



## AGENDA

**REGULAR CITY COUNCIL MEETING**  
**Tuesday, July 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

### **7:00 PM ROLL CALL – CONVENE REGULAR CITY COUNCIL MEETING**

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

**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. Approval of Minutes**

**Action Proposed:** Pass a motion to approve the minutes for the meetings of May 21, June 4, and June 18, 2019.

**Contact:** Holly M. Charl  y, City Clerk, City Management

**B. Certificate of Sufficiency for Referendum Petition Regarding Just Cause Ordinance**

**Action Proposed:** Accept the City Clerk’s Certificate of Petition, certifying the sufficiency of the referendum petition on Ordinance 2019-04 related to Just Cause for Eviction and Prohibition of Harassment of Tenants.

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

**C. Ordinance to Amend Chapter 13.28 of the El Cerrito Municipal Code, Trees and Shrubs** *Notice published 6/8/2019, 1<sup>st</sup> Reading 6/18/2019*

**Action Proposed:** Pass a motion to waive the second reading and adopt Ordinance 2019-05 Amend Chapter 13.28 of the El Cerrito Municipal Code, Trees and Shrubs.

**Contact:** Will Provost, Public Works Analyst; Stephen Prée, Environmental Programs Manager/City Arborist; Maria Sanders, Operations + Environmental Services Division Manager; Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department

**D. Authorize Strategic Economics to Examine Sales and Use Tax Records for El Cerrito Businesses in Support of the San Pablo Avenue Specific Plan Update**

**Action Proposed:** Adopt a resolution authorizing Strategic Economics to examine sales and use tax records for El Cerrito businesses.

**Contact:** Melanie Mintz, Community Development Director, Community Development Department

**E. Parking Modifications at Harding Elementary School**

**Action Proposed:** Approve a resolution authorizing the Public Works Director/City Engineer to remove existing forty (40) feet and eighty-five (85) feet of green curb markings on Ashbury Avenue in front of Harding Elementary School, between Fairmount Avenue and “C” street as shown in Exhibit A.

**Contact:** Ana Bernardes, Engineering Manager/Senior Engineer; Yvetteh Ortiz, Public Works Director/City Engineer, Public Works Department

**F. Eureka Avenue and Lexington Avenue Street Improvements Project, City Project No. C3078**

**Action Proposed:** Adopt a resolution to reject the sole bid submitted for the Eureka Avenue and Lexington Avenue Street Improvements Project, City Project No. C3078 (Project); and authorizing City staff to amend the scope of the Project, as necessary, and rebid the Project.

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

**G. Approval of the Third Amendment to the Agreement for Services between the Kensington Fire Protection District and the City of El Cerrito and Authorize the Execution of a Memorandum of Understanding for Administrative Services**

**Action Proposed:** Adopt a Resolution approving the Third Amendment to the Agreement for Services between the Kensington Fire Protection District and the City of El Cerrito, and authorize the City Manager to execute a Memorandum of Understanding (MOU) with the Kensington Fire Protection District to provide administrative services to the City.

**Contact:** Michael Pigoni, Fire Chief, Fire Department; Karen Pinkos, City Manager, City Management

**5. PRESENTATIONS**

**A. Annual Sundar Shadi Garden Club Awards**

**Action Proposed:** Receive and file acknowledgement of contest winners and presentation of awards.

**Contact:** Landry Wildwind, Committee Chair, Sundar Shadi Garden Club

**B. PG&E Community Wildfire Safety Program**

**Action Proposed:** Receive and file

**Contact:** Pamela Perdue & Treva Reid, Pacific Gas and Electric Company

**6. PUBLIC HEARINGS**

**A. Civic Center Utility Underground District** *Notice published 7/06/2019, Exempt from CEQA (CEQA Guidelines §15308)*

**Action Proposed:** Conduct a public hearing and upon conclusion adopt a resolution establishing the Civic Center Utility Underground District.

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

**B. Public Hearing for Fire Hazard Abatement** *Notice published 7/06/2019, Exempt from CEQA (CEQA Guidelines §15304, 15308)*

**Action Proposed:** 1) Adopt a resolution declaring weeds, rubbish, litter, or other flammable material on certain real property identified in the resolution constitutes a public nuisance; and 2) Conduct a public hearing and upon conclusion, adopt a resolution overriding objections by property owners and ordering the City Manager or his designee to abate certain public nuisances pursuant to El Cerrito Municipal Code Chapter 16.26.

**Contact:** David R. Gibson, Fire Marshal; Michael Pigoni, Fire Chief, Fire Department

- C. **Call and request services for a November 5, 2019 special election to submit to voters a measure related to renew the Measure A special tax to fund the preservation, maintenance and enhancement of parks and recreation facilities.** *Notice published 7/06/2019, Exempt from CEQA (CEQA Guidelines §15308)*

**Action Proposed:** Adopt a resolution to call for a special election to be held on Tuesday, November 5, 2019; to request the Contra Costa County Board of Supervisors consent and direct the Registrar of Voters to provide specified services to the City related to the conduct of the election; to submit to the voters of El Cerrito a measure to renew the Measure A special tax to fund parks and recreation facilities maintenance and enhancement, as described in the Parks and Recreation Facilities Master Plan; to direct the city attorney to prepare an impartial analysis of the measure; and to establish deadlines for arguments and rebuttals.

**Contact:** Karen Pinkos, City Manager, City Management; Chris Jones, Recreation Director, Recreation Department; Holly M. Charléty, City Clerk, City Management

7. **POLICY MATTERS**

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, August 20, 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](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: 510-215-4305 email [cityclerk@ci.el-cerrito.ca.us](mailto: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.