

EL CERRITO CITY COUNCIL EL CERRITO REDEVELOPMENT AGENCY

MINUTES

SPECIAL REDEVELOPMENT AGENCY MEETING

Monday, October 18, 2010 – 6:30 p.m.

Hillside Conference Room

CONCURRENT EL CERRITO CITY COUNCIL / REDEVELOPMENT AGENCY MEETING

Monday, October 18, 2010 – 7:30 p.m.

City Council Chambers

Meeting Location

El Cerrito City Hall

10890 San Pablo Avenue, El Cerrito

Janet Abelson – Mayor

Mayor Pro Tem Ann Cheng
Councilmember William C. Jones, III

Councilmember/Agency Chair Sandi Potter
Councilmember/Agency Vice-Chair Greg Lyman

ROLL CALL

Present: Agency Board Members Abelson, Jones, Lyman and Chair Potter.

Absent: Agency Member Cheng.

6:30 p.m.

CONVENE SPECIAL REDEVELOPMENT AGENCY MEETING

Chair Potter convened the Special Redevelopment Agency meeting at 6:30 p.m.

ANNOUNCEMENT OF REDEVELOPMENT AGENCY CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

- | | |
|----------------------------|--|
| 1) Property: | 10860 & 10848 San Pablo Avenue |
| Agency Negotiators: | Scott Hanin, Executive Director
Hilde Myall, Senior Project Manager
Karen Tiedemann, Agency Counsel |
| Negotiating Party: | AgeSong/Christian Church Homes
Affordable Housing Associates
AmCal Multi-Housing, Inc.
Domus Development, LLC |

EAH, Inc.
 East Bay Asian Local Development Corporation
 Eden Housing, Inc.
 Mercy Housing California
 MidPeninsula Housing Inc.
 Resources for Community Development
 Wasatch Advantage Group, LLC/Alliance Property
 Group Inc.

Under Negotiation: Price and Terms

2) **Property:** 10636 & 10650 San Pablo Avenue

Agency Negotiations: Scott Hanin, Executive Director
 Lori Treviño Redevelopment Manager
 Dwayne Dalman, Project Manager
 Karen Tiedemann, Agency Counsel

Negotiating Party: Stan Lee, CVS

Under Negotiation: Price and Terms

ORAL COMMUNICATIONS FROM THE PUBLIC – No speakers.

RECESSED INTO CLOSED SESSION at 6:33 p.m.

ADJOURNED SPECIAL REDEVELOPMENT AGENCY MEETING at 6:32p.m.

POSSIBLE REPORT OUT OF CLOSED SESSION

ROLL CALL

Present: Councilmembers Jones, Lyman, Potter and Mayor Abelson.

Absent: Councilmember Cheng.

7:30 p.m. CONVENE CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

Mayor Abelson convened the Concurrent City Council/Redevelopment Agency meeting at 7:40 p.m.

1. **PLEDGE OF ALLEGIANCE TO THE FLAG** was led by Councilmember Jones.

2. COUNCIL / STAFF COMMUNICATIONS

Councilmember Jones stated that he attended the Health Day promotion at El Cerrito High School that was organized by the family of a student who collapsed while playing basketball on campus and survived. The event offered heart health tests to the public for a nominal fee. Over 300 people received testing. Councilmember Jones also attended an El Cerrito High School Archives Project Celebration and noted that this is the only museum located in an active High School in the United States. Additionally, the *Taste of El Cerrito* event and the City's Splash Park Grand Opening were very nice events. Councilmember Jones also reported that he participated in a fire operations orientation with other city officials in the area at the request of Firefighters Association Local 1230 and the Contra Costa Fire District which featured an array of fire services. The orientation provided Councilmember Jones with a great understanding of what is needed to have fire protection in the community.

Mayor Abelson announced that the City is working on a Climate Action Plan and will offer a series of community meetings in the City Hall Chambers on October 26 from 5-7:00 p.m., November 13 from 10:00 a.m. to 12:00 p.m., and December 2nd from 7-9:00 p.m. Discussion will include strategies for how El Cerrito can help reduce greenhouse gasses and topics such as transit oriented development, biking and walking in El Cerrito, energy and water efficiency, renewable energy, recycling and waste reduction and urban greening. For more information please call 215-4351.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Tom Panas, El Cerrito Historical Society, thanked the City, Assistant City Manager Pinkos and the Arts and Culture Commission for inviting the Historical Society to display historical photos of the Japanese Nursery Community in the City Hall Art Gallery. The exhibit was well received by the public. Mr. Panas informed the Council about an art and history exhibit "Blossoms and Thorns" currently underway at the Richmond Art Center and a related exhibit about nurseries open through the upcoming weekend at the Richmond Museum of History. A few weeks ago Governor Schwarzenegger signed a bill declaring January 30th as Fred Korematsu Day. Mr. Korematsu challenged the U.S. Government's right to order 120,000+ Japanese on the West Coast out of their homes and into internment camps during World War II. Mr. Korematsu was awarded the Presidential Medal of Freedom in 1998. Mr. Panas asked the City Council to consider recognizing the special nature of January 30th as that date draws near.

Harry Saridis, El Cerrito, expressed his support for Measure R. Mr. Saridis stated that there is very little crime in El Cerrito and homes are safe because the City Council, City Manager, brave police officers and fire department protect the community. Mr. Saridis said the sales tax is only one half cent and that this is a wise decision to keep the community's homes safe and secure.

Al Miller, El Cerrito, commented on Consent Calendar Item 5F and asked the City Council to support Police Chief Moir's plans and use any funds left over from mainline police officer support items for drug and alcohol abatement education programs in Middle School and High School.

Erin Kennedy-Florez, El Cerrito, urged the City Council to adopt the "Just Cause" program to protect tenant rights, particularly in the event of foreclosure. Neighboring cities have adopted "Just Cause" policies to protect renters. Ms. Kennedy-Florez stated that the program costs nothing to cities, protects homes from becoming vacant, keeps them intact and allows renters to continue to live in their homes, have their leases protected, rent housing from the bank, an minimize disruption to families. Ms. Kennedy-Florez also expressed frustration trying to schedule a rental inspection and suggested implementing a tenant hotline.

4. PRESENTATIONS

A. El Cerrito Preschool Cooperative's 70th Anniversary Proclamation –
Presented to Ann Clements, A.M. Director (teacher for 30 years), Nga Bui, P.M. Director (teacher for 13 years) and David Banks-Kong, 2010–2011 President.

Approve a proclamation congratulating and honoring the El Cerrito Preschool Cooperative for its 70 years of valuable service to the children and parents of the community and extending to those parents and teachers the City Council's best wishes for a bright future.

Action: Moved, seconded (Lyman/Jones; Ayes – Councilmembers Jones, Lyman, Potter

and Mayor Abelson; Noes – None; Absent – Councilmember Cheng) and carried to approve the proclamation. Proclamation presented.

B. California Law Enforcement Challenge Award – *presented by Stephen Bonini, Police Lieutenant.*

Action: Received award.

C. 2010 Street Condition Report – *presented by Jerry Bradshaw, Director of Public Works.*

Action: Received presentation.

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

Moved, seconded (Lyman/Potter; Ayes – Councilmembers Jones, Lyman, Potter and Mayor Abelson; Noes – None; Absent – Councilmember Cheng) and carried to approve Consent Calendar Item Nos. 5A through 5H as indicated below.

A. Minutes for Approval

Approve the September 20, 2010 Regular City Council meeting minutes.

Action: Approved minutes.

B. Shelter in Place Proclamation

Approve a proclamation recognizing the importance of preparing for emergencies and encouraging participation in the Contra Costa Community Awareness Emergency Response Group's (CAER) public education efforts. In support of the parents, teachers, student and staff that will be participating with hundreds of other schools in the Shelter-in-Place Drill, the City Council proclaims November 3, 2010 as "Shelter-in-Place Education Day."

Action: Approved proclamation.

C. Biennial Review and Update of the Conflict of Interest Code

Adopt a resolution approving a revised Conflict of Interest Code for the City of El Cerrito and rescind Resolution No. 2008-74.

Action: Adopted Resolution No. 2010-63.

D. Agreement Between the Contra Costa Transportation Authority and the City of El Cerrito

Adopt a resolution authorizing the City Manager to execute a Cooperative Agreement between the Contra Costa Transportation Authority (CCTA) and the City of El Cerrito, and any related amendments, for the Central Avenue and Liberty Street Streetscape Improvements Project; and appropriate \$125,000 to the Capital Improvement Program Fund for Fiscal Year 2010-11.

Action: Adopted Resolution No. 2010-64.

E. San Pablo Avenue Streetscape Project – Contract Services Amendment

Adopt a resolution authorizing the City Manager to execute a contract amendment with Cole Management & Engineering in an amount not to exceed \$80,000 to perform construction

management services for the San Pablo Avenue Streetscape project and to approve change orders in the amount of \$8,000.

Action: Adopted Resolution No. 2010-65.

F. Use of Asset Seizure and Vehicle Abatement Funds

Adopt a resolution amending the Fiscal Year 2010-11 Operating Budget to appropriate \$75,000 from the Asset Seizure Fund and \$60,000 from the Vehicle Abatement Fund.

Action: Adopted Resolution No. 2010-66.

G. Committee on Aging Appointment

Approve the Committee on Aging's recommendation to appoint Pansy Kwong.

Action: Approved the Committee on Aging's recommendation to appoint Pansy Kwong. *Effective October 19, 2010.*

H. Maddy Act Local Appointments List

Receive and file a listing of all current board and commission members whose terms will expire in 2010 and vacancy information for each board, commission and committee.

Action: Received and filed.

6. PUBLIC HEARING – None

7. POLICY MATTERS

REDEVELOPMENT AGENCY ITEM

A. Developer Selection for Redevelopment Agency Property Located at 10860 and 10848 San Pablo Avenue

Adopt a Redevelopment Agency resolution: 1) Designating Eden Housing, Inc. as the selected developer for the proposed Tradeway residential mixed-use development at 10860 & 10848 San Pablo Avenue; 2) Designating Mercy Housing California as the second-ranked developer for the development; and 3) Authorizing the Executive Director to enter into negotiations for an Exclusive Negotiating Rights Agreement (ENRA) with Eden Housing, Inc.

Presenter: Hilde Myall, Senior Project Manager.

Speakers: Andrea Papanastassiou, Director of Real Estate Development, Eden Housing, thanked staff for putting together a good process for the RFQ, and stated Eden Housing's excitement about the project and intent to meet all the needs of the city and community. Ms. Papanastassiou said Eden is realistic about the financing and is looking forward to working with the Council and Agency on this project.

Tom Panas, El Cerrito Historical Society, stated that Eden Housing is a well-known and reputable firm with a very capable staff. Mr. Panas asked the Redevelopment Board to direct staff to make preservation of the 10848 San Pablo Avenue site, not only the former home of the Chamber of Commerce, but also of Contra Costa Florist and of the Valley of the Moon quarry office, a requirement of the project. 10848 San Pablo Avenue is the last extant structure in El Cerrito testifying to the Japanese flower industry, its community, and its history.

Jewel Okawachi, Albany, stressed the importance of preserving Japanese American heritage and historical sites in California and especially in the Bay Area. Ms. Okawachi spoke of her family's experience during the war, particularly the forced closure of her father's dental practice, located at the corner of Post and Grant Avenue in San Francisco, and the loss of her brother who served in the 442nd [Combat Team]. Ms. Okawachi said it is important to preserve buildings such as the Florist building to remind us and preserve the memory that there were hardworking Japanese Americans before and after the war.

Action: Moved, seconded (Lyman/Abelson; Ayes – Agency Members Jones, Lyman, Abelson and Chairperson Potter; Noes – None; Absent – Agency Member Cheng) and carried to adopt Redevelopment Agency Resolution No. 600.

CITY COUNCIL ITEM

B. Adoption, with Local Modifications, of the 2010 California Building Standards Code, including Green Building Code, Building Code, Fire Code and related Construction Codes

1) Adopt a resolution which makes findings justifying changes or modifications due to local climatic, geologic and topographic conditions in the 2010 California Building Standards Code, which includes the California Green Code, Building Code, Fire Code and related Construction Codes.

2) Introduce by title and approve first reading of an ordinance which adopts the 2010 California Green Code, Building, Fire, Plumbing, Mechanical, Electrical, Energy and related Construction Codes and the State Housing Law Regulations as codes applicable to all construction within the City of El Cerrito, with local modifications as highlighted in the ordinance.

Presenters: Brian Fenty, Building Official and Michael Bond, Battalion Chief.

Speakers: Al Miller, El Cerrito, suggested that staff ensure that the city's fee structure encourages rather than discourages compliance with green building codes.

Action: Moved, seconded (Potter/Jones; Ayes – Councilmembers Jones, Lyman, Potter and Mayor Abelson; Noes – None; Absent – Councilmember Cheng) and carried to adopt a revised Resolution No. 2010-67.

Moved, seconded (Lyman/Potter; Ayes – Councilmembers Jones, Lyman, Potter and Mayor Abelson; Noes – None; Absent – Councilmember Cheng) and carried to consider approval of Ordinance No. 2010-09 by title only.

Moved, seconded (Potter/Jones; Ayes – Councilmembers Jones, Lyman, Potter and Mayor Abelson; Noes – None; Absent – Councilmember Cheng) and carried to approve Ordinance No. 2010-09. *Public Hearing and Second Reading of the Ordinance are scheduled November 15, 2010.*

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

A. Mayor Abelson reported on her attendance at the October 12 Environmental Quality Committee meeting in which the Committee received a report on the status of the food scrap recycling program. Staff reported that they are looking at the possibility, cost and resident preference for a pickup every week rather than every two weeks. Mayor Abelson also reported on her attendance at the Mayors Conference in Clayton. The conference received a presentation by Jeremy Madsen, Executive Director of Greenbelt Alliance, who discussed his vision for the Bay Area and how it will grow. Mayor Abelson also attended a West Contra Costa Transportation Advisory Committee (WCCTAC) meeting in which discussion took place on the I-80 Integrated Corridor Management (ICM) project. The ICM project relates to high tech improvements to the flow of traffic lanes and traffic congestion. Mayor Abelson garnered support for local improvements and funding for those improvements.

B. Councilmember Cheng – Absent.

C. Councilmember Jones – No report.

D. Councilmember Lyman – No report.

E. Councilmember Potter reported on the success of the Free Folk Festival coordinated by the Arts and Culture Commission which was held at Windrush School on October 2. There were

many talented musicians. Councilmember Potter announced that the Commission will be meeting at City Hall on October 20 to continue its work on making final arrangements for the California Arts Day Celebration on October 23 and the historic paver project for San Pablo Avenue. The Celebration of the Arts Event on October 23 will feature a full program from 2-6:00 p.m. at City Hall. The Employee Art Exhibition in the City Hall Gallery Space will include an artists' reception at 4:00 p.m. on the same day. Councilmember Potter encouraged all to attend.

SUPPLEMENTAL REPORTS AND COMMUNICATIONS

Item No. 7(A) Developer Selection for Redevelopment Agency Property Located at 10860 and 10848 San Pablo Avenue

1. Comments on Eden Housing and historical uses of the site – *Submitted by Tom Panas, El Cerrito Historical Society.*

Item No. 7(B) Adoption, with Local Modifications, of the 2010 California Building Standards Code, including Green Building Code, Building Code, Fire Code and related Construction Codes

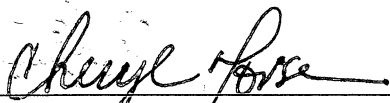
2. Revised Resolution – *Submitted by Jennifer Carman, Development Services Manager.*

Other

3. Japanese heritage and history in California, particularly the local Japanese nursery industry and request to join the state in recognizing Fred Korematsu Day – *Submitted by Tom Panas, El Cerrito Historical Society.*

9. ADJOURNED CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING at 9:23 p.m.

THIS IS TO CERTIFY that the foregoing is a true and correct copy of the minutes of the Special Redevelopment Agency and Concurrent Regular City Council and Redevelopment Agency meetings of October 18, 2010 as approved by the El Cerrito City Council and Redevelopment Agency.



Cheryl Morse, City Clerk and Secretary to the Redevelopment Agency



Janet Abelson, Mayor



Sandi Potter, Redevelopment Agency Chair