

EL CERRITO CITY COUNCIL EL CERRITO REDEVELOPMENT AGENCY

**SPECIAL CITY COUNCIL MEETING
Monday, September 21, 2009 – 6:30 p.m.
Hillside Conference Room**

**SPECIAL CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING
Monday, September 21, 2009 – 7:00 p.m.
City Council Chambers**

**SPECIAL REDEVELOPMENT AGENCY MEETING
Monday, September 21, 2009
Immediately Following the Concurrent City Council/Redevelopment Agency Meeting
Hillside Conference Room**

Meeting Location
El Cerrito City Hall
10890 San Pablo Avenue, El Cerrito

Sandi Potter – Mayor

Mayor Pro Tem Janet Abelson
Councilmember Greg Lyman

Councilmember/Agency Chair William C. Jones, III
Councilmember/Agency Vice-Chair Ann Cheng

ROLL CALL

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

6:30 p.m. CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Potter convened the Special City Council meeting at 6:32 p.m.

ORAL COMMUNICATIONS FROM THE PUBLIC – No speakers.

BOARD AND COMMISSION INTERVIEWS 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: Interviews conducted.

ADJOURNED SPECIAL CITY COUNCIL MEETING at 7:10 p.m.

ROLL CALL

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

7:00 p.m.

CONVENE SPECIAL CONCURRENT CITY COUNCIL / REDEVELOPMENT AGENCY MEETING

Mayor Potter convened the Special Concurrent City Council/Redevelopment Agency meeting at 7:16 p.m.

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

Mayor Potter announced the City Council's appointment of Shannon Preto to the Arts & Culture Commission for a term ending January 1, 2013.

Councilmember Lyman encouraged the public to attend Tri-Safety Day on September 26, 2009 from 11-2 at El Cerrito Plaza.

Mayor Pro Tem Abelson announced that the Environmental Quality Committee will be hosting an event on October 17, 2009 involving the planting of street trees on public right of way. The trees are free however, owner consent and guarantee that the tree will get enough water to thrive is required prior to planting a tree. After the tree planting there will be an event at City Hall with free food and music that will showcase city environmental programs.

Mayor Pro Tem Abelson also reported on her attendance at the League of California Cities Conference in San Jose last week as the City's delegate and reported on a presentation made by Ellen Paasch, El Cerrito Senior Services Program Supervisor, about the City's Easy Ride program. Additionally, Mayor Pro Tem Abelson reported that she attended a program on the Bay Area Economic Climate and a transit oriented dinner forum hosted by the Local Government Commission in Oakland which featured some ideas for extending sidewalks into the street using portable ramps for café seating, art shows and other possible uses. The Association of Bay Area Governments (ABAG) offered a program titled *Building Momentum* on August 28, 2009 which highlighted priorities in the area, including changes that will occur in housing, growth and transportation over the next 25 years. Mayor Pro Tem Abelson learned that there is a need for more attached housing in the Bay Area as population increases.

Councilmember Jones announced that LED street lights are fully in place and implemented on San Pablo Avenue. This should reduce the energy requirements for street lights by over 60% and will also reduce maintenance and lighting costs. Additionally, light is aimed much more effectively and efficiently. El Cerrito is one of the first cities to use LED streetlights. Councilmember Jones stated that he attended the California League of California Cities Conference in San Jose last week and learned that it will be another 3-5 years before the housing market will fully recover. Foreclosed properties under \$500,000 are currently a hot market and next year the \$500-900,000 housing market will be hot.

Mayor Potter reminded the public that California Arts Day is October 2, 2009. At 5:00 p.m. at the Senior Center there will be a celebration of the historic Japanese Nursery Community and at 7:00 p.m. there will be an art show and reception at the Community Center. Mayor Potter also reported that the Contra Costa Civic Theater is featuring the play, Harvey, and reminded the public to take notice of flyers in their neighborhoods announcing upcoming street maintenance

and improvement work.

CAPITAL IMPROVEMENT PROGRAM UPDATES – *Jerry Bradshaw, Public Works Director.*

Mr. Bradshaw provided the City Council with an update of the street paving improvement program, status of the San Pablo Avenue Streetscape, and installation of LED street lights on San Pablo Avenue.

Action: Presentation heard.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Al Miller, El Cerrito, acknowledged the effort of Recreation Director, Monica Kortz, and others for the Dynamo Golf Day fundraising effort at the Mira Vista Country Club. The fundraiser benefits the senior center and the David Hunter Memorial Fund. Mr. Miller encouraged the City Council and public to participate in the Baxter Creek Work Party on September 26, 2009 from 9:30-12:30 p.m.

Chris Lehon, West Contra Costa Integrated Waste Management Authority, Recyclemore.com, encouraged the public to attend a meeting on October 8, 2009 at 7:00 p.m. in San Pablo City Hall. Composting options will be discussed and this could have an impact on garbage collection and processing rates. For more information, the public can call 215-3125 or visit Recyclemore.com. Mr. Lehon also announced that the public can dispose of certain household hazardous waste and pharmaceuticals at the El Cerrito Recycling Center on September 26, 2009.

4. PRESENTATIONS

A. Fall Prevention Awareness Week Proclamation

Approve a proclamation declaring the week of September 21, 2009, as “Fall Prevention Awareness Week” in the City of El Cerrito and calling upon residents and interested groups to observe the week with appropriate activities that promote awareness of fall prevention. *Bill Weidinger, Fall Prevention Steering Committee, JoAnn Liebe, American Medical Response, Laurel Zien, Senior Advocate and Bruce Ingraham, Senior Helpers, will accept the proclamation on behalf of their respective organizations.*

Action: Moved, seconded (Jones/Abelson) and carried unanimously to approve the Fall Prevention Awareness Week proclamation. Mayor Potter presented the proclamation on behalf of the City Council.

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

Moved, seconded (Lyman/Abelson) and carried unanimously to approve Consent Calendar Item Nos. 5A through 5K in one motion as indicated below.

JOINT CITY COUNCIL/REDEVELOPMENT ITEMS

A. Minutes for Approval

Approve the August 17, 2009 Special City Council and August 17, 2009 Special Concurrent City Council/Redevelopment Agency Meeting Minutes.

Action: Approved minutes.

B. Quarterly Investment Report

Receive and file the June 30, 2009 Quarterly Investment Report.

Action: Received and filed.

CITY COUNCIL ITEMS**C. California Arts Day Proclamation**

Approve a proclamation recognizing and supporting the mission of the California Arts Council to advance California through the arts and creativity by declaring October 2, 2009 as California Arts Day and by celebrating the Arts in El Cerrito throughout the entire month of October, 2009.

Action: Approved proclamation.

D. Domestic Violence Awareness Month Proclamation

Approve a proclamation proclaiming October 2009 as Domestic Violence Awareness Month, and urging all residents to actively participate in the efforts to end violence in our homes, in our schools, and in our communities.

Action: Approved proclamation.

E. Delegate Authority to the City Manager and City Attorney to Deny of Settle Claims under \$25,000

Rescind Resolution No. 94-10 and adopt a resolution delegating the City Council's authority to deny claims to the City Manager and City Attorney in an amount not to exceed \$25,000 and increase the authority to settle claims from \$20,000 to \$25,000.

Action: Adopted Resolution No. 2009-59.

F. Claims Against the City

Reject the claim filed by Melford C. Young, Claim No. GL-009389, per Claims Administrator.

Action: Rejected Claim No. GL-009389 per claims administrator.

G. Lease-Purchase of Recycling Truck

Adopt a resolution authorizing the City Manager to enter into a contract for the lease-purchase of a rear-end loading recycling collection truck from Western Truck Center, cost of the truck (including all taxes, fees, and selected warranties) in an amount not to exceed \$194,742.12 and total interest of the seven year lease purchase through First Municipal Leasing Corporation not to exceed \$34,207.02.

Action: Adopted Resolution No. 2009-60.

H. Designating Primary and Alternate Board Members to the Municipal Pooling Authority of Northern California (MPA)

Adopt a resolution designating the Employee Services Manager as Primary Board Member and the Administrative Services Director as Alternate Board Member to the Municipal Pooling Authority of Northern California.

Action: Adopted Resolution No. 2009-61.

I. Agreement with the West Contra Costa Unified School District Regarding Funding of School Resource Officers

Rescind Resolution No. 2006-44 and adopt a resolution authorizing the City Manager to enter into an agreement with the West Contra Costa Unified School District (WCCUSD) to partially fund three School Resource Officer positions (SROs). Two of the SROs will continue their assignment at El Cerrito High School and one officer will be assigned to Portola Middle School.

If authorized, the agreement becomes effective immediately, and will continue through June 30, 2012. The agreement will automatically renew on July 1, 2012 and on every July 1 thereafter for an additional one-year term, unless terminated earlier.

Action: Adopted Resolution No. 2009-62.

J. Maddy Act Local Appointments List

Receive and file a listing of all current board and commission members whose terms will expire in 2010.

Action: Received and filed.

K. Support Senate Bill 406

At the request of Councilmember Cheng, approve a recommendation to support Senate Bill 406 (*DeSaulnier*) which allows Metropolitan Planning Organizations and Council's of Government to instate a \$2 vehicle registration fee to fund Senate Bill 375 Sustainable Community Strategies and send a letter to Governor Schwarzenegger and the California Air Resources Board which demonstrates the City Council's support.

Action: Approved recommendation.

6. PUBLIC HEARING

Abatement of Fire Hazard Public Nuisance Pursuant to El Cerrito Municipal Code Chapter 16.26

Conduct a public hearing and upon conclusion adopt a resolution confirming the costs of abatement of public nuisance conditions resulting from the presence of weeds, rubbish, litter or other flammable material on private property designated on Exhibit A to the resolution as authorized in El Cerrito Municipal Code Chapter 16.26.

Speaker: Michael Bond, Fire Services Battalion Chief.

Moved, seconded (Lyman/Abelson) and carried unanimously to open the public hearing. No speakers.

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

Action: Moved, seconded (Lyman/Abelson) and carried unanimously to adopt Resolution No. 2009-63 with direction to staff to capture the full extent of administrative time and costs in all future fire hazard abatement endeavors.

7. POLICY MATTERS

CITY COUNCIL ITEM

A. American Disabilities Act Transition Plan

Adopt a resolution adopting the City of El Cerrito Americans with Disabilities Act Transition Plan which supersedes Resolution No. 93-7 including the plan adopted in 1993.

Speaker: Yvetteh Ortiz, Engineering Manager.

Action: Moved, seconded (Abelson/Lyman) and carried unanimously to adopt Resolution No. 2009-64.

REDEVELOPMENT AGENCY ITEM

B. Litigation by the California Redevelopment Association and California Redevelopment Agencies Against the State of California for the Taking of Property Tax Funds

Adopt a Redevelopment Agency resolution authorizing the Redevelopment Agency to serve as a plaintiff, along with other redevelopment agencies, in the litigation planned by the California Redevelopment Association against the State of California challenging the taking of \$2.05 billion in local property tax funds through the Supplemental Educational Revenue Augmentation Fund Transfer.

Speaker: Lori Treviño, Redevelopment Manager.

Action: Moved, seconded (Jones/Cheng) and carried unanimously to adopt Redevelopment Agency Resolution No. 591 as amended by Agency Chair Jones to include an additional enacting clause to state that the Agency Board directs Agency staff to notify state representatives and senators in its immediate and adjacent jurisdiction as well as its federal congressional and senatorial representatives of the action taken by adoption of this resolution by the El Cerrito Redevelopment Agency.

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

- A. Mayor Potter reported on her attendance at the September Contra Costa Mayors Conference in San Ramon. Former Assemblyman Willie Brown spoke about changes in the state legislature since the implementation of term limits and expressed his thoughts about reforms. Mayor Potter reminded the public again that Arts Day is October 2, 2009 and that there will be numerous events throughout the city in October.
- B. Mayor Pro Tem Abelson reported that the Environmental Quality Committee (EQC) has been working hard on a variety of projects including the tree planting and environmental showcase. One EQC subcommittee has been working on the introduction of a re-useable To-Go food container program in restaurants. A free re-useable To-Go food container will be given out to first 100 attendees at the October 17 environmental showcase event at noon. Another committee is working on a climate protection plan with staff. The Committee on Aging presented the film "An Inconvenient Truth" at its last meeting. Mayor Pro Tem Abelson attended the East Bay Division of the League of California Cities at the annual state convention. Mayor Pro Tem Abelson was re-elected as the Contra Costa County representative to the League Board of Directors.

- C. Councilmember Cheng reported that the Economic Development Board and staff have been working on the October 25, 2009 El Cerrito Home Based Business Expo. Councilmember Cheng noted that the number of people working at home has doubled in the last two years and that this is a growing demographic. The San Pablo Avenue Specific Plan is moving forward through the various boards and commissions. The plan will come back to the City Council in January.
- D. Councilmember Jones reported on the Tom Bates Regional Sports Field Joint Powers Authority meeting. The Authority is working on a funding strategy for the baseball and softball fields. The Authority may come back to the cities for more money. The Sports Field has been open a year, attract a variety of users and have been successful. User fees are paying for operation of the fields and have satisfied the East Bay Regional Park District (EBRPD) requirement to create a special fund for replacement of the artificial field when it wears out.
- E. Councilmember Lyman reported that the Crime Prevention Committee met on September 9 and will be attending the Tri City Safety Day on September 26. The Committee is pleased with the success of National Night Out. The Financial Advisory Board (FAB) met on September 8 and discussed the reserve fund policy which is scheduled for delivery to the City Council in December and no later than January. The FAB expressed concerns regarding long term financial planning of the City within the context of the Public Employee Retirement System (PERS) contribution rates. Some cities have been looking at alternatives to PERS. Councilmember Lyman informed the City Council that the FAB wants the City Council to be aware of the FAB's concerns about potential impacts on the long term financial plan and wants the City Council to know there are alternatives that other cities are exploring or adopting. If the Council wants more information it can refer the matter to the City Manager and schedule a work session.

9. ADJOURNED CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING at 8:45 p.m.

10. CONVENE SPECIAL REDEVELOPMENT AGENCY MEETING

Chairperson Jones convened the Special Redevelopment Agency meeting at 8:45 p.m.

ANNOUNCEMENT OF SPECIAL REDEVELOPMENT AGENCY CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: 11450 San Pablo Avenue
El Cerrito, CA 94530

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

Negotiating Parties: Target Corporation & Safeway Corporation
Blake Hunt Ventures & Center Street Housing
Lowe Enterprises
Roger Snell

Under Negotiation: Price and Terms of Payment

ORAL COMMUNICATIONS FROM THE PUBLIC – No speakers.

RECESSED INTO CLOSED SESSION at 8:50 p.m.

POSSIBLE REPORT OUT OF CLOSED SESSION

The Redevelopment Agency Board provided direction to staff.

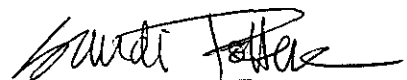
ADJOURNED SPECIAL REDEVELOPMENT AGENCY MEETING at 9:52 p.m.

The next regularly scheduled meeting of the City Council is Monday, October 5, 2009.

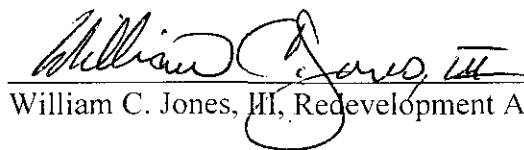
This is to certify that the foregoing is a true and correct copy of the minutes of the September 21, 2009 City Council Meeting, September 21, 2009 Concurrent City Council and Redevelopment Agency Meeting and September 21, 2009 Special Redevelopment Agency Meeting as approved by the El Cerrito City Council and Redevelopment Agency.



Cheryl Morse, City Clerk and Secretary to the Redevelopment Agency



Sandi M. Potter, Mayor



William C. Jones, III, Redevelopment Agency Chair

