



## AGENDA

### **SPECIAL CITY COUNCIL MEETING**

**Tuesday, May 20, 2014 – 6:15 p.m.**

**Hillside Conference Room**

### **CITY COUNCIL MEETING**

**Tuesday, May 20, 2014 – 7:00 p.m.**

**City Council Chambers**

#### **Meeting Location**

El Cerrito City Hall

10890 San Pablo Avenue, El Cerrito

Janet Abelson – Mayor

Mayor Pro Tem Rebecca Benassini  
Councilmember Jan Bridges

Councilmember Mark Friedman  
Councilmember Greg Lyman

**6:15 p.m.**      **ROLL CALL**  
**SPECIAL CITY COUNCIL MEETING**  
**ANNOUNCEMENT OF CLOSED SESSION**  
**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): One potential case  
**ORAL COMMUNICATIONS FROM THE PUBLIC** (*Comments are limited to three minutes per speaker and to items listed on this special agenda only.*)  
**RECESS INTO CLOSED SESSION**  
**ADJOURN SPECIAL CITY COUNCIL MEETING**

**7:00 p.m.**      **ROLL CALL**  
**CONVENE CITY COUNCIL MEETING**  
**1. PLEDGE OF ALLEGIANCE TO THE FLAG OR OBSERVATION OF MOMENT OF SILENCE** – Councilmember Lyman.  
**2. COUNCIL / STAFF COMMUNICATIONS** (*Reports of Closed Session, commission appointments and informational reports on matters of general interest which are announced by the City Council & City Staff.*)

### 3. ORAL COMMUNICATIONS FROM THE PUBLIC

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

### 4. PRESENTATION

**A. Annual Sundar Shadi Garden Awards** – Presentation by Bonnie E. Smith, President, El Cerrito Garden Club.

**B. Utility Users Tax Presentation** – Presentation by Lisa Malek-Zadeh, Finance Director and Sky Woodruff, City Attorney.

Receive a presentation from the City Attorney and Finance staff regarding the City's Utility Users Tax.

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

**A. Minutes for Approval**

Approve the May 6, 2014 Special City Council and Regular City Council meeting minutes.

**B. Various Traffic and Parking Regulation Revisions**

Adopt two separate resolutions authorizing the Public Works Director/City Engineer to:

1) Remove seventy-five feet of green curb marking on the south side of Madera Drive in front of Madera Elementary School; and 2) Remove existing four-hour parking restrictions on the west side of San Pablo Avenue between Knott Avenue and Wall Avenue. *Exempt from CEQA.*

**C. Budget Appropriation for the City Housing Trust Fund**

Adopt a resolution appropriating spending authority for the Fiscal Year 2013-14 budget for the newly creating City Housing Trust Fund.

**D. Support for Contra Costa College Bond Measure E**

Adopt a resolution supporting the goals of Contra Costa Community College District's Education Bond Measure E and encouraging the voters of the City of El Cerrito to review the language and arguments concerning Measure E and thereafter to cast their vote on Measure E at the June 3, 2014 statewide primary election.

**E. Support for West Contra Costa Unified School District Measure H**

Adopt a resolution supporting the goals of Measure H and encouraging the voters of El Cerrito to review the language and arguments concerning Measure H and thereafter cast their vote on Measure H at the June 3, 2014 statewide primary election.

**F. Proclamation Recognizing Officer Bailey Thepkaysone**

Approve a proclamation commending Officer Bailey Thepkaysone on the occasion of his recognition by the Exchange Club of Albany–El Cerrito as the Officer of the Year on May 28, 2014 and extending sincere appreciation to Officer Thepkaysone for his devotion to the mission, vision and values of the Police Department. He truly epitomizes community based policing in the City of El Cerrito.

**G. Jewish American Heritage Month Proclamation**

Approve a proclamation declaring May 2014 as Jewish American Heritage Month in the City of El Cerrito and calling upon all residents to celebrate Jewish Americans who have helped weave the fabric of not only American history, culture and society but also the City of El Cerrito and visit [www.JewishHeritageMonth.gov](http://www.JewishHeritageMonth.gov) to learn more about the heritage and contributions of Jewish Americans and to observe this month, the theme of which is healing the world, with solemn remembrance, appropriate programs, activities and ceremonies.

**H. Asian American Pacific Islander Month Proclamation**

Approve a proclamation declaring May 2014 as Asian American and Pacific Islander Heritage Month in the City of El Cerrito and inviting everyone to reflect on the notable accomplishments and outstanding services provided by Asian Americans and Pacific Islanders to the Nation, California and the City of El Cerrito.

**I. June 2014 City Council Meeting Schedule**

The City Council will meet on Monday, June 2, 2014. Approve a recommendation confirming an additional special meeting on Monday, June 9, 2014 and rescheduling the June 17, 2014 regular City Council meeting to Monday, June 23 and reserve Tuesday, June 24 and Monday, June 30 for additional consideration of the budget and other city business as necessary.

**6. PUBLIC HEARINGS**

**A. Confirm the Diagram and Levy the Assessment for FY 2014-15 Landscape and Lighting Assessment District No. 1988-1**

Conduct a public hearing and upon conclusion adopt a resolution setting the annual Landscape and Lighting Assessment for Fiscal Year 2014-15 as \$72 per residential parcel and as noted in the Engineer's Report for other classes of properties.

**B. Fiscal Year 2014-15 Storm Drain Annual Report and Method of Collecting Storm Drain Fees**

Conduct a public hearing and upon conclusion adopt a resolution approving the Fiscal Year 2014-15 Storm Drain Annual Report and directing that Storm Drain Fees be collected on the property tax rolls.

**7. POLICY MATTERS**

**A. Smoking Pollution Protection Ordinance Study Session**

Receive a presentation regarding secondhand smoke and pollution associated with smoking. Discuss community outreach and engagement, options for restricting smoking in public places, commercial areas and multi-family housing, tobacco sales and possible preparation of an ordinance for the City Council's consideration.

**B. City Council Wall of Fame Nomination Subcommittee Recommendation**

Approve the City Council Wall of Fame Nomination Subcommittee's recommendation to induct Tom Panas into the El Cerrito Wall of Fame and direct the City Clerk to return to the City Council with a resolution confirming the appointment and schedule the formal induction ceremony in either July or August 2014 pending the availability of all parties involved.

**8. COUNCIL LOCAL AND REGIONAL LIAISON ASSIGNMENT REPORTS**

Mayoral and City Council communications regarding local and regional liaison assignments and committee reports. *(Held over from the May 6, 2014 City Council meeting.)*

**9. ADJOURN REGULAR CITY COUNCIL MEETING**

The next City Council meeting is Monday, June 2, 2014 at 7:00 p.m. at City Hall, 10890 San Pablo Avenue, El Cerrito, California.

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

- Council Meetings can be heard live on FM Radio, KECG – 88.1 and 97.7 FM and viewed live on Cable TV - KCRT-Channel 28 and AT&T Uverse Channel 99. The meetings are rebroadcast on Channel 28 the following Thursday and Monday at 12 noon, except on holidays. Live and On-Demand Webcast of the Council Meetings can be accessed from the City's website <http://www.el-cerrito.org/ind-ex.aspx?NID=114>. Copies of the agenda bills and other written documentation relating to items of business referred to on the agenda are on file and available for public inspection in the Office of the City Clerk, at the El Cerrito Library and posted on the City's website at [www.el-cerrito.org](http://www.el-cerrito.org) prior to the meeting.
- In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk, (510) 215-4305. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title I).
- ***The Deadline for agenda items and communications*** is eight days prior to the next meeting by 12 noon, City Clerk's Office, 10890 San Pablo Avenue, El Cerrito, CA. Tel: 215-4305 Fax: 215-4379, email [cmorse@ci.el-cerrito.ca.us](mailto:cmorse@ci.el-cerrito.ca.us)
- IF YOU CHALLENGE A DECISION OF THE CITY COUNCIL IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE COUNCIL MEETING. ACTIONS CHALLENGING CITY COUNCIL DECISIONS SHALL BE SUBJECT TO THE TIME LIMITATIONS CONTAINED IN CODE OF CIVIL PROCEDURE SECTION 1094.6.
- The City Council believes that late night meetings deter public participation, can affect the Council's decision-making ability, and can be a burden to staff. City Council Meetings shall be adjourned by 10:30 p.m., unless extended to a specific time determined by a majority of the Council.