

EL CERRITO CITY COUNCIL EL CERRITO REDEVELOPMENT AGENCY

MINUTES

**SPECIAL CITY COUNCIL MEETING
Monday, February 7, 2011 – 6:45 p.m.
Hillside Conference Room**

**CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING
Monday, February 7, 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

Councilmember/Agency Chair Janet Abelson
Councilmember Greg Lyman

ROLL CALL

Present: Councilmembers Abelson, Benassini, Jones and Mayor Cheng.

Absent: Councilmember Lyman.

6:45 p.m.

CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Cheng convened the Special City Council meeting at 6:45 p.m.

ORAL COMMUNICATIONS FROM THE PUBLIC – No comments

COMMISSION INTERVIEWS, STATUS AND APPOINTMENTS

Conduct interviews of candidates for city boards and commissions. Interviews may result in an announcement of appointment at the meeting. The City Council may also discuss scheduling of future interviews.

Action: Interviews conducted.

ADJOURNED SPECIAL CITY COUNCIL MEETING at 7:34 p.m.

ROLL CALL

Present: Councilmembers Abelson, Benassini, Jones and Mayor Cheng.

Absent: Councilmember Lyman.

7:30 p.m.

CONVENE CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

Mayor Cheng convened the Concurrent City Council/Redevelopment Agency meeting at 7:37 p.m. and announced that Agenda Item No. 6, the Fire Hazard Abatement Public Hearing, has been withdrawn. The Fire Department has been advised that the property owners will abate the nuisance voluntarily thus negating any need for a public hearing this evening.

1. **PLEDGE OF ALLEGIANCE TO THE FLAG** was led by Mayor Pro Tem Jones.
2. **COUNCIL / STAFF COMMUNICATIONS**

COUNCIL COMMENTS

Mayor Cheng wished everyone a Happy Lunar New Year from the Asian Community. This is a time of the year that is spent with family celebrating the Year of the Rabbit. Mayor Cheng extended good wishes to everyone for a healthful and prosperous year. The following board and commission appointments were announced: Linda Jolivet to the Human Relations Commission for a term ending January 1, 2013, Ken Lerch re-appointed to the Economic Development Board for a term ending January 1, 2015, Jean Shrem re-appointed to the Economic Development Board for a term ending January 1, 2015, Jade Smith to the Civil Service Commission for a term ending January 1, 2014 and the Economic Development Board for a term ending January 1, 2012, and Pamela Stewart re-appointed as El Cerrito's representative to the Contra Costa Transportation Authority Citizens Advisory Committee for a term ending March 2015.

Councilmember Benassini announced that on February 12 from 10:00 a.m. to 12:00 p.m. at City Hall there will be an opportunity for the public to provide substantive input on the new Recycling Center and its design. Councilmember Benassini invited all to participate at this key moment before the project moves toward its next design phase.

Councilmember Abelson announced her attendance at the California Senate budget hearing on February 3, 2011 and the California Assembly budget hearing at Sacramento today. Both hearings received testimony regarding proposed budget impacts on redevelopment. Councilmember Abelson was unable to speak at the Assembly budget hearing today because the proceedings were running late and she had to return to El Cerrito for the Council meeting this evening. Many people are concerned about the budget and are expressing their concerns in Sacramento.

Councilmember Jones reported on his attendance at the Ivy League Connection Program Interviews. The panel was deciding on finalists for Columbia University. Councilmember Jones stated that if the young people interviewed are representative of their generation we don't have too much to worry about. The students are interested in community affairs and international events. Additionally, Councilmember Jones commented on former El Cerrito resident and El Cerrito High School alum Amy Chua who became a professor of law at Yale and is an internationally known author who wrote *The Battle Hymn of the Tiger Mother*. Councilmember Jones stated that she has been getting clobbered unfairly by the press. Her book is not a parent manual on how to raise children but more of a memoir of how she raised her young children including the trials and tribulations of how it all worked out.

STAFF COMMENTS

Public Safety Assumptions and Implications Resulting from the Governor's Proposed Budget – *Lance Maples, Fire Chief and Sylvia Moir, Chief of Police.*

Scott Hanin, City Manager, stated that staff is monitoring the state budget very closely. The State continues to look at local government on how to solve its own budget problems.

Lance Maples, Fire Chief, spoke about how the realignment relates to fire services. There are discussions at the state level about State Response Area (SRA) boundaries being pushed back toward local government. El Cerrito does not have any SRA areas. The realignment talks about different ways that Cal Fire can adjust staffing models and place services on the street. Reducing the staffing ratios increases the need for more resources for strike teams during an emergency. The city will continue to monitor state budget changes and will continue to update the Council in the future.

Sylvia Moir, Chief of Police, stated that the very short and very simplified synopsis of assumptions based on the Governor's proposed budget involve the realignment of the California Department of Corrections and Rehabilitation (CDCR) and the sunset of vehicle license fees (VLF). Two primary concerns with the CDCR realignment to local law enforcement are the shifting of parole responsibilities to local probation departments and the shift of low level adult offenders back to county jails from prisons. For low level adult offenders, the Governor's budget proposes that non-violent, non-serious sex offenses would be the responsibility of local government. Offenders would serve their sentences at the county jail level and parole supervision would be the responsibility of local government. Parole violators would not be sent back to state prison but could serve out any violation time at the local level. Chief Moir stated that she and her law enforcement colleagues have many concerns about this proposal. Many non-serious, non-violent, non-sex offenses that are classified as non-serious or non-violent sex offenses are actually serious offenses. For example, solicitation to commit murder, human trafficking, identity theft and many drug trafficking offenses are classified as non-serious, non-violent, non-sex offenses. Cal Chiefs has already voiced concerns about these types of offenses. Secondly, there are serious issues with local government's capacity to absorb the influx of offenders. The transfer of these offenders to county jail will result in the release of other inmates from county jails resulting in an increase in offenders in our communities. Additionally, probation and parole have three different functions. The Police Department queries how probation can take on parole responsibilities. Most counties, including Contra Costa, are discussing the need for local jurisdictions to assign police officers who are currently assigned in local communities to task force type units in order to monitor offenders in conjunction with probation officers. Should this demand occur, the El Cerrito Police Department will have to reconfigure its staffing and redeploy its current staffing level.

There is also concern with the disbursement of funds commensurate with the need an offender produces. For El Cerrito, while there is a small number of parolees in the city, a five year study revealed that there were over 200 arrests for parole violations and only 7% of those arrested were of parolees who reside in El Cerrito. Fifty-eight percent live in adjoining cities and the remaining number live in other jurisdictions. Another major concern for the El Cerrito Police Department is VLF funding. VLF funding is specifically earmarked for local public safety. Sunset of the VLF is anticipated to be on the June 2011 special election ballot. The election provides no time to budget and may result in a budget shortfall. Chief Moir assured the City Council that the department will remain proactive, is listening, and planning for a variety of scenarios.

Mayor Cheng announced that the City Council will be meeting on March 5th for a special goal setting and visioning worksession.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Rosemary Loubal, El Cerrito, commented on tree replacement at the Del Norte BART Station and expressed concerns about BART's noticing of the project and whether there was any community involvement. Ms. Loubal also noted that she had been away on sabbatical and upon return, noticed many pleasant improvements within the city.

4. PRESENTATIONS

A. El Cerrito Tennis Improvement Association Donation – *Presentation by Jan Bridges.*

The El Cerrito Tennis Improvement Association, a non profit public benefit corporation, has been raising funds for the betterment of tennis in the City since it was founded by Tennis Professional Alvin Hom in June 1994. Since then funds have been used to build a third court at the Arlington Park and in support of various junior tennis programs in the City. At this time the ECTIA is proud to donate \$25,589 to the City of El Cerrito to be deposited as deferred revenue to be used only for tennis purposes.

Action: Presentation heard and donation accepted by the City Council.

B. National Night Out Award – *Presentation by the El Cerrito Crime Prevention Committee.*

The City recently received the 2010 Police-Community Partnership National Award from the National Association of Town Watch in recognition for outstanding participation in America's Night Out Against Crime.

Presenters: Eugene Go, Catherine Krueger, John Umemoto of the El Cerrito Crime Prevention Committee and Police Sergeant Scott Cliatt and Captain Michael Regan.

Action: Presentation heard.

C. RecycleMore – *Presentation by Chris Lehon, Executive Director of RecycleMore (the West Contra Costa Integrated Waste Management Authority).*

Mr. Lehon will give an overview of RecycleMore including details about solid waste processing services, programs provided to member agencies, and their current strategic planning process.

Action: Presentation heard.

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

Moved, seconded (Abelson/Benassini; Ayes – Councilmembers Abelson, Benassini, Jones and Mayor Cheng; Noes – None; Absent – Councilmember Lyman) to adopt Consent Calendar Item Nos. 5A through 5D.

A. Minutes for Approval

Approve the January 18, 2011 Special City Council and January 18, 2011 Concurrent City Council/Redevelopment Agency and December 6, 2010 Concurrent City Council/Redevelopment Agency meeting minutes.

Action: Approved minutes.

B. Annual Review of Financial Policies

Adopt a City Council resolution and Redevelopment Agency resolution approving a revised Comprehensive Financial Policy and Investment Policy and rescinding City Council Resolution No. 2010-17 and Redevelopment Agency Resolution No. 597.

Action: Adopted City Council Resolution Nos. 2011-05 and Redevelopment Agency Resolution No. 602.

C. December 31, 2010 Quarterly Investment Report

Receive and file the City's December 31, 2010 Quarterly Investment Report.

Action: Received and filed.

D. Support the Transportation for America Campaign *(Held over from the January 18, 2011 City Council meeting.)*

At the request of Mayor Cheng, adopt a resolution strongly supporting the Transportation for America Campaign's efforts to create a national transportation program that will take America into the 21st century by building modernized infrastructure and healthy communities where people can live, work and play.

Action: Adopted Resolution No. 2011-06.

6. PUBLIC HEARING

Fire Hazard Abatement

1) Adopt a resolution declaring that weeds, rubbish, litter, or other flammable material (specifically dead, dying branches in eucalyptus trees or entire eucalyptus trees and ladder fuels growing into the trees) on certain real property located at 700 Gelston Place and 820 Bates Avenue, El Cerrito and 34 Lam Court, Kensington, constitutes a public nuisance.

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.

Action: Withdrawn by the City Manager due to the property owners' agreement to abate the nuisance voluntarily.

7. POLICY MATTERS

JOINT CITY COUNCIL / REDEVELOPMENT AGENCY ITEM

Public Improvements and Cooperation Agreement Between the City of El Cerrito and the El Cerrito Redevelopment Agency and Opposition to the Abolition of Redevelopment Agencies in California

1) Adopt a City Council Resolution and Redevelopment Agency Resolution approving an authorization to execute a Public Improvements and Cooperation Agreement between the City of El Cerrito and the El Cerrito Redevelopment Agency and making certain findings related thereto; and

2) Adopt a City Council Resolution opposing Governor Brown's proposal to abolish Redevelopment Agencies in California.

Presenter: Lori Treviño, Redevelopment Manager.

Action: Moved, seconded (Abelson/Jones; Ayes – Councilmembers Abelson, Benassini, Jones and Mayor Cheng; Noes – None; Absent – Councilmember Lyman) and carried to adopt City Council Resolution No. 2011-07 approving an authorization to execute a Public Improvements and Cooperation Agreement between the City of El Cerrito and the El Cerrito Redevelopment Agency and making certain findings related thereto.

Moved, seconded (Benassini/Cheng; Ayes – Agency Members Benassini, Cheng, Jones and Chairperson Abelson; Noes – None; Absent – Agency Member Lyman) to adopt Redevelopment Agency Resolution No. 603 approving a public improvements and cooperation agreement and making certain findings related thereto.

Moved, seconded (Abelson/Jones; Ayes – Councilmembers Abelson, Benassini, Jones and Mayor Cheng; Noes – None; Absent – Councilmember Lyman) to adopt Resolution No. 2011-08 opposing Governor Brown's proposal to abolish Redevelopment Agencies in California.

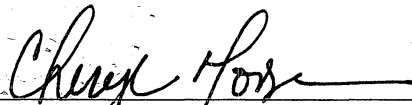
8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

- A. Mayor Cheng reported that at the last Arts & Culture Commission meeting the Commission saw mock ups of the public art coming to light poles on San Pablo Avenue. The Commission directed the artists to create 50 more designs. Mayor Cheng stated that it is exciting to see the project come to fruition. The Commission also reviewed proposals for the artist gallery space at City Hall. Mayor Cheng invited all local artists to apply. Mayor Cheng also attended the Contra Costa Mayors Conference in Richmond. The conference received a presentation by Congressman Garamendi on his goals for the upcoming year and made a number of appointments to regional bodies. The City hosted the West County Mayors Conference and discussed the impacts of elimination of redevelopment with neighboring cities. A majority of cities in the county have redevelopment agencies. Additionally, several councilmembers attended the League of California Cities New Mayors and Councilmembers Training in Sacramento. The training offered many great refreshers and new information on the state budget. Mayor Cheng commented that El Cerrito functions very well with trust between community members, councilmembers and staff. The critical components of transparency and open dialog should never be underestimated.
- B. Councilmember Abelson reported on her attendance at the East Bay Division of the League of California Cities. The group received a presentation on the impacts of the elimination of redevelopment agencies and enterprise zones as outlined in the Governor's proposed budget. Councilmember Abelson also attended the last Committee on Aging meeting. The Committee elected Elizabeth Carty as chair for another year. The Environmental Quality Committee meeting was cancelled due to lack of quorum.
- C. Councilmember Benassini reported that she had made a presentation to the Rotary Club to introduce herself and learn about what the Rotary Club will be working on in the next year. Councilmember Benassini learned that the Rotary Club is interested in seeing the San Pablo Avenue Specific Plan come to conclusion so that there will be clear direction.
- D. Councilmember Jones reported that the Gilman Fields Five City Joint Powers Authority softball field will be completed in late spring. Some things yet to be completed in the Master Plan include the baseball field, some of the concessions, and some additional parking. The Planning Commission will meet next week. Councilmember Jones stated that he is looking forward to work beginning on Safeway at the old Target site.

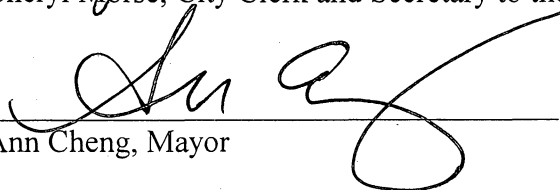
E. Councilmember Lyman – *Absent*.

9. **ADJOURNED CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING** at 9:25 p.m.

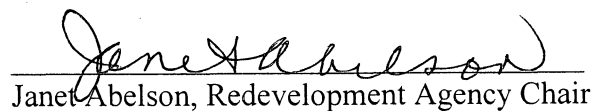
This is to certify that the foregoing is a true and correct copy of the minutes of the concurrent City Council and Redevelopment Agency meeting of February 7, 2011 as approved by the El Cerrito City Council and Redevelopment Agency.



Cheryl Morse, City Clerk and Secretary to the Redevelopment Agency



Ann Cheng, Mayor



Janet Abelson, Redevelopment Agency Chair