



Public Works Department

AGENDA

REGULAR MEETING OF THE CITIZEN STREET OVERSIGHT COMMITTEE

Monday, September 23, 2013, 7:00 p.m.
El Cerrito City Hall
Hillside Conference Room
10890 San Pablo Avenue

1. **Roll Call**
2. **Comments from the Public**
(Each speaker is limited to a maximum of 2 minutes.)
3. **Approval of Minutes** (attachments)
Review and approve minutes from January 23, 2012 Meeting. **(Action Requested: Approval)**
4. **Review of Fiscal Year 2012 – 2013 Revenues & Expenditures** (attachments)
A preliminary list of financial activity will be presented and discussed (no action requested)
5. **Staff Liaison Reports** (no attachments)
 - a. Review work plan for FY 2013-14
 - b. Review of Brown Act
 - c. Review of Project Approval and Allocation Process
 - d. Review of Committee Members Terms and limits
6. **Review Committee Standing Rules** (attachment)
Review Standing Rules as adopted at the January 23, 2012 (no action requested)
7. **Future Agenda Items and Meeting Schedule**
Set agenda for next meeting **(Action Requested: set agenda and confirm date)**
8. **Adjournment**

Any writings or documents provided to a majority of the Citizen Street Oversight Committee regarding any item on this agenda will be made available for public inspection in the Public Works Department located at 10890 San Pablo Avenue during normal business hours.

COMMUNICATION ACCESS INFORMATION

To request a meeting agenda in large print, Braille, or on cassette, or to request a sign language interpreter for the meeting, call Jerry Bradshaw, Staff Liaison at 215-4382 (voice) at least FIVE (5) WORKING DAYS NOTICE PRIOR TO THE MEETING to ensure availability.

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Public Works Department

Draft Summary Minutes

REGULAR MEETING OF THE CITIZEN STREET OVERSIGHT COMMITTEE

Monday, January 28, 2013, 7:00 p.m.

El Cerrito City Hall
Hillside Conference Room
10890 San Pablo Avenue

Call to Order at 7:00 p.m.

1. Roll Call

Present: Chair Al Miller, and Vice Chair Liz Ozselcuk, Committee Member Thomas Miller, Aurelia Schultz and Lynne Kessler

Absent: none

Other Attendees: Staff Liaison Jerry Bradshaw, Public Works Director/City Engineer
Yvetteh Ortiz, Engineering Manager
Mary Dodge, Finance Director
Amy Meyer, City's Consulting Auditor

2. Comments from the Public

None.

3. Approval of Minutes

Comment by Chair Al Miller – page 3-3, Item 4, second paragraph, first line: "...sewer later..." should be changed to "...sewer lateral..."

Committee Member Kessler asked about mention on page 3-2 of the City Council approving re-allocation of Measure A money to neighborhood traffic projects. Liaison Bradshaw explained that traffic projects are eligible for Measure A money. Committee member Thomas Miller expressed his displeasure that Measure A money is being diverted in this manner since Measure A was primarily voted on as being devoted to pavement rehabilitation as well as curbs and gutters. Committee Member Al Miller agreed with the sentiment, but re-iterated that such allocations are within the purview of the City Council as long as it complies with Measure A.

Action taken: M/S Thomas Miller/Ozselcuk to approve minutes as corrected. Approved unanimously.

4. Review Fiscal Year 2011-12 Audit and Auditor's Report

Liaison Bradshaw gave an overview of pages 4-1 through 4-9. Page 4-1 is the cover of the City's Comprehensive Annual Financial Report (CAFR). This cover page is customized each year with some sort of theme, which was focused on recent awards given to the City. One of the three awards shown is for "Most Improved Roads", which is apropos to the business of the Committee. Pages 4-2 and -3 are each a composite of two pages from the actual CAFR. This was done in order to show the columns of interest next to the row labels. Pages 4-5 through 4-9 are the Agreed Upon Procedures Report (AUPR).

Finance Director Dodge explained that the AUPR is required by the bond covenants.

Auditor Meyer explained that the AUPR is not the audit; the CAFR is the audit and the AUPR goes beyond the CAFR with additional tests and examinations. She went on to summarize their accounting activity in preparing the AUPR.

Committee Member Thomas Miller asked what a parity obligation was. Meyer explained that any subsequent bond issuance would have to be structured to be in parity (equal standing with the existing bonds), subordinate (of lesser standing), or senior (with greater standing). The standing refers to which bond holders would have equal, lesser or greater call on the proceeds of Measure A. This issue is not applicable at this time since the City has not issued any subsequent bonds against Measure A.

Liaison Bradshaw pointed out that some of the final audited figures were different than what was presented at the September meeting. On page 4-3, the first number under revenues (\$1.546 M) was different than the \$1.483 M reported earlier. That happed because there was one final payment of \$63k from the State after the September statements. The only other discrepancies occurred when staff showed some reimbursements as negative expenses, and the audit showed them as revenue.

Comment by Chair Al Miller – page 4-3, right hand column, Revenues: What does "Other" mean? Those are revenues collected from permittees who are required to install a slurry seal remediation who choose to pay cash to the City in exchange for the City performing the slurry seal work.

The draft annual report was mislabeled as page 6-1 in the packet.

Action taken: M/S Kessler/Ozselcuk to approve annual report. Approved unanimously.

Question from Committee Member Thomas Miller – is the revenue stream of Measure A sufficient to take care of debt payments and the needs of the streets? Liaison Bradshaw stated, "Generally, yes", and he would go into that more in the next agenda item.

Dodge & Meyer left the meeting

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5. Staff Liaison Report

Staff Retirement: Liaison Bradshaw announced that he retired from the City in November. He is continuing on a part-time basis while the City fills the vacancies. Ms. Ortiz will be taking over the liaison role for the Committee.

Pavement Condition Index (PCI): The City has received its draft PCI report which shows that the City's average PCI remains at 85 (out of 100). This is the same level as it was in the 2010 report. Bradshaw stated that this was good news in light of the way the 2010 report was developed which included some "negotiated" PCI levels for streets that had received the Asphalt Rubber Cape Seal treatment (AR Cape). The StreetSaver software was not prepared to adequately anticipate the PCI for streets with the AR Cape treatment, so City staff and the pavement consultant manually input PCI values for those streets. The risk was that this would initially over-inflate the PCI value only to see it dramatically decline in the following years. This new 2012 report shows no degradation of those streets, thereby providing an early validation of the "negotiated" PCI values. Bradshaw stressed that it is still early in the life of these streets; it should be watched for a few more 2-year cycles.

The bi-annual PCI report work costs approximately \$25,000. The City received a grant from MTC for all but \$4,000 to pay for that work. The \$4,000 is funded from Measure A as part of the planning and engineering function in maintaining the streets.

The draft report estimates that in order to make the streets the best they can be, it would take \$4.37 M over the next five years. The 2010 report estimated that 5-year figure to be \$2.6M. Since the streets are in about the same condition, the factor that has changed since 2010 is the cost of doing pavement work.

This report is preliminary, so these figures could change before the report is finalized. In addition several financial scenarios will be developed.

Chair Al Miller asked if the City Council set a goal of what PCI level we want our streets at. Bradshaw stated, "No."

Council Appointments: A list of recent appointments to boards, commissions and committees was not available before the meeting.

Council Strategic Planning: Liaison Bradshaw briefed the Committee on the recent work done by the Council on the Strategic Plan with input from Committee Member Al Miller who attended the recent Saturday meeting.

6. Election of Committee Officers

Al Miller has been the Chair since the Committee's inception in 2008. He has made known his wish for someone else to take on the Chair role so that no one person becomes too entrenched in the role. The Standing Rules support that concept.

Liaison Bradshaw reviewed the duties of the Chair: Primary responsibility is to run the meeting. The Chair would not have to know any more about the subject matter than any other member. The Chair might have more contact with the Liaison in developing agendas.

Liaison Bradshaw declared the seat of Chair open, and asked for nominations.

Kessler nominated Schultz for Chair, and Schultz nominated Kessler for Vice Chair.

M/S Thomas Miller/Al Miller to close nominations. Approved unanimously.

Action taken: M/S Al Miller/Thomas Miller to approve both nominations. Approved unanimously.

7. **Committee Standing Rules**

Liaison Bradshaw noted that the only recent revision to the rules was to include a version number. The current version is 2012 – 2.

There were no comments on the rules and no action was taken.

8. **Future Agenda Items and Meeting Schedule**

The next regular meeting is scheduled for September 23, 2013.

The November meeting is scheduled for November 11th, which might be a holiday conflict. That can be addressed at the September meeting.

The January meeting would be on January 27, 2014.

Potential items for the next agenda include:

- a review of committee members terms and limits if applicable
- review of the Brown Act and procedures
- preliminary revenues and expenditures
- review of the process of how money gets allocated and approved for projects

9. **Adjourned** at approximately 8:24 p.m.

FY 2013 Street Improvement Fund Revenues

<u>Date</u>	<u>Vendor</u>	<u>Project</u>	<u>Sub Project</u>	<u>Acct #</u>	<u>Acct Name</u>	<u>Amount</u>	<u>Subtotal</u>
10/3/2012	State of CA			40240	Dist Tax	\$94,200.00	
10/16/2012	State of CA			40240	Dist Tax	\$94,200.00	
11/29/2012	State of CA			40240	Dist Tax	\$125,600.00	
1/3/2013	State of CA			40240	Dist Tax	\$166,149.80	
1/15/2013	State of CA			40240	Dist Tax	\$117,700.00	
1/31/2013	State of CA			40240	Dist Tax	(\$1,000.00)	
2/26/2013	State of CA			40240	Dist Tax	\$95,700.00	
4/1/2013	State of CA			40240	Dist Tax	\$127,745.59	
4/17/2013	State of CA			40240	Dist Tax	\$97,700.00	
5/29/2013	State of CA			40240	Dist Tax	\$130,300.00	
6/30/2013	State of CA			40240	Dist Tax	\$36,892.31	\$1,085,187.70
3/26/2013	correction of old grant amount			45430	Fed Grant	(\$3,553.48)	(\$3,553.48)
7/12/2012	permittee	c3040		48990	Moratoria	\$525.00	
7/19/2012	permittee	c3040		48990	Moratoria	\$525.00	
7/24/2012	permittee	c3040		48990	Moratoria	\$1,095.00	
7/25/2012	permittee	c3040		48990	Moratoria	\$570.00	
8/7/2012	permittee	c3040		48990	Moratoria	\$570.00	
8/8/2012	permittee	c3040		48990	Moratoria	\$570.00	
8/9/2012	permittee	c3040		48990	Moratoria	\$570.00	
8/10/2012	permittee	c3040		48990	Moratoria	\$1,140.00	
8/15/2012	permittee	c3040		48990	Moratoria	\$570.00	
8/16/2012	permittee	c3040		48990	Moratoria	\$274.00	
8/21/2012	permittee	c3040		48990	Moratoria	\$2,576.00	
8/29/2012	permittee	c3040		48990	Moratoria	\$570.00	
9/12/2012	permittee	c3040		48990	Moratoria	\$1,140.00	
9/18/2012	permittee	c3040		48990	Moratoria	\$570.00	
9/19/2012	permittee	c3040		48990	Moratoria	\$570.00	
9/20/2012	permittee	c3040		48990	Moratoria	\$570.00	
9/24/2012	permittee	c3040		48990	Moratoria	(\$570.00)	
9/26/2012	permittee	c3040		48990	Moratoria	\$4,070.36	
10/1/2012	permittee	c3040		48990	Moratoria	\$1,710.00	
10/8/2012	permittee	c3040		48990	Moratoria	\$570.00	
10/10/2012	permittee	c3040		48990	Moratoria	\$570.00	
10/17/2012	permittee	c3040		48990	Moratoria	\$1,140.00	
10/19/2012	permittee	c3040		48990	Moratoria	\$1,710.00	
10/24/2012	permittee	c3040		48990	Moratoria	\$570.00	
11/2/2012	permittee	c3040		48990	Moratoria	\$2,850.00	
11/7/2012	permittee	c3040		48990	Moratoria	\$1,665.00	
11/15/2012	permittee	c3040		48990	Moratoria	\$570.00	
11/21/2012	permittee	c3040		48990	Moratoria	\$1,140.00	
11/30/2012	permittee	c3040		48990	Moratoria	(\$570.00)	
12/11/2012	permittee	c3040		48990	Moratoria	(\$570.00)	
1/15/2013	permittee	c3040		48990	Moratoria	\$1,140.00	
1/24/2013	permittee	c3040		48990	Moratoria	\$778.00	
2/7/2013	permittee	c3040		48990	Moratoria	\$570.00	
3/11/2013	permittee	c3040		48990	Moratoria	(\$525.00)	
3/20/2013	permittee	c3040		48990	Moratoria	\$1,140.00	
3/25/2013	permittee	c3040		48990	Moratoria	(\$525.00)	
6/12/2013	permittee	c3040		48990	Moratoria	\$570.00	
6/26/2013	permittee	c3040		48990	Moratoria	\$570.00	
6/28/2013	permittee	c3040		48990	Moratoria	\$1,140.00	\$32,118.36
TOTAL FY13 Revenues							\$1,113,752.58

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FY 2013 Street Improvement Fund Expenditures

<u>Date</u>	<u>Vendor</u>	<u>Project</u>	<u>Sub Project</u>	<u>Acct #</u>	<u>Acct Name</u>	<u>Amount</u>	<u>Subtotal</u>
11/30/2012	Fin Auth - Debt Service			59990	Debt Service	\$240,808.30	
5/31/2013	Fin Auth - Debt Service			59990	Debt Service	\$495,913.75	\$736,722.05
12/10/2012	Maze			52120	Legal & Fin	\$1,075.00	
1/14/2013	Maze			52120	Legal & Fin	\$675.00	
1/28/2013	Maze			52120	Legal & Fin	\$425.32	\$2,175.32

Annual Planning and Engineering

10/5/2012	staff	c3027	1	51120	Salaires	\$540.26	
10/19/2012	staff	c3027	1	51120	Salaires	\$694.62	
11/2/2012	staff	c3027	1	51120	Salaires	\$1,003.34	
11/16/2012	staff	c3027	1	51120	Salaires	\$1,234.88	
11/30/2012	staff	c3027	1	51120	Salaires	\$1,080.52	
2/8/2013	staff	c3027	1	51120	Salaires	\$308.72	
2/22/2013	staff	c3027	1	51120	Salaires	\$347.31	
10/5/2012	staff	c3027	1	51220	FICA	\$7.73	
10/19/2012	staff	c3027	1	51220	FICA	\$9.93	
11/2/2012	staff	c3027	1	51220	FICA	\$14.35	
11/16/2012	staff	c3027	1	51220	FICA	\$17.66	
11/30/2012	staff	c3027	1	51220	FICA	\$15.45	
2/8/2013	staff	c3027	1	51220	FICA	\$4.41	
2/22/2013	staff	c3027	1	51220	FICA	\$4.96	\$5,284.14
3/4/2013	GeoData	c3027	1	52130	Arch/Engf	\$1,360.00	
5/29/2013	Avila Proj Mgt	c3027	1	52190	Prof Services	\$15,180.00	
6/6/2013	Avila Proj Mgt	c3027	1	52190	Prof Services	\$14,482.50	\$31,022.50

2012 Pavement Rehabilitation Project

10/22/2012	FEDEX	c3027	13	55120	Postage	\$23.27	
11/30/2012	Am Asphalt	c3027	13	53810	Constr Services	\$25,367.97	
3/11/2013	Am Asphalt	c3027	13	53810	Constr Services	\$1,335.16	
1/14/2013	Fermin Sierra	c3027	13	53810	Constr Services	\$19,500.00	\$46,226.40

2013 Pavement Rehabilitation Project

4/1/2013	Avila Proj Mgt	c3027	14	52190	Prof Services	\$877.50	
4/25/2013	Avila Proj Mgt	c3027	14	52190	Prof Services	\$4,657.50	
5/29/2013	Avila Proj Mgt	c3027	14	52190	Prof Services	\$337.50	
3/25/2013	County Recorder	c3027	14	54310	Legal Notices	\$51.25	\$5,923.75

Central Liberty Streetscape Project

3/19/2013	Central Liberty Project	c3063	3	59990	Operating X-fer	\$160,000.00	
5/7/2013	Central Liberty Project	c3063	3	59990	Operating X-fer	\$100,000.00	\$260,000.00

Traffic Safety & Management Program

2/25/2013	Fehr & Peers	c3070	1	52190	Prof Services	\$9,500.00	
2/25/2013	Bayside Striping	c3070	3	53810	Constr Services	\$31,132.50	\$40,632.50

State Prop 1b Paving Project

4/25/2013	Avila Proj Mgt	c3072	1	52190	Prof Services	\$17,425.00	
6/30/2013	Avila Proj Mgt	c3072	1	52190	Prof Services	\$17,437.50	
6/28/2013	Kister Savio Rei	c3072	1	52190	Prof Services	\$8,865.00	
5/29/2013	BPXpress	c3072	1	54410	Printing	\$99.23	
6/28/2013	BPXpress	c3072	1	54410	Printing	\$54.91	
6/30/2013	BPXpress	c3072	1	54410	Printing	\$201.43	\$44,083.07

Federal Paving Project (OBAG)

6/30/2013	Avila Proj Mgt	c3074	1	52190	Prof Services	\$217.50	\$217.50
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TOTAL FY13 Expenditures

\$1,172,287.23

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Citizen Street Oversight Committee

Standing Rules

2012 – 2

Adopted September 24, 2012

1. Regular meetings shall be held on the following dates:
 - a. 4th Monday in January
 - b. 4th Monday in September
 - c. 2nd Monday in November
2. Regular and special meetings shall be held in the El Cerrito City Hall at 7:00 pm in a room designated on the agenda.
3. Regular meetings may be canceled by a majority vote of the Committee at a previous meeting or by the Chair, at anytime that a quorum cannot be attained.
4. Special meetings may be scheduled by the Chairperson or by a majority vote of the Committee at a previous meeting.
5. A quorum is 3 committee members.
6. Summary minutes shall be kept by the staff liaison or delegate. In the event the staff liaison is not present another person shall be designated as acting secretary by majority vote. Minutes shall reflect all key discussion points, indicate all motions made and by whom, including seconders, and the results of any votes.
7. The Committee shall utilize source documents in its review of Street Fund revenues and expenditures (e.g. report from the State Board of Equalization, expense reports, contractor invoices).
8. The Committee may request that the auditor provide any underlying documents examined for the audit.
9. Administrative services to implement the provisions herein shall be provided by city staff as per ordinance 2.04.320, paragraph F.
10. In the event that the City liaison fails to appear at any properly called meeting the Chair shall report to the City Manager that the Committee is unable to perform its designated function and the reason for that failure seeking corrective action. If no corrective action is taken, the Chair shall notify the City Council.
11. All aspects of the conduct of the Committee shall be in compliance with the Brown Act or any other governing authority. In the event that any member has a question as to the legality of a procedure, that member shall pose that question to the chair who shall then seek a clarification from the staff liaison.
12. Should any portion of these rules be deemed to be illegal, that portion shall be deleted from these rules; the remainder remaining full force and effect. In such an event the intent of the deleted rule shall be reinstated in legal form, with

minimum alterations, and such modified provision shall be incorporated in these rules. It shall be the duty of the Chair to implement this rule subject to a majority vote to approve said implementation at the next regular or special meeting.

13. The election of the chairperson and vice chairperson shall be done at the first regular meeting of each calendar year. The term of office shall be for the next period terminating at the anniversary of the current meeting. Only the members of the Committee shall have a vote.
14. No individual shall hold any one elective office for more than two successive terms. When one intervening term shall have elapsed any member may again hold any office from which service was denied by the limitations imposed by this rule. In the event that new officers cannot be selected, the incumbents may serve for an additional term.
15. These rules shall be reviewed and possibly modified at the September meeting. Members may propose revisions any time, preferably in writing. Any such proposal shall be voted upon at the following meeting. Versions shall be numbered and bear the date of the meeting at which they were adopted. Only Members shall have a vote as to the matter covered in this rule.