

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		26 ORINDA WAY ORINDA, CA 94563 (925) 253-4200
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**CITY COUNCIL
AGENDA
Tuesday, July 18, 2017**

**5:30 PM – SPECIAL MEETING
7:00 PM - REGULAR MEETING**

5:30 PM – SPECIAL SESSION – GARDEN ROOM, ORINDA LIBRARY

A. 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.

CONFERENCE WITH LEGAL COUNSEL-- LIABILITY CLAIMS Pursuant to Government Code Section 54956.95, conference with legal counsel related to the following claims received by the City of Orinda pursuant to the Government Claims Act related to February 7, 2017 flooding near Miner Road and Camino Lenada, which claims will be made available for public inspection upon request pursuant to Government Code Section 54957.5:

1. Claim received February 13, 2017 from claimants Jana and Darryl Rains
2. Claim received March 7, 2017 from claimant AMICA Mutual Insurance Company on behalf of Jana and Darryl Rains
3. Claim received March 31, 2017 from claimants Fred & Amina Bret-Mounet

4. Claim received March 31, 2017 from claimant Robert Thurston

CONFERENCE WITH LEGAL COUNSEL-- POTENTIAL LITIGATION.

Pursuant to Government Code Section 54956.9(d)(2) conference with legal counsel regarding significant exposure to litigation related to flooding and sink hole near Miner Road and Camino Lenada in the City of Orinda. Related claims received listed above. (4 potential cases)

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8, conference with Real Property Negotiators. Property: approximately 635 square foot retail space located in the Orinda Library Building at 26 Orinda Way, currently occupied by Caffe Teatro. Agency negotiators: Steve Salomon (Interim City Manager), Todd Trimble (Director of Parks and Recreation) and Osa Wolff (City Attorney). Negotiating parties: City of Orinda and So Jin Kim, current lessee. Under negotiation: Price and terms of possible lease agreement extension/renewal.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8, conference with Real Property Negotiators. Property: approximately 359 square foot space located in the Orinda Library Building at 26 Orinda Way, currently occupied by the Orinda Association. Agency negotiators: Steve Salomon (Interim City Manager), Todd Trimble (Director of Parks and Recreation) and Osa Wolff (City Attorney). Negotiating parties: City of Orinda and the Orinda Association, current lessee. Under negotiation: Price and terms of possible lease agreement extension/renewal.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8, conference with Real Property Negotiators. Property: approximately 593 square foot space located in the Orinda Library Building at 26 Orinda Way, currently occupied by the Orinda Historical Society. Agency negotiators: Steve Salomon (Interim City Manager), Todd Trimble (Director of Parks and Recreation) and Osa Wolff (City Attorney). Negotiating parties: City of Orinda and the Orinda Historical Society, current lessee. Under negotiation: Price and terms of possible lease agreement extension/renewal.

PUBLIC EMPLOYEE APPOINTMENT:

Pursuant to Government Code Section 54957(b), consider the qualifications of candidates for the position of City Manager.

CONFERENCE WITH LABOR NEGOTIATORS:

Pursuant to Government Code Section 54957.6, conference with the City's designated labor negotiators: Steve Salomon (Interim City Manager) and Pam Foster (Human Resources Manager) to instruct them regarding negotiations related to the City Manager position.

7:00 PM – REGULAR SESSION – LIBRARY AUDITORIUM

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 Miner Road Sinkhole Repair Team

E.2. East Bay Municipal Utilities District Presentation - Marguerite Young, Ward 3 Director

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. July 5, 2017

G.2. Adoption of Resolution 63-17 Denying a Commercial Use Permit 2017-002 for a Retail Banking Use (Chase Bank) in a 3,000 Square Foot Space on the Ground Floor of an Approved 18,100 Square-Foot Mixed-Use Development Project, with Frontage Facing Orinda Way.

Recommendation:

Staff recommends the City Council adopt the draft resolution to deny the project.

H. PUBLIC HEARING

H.1. Consideration of an Ordinance to Regulate Accessory Dwelling Units in Accordance with Changes to State Law

Recommendation:

Staff recommends that the City Council introduce the proposed ordinance and providing direction to staff regarding any desired changes.

H.2. The City Council will hold a public hearing to consider adoption of an ordinance relating to the City's regulation of short-term rentals (STRs)

Recommendation:

Staff recommends that the City Council introduce the proposed ordinance and providing direction to staff regarding any desired changes.

I. POLICY MATTERS

I.1. Formation of a Council Ad-Hoc Subcommittee on East Bay Municipal Utility Districts' Water Quality Reports

Recommendation:

Consider formation of a Council Ad-Hoc Subcommittee to review EBMUD Water Quality Reports and select two Councilmembers to serve on that Subcommittee.

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, August 01, 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 special meeting agenda has been posted at least 24 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. At least 24 hours in advance of the meeting, this agenda was also delivered to and received by each member of the City Council as well as each local newspaper, radio station and television station requesting written notice of special meetings.

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.