



## AGENDA

**SPECIAL CITY COUNCIL MEETING**  
**Monday, November 5, 2007 – 6:30 p.m.**  
**City Council Chambers**

**SPECIAL CITY COUNCIL MEETING**  
**Monday, November 5, 2007 – 7:10 p.m.**  
**Community Center Conference Room**

**CITY COUNCIL MEETING**  
**Monday, November 5, 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](http://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**

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

**ORAL COMMUNICATIONS** (*Comments are limited to 3 minutes and to items listed on this Special Meeting Agenda only.*)

**ADMINISTRATION OF THE OATH OF OFFICE – FIRE DEPARTMENT BADGE CEREMONY**

**ADJOURN SPECIAL CITY COUNCIL MEETING**

### **ROLL CALL**

**7:10 p.m. CONVENE SPECIAL CITY COUNCIL MEETING**

**ORAL COMMUNICATIONS** (*Comments are limited to 3 minutes and to items listed on this Special Meeting Agenda only.*)

**PARK AND RECREATION COMMISSION INTERVIEWS**

The City Council will conduct interviews of applicants for a vacancy on the Park and Recreation Commission. Interviews may result in an announcement of appointment at the meeting.

**ADJOURN SPECIAL CITY COUNCIL MEETING**

**ROLL CALL**

**7:30 p.m. CONVENE REGULAR CITY COUNCIL MEETING**

- 1. PLEDGE OF ALLEGIANCE TO THE FLAG** – led by Councilmember Abelson.
- 2. PUBLIC HEARINGS**

**Appeals of the Decision of the Design Review Board’s Approval of Architectural and Landscape Details for the 128 unit Creekside at El Cerrito Plaza Condominium Project, at the southeast corner of El Cerrito Plaza.**

**A. Staff Report**

Adopt a Resolution denying the appeals and uphold the decision of the Design Review Board, approving architectural and landscape details for the Creekside project. (ACTION: Adopt)

**B. Appeals**

- 1. Plaza Oak Group, LLC**
- 2. City of Albany**

**C. Communications**

**Berding and Weil, LLP on behalf of Plaza Oak Group, LLC**

- 3. COUNCIL / STAFF COMMUNICATIONS** (Informational reports on matters of general interest by Council & Staff.)
- 4. 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.
- 5. 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. Approval of Minutes**

Approve the October 15, 2007 Special Concurrent City Council/Redevelopment Agency Closed Session Meeting, Regular City Council Meeting and Special City Council Closed Session minutes. (ACTION: Approve)

**B. Destruction of City Records**

Adopt a Resolution authorizing the destruction of city records in accordance with the city's records retention schedule. (ACTION: Adopt)

**C. University of California Young Musicians' Program Proclamation**

Approve a proclamation recognizing the outstanding academic achievement of El Cerrito's citizen, Ms. Donna Wing Chung and proclaiming November 28, 2007 as the Chancellor's 4.0 Club Day in the City of El Cerrito with Ms. Donna Wing Chung as its shining representative for our community. (ACTION: Approve proclamation)

**D. Amendment to Contract with Richards, Watson & Gershon and Designation of City Attorney**

Adopt a resolution designating Alexander Abbe as the City Attorney for El Cerrito and authorizing the City Manager to execute an amendment to the contract with Richards, Watson & Gershon for City Attorney services. (ACTION: Adopt)

**E. Project Manager / Senior Project Manager Classification**

Adopt a Resolution amending the City's Classification Plan, to add the job description for Project Manager/Senior Project Manager and amend Resolution 2006-52 to set the appropriate salary and benefits. (ACTION: Adopt)

**F. Quarterly Investment Report**

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

**6. POLICY MATTERS****A. Amendment of the Solid Waste Ordinance**

Adopt first reading of an ordinance amending Chapter 8.12, Collection and Disposal of Waste Stream, of the El Cerrito Municipal Code as shown in the attached document and schedule a second reading to be held on November 19, 2007. (ACTION: Approve by Title – Voice Vote; 2) Adopt First Reading – Roll Call Vote)

**B. February 2008 Sales Tax Ballot Measure for City Pothole Repair and Local Street Improvements and Maintenance**

Adopt a Resolution of the City Council of the City of El Cerrito:

- 1) Calling for a Special Municipal Election to be consolidated with the Statewide Presidential Primary to be held on February 5, 2008;
- 2) Approving an Ordinance (Exhibit A to the Resolution) establishing a one-half cent sales tax increase for the repair of potholes and improvement and maintenance of city streets, which would be effective only if adopted by a two-thirds vote of the El Cerrito electorate;

- 3) Submitting to the El Cerrito electorate a measure to adopt the Ordinance establishing a one-half cent sales tax increase for the repair of potholes and improvement and maintenance of city streets; and
- 4) Requesting that the Contra Costa Board of Supervisors consent to the consolidation of this election with the statewide primary election to be held on the same date.

## **7. 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), San Pablo Avenue Area Specific Plan Area Committee.
- 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; San Pablo Avenue Area Specific Plan Committee, & West County Transportation Advisory Committee.
- 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) alternate.

## **8. ADJOURNMENT**

**The next Regular City Council will be held on Monday, November 19, 2007 at 7:30 p.m. at the El Cerrito Community Center, 7007 Moeser Lane, El Cerrito, CA.**

The Agenda, Staff Reports and Minutes are available for review on the city's website [www.el-cerrito.org](http://www.el-cerrito.org) and at the El Cerrito Library prior to the meeting. Staff reports are also available for review at the meeting and in the City Clerk's Office.

**Deadline for agenda items** for the 11/19/07 regular meeting is Monday, 11/12/07 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](mailto: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.