

**EL CERRITO CITY COUNCIL
EL CERRITO REDEVELOPMENT AGENCY
EL CERRITO PENSION TRUST BOARD
EL CERRITO PUBLIC FINANCING AUTHORITY**

MINUTES

SPECIAL EL CERRITO CITY COUNCIL MEETING

Monday, July 19, 2010 – 6:30 p.m.

City Council Chambers

**EL CERRITO CITY COUNCIL MEETING
EL CERRITO REDEVELOPMENT AGENCY
EL CERRITO PENSION TRUST BOARD
EL CERRITO PUBLIC FINANCING AUTHORITY**

Monday, July 19, 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

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 6:30 p.m.

SWEARING IN OF POLICE CHIEF SYLVIA MOIR

Action: Chief Moyer pledged the Oath of Office.

ORAL COMMUNICATIONS FROM THE PUBLIC – Eight speakers.

ADJOURNED SPECIAL CITY COUNCIL MEETING at 6:57 p.m.

ROLL CALL

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

7:30 p.m.

CONVENE CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY/PENSION TRUST BOARD AND PUBLIC FINANCING AUTHORITY MEETING

Mayor Abelson convened the Concurrent City Council/Redevelopment Agency/Pension Trust Board and Public Financing Authority Meeting at 7:32 p.m.

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

2. **COUNCIL / STAFF COMMUNICATIONS**

Councilmember Lyman stated that he enjoyed meeting Police Chief Moir at the National Night Out host registration event on July 17. Almost 20 people have signed up to host an event in their neighborhood. Councilmember Lyman reminded everyone that August 3, 2010 is National Night Out and that the city is looking for 30 people to sign up as hosts. July 26 is the last day to sign up to host an event. For more information call Suzanne Iarla at 215-4318, email crimeprev@eccpc.org or visit www.el-cerrito.org.

Councilmember Jones thanked staff and the community for a great 4th of July event. Councilmember Jones reported that the City has raised a lot of money through grants. The City has received \$7,942,900 in federal, state and regional transit related grants since 2004. The City has matched this with \$323,010 resulting in a 21% return on the city's investment. Councilmember Jones also commented on a four page brochure on healthcare reform that was sent through the mail by Congressman Garamendi. The brochure breaks out myth vs. fact on healthcare reform.

City Manager Hanin introduced and welcomed El Cerrito's new Police Chief, Sylvia Moir.

Chief Moir reiterated her 100% commitment to serving the community with character, courage and compassion.

3. **ORAL COMMUNICATIONS FROM THE PUBLIC**

Ron Eggherman, Chair, Environmental Quality Committee, expressed his support of the four candidates nominated for membership to the Environmental Quality Committee and asked the Council to approve the Committee's recommendation.

4. **PRESENTATIONS**

A. **National Night Out Proclamation**

Approve and present a proclamation calling upon all residents of the City of El Cerrito to participate in the "27th Annual National Night Out Event" on August 3, 2010 and proclaiming Tuesday, August 3, 2010 as "Night Out" in the City of El Cerrito.

Action: Moved, seconded (Lyman/Potter) and carried unanimously to approve the National Night Out Proclamation. Proclamation presented to the Crime Prevention Committee.

Randy Calish, Chair, Crime Prevention Committee, introduced fellow committee members, Mollie Hazen, Catherine Krueger, and John Umemoto and thanked each for their hard work. Mr. Calish also thanked staff liaisons Suzanne Iarla and Scott Cliatt for their assistance.

B. Annual Sundar Shadi Garden Club Awards – presentation by El Cerrito Garden Club.

Action: Fleda Mackey, President of the El Cerrito Garden Club, and Vera Lis, Contest Chair, presented awards to:

1. Cindy Chow, was awarded best garden.
2. Mindy McCulloch, received second place for her garden.
3. Debbie Wheat, received the third place award.

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

Moved, seconded (Potter/Jones) and carried unanimously to adopt Consent Calendar Item Nos. 5A through 5I in one motion as indicated below.

A. Minutes for Approval

1. Approve the June 21, 2010 Concurrent City Council / Redevelopment Agency / Pension Trust Board and Public Financing Authority meeting minutes.
2. Approve the June 28, 2010 Special City Council meeting minutes.

Action: Approved minutes.

B. Memorandum of Understanding with the Public Safety Management Group – Police Chief

Adopt a resolution authorizing the City Manager to execute a Memorandum of Understanding (MOU) between the City of El Cerrito and the Public Safety Management Group – Police Chief.

Action: Adopted Resolution No. 2010–40.

C. Implementation of the U.S. EPA Climate Showcase Communities Grant

Adopt a resolution authorizing the City Manager to execute the following sub-grantee agreements to assist in the implementation of the Small Cities Climate Action Partnership (ScCAP) as funded by the U.S. Environmental Protection Agency (EPA) Climate Showcase Communities grant: 1) A consulting services agreement with Strategic Energy Innovations in an amount not to exceed \$153,902 to provide technical assistance to El Cerrito and other ScCAP cities in developing energy management tools and climate action plans; and 2) Memoranda of Understanding with the partner cities of San Pablo, Albany, and Piedmont governing their use of grant pass through funds in amounts of \$75,202 each.

Action: Adopted Resolution No. 2010–41.

D. 2010 Contra Costa Clean Water Program Agreement

Adopt a resolution approving the City's continued participation in the implementation of the MS4 NPDES Permits, sharing in Program costs, providing appropriate staff support and providing detailed information necessary to implement the MS4 Permit; and authorizing the City Manager to execute the Contra Costa Clean Water Program Agreement (2010).

Action: Adopted Resolution No. 2010–42.

E. Application for Federal Funding through the County Portion of the Transportation for Livable Communities Program for the Central Avenue and Liberty Streetscape Project

Adopt a resolution applying for \$816,000 in federal Surface Transportation Program (STP) and/or Congestion Mitigation and Air Quality Improvement Program (CMAQ) funding through the County Portion of the Metropolitan Transportation Commission's (MTC's) Transportation for Livable Communities (TLC) Program, committing the necessary non-federal match, and stating the assurance to complete the Central Avenue and Liberty Street Streetscape Project.

Action: Adopted Resolution No. 2010-43.

F. 801 Bates Subdivision Environmental Review Contract

Adopt a resolution authorizing the City Manager to execute a contract with Design, Community and Environment (DC&E) in an amount not to exceed \$48,024 to perform environmental review services for the 801 Bates subdivision project.

Action: Adopted Resolution No. 2010-44.

G. Environmental Quality Committee Appointments

Approve an Environmental Quality Committee recommendation appointing Howdy Goudey, Emily Corwin, Paloma Pavel, and Jennifer Hammer to the Environmental Quality Committee effective July 20, 2010.

Action: Approved recommendation.

H. Opposition to Proposition 23

At the recommendation of Mayor Abelson, adopt a resolution opposing Proposition 23, which would suspend air pollution control laws requiring major polluters to report and reduce greenhouse gas emissions that cause global warming until unemployment drops below a specified level for a full year.

Action: Adopted Resolution No. 2010-45.

I. Amend PARS 457 FICA Alternative Plan

Adopt a resolution amending the Public Agency Retirement System (PARS) 457 FICA Alternative Plan Agreement changing the pay method of the annual asset fee from City paid to Plan Assets paid based on the account balance for the Alternative Retirement System provided by PARS for part-time, seasonal and temporary employees.

Action: Adopted Resolution No. 2010-46.

6. PUBLIC HEARINGS

Fire Hazard Abatement

Adopt a resolution declaring that weeds, rubbish, litter or other flammable material on certain real property constitutes a public nuisance.

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.

Presenter: Michael Bond, Battalion Chief and Fire Marshal.

Action: Moved, seconded (Lyman/Potter) and carried unanimously to adopt Resolution No. 2010-47 including a revised Exhibit A, declaring that weeds, rubbish, litter or other flammable material on certain real property constitutes a public nuisance and convene a public hearing.

Mayor Abelson opened the public hearing. No speakers.

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

Action: Moved, seconded (Lyman/Cheng) and carried unanimously to adopt Resolution No. 2010-48 including a revised Exhibit A, 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.

7. POLICY MATTERS

A. Side Letters to the Memorandum of Understanding for the El Cerrito Police Employees Association, United Professional Firefighters of Contra Costa County Local 1230 and Service Employees International Union (SEIU) Local 1021

Adopt three separate resolutions: 1) Approving a side letter to the existing Memorandum of Understanding between the City and the El Cerrito Police Employees Association for a six year extension to June 30, 2017, modifying language on salaries, shift differential and holidays and adding language regarding service credit; 2) Approving a side letter to the existing Memorandum of Understanding between the City and United Professional Firefighters of Contra Costa County Local 1230, for a one year extension to June 30, 2017 and modifying language on salaries; and 3) Approving a side letter to the existing Memorandum of Understanding between the City and the Service Employees International Union (SEIU) Local 1021 for a two year extension to June 30, 2012 with a re-open clause for compensation by giving notice between April 1, 2011 and April 30, 2011.

Presenter: Sukari Beshears, Employee Services Manager.

Speakers: David Hartung, El Cerrito Police Employees Association (ECPEA), stated that the side letter for police employees received a unanimous vote from the union. Mr. Hartung said the ECPEA understands the difficulties posed by difficult economic times and said the ECPEA is committed to working with the city to provide offsets and do what it can to help.

Vincent Wells, President, Firefighters Local 1230, stated that Local 1230 also recognizes the difficulties presented by the economy, stated that Local 1230 was happy to help out and urged the Council to support the side letter.

Action: Moved, seconded (Potter/Cheng-Jones) and carried unanimously to adopt Resolution No. 2010-49 approving a side letter to the existing memorandum of understanding between the City and the El Cerrito Police Employees Association for a six year extension to June 30, 2017, modifying language on salaries, shift differential and holidays and adding language regarding service credit.

Moved, seconded (Lyman/Potter) and carried unanimously to adopt Resolution No. 2010-50 approving a side letter to the existing memorandum of understanding between the City and the United Professional Firefighters of Contra Costa County Local 1230, for a one year extension to June 30, 2017 and modifying language on salaries.

Moved, seconded (Cheng/Potter) and carried unanimously to adopt Resolution No. 2010-51 approving a side letter to the existing memorandum of understanding between the City and the Service Employees International Union (SEIU) Local 1021 for a two year extension to June 30, 2012 with a re-open clause for compensation by giving notice between April 1, 2011 and April

30, 2011.

B. Direction on November 2010 Sales Tax Ballot Measure for the Maintenance of City Services

Adopt a resolution: 1) Approving an ordinance (Exhibit A to the Resolution) establishing a one-half (1/2) cent (0.5%) sales tax increase for seven years in order to maintain the current level of services provided by the City, which would be effective only if adopted by 50 percent plus one vote of the El Cerrito electorate; 2) Submitting to the El Cerrito electorate a measure to adopt the ordinance establishing a one-half (1/2) cent (0.5%) sales tax increase in order to maintain the current level of services provided by the City; and 3) Requesting that the Contra Costa Board of Supervisors consent to the consolidation of this election with the statewide general election to be held on November 2, 2010 and direct the Registrar of Voters to provide all services necessary to conduct the election and print a measure on the ballot as described in Section 3 of the resolution.

Presenter: Scott Hanin, City Manager.

Speakers: Sharlene Loretz, El Cerrito, stated that she has lived in El Cerrito for over 40 years and has seen the city grow with many amenities, did not want any services cut, praised city staff and expressed her support for the proposed half cent sales tax.

Ron Eggherman, Owner, Marvin Gardens Real Estate, and Chair of the Environmental Quality Committee, stated that the perception of El Cerrito has been enhanced due to important programs such as the renovated Plaza, revitalized San Pablo Avenue, tree plantings, Earth Day, accessible staff and politicians, Swim Center and other important recreation programs, clean streets, lovely parks and top-notch police and fire personnel. El Cerrito is now a sought after community to live in. Mr. Eggherman expressed his support for the proposed half cent sales tax ballot measure.

Jacquelynne Vittori, El Cerrito, said she has always been glad to live in El Cerrito and thinks the city does a great job. Ms. Vittori expressed concerns with being retired and living on a fixed income and expressed her opposition to any increase in sales tax.

Al Miller, El Cerrito, noted that in the last year, only two Contra Costa Cities, El Cerrito and Lafayette, had property values increase. Mr. Miller expressed his support for the proposed sales tax because it maintains the quality of life and home values and will continue to make El Cerrito a place that people want to come to buy homes. Mr. Miller urged the City Council to continue fiscal responsibility in El Cerrito.

Action: Moved, seconded (Lyman/Potter) and carried unanimously to adopt Resolution No. 2010-52 including a revised Exhibit A which modifies language contained in proposed Ordinance Section 4.62.020 – Operative Date and Section 4.62.150 – Termination Date and as amended on the floor by Councilmember Jones to modify the 22nd recital contained in the proposed ordinance to add submission of financial audits and yearly reports to the City Council and a revised Section 4.62.140 to add the sentence *The report and comments from the Financial Advisory Board shall be submitted to the City Council for their review and acceptance.*

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

A. Mayor Abelson – No report

B. Councilmember Cheng reported

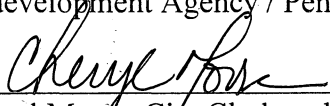
C. Councilmember Jones reported that the Gilman Fields Joint Powers Authority has put out to bid phase two of the Gilman Fields project for softball fields and a permit parking lot. Additionally, the Planning Commission will be taking up Safeway at the Target Site this week. Councilmember Jones encouraged the public to review the information relating to the

Safeway project on the city's website

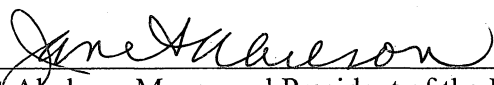
- D. Councilmember Lyman referred to his prior announcements regarding National Night Out.
- E. Councilmember Potter reported that the Arts & Culture Commission will meet on July 21 at City Hall.

**9. ADJOURNED CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY/
PENSION TRUST BOARD AND PUBLIC FINANCING AUTHORITY MEETING
at 8:54 p.m.**

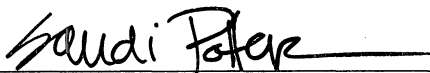
THIS IS TO CERTIFY that the foregoing is a true and correct copy of the minutes of the concurrent City Council / Redevelopment Agency / Pension Trust Board and Public Financing Authority meeting of July 19, 2010 as approved by the El Cerrito City Council / Redevelopment Agency / Pension Trust Board and Public Financing Authority.



Cheryl Morse, City Clerk and Secretary to the Redevelopment Agency, Pension Trust Board and Public Financing Authority



Janet Abelson, Mayor and President of the Pension Trust Board and Public Financing Authority



Sandi Potter, Redevelopment Agency Chair