

EL CERRITO CITY COUNCIL

MINUTES

SPECIAL CITY COUNCIL MEETING – CLOSED SESSION

Tuesday, May 15, 2012 – 6:30 p.m.

Hillside Conference Room

CITY COUNCIL MEETING

Tuesday, May 15, 2012 – 7:00 p.m.

City Council Chambers

Meeting Location

El Cerrito City Hall

10890 San Pablo Avenue, El Cerrito

Bill Jones – Mayor

Mayor Pro Tem Greg Lyman
Councilmember Rebecca Benassini

Councilmember Ann Cheng
Councilmember Janet Abelson

6:30 p.m. ROLL CALL

Councilmembers Abelson, Benassini, Cheng, Lyman and Mayor Jones all present.

CONVENE SPECIAL CITY COUNCIL MEETING – CLOSED SESSION

Mayor Jones convened the Special City Council Meeting – Closed Session at 6:34 p.m.

ANNOUNCEMENT OF CLOSED SESSION

Conference with Labor Negotiators (*Pursuant to Government Code Section 54957.6*)

Agency designated representatives: Scott Hanin, City Manager, Sky Woodruff, City Attorney, Glenn Berkheimer, IEDA, Sukari Beshears, Employee Services Manager

Employee organizations: Service Employees International Union, Local 1021

Unrepresented Employees

Police Employees Association

International Association of Firefighters, Local 1230

Public Safety Management Group

ORAL COMMUNICATIONS FROM THE PUBLIC – No speakers.

RECESSED INTO CLOSED SESSION at 6:35 p.m.

POSSIBLE REPORT OUT OF CLOSED SESSION

ADJOURNED SPECIAL CITY COUNCIL MEETING – CLOSED SESSION at 7:02

p.m.

ROLL CALL

Councilmembers Abelson, Benassini, Cheng, Lyman and Mayor Jones all present.

7:00 p.m.

CONVENE CITY COUNCIL MEETING

Mayor Jones convened the City Council Meeting at 7:08 p.m.

1. **PLEDGE OF ALLEGIANCE TO THE FLAG** was led by Councilmember Benassini
2. **COUNCIL / STAFF COMMUNICATIONS**

Mayor Pro Tem Jones reported that City Council had just met in closed session under Government Code Section 54957.6 to receive an update on labor negotiations and provided direction to staff.

Councilmember Abelson announced that a clean- up of Central and Creekside Parks will occur on May 20.

Councilmember Benassini thanked Councilmember Cheng and all the organizers, staff and volunteers who worked on Bike to Work Day and expressed her appreciation for the Ohlone Greenway. Councilmember Benassini stated that she is looking forward to the completion of the BART safety upgrades and having the Ohlone Greenway open again.

Councilmember Cheng also expressed her appreciation for all who came out to support Bike to Work Day and noted the uniqueness of the motion triggered bike photo booth.

Mayor Jones noted Councilmember Cheng's participation in a West Contra Costa Iron Chef event involving a small business kitchen incubator in Pinole.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Lawrence Radcliffe, El Cerrito, provided comments on Consent Calendar Item No. 5(C) regarding the City Council's proposed Opposition to Assembly Bill 2200. Mr. Radcliffe stated that he commutes to Pinole on I-80 every day. The High-Occupancy-Vehicle (HOV) lane is underutilized in the non-commute direction. Mr. Radcliffe stated that using the HOV lane would be safer because of all the trucks that use I-80 and that it would not impact busses.

4. PRESENTATIONS

Update on Business Recruitment and Attraction Activities – Dwayne Dalman, Economic Development Specialist.

Action: Presentation heard.

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

Moved, seconded (Abelson/Lyman) and carried to approve Consent Calendar Item Nos. 5A through 5D in one motion as indicated below.

A. Minutes for Approval

Approve the May 1, 2012 City Council Special Meeting – Closed Session and City Council Regular meeting minutes.

Action: Approved minutes.

B. Proclamation Commemorating the Dedication of the Blue Star By-Ways Monument in Richmond

City Council of the City of El Cerrito hereby recognizes the importance of the solemn dedication of the Blue Star Memorial By-Way Marker on May 28, 2012 on the occasion of Memorial Day in Richmond and encourages all residents to join in honoring and remembering all of our brave service men and women, past and currently serving and pay homage to those who made the ultimate sacrifice on the Country's behalf. May we also offer our best wishes to the families of military personnel and strive for a just and lasting peace in our world.

Action: Approved proclamation.

C. Opposition to the Passage of Assembly Bill 2200

At the request of Councilmember Abelson, adopt a resolution opposing the passage of Assembly Bill 2200 which proposes suspending the hours of operation for the I-80 high-occupancy vehicle lanes within the jurisdiction of the Metropolitan Transportation Commission in the "reverse commute direction," namely between 5:00 a.m. to 10:00 a.m. in the eastbound direction and between 3:00 p.m. to 7:00 p.m. in the westbound direction.

Action: Adopted Resolution No. 2012-30.

D. Committee on Aging Appointment

At the request of the Committee on Aging, approve a recommendation appointing Mr. Kim Marlia to the Committee on Aging.

Action: Approved recommendation.

6. PUBLIC HEARINGS

A. Confirming the Diagram and to Levy the Assessment for Fiscal Year 2012-13 for 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 2012-13 as \$72 per residential parcel and as noted in the Engineer's Report for other classes of properties.

Presenter: Mary Dodge, Administrative Services Director.

Mayor Jones opened the public hearing.

Speakers: No speakers.

Moved, seconded (Lyman/Benassini) and carried unanimously to close the public hearing.

Action: Moved, seconded (Benassini/Lyman) and carried unanimously to adopt Resolution No. 2012-30.

B. Confirming the Method of Collecting the Storm Drain Reconstruction Fees

Conduct a public hearing and upon conclusion adopt a resolution approving the Storm Drain Annual Report for Fiscal Year 2012-13 and directing that Storm Drain Fees be collected on the property tax rolls.

Presenter: Mary Dodge, Administrative Services Director.

Mayor Jones opened the public hearing.

Speakers: No speakers.

Moved, seconded (Benassini/Lyman) and carried unanimously to close the public hearing.

Action: Moved, seconded (Lyman/Abelson) and carried unanimously to adopt Resolution No. 2012–31.

C. Revision to Fiscal Year 2011–12 Master Fee Schedule for Selected Recreation Fees

Conduct a public hearing and upon conclusion, adopt a resolution approving a revision to the 2011–12 Master Fee Schedule for selected recreation fees in order to coincide with the summer season beginning June 1, 2012.

Presenter: Christopher Jones, Acting Recreation Director.

Moved, seconded (Benassini/Lyman) and carried unanimously to open the public hearing.

Speakers: No speakers.

Moved, seconded (Lyman/Abelson) and carried unanimously to close the public hearing.

Action: Moved, seconded (Cheng/Abelson) and carried unanimously to adopt Resolution No. 2012–32.

D. Master Fee Schedule Revision for Fiscal Year 2012-13

Conduct a public hearing and upon conclusion adopt a resolution approving a revised Master Fee Schedule for Fiscal Year 2012–13.

Presenter: Christopher Jones, Acting Recreation Director.

Mayor Jones opened the public hearing.

Speakers: No speakers.

Moved, seconded (Benassini/Abelson) and carried unanimously to close the public hearing.

Action: Moved, seconded (Abelson/Lyman) and carried unanimously to adopt Resolution No. 2012–33 as amended on the floor to delete a reference to a \$0.00 fee for photovoltaic system/solar panels on page 34 of Exhibit A to the resolution and change the \$350.00 fee for solar panels as indicated on page 34 in Exhibit A to \$100.00.

7. POLICY MATTERS

Extension of Exclusive Negotiation Rights Agreement with Eden Housing

The City Council, acting as housing successor to the former Redevelopment Agency, adopt a resolution authorizing the City Manager to extend to June 8, 2013, the Exclusive Negotiating Rights Agreement (ENRA) with Eden Housing Inc. (Developer) for negotiation of a Disposition and Development Agreement of an affordable housing project (Project) at 10848-10860 San Pablo Avenue.

Presenter: Hilde Myall, Senior Housing Project Specialist and Woody Karp, Senior Project Developer, Eden Housing.

Speakers: Barbara Hill, El Cerrito, read a letter from Tom Panas, El Cerrito, which expressed disappointment with Eden Housing and encouraged the City Council to not approve the extension of the exclusive negotiation rights agreement with Eden Housing for the Tradeway site. Mr. Panas, in his letter, asked that the City Council use instead, the second-ranked developer, Mercy Housing California or another organization that responded to the City's Request for Proposal.

Action: Moved, seconded (Lyman/Abelson) and carried unanimously to adopt Resolution No. 2012-34.

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

- A. Mayor Jones reported that the Design Review Board is going forward with the Chipotle design and that everything looks favorable.
- B. Mayor Pro Tem Lyman – *No report.*
- C. Councilmember Abelson – *No report.*
- D. Councilmember Benassini reported that the Arts and Culture Commission will discuss and select artists for a new City Hall Gallery installation at its May 16, 2012 meeting.
- E. Councilmember Cheng – *No report.*

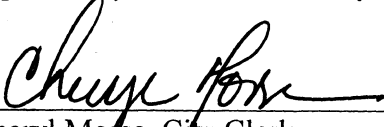
SUPPLEMENTAL COMMUNICATIONS

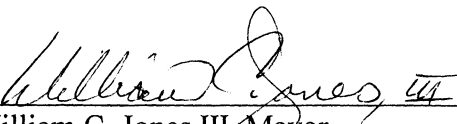
Item No. 7 Extension of Exclusive Negotiation Rights Agreement with Eden Housing

- 1. Written statement by Tom Panas and The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Restructuring Historic Buildings – *Submitted by Barbara Hill on behalf of Tom Panas.*

9. ADJOURNED CITY COUNCIL MEETING at 10:05 p.m. in memory of Henry Treadway.

THIS IS TO CERTIFY that the foregoing is a true and correct copy of the minutes of the Special City Council – Closed Session and City Council meetings of May 15, 2012 as approved by the El Cerrito City Council.


Cheryl Morse, City Clerk


William C. Jones III, Mayor