

EL CERRITO CITY COUNCIL EL CERRITO REDEVELOPMENT AGENCY

MINUTES

SPECIAL CITY COUNCIL MEETING

Monday, March 1, 2010 – 7:10 p.m.

Hillside Conference Room

SPECIAL CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

Monday, March 1, 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

7:10 p.m. ROLL CALL

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

SPECIAL CITY COUNCIL MEETING

Mayor Abelson convened the Special City Council Meeting at 7:10 p.m.

ORAL COMMUNICATIONS FROM THE PUBLIC – No speakers.

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 Council may also discuss scheduling of future interviews.

Action: Interview conducted.

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

ROLL CALL

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

Mayor Abelson convened the Special Concurrent City Council/Redevelopment Agency Meeting

at 7:34 p.m.

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

Mayor Abelson announced the City Council's appointment of Joyce Hawley to the Arts and Culture Commission for a term ending January 1, 2014.

Councilmember Jones noted the tremendous turn out for Congressman Garamendi's February 19 Town Hall meeting. Councilmember Jones updated the Council and public on a report from healthreform.gov. Blue Cross and Anthem will be raising health premium rates across the country. Additionally, Wellpoint in the year ending 2009 accumulated \$2.4 billion in profits in the last quarter. The combined profits of the five largest companies was \$12.2 billion which was up 56% over 2008 despite a count of 2.2 million less families. Councilmember Jones stated that an affordable plan is necessary for those who need it and reported that last week the San Francisco Chronicle reported that small businesses will be hit with huge premiums. There are lots of El Cerrito residents affected by these types of increases in health premiums.

Councilmember Jones noted the opening of Youth Baseball and congratulated the organization on its 47 year anniversary in El Cerrito. Councilmember Jones also commented on the newly painted light poles on San Pablo Avenue resulting in a dramatic difference and improvement on the Avenue. The Council received two notices of rate increases from PGE – for \$85 million to be covered by increased rates and another \$18.3 million to be covered by an increase in rates. PGE is trying to qualify a measure on the state wide ballot that would require cities to have a 2/3 vote of the citizenry before that city can change a power service and is anticipating spending \$35 million for this campaign effort to take away the rights of individual cities.

Councilmember Potter informed the public that the City Council underwent Emergency Operations Training on Saturday in the Emergency Operations Center. It was a fruitful training. El Cerrito is very well prepared. Councilmember Potter reminded everyone to be earthquake prepared with adequate water, food and supplies.

Councilmember Lyman reported that he, Councilmember Jones and Mayor Abelson attended the opening night of the Berkeley Opera at the Performing Arts Center. The performance was very entertaining and highly recommended. Additionally, the Crime Prevention Committee is hosting a Neighborhood Watch informational meeting on March 22 from 6 to 7:30 p.m. and encouraged all to attend. The Bicycle Safety Rodeo is May 22 from 11 to 3 and will feature safety tips and bike maintenance.

3. **ORAL COMMUNICATIONS FROM THE PUBLIC**

Al Miller, El Cerrito, commented on the performance of the Berkeley Opera at El Cerrito High Performing Arts Center. The next production is a Copeland opera which will include the choreographer and dance students from El Cerrito High. Well Grounded Coffee and Tea provides the drinks and teas at the performances. Mr. Miller commended Well Grounded Coffee and Tea for the community it has created. Mr. Miller also asked the Council to be continually aware of items on the consent calendar that present opportunities to inform the public about what is going on in the City and what the Council has achieved for the city and significant contributions by the Council and staff.

Elizabeth Carty, El Cerrito, urged the Council to adopt a moratorium on the chicken ordinance and move forward with a proposed new ordinance.

Destry Miller, El Cerrito, expressed her support for a revised chicken ordinance.

Reece Halpern, El Cerrito, asked the City Council to enact a moratorium on the current chicken ordinance, said the current law needs to be changed and noted that the current application fee is too high. Mr. Halpern said that some people are unwilling to speak because they are afraid of visits from code enforcement personnel.

Linda Schneider, El Cerrito, stated that the city has a forward momentum in the greening movement. Enforcement of the old chicken ordinance and fining sends a mixed message. Ms. Schneider asked the Council to declare a moratorium on the current ordinance until a new ordinance can be brought forward.

Julian Kave, El Cerrito, stated his support for a moratorium on the existing chicken ordinance until a new ordinance can be decided upon.

J. Dutton, El Cerrito, expressed his support for a moratorium on the existing chicken ordinance.

Inca Arechiga, El Cerrito, expressed her support for the moratorium on the chicken ordinance and stated that the permit fee is excessive and outweighs any benefit from keeping chickens.

4. PRESENTATIONS

A. Proclamation Commending Lucille Irish – Requested by El Cerrito Historical Society.

Approve a proclamation extending commendation to Lucille Irish, pillar of the Historical Society and legendary City Clerk in recognition of her dedicated service and role in preserving the precious history of El Cerrito.

Action: Withdrawn and rescheduled to a future date.

B. Annual Business Recognition Awards – presented by the Economic Development Board in recognition of each business' contributions to the City's economic vitality and betterment of the community.

Presenters: Dwayne Dalman, Project Manager; Martin Kalinsky, Chair, Economic Development Board and Mayor Abelson.

1. Well Grounded Tea & Coffee Bar
2. Yaoya-San
3. El Cerrito Natural Grocery Company
4. Playland-Not-at-the-Beach

Action: Moved prior to public comment by Mayor Abelson. Awards presented to all recipients.

C. Impacts of Budget Cuts on Older Adults and Value of Current Senior Services to the Community – El Cerrito Committee on Aging by Elizabeth Carty, Chair.

Action: Received presentation.

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

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

A. **Minutes for Approval**

Approve the February 16, 2010 Special City Council Meeting and Special Concurrent City Council/Redevelopment Agency and February 19, 2010 Special City Council Meeting Minutes.

Action: Approved minutes as corrected.

B. **Workers.com Contract to Continue Recycling Center Assistance**

Adopt a resolution authorizing the City Manager to execute a contract amendment with Workers.com in an amount not to exceed \$18,000 to assist in recyclable materials collections for the remainder of this fiscal year.

Action: Adopted Resolution No. 2010-07.

C. **US Communities Government Purchasing Alliance**

Adopt a resolution authorizing the Administrative Services Director to enter into the Master Intergovernmental Cooperative Purchasing Agreement to become a member of U.S. Communities Government Purchasing Alliance.

Action: Adopted Resolution No. 2010-08.

D. **Association of Bay Area Governments and Contra Costa County Residential Retrofit Program**

Adopt a resolution authorizing the City of El Cerrito to participate in *Retrofit Bay Area*, a regional residential energy retrofit program to be administered by the Association of Bay Area Governments (ABAG) and to be implemented by the County Department of Conservation and Development within Contra Costa County.

Action: Adopted Resolution No. 2010-09.

E. **Environmental Protection Agency Climate Showcase Communities Grant Budget Allocation**

Adopt a resolution approving the appropriation of grant funds as revenue and expenditure from the United States Environmental Protection Agency Climate Showcase Communities Program in the amount of \$24,000 for Fiscal Year 2009-2010.

Action: Adopted Resolution No. 2010-10.

F. **Maze & Associates Contract Award**

Adopt a resolution authorizing the City Manager to enter into an agreement with Maze & Associates, Certified Public Accountants, to perform the audit of the City and required component units for the year ending June 30, 2010.

Action: Adopted Resolution No. 2010-11.

G. **Quarterly Investment Report**

Receive and file the City's December 31, 2009 Quarterly Investment Report.

Action: Received and filed.

6. **PUBLIC HEARING – None**

7. POLICY MATTERS

REDEVELOPMENT AGENCY ITEM

Developer Solicitation for Redevelopment of Agency Property Located at 10860 and 10848 San Pablo Avenue

Provide direction to staff to issue the Request for Qualifications/Proposals (RFQ/P) for a residential mixed-use development on the Redevelopment Agency owned property located at 10860 and 10848 San Pablo Avenue (Tradeway Property).

Presenter: Hilde Mvall, Senior Project Manager.

Speakers: Rich Bartke, El Cerrito, representing the El Cerrito Historical Society, stated that the State Historic Office and the Department of Interior agreed with the historical society and declared that the report prepared by the City's consultant does not support the consultant's statement that "existing structures on site do not appear to qualify as historical resources pursuant to CEQA based upon an Historic Resources Evaluation." Mr. Bartke encouraged the Council to undertake an evaluation of historic resources prior to issuing the RFQ/RFP.

Tom Panas, El Cerrito Historical Society, stated that the site was formerly the Valley of the Moon Quarry office, Contra Costa Florist and Chamber of Commerce building. Mr. Panas summarized the Society's issues with the absence in the report of a historic context study, stated that the survey was inadequate and that the conclusion in the report was unsupportable. Mr. Panas also reiterated the Society's displeasure with the City's process and findings. Mr. Panas encouraged the Council to provide the following direction to Agency staff: 1) Conduct an historic resource evaluation now; 2) engage the public in this and other redevelopment projects; and 3) learn about and start using CEQA for the staff and community's benefit. The Society supports an appropriate adaptive reuse of this property consistent with the use of best management practices.

Kathleen McKinley, El Cerrito, stated that any RFP that does not take into account the probable nature of the historic character of the Chamber building is defective and noted that chamber property was initially a quarry office which was a significant part of El Cerrito's history and was later a florist shop which was also an important part of El Cerrito's early economic and ethnic history. Ms. McKinley stated that the building is interesting and charming and embodies many of the design qualities that the city wants, that it could be incorporated into a new project, and that it should not be destroyed. Ms. McKinley also stated that a declaration that the building is not historically significant is not legally defensible.

Dave Weinstein, El Cerrito, Vice-Chair of the El Cerrito Historical Society, stated that there is a tremendous interest in historic architecture and interesting buildings in El Cerrito. Mr. Weinstein stated that [the Chamber Building] is one of the most charming buildings on San Pablo Avenue that could be incorporated into a creative development and should not be torn down. The RFP could be changed to include a statement that developers could incorporate this potentially and perhaps certainly historic building into their plans.

Patsy Berndt, El Cerrito, said that the goal of the Chamber is to make San Pablo Avenue a place where people want to shop and dine. Making the Avenue pedestrian friendly is a way to further this goal. The Chamber building is a landmark and is the last remnant of El Cerrito's most important history. Mr. Berndt encouraged the City to consult with the community on developing a vision to preserve the history while developing San Pablo Avenue as a destination.

Lois Boyle, Richmond, President of Richmond Museum Association stated that the Chamber Building is charming and has character and history. The Agency is presented with a unique opportunity to participate in saving one of America's treasures. Incorporation of this building into the site will provide a boost and boon to El Cerrito.

Action: Presentation heard and discussion held. Agency Chair Potter, upon consensus of the Redevelopment Agency Board, continued this item to a future meeting and directed staff to clearly disclose the existing historical study that was completed during due diligence and to indicate the historic uses at the site, and return to the Agency Board/City Council for final approval prior to issuing the RFP after it has been reviewed by staff and agency counsel. Agency Member Jones asked that the RFP be modified to include questions regarding how long a developer will intend on operating the facility once it is built and to identify the services that will be provided. Agency Member Cheng requested that staff include transportation elements into the proposal such as a map illustrating the richness of transportation options, connections to the Ohlone Greenway, and transit lines and Agency Member Abelson emphasized that the information should be current and accurate.

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

- A. Mayor Abelson – No report.
- B. Councilmember Cheng – No report.
- C. Councilmember Jones – No report.
- D. Councilmember Lyman – No report.
- E. Councilmember Potter – No report.

SUPPLEMENTAL COMMUNICATIONS

Item No. 7 Developer Solicitation for Redevelopment of Agency Property Located at 10860 and 10848 San Pablo Avenue

1. March 1, 2010 statement – *Submitted by Tom Panas, Director, El Cerrito Historical Society.*
2. March 1, 2010 comments on the Draft Request for Qualifications – *Submitted by Rich Bartke, President, El Cerrito Historical Society.*
3. October 16, 2009 correspondence from Ric Borjes, Chief of Cultural Resources, U.S. Department of the Interior to Tom Panas re: Historic Resources Evaluation of 10848 and 10860 San Pablo Avenue. – *Submitted by Rich Bartke, President, El Cerrito Historical Society.*
4. Quotes from two public agencies which have reviewed the Historic Resources Evaluation of 10848 and 10860 San Pablo Avenue. – *Submitted by Rich Bartke, President, El Cerrito Historical Society.*
5. July 16, 2009 correspondence from R. Bartke to S. Hanin – *Submitted by Rich Bartke, President, El Cerrito Historical Society.*
6. Statement of T. Panas to the Redevelopment Agency – *Submitted by Rich Bartke, President, El Cerrito Historical Society.*
7. July 2, 2009 Email from Ric Borges to Tom Panas – of 10848 and 10860 San Pablo

Avenue. – Submitted by Rich Bartke, President, El Cerrito Historical Society.

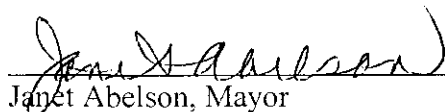
8. ADJOURNED CITY COUNCIL/REDEVELOPMENT AGENCY MEETING at 9:48p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the Special City Council, and Special Concurrent City Council and Redevelopment Agency meeting of March 1, 2010 as approved by the El Cerrito City Council and Redevelopment Agency.



Cheryl Morse

Cheryl Morse, City Clerk and Secretary to the Redevelopment Agency



Janet Abelson

Janet Abelson, Mayor



Sandi Potter

Sandi Potter, Redevelopment Agency Chair