



AGENDA

SPECIAL CITY COUNCIL MEETING
Monday, November 19, 2007 – 6:30 p.m.
Community Center Conference Room

CONCURRENT CITY COUNCIL/REDEVELOPMENT REGULAR MEETING
Monday, November 19, 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

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

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

DESIGN REVIEW BOARD INTERVIEWS

The City Council will conduct interviews of applicants for a vacancy on the Design Review Board. Interviews may result in an announcement of appointment at the meeting.

ADJOURN SPECIAL CITY COUNCIL MEETING

ROLL CALL

7:30 p.m. CONVENE CITY COUNCIL MEETING

- 1. PLEDGE OF ALLEGIANCE TO THE FLAG** – led by Mayor Pro Tem Jones.
- 2. COUNCIL / STAFF COMMUNICATIONS** (*Informational reports on matters of general interest by Council & Staff.*)

3. 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.

4. ADOPTION OF THE CONSENT CALENDAR – Items 4A through 4K

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.

CITY COUNCIL ITEMS

A. Ordinance for Second Reading – Amendment of the Solid Waste Ordinance
(*First Reading November 5, 2007. Vote: Unanimous*)

Adopt second reading of Ordinance 2007–08 amending Chapter 8.12 of the El Cerrito Municipal Code, Collection and Disposal of Waste Stream.

B. Special Sales Tax Measure Election

Adopt a resolution conducting second reading and approval of 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 to be effective only if adopted by a two-thirds vote of the El Cerrito electorate.

C. Approval of Minutes

Approve the minutes of the November 5, 2007 City Council Special and Regular Meetings.

D. Issuance of Proclamation – National Pearl Harbor Day

Approve issuance of a proclamation declaring December 7, 2007 as Pearl Harbor Remembrance Day and commemorating December 7 as the sixty-sixth anniversary of the attack on Pearl Harbor.

E. City Hall LEED Commissioning Agent

Adopt a resolution authorizing the City Manager to execute an amendment to a consultant services contract with Taylor Engineering, LLC in the amount of \$7,000 for performing the LEED Commissioning for the new City Hall building.

F. I-80 Integrated Corridor Mobility Project

Adopt a resolution supporting the I-80 Integrated Corridor Mobility (ICM) Project, project concept and funding plan, in substantial form.

G. Grant Funding Request for Street Tree Planting

Adopt a resolution approving the submittal of an Environmental Enhancement and Mitigation Program (EEMP) grant funding application in the amount of \$160,000 for the installation of street trees throughout the City.

H. Consultant Project Management and Construction Inspection Services Contract Amendments

Adopt a resolution authorizing the City Manager to execute contract amendments with Cole Management Engineering in an amount not to exceed \$170,000 and Avila Project Management in an amount not to exceed \$60,000 and to approve change orders not to exceed \$23,000.

I. Claims Filed Against the City

1. Octavio Corinque – Reject Claim No. GL–007815 per claims administrator.
2. El Cerrito Christian Center – Reject Claim No. GL–007819 per claims administrator.
3. Keith Kaste – Reject Claim No. GL–007843 per claims administrator.
4. Charles E. Weaver – Reject Claim No. GL–007817 per claims administrator.

J. Reaffirm Support for California Universal Healthcare –SB 840

Authorize the Mayor to send a letter to California Senator Sheila Kuehl affirming the City Council’s support of California Senate Bill 840, the California Health Insurance Reliability Act.

REDEVELOPMENT AGENCY ITEM

K. Demolition of 11335-11341 San Pablo Avenue

Adopt a resolution that includes the following actions:

1. Accept bids, and authorize the Executive Director to execute a contract in the amount of \$71,800 with Nolte Environmental & Demolition Inc. for the demolition of the Agency-owned building located at 11335-11341 San Pablo Avenue.
2. Authorize the Executive Director to approve change orders or additional contracts for unforeseen conditions on this project in an amount not to exceed \$10,000.

5. PUBLIC HEARING

A. Nuisance abatement of News Racks on San Pablo Avenue at El Cerrito Natural Grocery Company and Church’s Chicken

1. Review the Cost Report issued by the Public Works Department.
2. Conduct a public hearing to determine that the costs contained in the Cost Report are correct and reasonable and hear any objections or protests from the news rack owners liable for assessment of costs associated with abatement.
3. Adopt a resolution:

- a. Finding that the costs contained in the Cost Report are correct and reasonable; and
- b. Identifying the person or persons responsible for creating, committing, causing, or maintaining the nuisance and setting forth the sum for which this person or persons is or are individually or jointly liable.

6. POLICY MATTERS

A. Adoption, with Local Modifications, of the 2007 California Building & Fire Codes and Related Uniform Construction Codes

1. Adopt a Resolution which makes findings justifying changes or modifications due to local climatic, geologic and topographic conditions, in the 2007 California Building Standards Code, which includes the Fire Code.

2. Adopt first reading of an Ordinance which adopts the 2007 California Building, Fire, Plumbing, Mechanical, Electrical, Building Conservation, and related uniform construction codes, and the State Housing Law Regulations as codes applicable to all construction within the City of El Cerrito, with local modifications as highlighted in the Ordinance.

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

B. Boards, Commission and Committee Policy Revisions

1. Adopt first reading of an ordinance amending Section 2.04 of the El Cerrito Municipal Code concerning rules governing boards, commissions, and committees; (ACTION: 1) Approve Ordinances by Title – Voice Vote; 2) Adopt First Reading – Roll Call Vote)

2. Adopt first reading of an ordinance amending El Cerrito Municipal Code Section 2.04.240 – Park and Recreation Commission, Section 2.04.270 – Human Relations Commission, and Section 2.04.290 – Economic Development Board to reflect administrative changes. (ACTION: 1) Approve Ordinances by Title – Voice Vote; 2) Adopt First Reading – Roll Call Vote)

3. Adopt a resolution establishing a Tree Committee.

4. Adopt first reading of an ordinance repealing El Cerrito Municipal Code Section 2.04.060, Tree Commission. (ACTION: 1) Approve Ordinances by Title – Voice Vote; 2) Adopt First Reading – Roll Call Vote)

5. Adopt a resolution excusing the Recycling Services Task Force, thanking them for their service.

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).
- 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).

8. ADJOURNMENT

The next Regular City Council will be held on Monday, December 3, 2007 at 7:30 p.m. at the El Cerrito Community Center, 7007 Moeser Lane, El Cerrito, CA.

Deadline for agenda items for the 12/3/07 regular meeting is Monday, 11/26/07 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

The Agenda, Staff Reports and Minutes are available for review on the city's website 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

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.