

EL CERRITO CITY COUNCIL

MINUTES

SPECIAL EL CERRITO CITY COUNCIL MEETING

Monday, August 16, 2010 – 6:30 p.m.

Hillside Conference Room

REGULAR EL CERRITO CITY COUNCIL MEETING

Monday, August 16, 2010 – 7:30 p.m.

City Council Chambers

SPECIAL EL CERRITO CITY COUNCIL CLOSED SESSION

Monday, August 16, 2010 – Immediately following the Regular City Council Meeting

Hillside Conference Room

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

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

6:30 p.m.

CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Abelson convened the Special City Council meeting at 6:35 p.m.

ORAL COMMUNICATIONS FROM THE PUBLIC – No Comments

BOARD AND COMMISSION INTERVIEWS

Conducted interviews of candidates for city boards and commissions.

ADJOURNED SPECIAL CITY COUNCIL MEETING at 7:30 p.m.

ROLL CALL

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

7:30 p.m.

CONVENE REGULAR CITY COUNCIL MEETING

Mayor Abelson convened the Special City Council meeting at 7:34 p.m.

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

COUNCIL COMMUNICATIONS

Mayor Abelson stated that the Council had just interviewed several wonderful candidates for the Design Review Board resulting in the appointment of Cassandra Adams to a term ending January 1, 2014. Mayor Abelson thanked the Fire Department for their "Pass the Boot" fundraising event Jerry's Kids and the Police Department for their "Tip a Cop" fundraising event for Special Olympics. Mayor Abelson stated that she is proud of the work the City's public safety officers have done. Mayor Abelson noted the following upcoming events: 1) On August 22, the Shadi Historical Room opening, reception 3:00 p.m. to 5:00 p.m.; 2) August 30 – Dynamo Golf tournament fundraiser which raises funds for scholarships for recreation camp programs; 3) September 25 – collection of fluorescent bulbs and tubes, medicines and thermometers at the Recycling Center; and 4) October 9 – Citywide Garage Sale.

Councilmember Lyman recognized staff for distributing a postcard city-wide that announces upcoming events and called additional attention to: 1) August 26 – Open House on new Recycling Center; 2) August 31 – meeting on proposed Animal Ordinance; 3) September 11– Cinema in the Park at Cerrito Vista Park; and 4) September 18 – Tri-City Safety Day.

Mayor Pro Tem Cheng announced that the Chamber of Commerce's "Taste of El Cerrito" will take place at the Community Center on September 25 with entertainment provided by the Berkeley Opera.

Councilmember Potter thanked the El Cerrito Police Department for their high level of service. Councilmember Potter announced a photo exhibit of Japanese Flower Growers in the City Hall Gallery Space, which is exhibited in conjunction with the opening of the Shadi Historical Room. Additionally, Camp Ravencliff this week, and Councilmember Potter thanked Recreation staff member Chris Jones for his work with the camp, and wished the campers a safe and fun week.

Councilmember Jones praised the Police Department for National Night Out and Tip a Cop, noted that the events were well attended, and commended Police Chief Moir and Lt. Steve Bonini.

STAFF COMMUNICATIONS

Jerry Bradshaw, Public Works Director/City Engineer, reported that Portola Middle School begins their school year next week in their new campus on the lower playfield. City staff has been working with the West Contra Costa Unified School District regarding traffic circulation in this new location, and based on discussions with the District and AC Transit has made a recommendation to stage AC Transit buses on Moeser Lane near the gate of the new campus. While not on the agenda, staff noted that some members of the public have come to speak on this topic so staff provided a brief report to the Council.

Bill Savidge, Engineering Officer, West Contra Costa Unified School District, noted that the District is excited to be opening the temporary campus, reflecting their desire for student/staff safety by moving out of the seismically challenged building. Mr. Savidge thanked city staff for working with him and the District. City staff and District staff agree on the recommendation for

staging the buses along Moeser, and will work together to address concerns and make sure the approach is effective.

Sky Woodruff, City Attorney, reminded the Council that since the item is not on the agenda, Council can hear from the public and make brief comments but not make any decisions on the matter.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Joanne Wong, 11225 San Pablo Avenue, Music Works, spoke of her problems with the San Pablo Streetscape Project, and reported that she has communicated with the City Manager and Public Works Director and has submitted a bill, photos, and written concerns.

David Banks-Kong, president of El Cerrito Preschool Cooperative (ECPC) highlighted the history of the pre-school and expressed opposition to the westernmost bus stop on Moeser. Mr. Banks stated that he had petitions signed by ECPC parents and neighbors.

Crystal Nie, ECPC parent, expressed concerns regarding safety and traffic and stated it was inappropriate to have a bus stop across from the pre-school.

Charles Weitzer, El Cerrito, ECPC parent, spoke of prior incidents that have caused concern and expressed concerns about safety and vehicle exhaust.

Daniel Ari, Richmond, ECPC parent, expressed support for the ECPC community and expressed concerns about traffic and vehicle exhaust.

Paul Narcisse, El Cerrito, ECPC parent, stated that he hopes that there is consideration to the feelings of the parents and that what is best for the children.

Liz Spurlock, ECPC parent, expressed concerns about traffic, safety, and exhaust and asked that the bus stop be re-located.

Shari Niehei Fredrickson, El Cerrito, ECPC parent, stated her agreement with other ECPC parents.

David McLean, El Cerrito, expressed concerns with buses obscuring observation on the other side of the street, pickup and drop offs, health effects of vehicle exhaust and traffic risks and liabilities. Mr. McLean asked that moving bus stops further up the hill to Portola Drive and other alternatives be considered.

Shannon Hicks, Albany resident and ECPC former board member, said she was proud of the preschool and concerned about the safety of students.

Dr. Mara Mahmood, ECPC parent and vice president of the pre-school board, spoke of developmental concerns of children and asked that behavioral issues be considered.

Jael Myrick, Assemblymember Skinner's staff, thanked Mayor Abelson for placing a resolution in support of the California jobs budget on the agenda this evening, summarized key provisions and encouraged the other councilmembers to support it.

4. PRESENTATIONS – None.

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

Councilmember Lyman reported in accordance with Government Code Section 1091.5 regarding Consent Calendar Item 5C, that Avila Project Management is a subcontractor providing services to Councilmember Lyman's employer, the City and County of San Francisco, on a project Councilmember Lyman will be working on. Councilmember Lyman will vote on the item. The City Attorney advised him to disclose this on record.

Action: Moved/seconded (Potter/Cheng), and carried unanimously to adopt Consent Calendar Item Nos. 5A through 5D and 5F through 5I as indicated below. Item No. 5E was removed from the consent calendar at the request of Councilmember Jones.

A. Minutes for Approval

Approve the July 19, 2010 Special City Council and Concurrent City Council / Redevelopment Agency / Pension Trust Board and Public Financing Authority meeting minutes.

Action: Approved minutes.

B. Consulting Services Contract Amendment with Ninyo & Moore

Adopt a resolution authorizing the City Manager to amend the Ninyo & Moore contract for on-call services in the amount of \$50,000 for geotechnical and materials testing services relating to the Street Improvement Program and other miscellaneous projects.

Action: Adopted Resolution No. 2010–53.

C. Measure A Street Improvement Program Professional Services Contract Amendment – Avila Project Management

Adopt a resolution authorizing the City Manager to execute a contract amendment with Avila Project Management in an amount not to exceed \$200,000 and approve change orders in an amount not to exceed \$20,000.

Action: Adopted Resolution No. 2010–54.

D. On-Street Parking Revisions Near Del Norte BART Station – Taxi Zone

Adopt a resolution authorizing the Public Works Director/City Engineer to install 82 feet of white curb marking for a total of 125 feet of white curb marking on the north side of Cutting Boulevard between the Ohlone Greenway and Key Boulevard as shown in Exhibit A.

Action: Adopted Resolution No. 2010–55.

E. Support AB 1998 (Brownley) Plastic Bag Ban, Assembly Bill 1343 and Assembly Bill 1343 (Huffman) Paint Recovery Act

At the request of Mayor Abelson, authorize the Mayor to send letters to Governor Schwarzenegger, Assembly Member Skinner and Senator DeSaulnier in support of AB 1998 (Brownley), the Plastic Bag Ban and AB 1343 (Huffman), the Paint Recovery Act.

Removed from the Consent Calendar by Councilmember Jones who stated that while he was in general support, wondered what the logic was behind the requirement for charging for paper bags. Melanie Mintz, Environmental Services Manager stated that the idea would be to create an incentive to use reusable bags. Councilmember Jones stated his concern that this could create a profit center for the stores. Councilmember Potter noted that the full language of the bill was

not attached, which states that the bill is meant to help mitigate pollution, not to create a profit center but to discourage use of single use bags, and the program shifts responsibility to a statewide program. Councilmember Potter stated that she supports the bill and that it would level the playing field for consistent policy. Councilmember Jones agreed and expressed his appreciation for the clarification. Mayor Abelson noted that the Environmental Quality Committee unanimously supported this bill at their last meeting. Mayor Pro Tem Cheng also supports the legislation. City Manager Scott Hanin clarified that staff included the links in the agenda bill to save paper. Council expressed support for electronic communications.

Action: Moved, seconded (Potter/Jones) and carried unanimously to approve the recommendation and send letters in support of Assembly Bills 1343 and 1998.

F. Support Federal Legislation Allowing Property Assessed Clean Energy Financing Programs

Adopt a resolution supporting Congressional action to authorize legislation allowing implementation of Property Assessed Clean Energy (PACE) Programs.

Action: Adopted Resolution No. 2010-56.

G. Support Clean Vehicle Technologies

At the request of Mayor Abelson, adopt a resolution urging the State of California and the California Air Resources Board to continue its national and international leadership role in reducing greenhouse gasses and promoting clean vehicle technologies by moving forward quickly to develop and adopt expanded Low Emission Vehicle (LEV III) standards to reduce criteria air pollutants and greenhouse gases and to strengthen the state's Zero Emission Vehicle (ZEV) and Clean Fuels Outlet (CFO) infrastructure programs to protect the health of California's economy, environment and its people.

Action: Adopted Resolution No. 2010-57.

H. Support the California Jobs Budget

At the request of Mayor Abelson, adopt a resolution supporting the California Jobs Budget with appropriate multi-year realignment, and encourage the State Legislature and the Governor to adopt this budget without delay and direct the City Clerk to forward the resolution to Governor Schwarzenegger, State Senator Ducheny, and Assemblymembers Blumenfield, Huff and Beall.

Action: Adopted Resolution No. 2010-58.

I. Quarterly Investment Report

Receive and filed the City's June 30, 2010 Quarterly Investment Report.

Action: Received and filed.

6. PUBLIC HEARINGS – None

7. POLICY MATTERS

El Cerrito Neighborhood Traffic Management Program

Adopt a resolution adopting a Neighborhood Traffic Management Program for the City of El Cerrito, attached as exhibit A to the resolution.

Presenter: Yvetteh Ortiz, Engineering Manager.

Action: Discussion held and staff answered questions. Councilmembers expressed interest in giving staff some discretion on the program, especially on forms and appendices. Councilmembers also wanted to include a few changes in the program text. The Council expressed general support of the program, and suggested that staff make revisions and bring the resolution back as a consent item at a subsequent meeting.

Moved, seconded (Potter/Lyman) and carried unanimously to continue the item to the September 20, 2010 City Council meeting.

SUPPLEMENTAL COMMUNICATIONS

San Pablo Avenue Streetscape Project

Photos, invoice, and letter detailing concerns – *Submitted by JoAnne Wong, MusicWorks.*

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

- A. Mayor Abelson – No report
- B. Councilmember Cheng reported that the Economic Development Board met the prior week to hear about the scope of work and focus for the economic development division and restructuring and reorganization within the department. The Design Review Board meeting was cancelled.
- C. Councilmember Jones reported that last month the Planning Commission heard about the evolving design of Safeway at the old Target site.
- D. Councilmember Lyman – No report.
- E. Councilmember Potter reported that the Arts and Culture Commission met on July 21, 2010 to discuss the San Pablo Avenue historic markers program and will meet on August 18 to discuss the San Pablo Avenue Streetscape Program.

9. ADJOURNED REGULAR CITY COUNCIL MEETING at 10:08 p.m. in memory of former mayor and councilmember Marge Collins.

10. ANNOUNCEMENT OF SPECIAL CITY COUNCIL CLOSED SESSION

Mayor Abelson convened and announced the special City Council Closed Session at 10:14 p.m.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

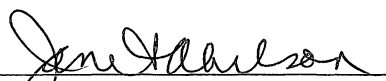
Pursuant to Government Code Section 54956.9: One potential case

ORAL COMMUNICATIONS FROM THE PUBLIC – None

Action: No reportable action from closed session.

ADJOURNED SPECIAL CITY COUNCIL CLOSED SESSION at 10:27 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the Special City Council, Regular City Council and Special City Council Closed Session meetings of August 16, 2010 as approved by the El Cerrito City Council.


Janet Abelson, Mayor


Cheryl Morse, City Clerk