



AGENDA

CITY COUNCIL SPECIAL CLOSED SESSION

Monday, July 16, 2007 – 6:45 p.m.

Community Center Conference Room

CONCURRENT CITY COUNCIL /REDEVELOPMENT MEETING

Monday, July 16, 2007 – 7:30 p.m.

CITY COUNCIL SPECIAL CLOSED SESSION

Monday, July 16, 2007 – Immediately following the Regular Meeting

Meeting Location

Council Chambers, Community Center

7007 Moeser Lane, El Cerrito

- *Council Meetings can be viewed live on Cable TV - KCRT- Channel 28. The meetings are rebroadcast on Channel 28 the following Thursday and Monday at 12 noon, except on holidays.*
- *Copies of the agenda bills and other written documentation relating to items of business referred to on the agenda are on file and available for public inspection in the Office of the City Clerk and posted on the City's website at www.el-cerrito.org.*
- *In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk, (510) 215-4305. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title I).*

ROLL CALL

6:45 p.m. CONVENE SPECIAL CLOSED SESSION MEETING

ANNOUNCEMENT OF CLOSED SESSION

ORAL COMMUNICATIONS (*Comments are limited to 3 minutes and to items listed on the Closed Session Agenda only.*)

**INITIATION OF LITIGATION – CONFERENCE WITH LEGAL COUNSEL
GOVERNMENT CODE SECTION 54956.9(c)**

Albany Unified School District

ADJOURN SPECIAL CLOSED SESSION

ROLL CALL

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

- 1. PLEDGE OF ALLEGIANCE TO THE FLAG** – led by Councilmember Abelson
- 2. POSSIBLE REPORT OUT OF CLOSED SESSION**
- 3. COUNCIL / STAFF COMMUNICATIONS** (Informational reports on matters of general interest by Council & Staff.)

City Hall Update – LEED Certification Process

- 4. PRESENTATIONS**
 - A. Business Recognition Awards**
 - B. El Cerrito Garden Club Sundar Shadi Awards** – presented by Virginia Summerer, El Cerrito Garden Club President
 - C. National Night Out – Crime Prevention Committee** – Issuance of Proclamation
 - D. Upper Fairmont Streetscape Draft Conceptual Design Plan** – presented by Jerry Bradshaw, Public Works Director

- 5. ORAL COMMUNICATIONS FROM THE PUBLIC**

This place on the agenda is reserved for comments and inquiries from citizens regarding matters on the consent calendar and matters which do not otherwise appear on the agenda. All persons wishing to speak must sign up with the City Clerk. Remarks are limited to 3 minutes per person. Comments regarding consent calendar items will be heard first.

- 6. ADOPTION OF THE CONSENT CALENDAR – Items 6A through 6G**

Consent Calendar items are considered to be routine by the City Council and will be enacted by one motion unless a request for removal for discussion or explanation is received prior to the time Council votes on the motion to adopt.

A. Claim Filed Against the City

Stephen Johnson – Reject Claim No. GL-007420 per claims administrator.
(ACTION: Reject Claim)

B. Execute and Submit Allocation Requests for the Ohlone Greenway Safety Improvements Project

1. Adopt a Resolution approving the updated Initial Project Report and allocation request, and stating that the City of El Cerrito will comply with all the various provisions of the Metropolitan Transportation Commission’s Regional Measure 2 Policy Guidance (MTC Resolution No. 3636) in connection with the completion of the Ohlone Greenway Safety Improvements Project, a Safe Routes to Transit Project. (ACTION: Adopt)

2. Adopt a Resolution appropriating \$25,000 from General Fund Balance to complete the funding for the Ohlone Greenway Safety Improvements Project. (ACTION: Adopt)

C. 2007 Storm Drain Rehabilitation Program – Cypress Storm Drain

Adopt a resolution that includes the following actions:

1. Approves plans and specifications, accepts bids, and authorizes the City Manager to execute a contract in the amount of \$325,815.00 with W. R. Forde Associates for the construction of the 2007 Storm Drain Rehabilitation Program Contract No. 07-3013.
2. Authorizes the City Manager to approve change orders for unforeseen conditions in an amount not to exceed \$32,582. (ACTION: Adopt)

D. Support California Constitutional Amendment 12 – Stormwater and Urban Runoff Management Fees

Adopt a Resolution supporting State Constitutional Amendment No. 12 amending the California Constitution to make fees for storm water and urban runoff management work the same way as fees for garbage collection, sewer treatment and water. (ACTION: Adopt)

E. Support Clean Up of State Senate Bill 1210 to Streamline Eminent Domain Procedures

Adopt a Resolution urging the California Legislature and Governor Schwarzenegger to adopt significant revisions to the current statutory provisions as mandated by SB 1210, Statutes of 2006. (ACTION: Adopt)

F. Submission of Application to the Association of Bay Area Governments/Metropolitan Transportation Commission for Priority Development Area Designation

Adopt a Resolution authorizing the City Manager or his designee to submit an application to designate the San Pablo Avenue Corridor as a Priority Development Area (PDA) through the regional *FOCUS* Initiative. (ACTION: Adopt)

G. Support State Assembly Bill 239 Recording Fees for Contra Costa and San Mateo Counties to Assist in the Development of Affordable Housing for Low Income Households

At the request of the Commission on Aging, authorize the Mayor to sign a letter registering the City Council's support of Assembly Bill 239. (ACTION: Adopt)

7. PUBLIC HEARING

Fire Hazard Abatement

Declare that weeds, rubbish, litter or other flammable material on certain identified private properties constitute a public nuisance and direct the City Manager or his designee to abate such public nuisance conditions by adopting the following three resolutions which:

1. Declare that a public nuisance exists on certain properties identified in the resolution, in which no City Councilmember has a conflict of interest based on proximity to their residence; and
2. Declare that a public nuisance exists on properties identified in the resolution in which Mayor Moore may have a conflict of interest based on proximity to her residence; and

3. Declare that a public nuisance exists on properties identified in the resolution in which Councilmember Bridges may have a conflict of interest based on proximity to her residence. (ACTION: Adopt)

8. POLICY MATTERS

JOINT CITY COUNCIL / REDEVELOPMENT ITEM

A. West Contra Costa County Unified School District Purchase Agreement

Adopt a Resolution authorizing the City Manager/Agency Executive Director to sign a purchase and sale agreement for the Senior Center property located at 6500 Stockton Avenue, El Cerrito. (ACTION: Adopt)

CITY COUNCIL ITEMS

B. Contract with VBN Architects to Complete Design of a New Recycling Center

Adopt a Resolution authorizing the City Manager to enter into a contract with VBN Architects for schematic design, design development, construction documents, bidding, and construction administration of El Cerrito's new recycling center in an amount not to exceed \$373,500 (including \$325,240 flat fee for the above phases, up to \$18,260 for LEED green building certification, and up to \$30,000 in contingency). (ACTION: Adopt)

C. City Hall Furnishings

Adopt a Resolution authorizing the City Manager to enter into a purchase agreement with One Workplace through the National Joint Powers Alliance (NJPA) Better Together bid process for City Hall Furnishings in an amount not to exceed \$317,419, plus not to exceed \$32,581 for miscellaneous incidental furnishings (total \$350,000). (ACTION: Adopt)

D. Ehren Watada Resolution

Consider adopting a Resolution supporting Lt. Ehren Watada as submitted by Chizu Iiyama, Watada Support Committee.

1. Letter and Resolution submitted by Chizu Iiyama on behalf of the Watada Support Committee; and
2. Supplemental background information.

E. Annual League of California Cities – Designation of Third Voting Delegate Alternate

Consider adoption of a Resolution appointing a councilmember as a third voting delegate alternate for the League of California Cities 2007 Annual Conference and confirming the prior appointments of Councilmember Abelson as delegate and Mayor Moore and alternate. (ACTION: Adopt)

9. COUNCIL ASSIGNMENTS/LIAISON REPORTS

- A. Mayor Moore Assignments as Mayor: Assoc. of Bay Area Governments (ABAG), General Assembly (alternate); County Mayors' Conference; Design Review Board, Disaster Preparedness Council, League of Ca. Cities, East Bay Div. (alternate); Pension Board,

Temporary Permits Committee; Underground Utilities Committee; West County Integrated Waste Management Authority (delegate), West County Mayors' & Supervisors' Assoc. (delegate), and West County Transportation Advisory Comm. (alternate).

- B. Mayor Pro Tem Jones Assignments: County Mayors' Conference (alternate), Disaster Preparedness Council (alternate), Economic Development Board, Pension Board (alternate); Sports Field JPA; Temporary Permits Committee, Underground Utilities Committee, West County Integrated Waste Mgmt. Authority (alternate); and West County Mayors' & Supervisors' Assoc. (alternate).
- C. Councilmember Abelson Assignments: ABAG General Assembly (delegate), League of CA. Cities East Bay Div. (Delegate), Committee on Aging, National Organization on Disability; Park and Recreation Commission; Recycling Services Task Force; Shaping Our Future Committee, & West County Transportation Advisory Comm.
- D. Councilmember Bridges Assignments: Crime Prevention Committee; Financial Advisory Board; Human Relations Commission; Planning Commission, & West County Regional Library Board (alternate).
- E. Councilmember Potter Assignments: Arts & Culture Commission; East Bay Delta Housing & Financial Agency; Sports Field JPA (alternate); Tree Commission; West County Regional Library Board (delegate) & West County Unified School District Citizens' Bond Oversight Committee (CBOC).

10. ADJOURN REGULAR MEETING

11. ANNOUNCEMENT OF CLOSED SESSION

Conference with Real Property Negotiators

Pursuant to Government Code Section 54956.8

Property: Stege Land Swap – 7500 Schmidt Lane / 7450 Schmidt Lane

City Negotiators: Scott Hanin, Executive Director
Jerry Bradshaw, Public Works Director
Alexander Abbe, Assistant City Attorney

Negotiating Parties: Stege Sanitary District

Under Negotiation: Price and Terms

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ORAL COMMUNICATIONS (*Comments are limited to 3 minutes and to items listed on the Closed Session Agenda only.*)

POSSIBLE REPORT OUT OF CLOSED SESSION

12. ADJOURNMENT

The next Regular City Council will be held on Monday, August 20, 2007 at 7:30 p.m. at the El Cerrito Community Center, 7007 Moeser Lane, El Cerrito, CA

Deadline for agenda items for the 8/20/07 regular meeting is Monday, 8/13/07 by 12 noon, City Clerk's Office, 10940 San Pablo Avenue, El Cerrito, CA. Tel: 215-4305
Fax: 215-4379, email cmorse@ci.el-cerrito.ca.us

IF YOU CHALLENGE A DECISION OF THE CITY COUNCIL IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE COUNCIL MEETING OR IN WRITTEN CORRESPONDENCE DELIVERED AT, OR PRIOR TO, THE COUNCIL MEETING. ACTIONS CHALLENGING CITY COUNCIL DECISIONS SHALL BE SUBJECT TO THE TIME LIMITATIONS CONTAINED IN CODE OF CIVIL PROCEDURE SECTION 1094.6

The City Council believes that late night meetings deter public participation, can affect the Council's decision-making ability, and can be a burden to staff. City Council Meetings shall be adjourned by 10:30 p.m., unless extended to a specific time determined by a majority of the Council.