

SPEAKER CARDS: If you would like to speak during the public forum or on an item listed on the agenda, you are invited to submit a speaker card to the City Clerk. You will be permitted to speak even if you elect not to submit a speaker card or decline to provide information requested on the card. After the City Council has heard from everyone who submitted speaker cards, anyone electing not to submit a speaker card may form a line at the lectern. Public comment is generally limited to 3 minutes per speaker per agenda item.

ORINDA LIBRARY AUDITORIUM	 The logo for the City of Orinda, featuring a stylized landscape with rolling hills in shades of gray above a dark horizontal band. The word "ORINDA" is written in large, white, sans-serif capital letters across the dark band.	26 ORINDA WAY ORINDA, CA 94563 (925) 253-4200
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**CITY COUNCIL
AGENDA
Tuesday, May 16, 2017
7:00 PM - REGULAR MEETING**

6 PM - CLOSED SESSION - GARDEN ROOM

A. CLOSED SESSION

- (1) OPEN SESSION IDENTIFICATION of Closed Session Matters
- (2) PUBLIC COMMENTS of Closed Session Matters
- (3) CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6, conference with the City's designated labor negotiators, Steve Salomon (Interim City Manager), Bruce Heid (IEDA) and Pamela Foster (Human Resources Manager), to review the City's position and instruct the City's designated representatives regarding negotiations with the City's employees represented by Teamsters Local Union No. 856 as well as the City's unrepresented management employees.

CONFERENCE WITH LEGAL COUNSEL-POTENTIAL LITIGATION

Pursuant to Government Code Section 54956.9(d)(2), conference with legal counsel regarding significant exposure to litigation (one potential case).

A. CALL TO ORDER / ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. CLOSED SESSION REPORT

D. ADOPTION OF AGENDA

The City Council may take action on any item listed on the agenda.

E. ITEMS FOR THE GOOD OF THE CITY

E.1 Proclamation recognizing Susan Mahoney for her service to the City of Orinda

E.2 Proclamation declaring May 21st-27th as Emergency Medical Services Week

E.3 Recognizing Bike Orinda on Bike to Work Day

F. PUBLIC FORUM

The public forum provides an opportunity for members of the public to speak on any item within the jurisdiction of the City Council that is not on the agenda. Additionally, a speaker has the option of addressing the Council on an item listed on the agenda, if the speaker will not be present when that agenda item is taken up. When an item is not listed on the agenda, State law prohibits Council discussion or action. Councilmembers may only “briefly respond” to statements made and questions posed. For example, State law allows Councilmembers to ask questions for clarification and provide a reference to staff or other resources for factual information. Additionally, consistent with the “Matters Initiated” rule contained in its Policies and Procedures Manual, the Council may also direct staff to report back and/or place a matter on a future agenda for discussion.

G. CONSENT CALENDAR

G.1. City Council Minutes

Recommendation:

Approve City Council Minutes of:

- a. April 11, 2017 (Joint Meeting with Planning Commission)
- b. April 11, 2017 (Regular Meeting)
- c. April 18, 2017
- d. April 26, 2017

G.2. Authorize Real Property Services Agreement with Contra Costa County

Recommendation:

Staff recommends that the City Council approve the Real Property Services Agreement with Contra Costa County, and authorize the City Manager and City Clerk to execute the agreement on behalf of the City, subject to approval as to form by the City Attorney.

G.3. Authorize Contract Amendment No. 2 (Between the City of Orinda and Drake Haglan & Associates, Inc.) for On-Call Structural Engineering Services.

Recommendation:

Staff recommends that the City Council review Contract Amendment No. 2 (between the City of Orinda and Drake Haglan & Associates, Inc.) to increase the contract limit by an additional \$125,000 to a new total contract amount of \$150,000; and authorize the City Manager and City Clerk to execute the contract amendment (Attachment 1) on behalf of the City, subject to approval as to form by the City Attorney.

G.4. Authorize Contract Amendment No. 1 (Between the City of Orinda and Vali Cooper & Associates, Inc.) for On-Call Civil Engineering (Staff Augmentation) Services.

Recommendation:

Staff recommends that the City Council review Contract Amendment No. 1 (between the City of Orinda and Vali Cooper & Associates, Inc.) to increase the contract limit by an additional \$160,000 to a new total contract amount of \$250,000; and authorize the City Manager and City Clerk to execute the contract amendment (Attachment 1) on behalf of the City, subject to approval as to form by the City Attorney.

G.5. Park & Recreation Commission Vacancies

Recommendation:

Appoint Tara L. Presnell to the Parks & Recreation

G.6. Adoption of a Policy for the Display of Banners on City Poles in the Downtown

Recommendation:

Staff recommends that the City Council approve Resolution No. 49-17 Adopting a Policy for the Display of Banners on City Poles in the City of Orinda.

H. PUBLIC HEARING

I. POLICY MATTERS

I.1. Continued Update of the Repair and Restoration of the Sinkhole Located Generally in the Vicinity of Miner Road and Camino Lenada, and Adopt Resolution 38-17, Reaffirming Emergency Findings of January 17, 2017 and Finding Impending Peril of Gradual Earth Movement and Determining and Undertaking Appropriate Action to Abate Such Peril on Miner Road Near Camino Lenada.

Recommendation:

Continued Update of the Repair and Restoration of the Sinkhole Located Generally in the Vicinity of Miner Road and Camino Lenada, and Adopt Resolution 38-17, Reaffirming Emergency Findings of January 17, 2017 and Finding Impending Peril of Gradual Earth Movement and Determining and Undertaking Appropriate Action to Abate Such Peril on Miner Road Near Camino Lenada.

I.2. Fiscal Years 2018 and 2019 Biennial Operating and Capital Improvement Plan Budgets

Recommendation:

Adopt Resolution No. 51-17 adopting the Fiscal Year 2018 and 2019 Biennial Operating Budget and Resolution No. 50-17 adopting the Capital Improvement Plan Budget

J. COUNCILMEMBERS' REPORTS

K. CITY MANAGER'S REPORT

L. MATTERS INITIATED

M. ADJOURNMENT

The next Regular meeting of the Orinda City Council will be held on Tuesday, June 06, 2017.at 7:00 PM.

Please visit the City's website at www.cityoforinda.org to view the City Council Calendar.

I, Sheri Marie Spediacci, City Clerk, declare under penalty of perjury under the laws of the State of California that this regular meeting agenda has been posted at least 72 hours in advance at the Orinda City Hall, 22 Orinda Way and the Orinda Library, 26 Orinda Way. Additional copies are available at the Orinda Library, 26 Orinda Way, and at the City's website at www.cityoforinda.org

~ Notice ~

There is a 90-day limit for the filing of a challenge in the Superior Court to certain City administrative decisions and orders, which require a hearing by law, the receipt of evidence and the exercise of discretion. The 90-day limit begins on the date the decision is final (Code of Civil Procedure §1094.6). Further, if you challenge an action taken by the City Council in court, you may be limited by California law, including but not limited to Government Code §65009, to raising only those issues you or someone else raised in the public hearing, or in written correspondence delivered to the City Council prior to or at the public hearing. The City Council may be requested to reconsider a decision if the request is made prior to the next City Council meeting, regardless of whether it is a regular or special meeting. For information on the next regular or special

City Council meeting, please call 925.253.4221 or visit the website at www.cityoforinda.org.

~ Accessible Public Meetings ~

The City of Orinda will provide special assistance for disabled citizens to participate in public meetings upon advance notice. If you need auxiliary hearing aid or sign language assistance at least two (2) working days advanced notice is necessary. Please contact the City Clerk's Office, 22 Orinda Way, Orinda, Ca 94563 or 925.253.4221 or sspediacci@cityoforinda.org with the following information: name, mailing address, phone number and type of assistance requested.