

EL CERRITO CITY COUNCIL EL CERRITO REDEVELOPMENT AGENCY

MINUTES

SPECIAL CITY COUNCIL MEETING

Monday, March 2, 2009 – 6:15 p.m.

Hillside Conference Room

SPECIAL CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

Monday, March 2, 2009 – 7:30 p.m.

City Council Chambers

SPECIAL REDEVELOPMENT AGENCY MEETING

**Monday, March 2, 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

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.

6:15 p.m. CONVENE SPECIAL CITY COUNCIL MEETING

Mayor Potter convened the Special City Council Meeting at 6:15 p.m.

ORAL COMMUNICATIONS FROM THE PUBLIC – No Speakers.

BOARD AND COMMISSION INTERVIEWS AND APPOINTMENTS

Conduct interviews of candidates for several city boards, commissions and committees. Interviews may result in an announcement of appointment at the meeting. The City Council will also discuss scheduling of future interviews and the Environmental Quality Committee

appointment process.

Action: Interviews conducted, discussion held and appointments made.

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

ROLL CALL

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

7:30 p.m.

CONVENE SPECIAL CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

Mayor Potter convened the Special Concurrent City Council / Redevelopment Agency Meeting at 7:41 p.m.

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

Redevelopment Agency Chair Jones reported that at the Redevelopment Agency's February 14 Closed Session meeting, regarding 6500 Stockton Avenue, the Agency provided staff direction on how to proceed.

Mayor Potter reported that the City Council had convened a Special City Council Meeting earlier this evening and announced the following board and commission appointments: 1) Re-appointment of Rich Bartke and Brad Castel and the appointment of Sean Jackson and Lance Kolding to the Financial Advisory Board for terms ending January 1, 2013; 2) Appointment of Seth Kaplan to the Parks and Recreation Commission for a term ending January 1, 2012; 3) Appointment of Bill Kuhlman to the Planning Commission for a term ending January 1, 2013; 4) Sam Krueger to the Environmental Quality Committee; and 5) Glenn Wood to the Design Review Board. Mayor Potter echoed the positive comments of other councilmembers regarding the Grand Opening Celebration at El Cerrito High School.

Councilmember Lyman announced his attendance at the February 5 Mayors Conference in which Will Travis gave a presentation on Climate Change and its effects on San Francisco Bay. On February 11th Councilmember Lyman attended the Richmond Elks Lodge Officer of the Year Dinner which honored El Cerrito Police Sergeant Stephen Bonini, and on February 19 he attended an Association of Bay Area Governments presentation on parking.

Councilmember Cheng reported on her attendance at the *Read Across America* program which was held at Castro Elementary School. Councilmember Cheng also attended the El Cerrito High School Grand Opening Celebration.

Councilmember Jones commented on the El Cerrito High School Grand Opening and stated that it is a \$110 million first rate facility which is set up to serve the community for the next 40 to 50 years.

Mayor Pro Tem Abelson also attended the *Read Across America* program at Castro Elementary School and also attended the Mayors Conference where climate protection was discussed.

Update on Curbside Recycling Program Implementation – Garth Schultz, Environmental Analyst, Environmental Services Division.

Garth Schultz, Environmental Analyst, stated that the roll out of new recycling carts went well, noted that tonnage is up and mentioned an instance where a resident was recycling for the first time.

3. ORAL COMMUNICATIONS FROM THE PUBLIC

Dave Weinstein, El Cerrito, spoke in support of the Cerrito Theater and noted the beneficial effects the Theater has had on the surrounding business area.

Ann Lehman, El Cerrito, expressed her disappointment in learning that the Cerrito Theater was not doing as well as expected and spoke in support of the Cerrito Theater and congratulated Monica Kortz on her selection as El Cerrito's Woman of the Year.

Mary Schmida, El Cerrito, expressed concerns with the impact that building a middle school will have on the elementary schools and expressed concerns with the closure of Castro Elementary School. Ms. Schmida urged the City Council to attend the School Board Meeting on March 4.

Dianne Brenner, El Cerrito, expressed concerns about the use of herbicide on Moeser Lane by the Pacific Gas and Electric Company.

Peter Loubal, El Cerrito, offered additional comments regarding the Mayfair Site and requested an expansion of his comments as captured on the February 2 City Council Minutes. Mr. Loubal expressed concerns with the Cerrito Theater and stated that it was an expensive, silly, misguided decision and requested disclosure of all operational and financial facts.

Robert Brower, El Sobrante, cited his payment of El Cerrito property taxes and expressed concerns and anger with the School District's decision to place a temporary Portola campus at El Cerrito High School without having an environmental document in place.

4. PRESENTATIONS

A. Woman of the Year Proclamation

Approve a proclamation recognizing Monica Kortz for her significant contributions to the community and congratulating her upon her selection as El Cerrito's 2009 Woman of the Year, and particularly her recognition at the March 27, 2009 Women's History Month Celebration at Contra Costa College.

Action: Proclamation presented to Ms. Kortz.

B. National Association of Town Watch National Night Out Award 2008 – Presentation by El Cerrito Crime Prevention Committee.

Action: Award presented.

C. El Cerrito Police Department Bicycle Patrol Program – Presentation by Sergeant Shawn Maples, Commander Michael Regan and Corporal Jeffrey Albrandt.

Action: Presentation made.

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

Moved, seconded (Abelson/Cheng) and carried unanimously to adopt Consent Calendar Item Nos. 5B and 5D as indicated below.

A. Minutes for Approval

Approve the February 2, 2009 Special City Council, Special Concurrent City Council/Redevelopment Agency Meeting and Special Redevelopment Agency Closed Session Meeting minutes and the February 14, 2009 Special City Council and Special Redevelopment Agency Meeting minutes.

Action: Removed from the Consent Calendar by Councilmember Jones. Moved, seconded (Abelson/Jones) and carried unanimously to approve the minutes as corrected.

B. Claims Against the City

Reject Mark Stephen Perry Claim, No. GL-008889, per Claims Administrator.

Action: Claim No. GL-008889 rejected per Claims Administrator.

C. Resolution Congratulating Police Commander Gary Priebe on his Retirement

Adopt a resolution commending Commander Gary E. Priebe on his record of service to the City of El Cerrito and his concern for the protection of life and property in the local community, and extend to him sincere best wishes for continued success in his future endeavors.

Action: Removed from the Consent Calendar by Councilmember Jones to offer an opportunity for the Council to express appreciation for Commander Priebe's contributions to the City of El Cerrito. Moved, seconded (Abelson/Lyman) and carried unanimously to adopt Resolution No. 2009-05.

D. American Recovery and Reinvestment Act of 2009 Funding

Adopt a resolution authorizing the filing of an application for American Recovery and Reinvestment Act of 2009 (ARRA) funding and stating the assurance to complete the project.

Action: Adopted Resolution No. 2009-06.

6. PUBLIC HEARINGS – None

7. POLICY MATTERS

JOINT CITY COUNCIL/REDEVELOPMENT ITEM

A. FY 2008-2009 Mid Year Budget Review and Consideration of Adjustments to the Adopted Budget

Adopt a resolution authorizing budget adjustments to the Adopted FY 2008-2009 Operating Budget to account for economic and operational variations from those originally projected.

Presenter: Scott Hanin, City Manager.

Speaker: Peter Loubal, El Cerrito, acknowledged the concerns of City Manager Hanin and the Council and stated that the presentation reflects last year's revenues rather than revenues going outward and suggested discussion of more drastic cuts. Mr. Loubal also provided comments on LLAD and his desire for more information regarding the Cerrito Theater.

Action: Moved, seconded (Jones/Abelson) and carried unanimously to adopt Resolution No. 2009-07 as amended by Councilmember Jones to include an additional enacting clause to state that the Council directs and approves of staff's adherence to the FY 2008 and 2009 cost saving strategies as described in the March 2, 2009 mid year budget review staff report, to be attached as Exhibit A to the resolution and incorporated by reference.

CITY COUNCIL ITEM

B. Parks Project Priorities – Use of Measure WW Funding

Receive report from staff and recommendation from the Park and Recreation Commission for Parks Project Priority List, and provide direction to staff for developing an implementation plan for \$1,065,840 of Measure WW funding.

Presenter: Jerry Bradshaw, Director, Public Works Department.

Speakers: Tom Panas, El Cerrito, stated that survey respondents favored land acquisition and asked the Council to consider land acquisition, particularly Murietta Rock, located near Cutting and the Arlington and noted that it is on the Contra Costa County Historic Resources Inventory.

Anne Bell, El Cerrito, spoke in support of the acquisition of open space and encouraged the Council to consider purchasing the land southeast of Ganges Avenue and characterized the land as the last open space corridor.

Harvey Wittenberg, El Cerrito, commended Ms. Kortz on her award. Mr. Wittenberg noted the overwhelming survey response for acquisition of open space and asked the City Council to consider the long term implications of acquiring open space and act on behalf of those advocating for open space.

Peter Loubal, El Cerrito, stated that the Parks and Recreation Commission made a sensible recommendation to spread the money geographically, and stated that the area above Ganges and below Arlington would be a wonderful acquisition but acquisition and maintenance needs to be part of a long range plan. Mr. Loubal also asked the Council to consider a park with trees located on San Pablo Avenue.

Kevin Brown, Oakland, representing the skating community, encouraged the City Council to consider a skateboard area in El Cerrito.

Chris Conner, El Cerrito, spoke in favor of land acquisition prospects for the use of Measure WW funding, stated that there is a lot of support for land acquisition, stated that there is 20 to 30 years to use the money, and encouraged the Council to take a step back and consider further study prior to making a decision.

Action: Moved, seconded (Jones/Lyman; Ayes – Lyman, Jones and Potter; Noes – Abelson and Cheng) and carried that for the 2009 application: 1) Request \$150,000 for the Cerrito Vista Park Play Area and \$25,000 for the Gilman Fields Joint Powers Authority Sports Field as a match to East Bay Regional Park District Funds with no other funds requested this year; and 2) separately, that Council direct staff to give basic study to the Creekside Park Lighting Project as outlined in the staff report, Huber Park and survey for possible property for land acquisition including what is needed for CEQA requirements, procedures and studies and approach the City of Richmond about Central Park and possible plans as outlined in the staff report and recommendations made by the Parks and Recreation Commission for consideration with next year's application.

Mavor Pro Tem Abelson stated that she wished to go on record with her concerns that if the money is spent on small projects there will never be a big one and stated that the Council could look at whether residents may be interested in supporting a bond measure for acquisition of open space in the City of El Cerrito.

REDEVELOPMENT AGENCY ITEMS

C. Housing Fund Borrowing and Loan Commitment to Resources for Community Development for the Hatlen Center Housing Development

Adopt a Redevelopment Agency resolution which: 1) Authorizes staff to obtain and accept a loan from the Local Initiatives Support Corporation (LISC) for up to \$1.5 million to be repaid by the tax increment revenues deposited in the Low & Moderate Income Housing Fund; 2) Makes findings and authorizes a permanent loan in the amount of \$3.5 million from the Housing Fund for the Hatlen Center for the Blind & Family Housing Development proposed by Resources for Community Development and the Hatlen Center for the Blind; 3) Approves an amendment to the FY 2008–2009 budget and the necessary appropriation of \$3.5 million from the Housing Fund for the permanent loan.

Presenter: Hilde Myall, Senior Project Manager, Community Development Department.

Speaker: Robert Brower, El Sobrante, offered the following four comments: 1) April 1 is the infill, infrastructure, round two grant application cut-off date; 2) Council has a legal obligation to do low cost housing under the Redevelopment Tax Increment Plan; 3) this as a "win-win-win situation" particularly with the fund proceeds from the sale being deposited into the Astorgano Trust and rolling over into the scholarship fund for a \$1 million endowment fund at Contra Costa College without any administrative fees; and 4) Mr. Brower expressed his vision for checking a tandem bike out of the Hatlen Center and riding with a Hatlen Center resident to Fat Apples for pie.

Action: Moved, seconded (Potter/Abelson) and carried unanimously to adopt Redevelopment Agency Resolution No. 579.

D. Parking Lot Operation Located at 11600 San Pablo Avenue

Adopt a Redevelopment Agency resolution authorizing execution of an agreement permitting temporary continued use of the property being acquired by the Agency at 11600 San Pablo Avenue by the current parking lot operator.

Action: Moved, seconded (Potter/Lyman) and carried unanimously to adopt Redevelopment Agency Resolution No. 580.

8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

- A. Mayor Potter reported on her attendance at the West County Mayors and Supervisors Association meeting which included a presentation on Richmond's recently approved Solar Thermal Rebate Program. Mayor McLaughlin requested that El Cerrito consider a program that subsidizes solar hot water heater units for up to 25 residents at a level of \$1,000 per house for qualifying systems. There was also a presentation about the County's *Earn It! Keep It! Save It! Campaign Kick-Off*, a program which is part of a regional effort that provides free tax assistance to low-income families and helps them to receive their tax refunds and credits. Thirteen million dollars of earned income credits in the County goes unclaimed and the program, in helping low-income families file their returns, has brought \$2 million into the County.
- B. Mayor Pro Tem Abelson reported that the Environmental Quality Committee and the League of Women Voters were co-sponsors of the March 1 event at the Cerrito Theater featuring the film *Thirst* and noted that the event provided a very successful model for presenting concepts.
- C. Councilmember Cheng – No report.
- D. Councilmember Jones – No report.
- E. Councilmember Lyman reported that the Crime Prevention Committee had met and discussed background checks for members and amendment of the Committee's enabling resolution and that it is likely that the Committee will bring this issue forward to council for consideration. Additionally, Councilmember Lyman announced May 16th as Bicycle Safety Day, noon to 4:00 p.m. in the Department of Motor Vehicles parking lot.

SUPPLEMENTAL COMMUNICATIONS

Item 5A Minutes for Approval

- 1. Correction to February 2, 2009 Agenda – *Submitted by Peter Loubal.*

Item 7B Parks Project Priorities – Use of Measure WW Funding

- 2. Powerpoint presentation – *Submitted by Tom Panas.*

Moved, seconded (Abelson/Jones) and carried unanimously to suspend council rules and extend the Concurrent City Council / Redevelopment Agency meeting to 11:00 p.m.

Moved, seconded (Abelson/Cheng) and carried unanimously to suspend council rules and extend the Concurrent City Council / Redevelopment Agency meeting to 11:20 p.m.

Moved, seconded (Potter/Abelson) and carried unanimously to suspend council rules and extend the Concurrent City Council / Redevelopment Agency meeting to 11:30 p.m.

9. ADJOURNED SPECIAL CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING at 11:30 p.m.

ROLL CALL

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

10. CONVENE SPECIAL REDEVELOPMENT AGENCY MEETING

Chairperson Jones convened the Special Redevelopment Agency Meeting at 11:32 p.m.

ORAL COMMUNICATIONS FROM THE PUBLIC

Al Miller, El Cerrito, cited the many benefits resulting from the opening of the Cerrito Theater and noted that the Theater has helped El Cerrito become a destination rather than a starting point for entertainment and has put a "there" in El Cerrito. Mr. Miller also called attention to specific events such as the Art Car Event, the Oscars, the Superbowl, and the Obama Inauguration and stated that the Cerrito Theater has been a source of community building and contributes to the City's culture.

ANNOUNCEMENT OF REDEVELOPMENT AGENCY CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: 10070 San Pablo Avenue

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

Negotiating Parties: Downey Street Productions

Under Negotiation: Terms of Payment

RECESSED INTO REDEVELOPMENT AGENCY CLOSED SESSION at 11:35 p.m.

POSSIBLE REPORT OUT OF CLOSED SESSION

The Agency Board provided staff and Agency Counsel with direction on this matter.

11. ADJOURNED SPECIAL REDEVELOPMENT AGENCY CLOSED SESSION MEETING at 12:16 a.m.

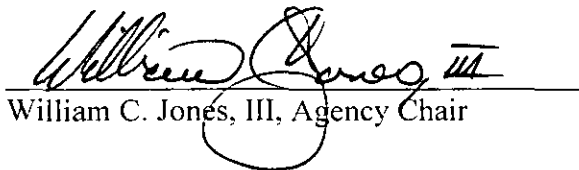
This is to certify that the foregoing is a true and correct copy of the minutes of the Special City Council, Special Concurrent City Council and Redevelopment Agency and Special Redevelopment Agency meetings of March 2, 2009 as approved by the El Cerrito City Council and Redevelopment Agency.



Cheryl Morse, City Clerk and Secretary to the Redevelopment Agency



Sandi M. Potter, Mayor



William C. Jones, III, Agency Chair