

EL CERRITO CITY COUNCIL

EL CERRITO REDEVELOPMENT AGENCY

MINUTES

SPECIAL CITY COUNCIL MEETING

Monday, December 21, 2009 – 6:00 p.m.

Hillside Conference Room

SPECIAL CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

Monday, December 21, 2009 – 7:30 p.m.

City Council Chambers

SPECIAL REDEVELOPMENT AGENCY MEETING

Monday, December 21, 2009 – Immediately following the Special Concurrent

City Council/Redevelopment Agency 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

6:00 p.m. SPECIAL CITY COUNCIL MEETING

Mayor Abelson convened the Special City Council Meeting at 6:00 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 Council may also discuss scheduling of future interviews.

Action: The City Council interviewed four candidates.

ADJOURNED SPECIAL CITY COUNCIL MEETING at 7:28 p.m.

ROLL CALL

Councilmembers/Agency Members Cheng, Jones, Lyman, Potter (Agency Chair) and Mayor Abelson all present.

7:30 p.m.

CONVENE SPECIAL CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

Mayor Abelson convened the Special Concurrent City Council/Redevelopment Agency meeting at 7:32 p.m.

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

2009 McGraw-Hill Best of California Construction: Award of Merit in the Government/Public Category for El Cerrito City Hall – *presented by Jerry Bradshaw, Director of Public Works.*

Mayor Abelson announced the following appointments to the Planning Commission: Michael Albrecht for a term ending January 1, 2014; Tim Pine for a term ending January 1, 2012 and Lisa Motoyama for a term ending January 1, 2014.

Councilmember Jones wished everyone a good holiday season and New Year and stated that a recent *60 Minutes* television show featured a story on Wilmington, Ohio, which is in the throws of a depression and had to close a medical clinic servicing children. The story acts as an example of why we need a federal health program.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Al Miller, El Cerrito, acknowledged the leadership displayed by the City Council in convening a joint meeting with the West Contra Costa Unified School District. Mr. Miller also thanked the fire fighters for their volunteer efforts in erecting the Sundar Shadi holiday display and their continuing participation.

4. PRESENTATIONS

Results of Godbe Research Voter Survey on Possible Future Revenue Measures

Receive a presentation from Godbe Research on the results of their telephone survey of El Cerrito residents to ascertain voter opinions related to the potential funding for future facilities (library and public safety building) and a possible interim sales tax measure resulting from the weakened economy and potential service reductions and discuss and provide comments.

Presenters: Scott Hanin, City Manager; Brian Godbe, Principal and Amelia Davidson, Ph.D. Senior Research Manager, Godbe Research.

Action: Received presentation.

5. ADOPTION OF THE CONSENT CALENDAR – Items 5A through 5H

Moved, seconded (Lyman/Cheng) and carried unanimously to adopt Consent Calendar Item Nos. 5A through 5F and 5H as indicated below. Consent Calendar Item No. 5G was removed from the Consent Calendar by Mayor Abelson.

JOINT CITY COUNCIL / REDEVELOPMENT AGENCY ITEM

A. Minutes for Approval

Approve the December 7, 2009 Special City Council and Concurrent City Council/Redevelopment Agency Meeting Minutes.

Action: Approved the December 7, 2009 Special City Council and Concurrent City Council/Redevelopment Agency meeting minutes.

CITY COUNCIL ITEMS

B. Award Design Contract for Potrero Safety Improvement Project

Adopt a resolution authorizing the City Manager to execute an agreement with Kimley-Horn in an amount not to exceed \$53,539 to provide engineering and design services for the project and award change orders in an amount not to exceed \$8,000.

Action: Adopted Resolution No. 2009-80.

C. Award San Pablo Avenue Rain Gardens

Adopt a resolution approving plans, accepting bids, and authorizing the City Manager to execute a contract in the amount of \$239,362.00 with Golden Bay Construction, Inc. and approve change orders in an amount not to exceed \$24,000 for the construction of the San Pablo Avenue Rain Gardens Project, Contract No. 09-C4016-A.

Action: Adopted Resolution No. 2009-81.

D. Extension of the Garbage and Green Waste Collection Franchise Agreement with East Bay Sanitary Company, Inc.

Adopt a resolution approving the Third Amendment to the Franchise Agreement between the City of El Cerrito and East Bay Sanitary Company, Inc. extending the Franchise Agreement through December 31, 2017.

Action: Adopted Resolution No. 2009-82.

E. Agreement with Bob Murray & Associates for Recruitment Services Related to a New Chief of Police

Adopt a resolution authorizing the City Manager to enter into a professional services agreement with Bob Murray & Associates for recruitment of a new Chief of Police in an amount not to exceed \$23,000.

Action: Adopted Resolution No. 2009-83.

F. Healthy Eating and Active Living Cities Campaign

At the request of Mayor Abelson, adopt a resolution supporting participation in statewide regional and local programs to support and invest in citizens' health and wellness and embrace policies and programs that create comprehensive community wellness.

Action: Adopted Resolution No. 2009-84.

G. Cancel City Council Meeting

Approve the City Manager's recommendation to cancel the January 4, 2010 Council meeting. The next City Council meeting will be held on Tuesday, January 19, 2010.

Action: Removed from the Consent Calendar by Mayor Abelson. Moved, seconded (Lyman/Jones) and agreed upon unanimously to reschedule the January 4 City Council meeting to January 11, 2010 at 6:30 for the sole purpose of conducting board and commission interviews.

H. Crime Prevention Committee Appointment

Approve the Crime Prevention Committee's recommendation to appoint Catherine Krueger to the Crime Prevention Committee, effective December 22, 2009.

Action: Approved recommendation.

6. PUBLIC HEARING

Proposed Integrated Waste Management Fees and East Bay Sanitary Collection Rates

1. Conduct a public hearing and upon conclusion adopt a resolution fixing and setting rates for the Integrated Waste Management (IWM) fee, effective January 1, 2010.

Presenter: Garth Schultz, Environmental Analyst, Environmental Services Division.

Mayor Abelson opened the public hearing. No speakers.

Action: Moved, seconded (Lyman/Cheng) and carried unanimously to close the public hearing. Moved, seconded (Lyman/Potter) and carried unanimously to adopt Resolution No. 2009-85.

2. Conduct a public hearing and upon conclusion adopt a resolution setting maximum allowable garbage and green waste collection and container rental rates, per the index-based methodology previously agreed upon by East Bay Sanitary (EBS or Company) and the City Council, effective January 1, 2010.

Presenter: Garth Schultz, Environmental Analyst, Environmental Services Division.

Action: Moved, seconded (Potter/Lyman) and carried unanimously to close the public hearing. Moved, seconded (Cheng/Potter) and carried unanimously to adopt Resolution No. 2009-86.

7. POLICY MATTERS

A. Interim Police Chief Services

Adopt a resolution authorizing the City Manager to enter into an employment agreement with Scott Kirkland for Interim Police Chief services until such time that a new Police Chief can be identified and begin employment.

Presenter: Scott Hanin, City Manager.

Action: Moved, seconded (Potter/Lyman) and carried unanimously to adopt Resolution No. 2009-87.

B. Amendment of El Cerrito Municipal Code Section 2.04.300 – Financial Advisory Board

Approve by title, waive any further reading and introduce an ordinance amending El Cerrito Municipal Code Section 2.04.300 – Financial Advisory Board to clarify language regarding duties and responsibilities.

Presenter: Mary Dodge, Administrative Services Director.

Speakers: Al Miller, El Cerrito, provided some history regarding the Financial Advisory Board and stated that the ordinance amendment speaks to the effectiveness of staff and Board.

Action: Moved, seconded (Lyman/Cheng) and carried unanimously to approve by title and adopt first reading of Ordinance No. 2010-01. *Second reading scheduled for January 19, 2010.*

C. City Council Liaison and Regional Appointments

Discuss City Council appointments to local boards, commission and committees and regional bodies and approve appointments for 2010.

Action: City Council Liaison and regional appointments for 2010 approved.

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

- A. Councilmember Potter reported that the Human Relations Commission has been unable to meet due to lack of quorum. The Arts & Culture Commission is continuing the selection process for the public art component for San Pablo Avenue.
- B. Mayor Abelson reported on the receipt of a letter informing her that she had been appointed to the Administrative Policies Committee of the League of California Cities.
- C. Councilmember Cheng – No report.
- D. Councilmember Jones – No report.
- E. Councilmember Lyman reported that the Financial Advisory Board had met on December 8 and continued its discussions on general fund reserves which will be finalized in January. The Crime Prevention Committee met on December 9 and was pleased to propose Catherine Krueger as its new member. The Committee is moving forward with the Committee's planning efforts.

SUPPLEMENTAL REPORTS & COMMUNICATIONS

ITEM NO. 6 Proposed Integrated Waste Management Fees and East Bay Sanitary Collection Rates

Supplemental chart that provides comparison of the IWM and EBS rates you are being asked to consider tonight with last year's rates – *Submitted by Karen Pinkos, Assistant City Manager.*

- 9. ADJOURNED CITY COUNCIL/REDEVELOPMENT AGENCY MEETING** at 9:15 p.m.

ROLL CALL

Agency Members Abelson, Cheng, Jones, Lyman and Chairperson Potter all present.

10. CONVENE SPECIAL REDEVELOPMENT AGENCY MEETING

Chairperson Potter convened the Special Redevelopment Agency Meeting at 9:16 p.m.

11. ANNOUNCEMENT OF SPECIAL REDEVELOPMENT AGENCY CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: 10070 San Pablo Avenue

Agency Negotiators: El Cerrito Redevelopment Agency
Scott Hanin, Executive Director
Lori Treviño, Redevelopment Agency Manager
Karen Tiedemann, Agency Special Counsel

Negotiating Parties: Pleasantown Motion Picture Company
Ky Boyd and Michael O'Rand

Under Negotiation: Terms of Payment

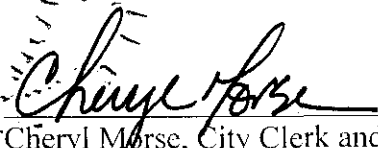
ORAL COMMUNICATIONS FROM THE PUBLIC – No speakers

RECESSED INTO CLOSED SESSION at 9:18 p.m.

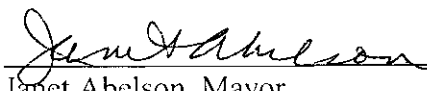
POSSIBLE REPORT OUT OF CLOSED SESSION – The Redevelopment Agency Board provided direction to staff.

12. ADJOURNED SPECIAL REDEVELOPMENT AGENCY CLOSED SESSION at 9:45 p.m.

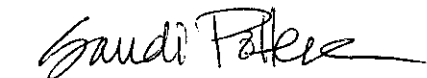
This is to certify that the foregoing is a true and correct copy of the minutes of the concurrent City Council and Redevelopment Agency meeting of December 21, 2009 as approved by the El Cerrito City Council and Redevelopment Agency.



Cheryl Morse, City Clerk and Secretary to the Redevelopment Agency



Janet Abelson, Mayor



Sandi Potter, Redevelopment Agency Chair