, Bike Patrol, etc.).	Ongoing
Explore innovative and best practices for promoting public health (e.g., smoking ordinances, nutrition, obesity prevention, living wage, and strategies to promote walking/biking)	In progress/ Ongoing



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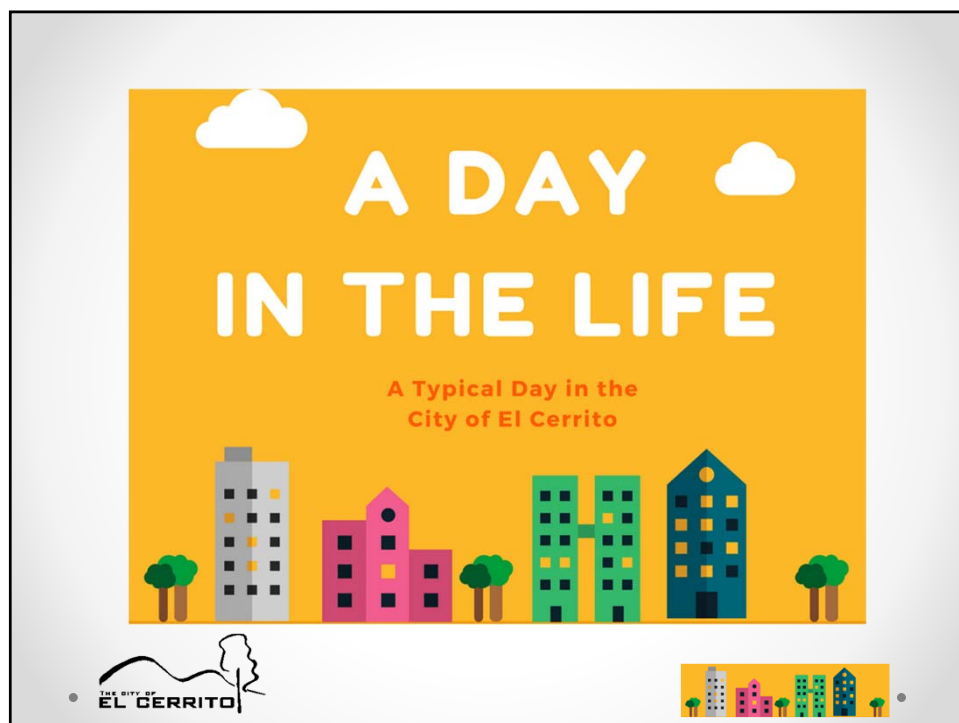
Goal F: Foster Environmental Sustainability Citywide



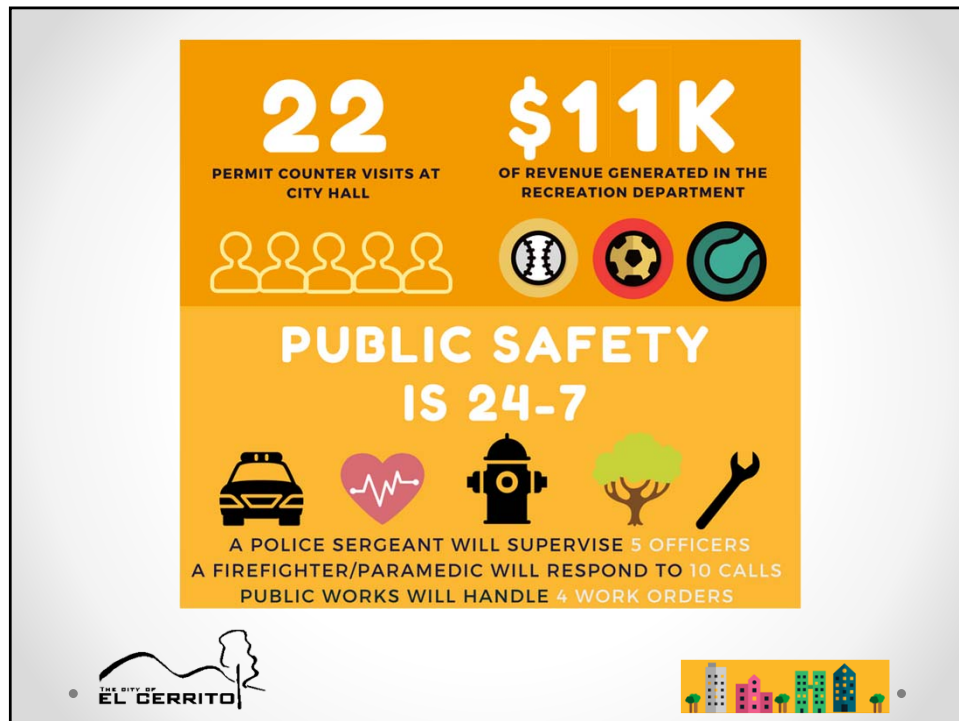
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Goal F Strategies	
Strategy	Status
Be a leader in setting policies and providing innovative programs that promote environmental sustainability	Ongoing
Promote environmental education to facilitate behavioral changes by working with the school district and other community groups	Ongoing
Implement policies to promote waste diversion (i.e., mandatory commercial recycling and green waste)	In progress
Encourage alternative modes of transportation to the single occupancy vehicle	Ongoing
Implement and monitor the City's Climate Action Plan to: • Reduce vehicle miles traveled (by creating a well connected, pedestrian, bicycle and transit-oriented urban forms that will make it easier for residents and visitors to leave their car behind.) • Facilitate energy and water efficiency and greater use and generation of clean energy • Reduce the amount of waste generated in El Cerrito • Make municipal operations more resource efficient and environmentally friendly	In progress/Ongoing

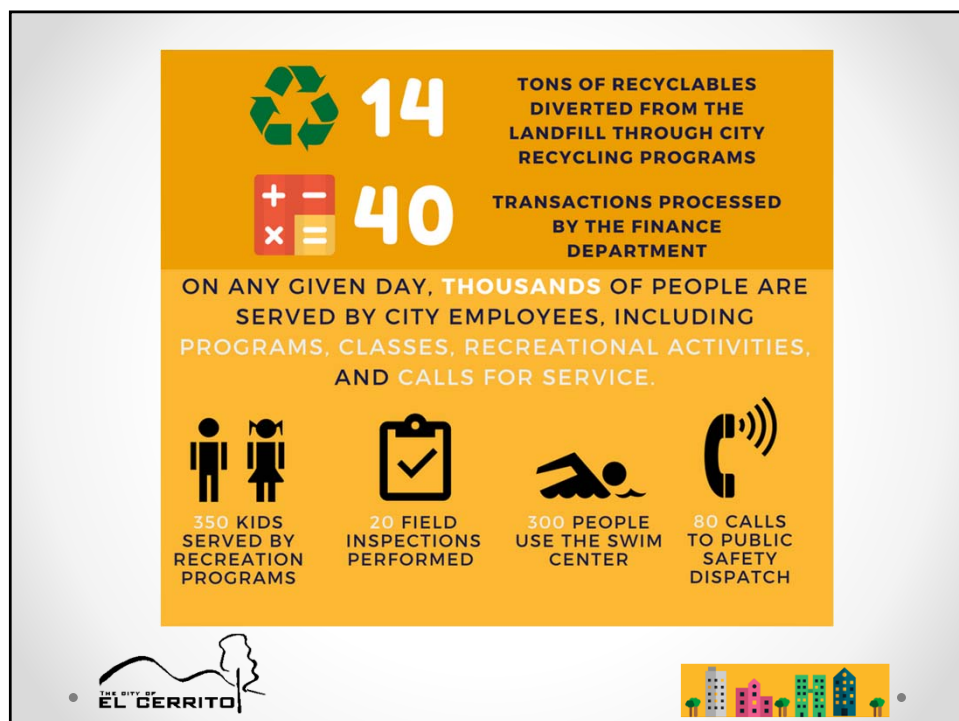
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Fiscal Year 2019-2020

- Measure A: Swim Center Parcel Tax
- Disaster and Emergency Preparedness
- Affordable Housing/Tenant Protections
- Long-term Financial Health and Sustainability
- Continued work on Strategic Goals



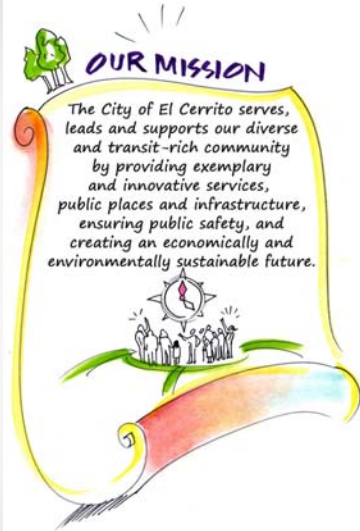
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Future Considerations...

- New Strategic Plan - 2020
 - o Involve Community in updating/creating Goals and Strategies
 - o Financial Planning for Facilities and Capital Projects
 - o What does El Cerrito's future look like?
- Biennial Budget: FY 2020-21 & 2021-22
 - o Strategic Plan into action
 - o Clearer Financial Picture



22



OUR MISSION

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

Up next...

- Discussion/Direction
- Budget Presentation
June 4, 2019

