



AGENDA

SPECIAL CITY COUNCIL CLOSED SESSION MEETING

Monday, September 17, 2007 – 7:00 p.m.

Community Center Conference Room

CITY COUNCIL REGULAR MEETING

Monday, September 17, 2007 – 7:30 p.m.

City Council Chambers

Meeting Location

Council Chambers, Community Center

7007 Moeser Lane, El Cerrito

- *Council Meetings can be heard live on FM Radio, KECG – 88.1 and 97.7 FM and 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

7:00 p.m. CONVENE SPECIAL CITY COUNCIL CLOSED SESSION MEETING

ANNOUNCEMENT OF CLOSED SESSION

Conference with Legal Counsel – Existing Litigation

(Subdivision (a) of Section 54956.9)

City of El Cerrito v. Albany Unified School District

Contra Costa Superior Court, Case No. N07-1266.

CONVENE SPECIAL CLOSED SESSION MEETING

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

ADJOURN SPECIAL CITY COUNCIL MEETING

ROLL CALL**7:30 p.m. CONVENE CITY COUNCIL MEETING**

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

A. Gilman Fields Joint Powers Authority Funding Request – Presentation by City of Berkley Mayor Tom Bates

B. Acceptance of Law Enforcement Challenge Award

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 5A through 5F

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. Gilman Fields Joint Powers Authority Funding Request

Adopt a resolution appropriating \$50,000 as contingency funds toward the completion of the Gilman Sports Fields Project. (ACTION: Adopt)

B. Approval of Minutes

Approve the minutes of the August 20, 2007 City Council Special, Regular and Closed Session Meetings. (ACTION: Approve)

C. Proposed Voter Precinct Consolidation

Receive and file a communication from the Contra Costa County Elections Division regarding precinct consolidation and schedule a presentation by a representative of the County's Election Division at the Council's October 1, 2007 meeting if desired.

D. Issuance of Proclamations

1. Proclamation Celebrating California Arts Day

2. Shelter in Place Education Day – Requested by the Contra Costa Community Awareness Emergency Response Group

E. Authorization for Recreation Department Replacement Vehicles

Adopt a Resolution amending the FY 2007-08 Operating Budget for replacement of Recreation Department vehicles utilizing \$86,000 of the unrestricted fund balance of the Equipment Replacement Fund. (ACTION: Adopt)

F. Quarterly Investment Report

Receive and file the City's June 30, 2007 Quarterly Investment Report. (ACTION: Receive and File)

7. PUBLIC HEARINGS

A. Master Fee Schedule Amendment – Street Restoration In-Lieu Fee

Conduct a public hearing and upon conclusion adopt a resolution establishing a Street Restoration In-Lieu Fee in the amount of \$500 collected at the time a permit is issued for street excavation work on slurry or cape seal moratoria street necessitated by emergency or Stege Sanitary District Certificate of Compliance requirements and said funds will be placed in a street maintenance account to be used by the city for this work. (ACTION: Adopt)

B. Conduct a Public Hearing to Determine if there is Evidence to Support Declaring the News Stands on San Pablo Avenue at EC Natural Foods and Church's Chicken a Public Nuisance and Require Abatement

Conduct a public hearing and upon conclusion adopt a resolution declaring specific news stand racks located within the public right-of-way along San Pablo Avenue a public nuisance and direct the City Manager or his designee to abate such public nuisance conditions. (ACTION: Adopt)

8. POLICY MATTERS

A. Video Surveillance Ordinance

Consider adopting first reading of an ordinance amending Title 6 of the El Cerrito Municipal Code by adding Chapter 6.90, Video Surveillance Systems and adopt a resolution establishing the minimum technical standards for video surveillance systems applicable to certain El Cerrito businesses.

(ACTION: 1) Approve by Title – Voice Vote; 2) Adopt First Reading – Roll Call Vote)

B. Ordinance Related to Street Trench Cut Permits on Streets Resurfaced Within the Past 3 to 5 years

Adopt first reading of an ordinance amending Section 13.12.030 of the El Cerrito Municipal Code requiring restoration of a recently paved street and the authority to collect a fee for such restoration as set forth in the Master Fee Schedule.

(ACTION: 1) Approve by Title – Voice Vote; 2) Adopt First Reading – Roll Call Vote)

C. Action Minutes

Approve a recommendation to authorize the City Clerk to transition from preparation of extensive summary minutes to action minutes for all televised meetings of legislative bodies convened by the City Council. (ACTION: Approve)

D. Citizens Bond and Oversight Committee Appointment

Appoint a member to the Citizens Bond and Oversight Committee for a term concluding October 2009. (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. ADJOURNMENT

The next Regular City Council will be held on Monday, October 1, 2007 at 7:30 p.m. at the El Cerrito Community Center, 7007 Moeser Lane, El Cerrito, CA.

Deadline for agenda items for the 10/1/07 regular meeting is Monday, 10/24/07 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.