



## **AGENDA**

### **SPECIAL CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING**

**Monday, April 20, 2009 – 7:30 p.m.**

**City Council Chambers**

### **SPECIAL CITY COUNCIL CLOSED SESSION**

**Monday, April 20, 2009 – Immediately Following the Concurrent City Council/Redevelopment Agency Meeting**

**Hillside Conference Room**

### **SPECIAL REDEVELOPMENT AGENCY MEETING**

**Monday, April 20, 2009 – Immediately Following the Special City Council Closed Session 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**

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

- 1. PLEDGE OF ALLEGIANCE TO THE FLAG** – led by Councilmember Jones.
- 2. COUNCIL / STAFF COMMUNICATIONS** (*Reports of Closed Session, commission appointments and informational reports on matters of general interest which are announced by the City Council & City Staff.*)

#### **3. ORAL COMMUNICATIONS FROM THE PUBLIC**

*This place on the agenda is reserved for comments and inquiries from the public regarding matters on the agenda and matters which do not otherwise appear on the agenda. All*

*persons wishing to speak should sign up with the City Clerk. Remarks are limited to 3 minutes per person. Please state your name and city of residence for the record. Comments regarding non-agenda, presentation and consent calendar items will be heard first. Comments related to items appearing on the Public Hearing or Policy Matter portions of the Agenda are taken up at the time the City Council deliberates each action item. Individuals wishing to comment on any closed session scheduled after the regular meeting may do so during this public comment period or after formal announcement of the closed session.*

#### **4. PRESENTATIONS**

**A. Environmental Quality Committee Workplan Status** – *Presentation by Ronald Egherman, Chair, Environmental Quality Committee.*

**B. City Hall Designation as a Green Business** – *Presentation by Claudia Pingatore, Contra Costa County Green Business Program.*

**C. Kids for the Bay Program** – *Presentation by Krista Mendelsohn.*

#### **5. ADOPTION OF THE CONSENT CALENDAR – Items 5A through 5G**

*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.*

#### **JOINT CITY COUNCIL/REDEVELOPMENT ITEM**

##### **A. Minutes for Approval**

Approve the April 6, 2009 Special Redevelopment Agency and Special Concurrent City Council/ Redevelopment Agency and April 8, 2009 Special Redevelopment Agency Meeting minutes.

#### **CITY COUNCIL ITEMS**

**B. Ordinance for Second Reading** (*First Reading April 6, 2009 – Ayes – Abelson, Jones, Lyman and Potter; Noes – None; Absent – Cheng*)

Waive further reading and adopt Ordinance 2009–02 amending El Cerrito Municipal Code Section 4.56.020(A) “Tax Imposed” establishing the Measure A (Swim Center) Parcel Tax rate for FY 2009–2010.

##### **C. Bike to Work Day Proclamation**

Approve a proclamation declaring May 14, 2009 as Bike to Work Day in the City of El Cerrito in recognition of this City’s commitment to making the City of El Cerrito a more bike friendly City. The City council encourages everyone to consider bicycling on Bike to Work Day and beyond, to get registered to win prizes at 511.org, to participate in a bicycle safety class, and for those who can’t bicycle, to please remember to slow down and watch for bicyclists.

##### **D. Earth Day Proclamation**

Approve a proclamation proclaiming April 25, 2009 as Earth Day in the City of El Cerrito and encourage all residents and businesses to help make El Cerrito a greener, healthier, more sustainable place for all.

**E. Two Years Additional CalPERS Service Credit**

Adopt a resolution designating another window period (from April 26, 2009 through July 25, 2009) within which miscellaneous and fire public safety employees may receive a two-year service credit if they retire; authorizing the Mayor to certify compliance with Government Code Section 20903; and directing the City Clerk to certify the Council's action and compliance with Government Code Section 7505.

**F. Memorandum of Understanding between Contra Costa County and Participating Contra Costa County Local Government Agencies for the Recovery Act: Distribution of the Edward Bryne Memorial Justice Assistance Grant**

Adopt a resolution authorizing the City Manager or his designee to enter into a Memorandum of Understanding between the County of Contra Costa and participating Contra Costa County local government agencies for the distribution of the Recovery Act Funds: Edward Bryne Memorial Justice Assistance Act (JAG).

**G. Growth Management Program Compliance Checklist**

Adopt a resolution approving the Calendar Years 2006 & 2007 Growth Management Program (GMP) Compliance Checklist for allocation of Fiscal Years 2007–08 and 2008–09 Measure C Local Street Maintenance and Improvement Funds, and authorizing the City Manager to certify it for submittal to the Contra Costa Transportation Authority (CCTA).

**6. PUBLIC HEARINGS****Zoning Ordinance Amendment**

Conduct a public hearing and upon conclusion introduce by title, waive first reading and approve an ordinance amending Chapters 19.06, 19.14, 19.20, 19.26, 19.27, 19.47 and portions of the official zoning map contained in Title 19 ("Zoning Ordinance") of the El Cerrito Municipal Code with second reading scheduled for May 4, 2009.

**7. POLICY MATTERS****A. Updated Financial Policies**

Adopt a resolution approving updated comprehensive financial policies that will serve as a guideline for operational and strategic decision making related to financial matters.

**8. COUNCIL ASSIGNMENTS/LIAISON REPORTS**

A. Mayor Potter Assignments: Arts & Culture Commission; Association of Bay Area Governments (ABAG) General Assembly Alternate, Contra Costa County Mayors' Conference, Disaster Preparedness Council, East Bay Delta Housing & Financial Agency, Human Relations Commission, League of California Cities East Bay Division Alternate, Pension Board, Temporary Permits Committee, Underground Utilities Committee, West County Mayors' & Supervisors' Association, West County Regional Library Board Delegate, and West County Unified School District Citizens' Bond Oversight Committee (CBOC) Alternate.

B. Councilmember Abelson Assignments: Association of Bay Area Governments (ABAG), General Assembly Delegate, Contra Costa County Mayors' Conference Alternate, League of California Cities East Bay Division Delegate, Committee on Aging, Environmental Quality Committee, Park and Recreation Commission, Pension Board

Alternate, West Contra Costa Transportation Advisory Committee Delegate, and West Contra Costa County Mayors and Supervisors Association Alternate.

- C. Councilmember Cheng Assignments: Design Review Board, Economic Development Board, San Pablo Avenue Area Specific Plan Committee and West Contra Costa Transportation Advisory Committee Alternate.
- D. Councilmember Jones Assignments: Disaster Preparedness Council Alternate, Planning Commission, San Pablo Avenue Area Specific Plan Committee, Tom Bates Regional Sports Field JPA; Temporary Permits Committee; Underground Utilities Committee, West County Regional Library Board Alternate, and West County Integrated Waste Management Authority Delegate.
- E. Councilmember Lyman Assignments: Crime Prevention Committee, Financial Advisory Board, Tom Bates Regional Sports Field JPA Alternate, Tree Committee and West County Integrated Waste Management Authority Alternate.

**8. ADJOURN SPECIAL CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING**

**ROLL CALL**

**9. CONVENE SPECIAL CITY COUNCIL CLOSED SESSION MEETING  
ANNOUNCEMENT OF SPECIAL CITY COUNCIL CLOSED SESSION  
CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

*Pursuant to Government Code Section 54956.9:* One potential case

**ORAL COMMUNICATIONS FROM THE PUBLIC**

*(Comments are limited to 3 minutes and to items listed on the Special City Council Meeting Agenda only. The Public may also comment during the regular Concurrent City Council / Redevelopment Agency meeting public comment period (Item No. 3) if they wish.)*

**RECESS INTO SPECIAL CITY COUNCIL CLOSED SESSION**

**POSSIBLE REPORT OUT OF CLOSED SESSION**

**ADJOURN SPECIAL CITY COUNCIL MEETING**

**ROLL CALL**

**10. CONVENE SPECIAL REDEVELOPMENT AGENCY MEETING  
ANNOUNCEMENT OF REDEVELOPMENT AGENCY CLOSED SESSION  
CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

*Pursuant to Government Code Section 54956.8*

- 1) **Property:** 6431 and 6495 Portola Drive  
El Cerrito, CA 94530

**Agency Negotiators:** Scott Hanin, Executive Director  
 Karen Tiedemann, Agency Counsel  
 Lori Treviño, Redevelopment Manager  
 Hilde Myall, Senior Housing Project Manager  
**Negotiating Party:** Resources for Community Development (RCD)  
**Under Negotiation:** Terms

2) **Property:** 11450 San Pablo Avenue  
 El Cerrito, CA 94530  
**Agency Negotiators:** Scott Hanin, Executive Director  
 Mitch Oshinsky, Community Development Director  
 Lori Treviño, Redevelopment Agency Manager  
 Karen Tiedemann, Agency Counsel  
**Negotiating Party:** Target Corporation  
**Under Negotiation:** Terms

3) **Property:** 10070 San Pablo Avenue  
**Agency Negotiators:** Scott Hanin, Executive Director  
 Karen Tiedemann, Agency Counsel  
 Lori Treviño, Redevelopment Manager  
**Negotiating Parties:** Downey Street Productions  
**Under Negotiation:** Terms of Payment

**ORAL COMMUNICATIONS FROM THE PUBLIC**

*(Comments are limited to 3 minutes and to items listed on the Special Redevelopment Agency Meeting Agenda only. The Public may also comment during the regular Concurrent City Council / Redevelopment Agency meeting public comment period (Item No. 3) if they wish.)*

**RECESS INTO SPECIAL REDEVELOPMENT AGENCY CLOSED SESSION**

**11. RECONVENE INTO OPEN SESSION WITH REPORT OUT OF CLOSED SESSION AND POSSIBLE ACTION**

**POLICY MATTERS**

**A. Consideration of Amendment to the Project Description of the Hatlen Center for the Blind & Family Housing Development on Portola Drive**

Consider amending Agency Resolution No. 579 to revise the description of the Development making the participation of the Hatlen Center for the Blind in the project an optional condition of Agency approval of financial assistance for the Ohlone Gardens Mixed-Use Development.

**B. Cerrito Theater**

Consideration and possible authorization of the Agency Executive Director to provide financial assistance to Downey Street Productions in accordance with Agency Board direction.

**12. ADJOURN SPECIAL REDEVELOPMENT AGENCY MEETING**

The next regular meeting of the City Council is scheduled for Monday, May 4, 2009 at 7:30 in the City Council Chambers, 10890 San Pablo Avenue.

- 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. Live and On-Demand Webcast of the Council Meetings can be accessed from the City's website <http://www.el-cerrito.org/gov/>. 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, at the El Cerrito Library and posted on the City's website at [www.el-cerrito.org](http://www.el-cerrito.org) prior to the meeting.
- 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).
- ***The Deadline for agenda items and communications*** for the 05/04/09 regular meeting is Monday, 04/27/09 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. 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.