

EL CERRITO CITY COUNCIL EL CERRITO REDEVELOPMENT AGENCY

MINUTES

CONCURRENT EL CERRITO CITY COUNCIL AND REDEVELOPMENT AGENCY MEETING

Monday, September 19, 2011 – 7:30 p.m.

City Council Chambers

Meeting Location

El Cerrito City Hall

10890 San Pablo Avenue, El Cerrito

Ann Cheng – Mayor

Mayor Pro Tem Bill Jones
Councilmember Rebecca Benassini

Agency Chair/Councilmember Janet Abelson
Councilmember Greg Lyman

ROLL CALL

Councilmembers/Redevelopment Board Members Abelson (Agency Chair), Benassini, Jones, Lyman and Mayor Cheng all present.

7:30 p.m.

CONVENE CONCURRENT CITY COUNCIL / REDEVELOPMENT AGENCY MEETING

Mayor Cheng convened the Concurrent City Council / Redevelopment Agency meeting at 7:38 p.m.

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

Councilmember Abelson reported on her attendance at the *Taste of El Cerrito* event on September 17, 2011. The event featured entertainment by Nathaniel the Magician, opera, music and dinner. It was well attended and very fun. The event raises funds for the Chamber of Commerce and high school student scholarships. Councilmember Abelson also attended the 35th anniversary of Windrush School and the Mayors Healthy Cook-off Competition in Clayton. Councilmember Abelson presented a Certificate of Special Recognition from Congressman George Miller for the City's dedication to healthy living and a certificate received from Contra Costa County Supervisor Karen Mitchoff for the City's participation in the Mayor's Healthy Cook-Off. Councilmember Abelson announced the following upcoming events: 1) On September 24 there will be a meeting to explore the possibility of having a Community Garden in El Cerrito from 10:00 a.m. to noon; 2) The registration deadline for the October 15 Citywide Garage Sale is September 26; 3) On October 4, there will be a community meeting to discuss a proposal submitted by Eden Housing for a new affordable senior housing project in El Cerrito.

The project will be on the site of the old Tradeway building.

Councilmember Benassini noted that the *Taste of El Cerrito* event was excellent. Councilmember Benassini thanked staff for its work on the Alberrito Street Fair. It was a low-cost event enjoyed by many families and children in the streets that are normally overtaken by cars. Councilmember Benassini also reported on her attendance at an East Bay Municipal Utility District (EBMUD) luncheon. EBMUD Director Katz and his staff went over master planning for the water supply and discussed efforts made toward earthquake disaster preparation. EBMUD encourages residents to keep a 3-7 day water supply on hand. On September 20 at City Hall from 10:00 a.m. to 12:00 p.m. the City is offering a work session on food-ware for businesses and interested residents who are interested in options for restaurant take-out containers.

Mayor Pro Tem Jones attended the Youth Soccer/El Cerrito Futbol event. Over 600 youth and over 200 volunteers are in this program. The program is in full swing and is a very good program. Mayor Pro Tem Jones also commented on the Contra Costa County Mayors Conference which was hosted by the City on September 1. Mayor Pro Tem Jones received many positive comments from the attendees. The weather cooperated with good views of the Bay. The Alberrito Fair was great because El Cerrito and Albany worked together. Mayor Pro Tem Jones also reported that he attended the swearing in of new and promoted police officers and commented on the experience and quality of all officers. The City is holding to its promise that it will keep public safety services as close to normal staffing levels as possible as a result of the Measure R sales tax. The Police Department was also acknowledged for responding to a failed bank robbery in Pinole. This is a good example of how cities work together. Additionally, the School District is working hard to retire its debt to the State ahead of time which means more resources will go back into the District and school operations. The League of California Cities Conference is in San Francisco this year. Mayor Pro Tem Jones, Councilmember Abelson and Mayor Cheng will attend to receive important updates on many state issues such as redevelopment.

Councilmember Lyman thanked staff for their participation in Tri-Safety Day. The event was enjoyed by both adults and children. September 14 started the opening of the new art exhibit in the City Hall Art Gallery space upstairs. The 10th Biennial State of the Estuary Conference is on September 20-21 in Oakland. The Conference will talk about many things including water quality and biology of the San Francisco Bay. Councilmember Lyman encouraged everyone to go online and look at the agenda. On September 23, the Freedom for Performance Art Center is having an event at 10016 San Pablo Avenue at 3:00 p.m. More information is available at weperform.org. On September 26 the Recreation Department is hosting the Annual Dynamo Golf Open which funds the David Hunter Memorial Youth Scholarship Fund.

Mayor Cheng reported that the Alberrito Fair was a great success. The Fair created a three acre park for a short period of time. Mayor Cheng also noted that she attended the Contra Costa Mayors Conference. The meeting was attended by mayors from each of the nineteen cities in the County. The event showcased our great city and projects implemented with grant funding. The Public Works Department was acknowledged for the infrastructure reset work that is occurring near Harding School. Mayor Cheng concluded by stating that she will be attending the League's Annual Conference for the first time. Councilmembers from cities all over the state will be converging on San Francisco.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Al Miller, El Cerrito, spoke in support of Agenda Item 5(I) Mayors for Peace and the Campaign against Nuclear Weapons. Mr. Miller urged sending the letter to Congressman Garamendi and Senators Boxer and Feinstein. Mr. Miller also announced the upcoming vacancy on the Stege Board of Directors on September 30. Applications are due October 19 and selection will be made by November 17. Residents of El Cerrito, Kensington and Richmond are encouraged to apply. More information is available by calling 524-4648.

4. PRESENTATION

A. Falls Prevention Proclamation

Approve and present a proclamation proclaiming the week of September 18-24, 2011, as "Fall Prevention Awareness Week" in the City of El Cerrito and calling upon all residents and interested groups to observe the week with appropriate activities that promote awareness of fall prevention.

Action: Moved, seconded (Lyman/Benassini) and carried unanimously to approve a revised Falls Prevention Proclamation. Mayor Cheng presented the Proclamation to Joanne Leibe, American Medical Response.

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

Moved, seconded (Lyman/Abelson) and carried unanimously to adopt Consent Calendar Item Nos. 5A, 5B, 5C, 5E, 5G, 5H and 5I in one motion as indicated below. Consent Calendar Item Nos. 5D and 5F were removed from the Consent Calendar and voted on by separate motion as indicated below.

A. Minutes for Approval

Approve the August 15, 2011 Concurrent City Council and Redevelopment Agency meeting minutes.

Action: Approved minutes.

B. Contract Amendment with Hinderliter, de Llamas & Associates for Measure R Sales, Use and Transactions Tax Audit and Information Services

Adopt a resolution authorizing the City Manager to execute a contract amendment with Hinderliter, de Llamas and Associates (HdL) for Sales, Use and Transaction Tax Audit and Information Services and designating HdL for examination of the State Board of Equalization confidential sales, use and transaction tax records.

Action: Adopted Resolution No. 2011-64.

C. Approve Use of a Design-Build Project Delivery Method for the Purpose of Procuring Solar Power for Municipal Buildings

Adopt a resolution approving the use of a design-build project delivery method as authorized by California Public Contract Code Section 20175.2 for the purpose of jointly procuring solar power for municipal buildings in four cities.

Action: Adopted Resolution No. 2011-65.

D. Co-Sponsorship of El Cerrito High School Archiving Project Application

Adopt a resolution authorizing the Acting Recreation Director to grant co-sponsorship rates for a fundraising event at the El Cerrito Community Center on October 8, 2011 for the El Cerrito High School Archiving project.

Action: Removed from the Consent Calendar at the request of Councilmember Abelson. Councilmember recused herself from this item because she is a member of the group asking for a co-sponsorship. Moved, seconded (Lyman/Benassini: Ayes – Councilmembers Benassini, Jones, Lyman and Mayor Cheng; Noes – None; Abstain – None; Absent – Abelson) and carried to adopt Resolution No. 2011–66.

E. Co-Sponsorship of El Cerrito Emergency Preparedness Network Application

Adopt a resolution authorizing the Acting Recreation Director to grant free use of facilities for the El Cerrito Emergency Preparedness Network monthly meetings.

Action: Adopted Resolution No. 2011–67.

F. Regional Approach for Development and Potential Implementation of a Single-Use Bag Ordinance

Adopt a resolution demonstrating the City Council's support of a regional approach to the development and potential implementation of a single-use bag ordinance, and authorizing the City Manager or his designee to coordinate with RecycleMore and/or the Contra Costa Clean Water Program as one or both regional approaches are developed.

Action: Removed from the Consent Calendar at the request of Mayor Pro Tem Jones. Moved, seconded (Jones/Lyman) and carried to adopt Resolution No. 2011–68.

G. Central Avenue and Liberty Street Streetscape Improvements Project – Execute a Professional Services Agreement with BKF Engineers

Adopt a resolution authorizing the City Manager to execute a professional services agreement with BKF Engineers for an amount not to exceed \$110,151 for the Central Avenue and Liberty Street Streetscape Improvements Project to provide engineering and design services, and to approve potential change orders in an amount not to exceed \$12,000.

Action: Adopted Resolution No. 2011–69.

H. State Highways Maintenance Agreement Amendment

Adopt a resolution authorizing the City Manager to execute Amendment No. 2 to the Agreement for Maintenance of State Highways in the City of El Cerrito.

Action: Adopted Resolution No. 2011–70.

I. Endorse Mayors for Peace

At the request of Mayor Cheng, authorize the Mayor to register the City's support for the abolition of nuclear weapons, join Mayors for Peace and support the Mayors for Peace Campaign.

Action: Approved recommendation.

6. PUBLIC HEARINGS – None

7. POLICY MATTERS

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY ITEM

A. Potential Dissolution of the El Cerrito Redevelopment Agency, Participation in the Voluntary Redevelopment Program, and Necessary and Contingent Actions

Staff requests the following actions of members of the Redevelopment Agency Board and the City Council:

1. Adopt a City Council resolution expressing non-binding intent to participate in the State's Redevelopment Voluntary Payment Plan;
2. Introduce by title and waive any further reading of an ordinance of the City Council conditionally electing and implementing participation by the City and the Agency in the State's Alternate Voluntary Redevelopment Program;
3. Adopt a City Council resolution approving and authorizing execution of a Redevelopment Agency Transfer Payment Agreement between the City and Agency; and
4. Adopt a Redevelopment Agency resolution approving and authorizing execution of a Redevelopment Agency Transfer Payment Agreement between the City and Agency.

Presenter: Lori Treviño, Redevelopment Manager.

Speakers: Linda Moss, El Cerrito, read a statement on behalf of Dave Weinstein, Chair of the Friends of the Cerrito Theater. The Friends of the Cerrito Theater expressed appreciation for the Redevelopment Agency and its use of redevelopment financing to purchase and resurrect the historic Cerrito Theater. Revival of the Theater has helped spur economic growth of a burgeoning entertainment district and helped improve the quality of life for people in the City. The Friends of the Cerrito Theater has not analyzed the costs of paying the opt-in ransom payment to the State or redevelopment itself but noted the success of the Cerrito Theater in creating a lively entrance to the City. The San Pablo Avenue Streetscape improvements have turned a once ugly strip of highway into a truly attractive thoroughfare. Redevelopment's focus on creating affordable and senior housing is crucial to El Cerrito and the Bay Area.

Action: Moved, seconded (Lyman/Benassini) and carried unanimously to adopt City Council Resolution No. 2011-71 expressing non-binding intent pursuant to Health and Safety Code Section 34193(b) to express its intent to adopt an ordinance to elect and implement participation in the Redevelopment Voluntary Payment Plan pursuant to Part 1.9 of the California Community Redevelopment Law.

Moved, seconded (Benassini/Jones) and carried unanimously to introduce by title and waive first reading of an ordinance of the City Council conditionally enacted pursuant to Health and Safety Code Section 34193 to elect and implement participation by the City of El Cerrito and the El Cerrito Redevelopment Agency in the Alternative Voluntary Redevelopment Program pursuant to Part 1.9 of the California Community Redevelopment Law.

Moved, seconded (Abelson/Benassini) and carried unanimously to adopt City Council Resolution No. 2011-72 approving and authorizing the execution of a Redevelopment Agency Transfer Payment Agreement with the El Cerrito Redevelopment Agency pursuant to Part 1.9 of the Redevelopment Law.

Moved, seconded (Lyman/Jones) and carried unanimously to adopt Redevelopment Agency Resolution No. 617 approving and authorizing the execution of a Redevelopment Agency Transfer Payment Agreement with the City of El Cerrito pursuant to Part 1.9 of the Redevelopment Law.

CITY COUNCIL ITEMS**B. Contra Costa County Clean Water Funding Initiative**

Receive a presentation from Jerry Bradshaw, Public Works Director, regarding the status of the Contra Costa County Clean Water Funding Initiative.

Presenter: Jerry Bradshaw, Public Works Director.

Action: Presentation heard and discussion held.

C. Tax Anticipation Note

Adopt a resolution authorizing the City Manager to enter into an agreement with Brandis Tallman for the issuance of \$3,510,000 in Tax Revenue Anticipation Notes (TAN), including issuance costs, and to appropriate \$17,000 for costs associated with the TAN.

Presenter: Mary Dodge, Administrative Services Director.

Action: Moved, seconded (Abelson/Lyman) and carried unanimously to adopt Resolution No. 2011-73.

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

A. Mayor Cheng reported that Arts and Culture Commission will meet to receive a new conceptual design for the streetscape public art project. On October 15, the Commission will sponsor a *Do it Yourself Art Festival* at the Community Center from 2:30-5 p.m. and encourage people to make their own art. The Human Relations Commission (HRC) met recently to discuss planning for the Martin Luther King, Jr. Day Celebration and recognition of Ernest Iyama, a fifty year resident of El Cerrito who was active in the Japanese-American Civil Rights Movement. The HRC is also exploring an initial proposal to provide a \$250 mini-grant to teachers who are interested in acquiring or promoting cultural diversity among students.

B. Councilmember Abelson reported that the Environmental Quality Committee recently discussed the Environmental Film Series. The next film that will be shown at the Cerrito Theater is *Bag-it*, a film about plastic bags. Councilmember Abelson encouraged people to go once the date is finalized.

C. Councilmember Benassini reported that the Financial Advisory Board met to discuss the Tax Anticipation Note that was on the Council's agenda this evening. The Board also discussed the vacancy on the Board and strongly encourages all residents with professional financial auditing skills to apply.

D. Mayor Pro Tem Jones reported that the Integrated Waste Management Authority Recycling Board voted on the single bag ordinance and is continuing efforts to analyze and review the advantages and disadvantages of whether to continue as an Authority after 2013. There will be periodic reports coming to the City Council on this issue. Mayor Pro Tem Jones stated that he is pressing for a fairly early read on which cities are and are not interested in continuing the Authority. The City Council will eventually have to make a decision on this matter.

E. Councilmember Lyman reported that the Crime Prevention Committee has not met because it no longer has the five member minimum [stated in its enabling resolution]. The City is recruiting for new members. The Design Review Board met and is doing an excellent job of looking at signage requirements for the applicants that come before them.

Councilmember Lyman also reported on his attendance at the last Integrated Waste Management Authority meeting in which he attended as a member of the public. Councilmember Lyman commented that the five member cities need to decide if they will be members of the Authority in the future. Councilmember Lyman stated that the decision is political and asked that the Authority try to remove the politics out of the decision making as it is an operational issue. Members need to know what the waste flow and revenue streams are going to be starting January 1, 2014 so the Authority can make prudent business decisions. The politics must be removed. It is a technical decision.

SUPPLEMENTAL REPORTS & COMMUNICATIONS

Item No. 4 Falls Prevention Proclamation

1. Revised proclamation at the request of Councilmember Lyman.
2. Meals on Wheels Senior Outreach Project Packet – *Submitted by Joanne Leibe.*

Item No. 5(F) Regional Approach for Development and Potential Implementation of a Single-Use Bag Ordinance

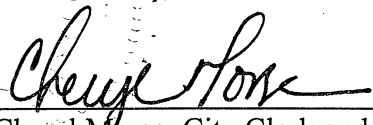
3. Comments in support of a regional approach – *Submitted by Timothy James on behalf of the California Grocers Association.*

Other

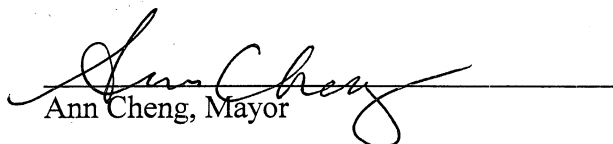
4. Certificate of Special Congressional Recognition to the City of El Cerrito – *Submitted by Congressman Miller through Councilmember Abelson.*
5. Certificate of Recognition from Contra Costa County Supervisor Karen Mitchoff for El Cerrito's participation in the 3rd Annual Mayor's Healthy Cook-Off.

9. ADJOURNED CONCURRENT CITY COUNCIL / REDEVELOPMENT AGENCY MEETING in memory of the many brave fallen heroes and innocent civilians who lost their lives in the tragic September 11, 2001 terrorist attacks on the World Trade Center, the Pentagon and on Flight 93 in Pennsylvania at 9:06 p.m.

THIS IS TO CERTIFY that the foregoing is a true and correct copy of the minutes of the Concurrent City Council / Redevelopment Agency meeting of September 19, 2011 as approved by the El Cerrito City Council and Redevelopment Agency.



Cheryl Morse, City Clerk and Secretary to the Redevelopment Agency



Ann Cheng, Mayor



Janet Abelson, Redevelopment Agency Chair