

SPECIAL CITY COUNCIL MEETING Monday, December 21, 2009 – 6:00 p.m. Hillside Conference Room

SPECIAL CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING Monday, December 21, 2009 – 7:30 p.m. City Council Chambers

SPECIAL REDEVELOPMENT AGENCY MEETING Monday, December 21, 2009 – Immediately following the Special Concurrent City Council/Redevelopment Agency Meeting Hillside Conference Room

Meeting Location

El Cerrito City Hall 10890 San Pablo Avenue, El Cerrito

Janet Abelson - Mayor

Mayor Pro Tem Ann Cheng Councilmember William C. Jones, III Councilmember/Agency Chair Sandi Potter Councilmember/Agency Vice-Chair Greg Lyman

ROLL CALL

6:00 p.m. SPECIAL CITY COUNCIL MEETING

ORAL COMMUNICATIONS FROM THE PUBLIC

(Comments are limited to 3 minutes and to items listed on the Special City Council Meeting Agenda only.)

COMMISSION INTERVIEWS, STATUS AND APPOINTMENTS

Conduct interviews of candidates for city boards and commissions. Interviews may result in an announcement of appointment at the meeting. The Council may also discuss scheduling of future interviews.

ADJOURN SPECIAL CITY COUNCIL MEETING

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.)

2009 McGraw-Hill Best of California Construction: Award of Merit in the Government/Public Category for El Cerrito City Hall

3. ORAL COMMUNICATIONS FROM THE PUBLIC

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

Results of Godbe Research Voter Survey on Possible Future Revenue Measures

Receive a presentation from Godbe Research on the results of their telephone survey of El Cerrito residents to ascertain voter opinions related to the potential funding for future facilities (library and public safety building) and a possible interim sales tax measure resulting from the weakened economy and potential service reductions and discuss and provide comments.

5. ADOPTION OF THE CONSENT CALENDAR – Items 5A through 5H

Consent Calendar items are considered to be routine by the City Council/Redevelopment Agency 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 AGENCY ITEM

A. Minutes for Approval

Approve the December 7, 2009 Special City Council and Concurrent City Council/Redevelopment Agency Meeting Minutes.

CITY COUNCIL ITEMS

B. Award Design Contract for Potrero Safety Improvement Project

Adopt a resolution authorizing the City Manager to execute an agreement with Kimley-Horn in an amount not to exceed \$53,539 to provide engineering and design services for the project and award change orders in an amount not to exceed \$8,000.

C. Award San Pablo Avenue Rain Gardens

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Adopt a resolution approving plans, accepting bids, and authorizing the City Manager to execute a contract in the amount of \$239,362.00 with Golden Bay Construction, Inc. and approve change orders in an amount not to exceed \$24,000 for the construction of the San Pablo Avenue Rain Gardens Project, Contract No. 09-C4016-A.

D. Extension of the Garbage and Green Waste Collection Franchise Agreement with East Bay Sanitary Company, Inc.

Adopt a resolution approving the Third Amendment to the Franchise Agreement between the City of El Cerrito and East Bay Sanitary Company, Inc. extending the Franchise Agreement through December 31, 2017.

E. Agreement with Bob Murray & Associates for Recruitment Services Related to a New Chief of Police

Adopt a resolution authorizing the City Manager to enter into a professional services agreement with Bob Murray & Associates for recruitment of a new Chief of Police in an amount not to exceed \$23,000.

F. Healthy Eating and Active Living Cities Campaign

At the request of Mayor Abelson, adopt a resolution supporting participation in statewide regional and local programs to support and invest in citizens' health and wellness and embrace policies and programs that create comprehensive community wellness.

G. Cancel City Council Meeting

Approve the City Manager's recommendation to cancel the January 4, 2010. The next City Council meeting will be held on Tuesday, January 19, 2010.

H. Crime Prevention Committee Appointment

Approve the Crime Prevention Committee's recommendation to appoint Catherine Krueger to the Crime Prevention Committee, effective December 22, 2009.

6. PUBLIC HEARING

Proposed Integrated Waste Management Fees and East Bay Sanitary Collection Rates

- 1. Conduct a public hearing and upon conclusion adopt a resolution fixing and setting rates for the Integrated Waste Management (IWM) fee, effective January 1, 2010.
- 2. Conduct a public hearing and upon conclusion adopt a resolution setting maximum allowable garbage and green waste collection and container rental rates, per the index-based methodology previously agreed upon by East Bay Sanitary (EBS or Company) and the City Council, effective January 1, 2010.

7. POLICY MATTERS

A. Interim Police Chief Services

Adopt a resolution authorizing the City Manager to enter into an employment agreement with Scott Kirkland for Interim Police Chief services until such time that a new Police Chief can be identified and begin employment.

B. Amendment of El Cerrito Municipal Code Section 2.04.300 – Financial Advisory Board

Approve by title, waive any further reading and introduce an ordinance amending El Cerrito Municipal Code Section 2.04.300 – Financial Advisory Board to clarify language regarding duties and responsibilities.

C. City Council Liaison and Regional Appointments

Discuss City Council appointments to local boards, commission and committees and regional bodies and approve appointments for 2010.

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.
- 9. ADJOURN CITY COUNCIL/REDEVELOPMENT AGENCY MEETING ROLL CALL
- 10. CONVENE SPECIAL REDEVELOPMENT AGENCY MEETING
- 11. ANNOUNCEMENT OF SPECIAL REDEVELOPMENT AGENCY CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: 10070 San Pablo Avenue

Agency Negotiators: El Cerrito Redevelopment Agency

Scott Hanin, Executive Director

Lori Treviño, Redevelopment Agency Manager Karen Tiedemann, Agency Special Counsel

Negotiating Parties: Pleasantown Motion Picture Company

Ky Boyd and Michael O'Rand

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 Closed Session Meeting Agenda only.)

RECESS INTO CLOSED SESSION

POSSIBLE REPORT OUT OF CLOSED SESSION

12. ADJOURN SPECIAL REDEVELOPMENT AGENCY CLOSED SESSION

The next regularly scheduled meeting of the City Council is Monday, January 19, 2010.

- Council Meetings can be heard live on <u>FM Radio</u>, KECG 88.1 and 97.7 FM and viewed live on <u>Cable TV</u> 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 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 1/19/10 meeting is Monday, 1/12/10 by 12 noon, City Clerk's Office, 10890 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. 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.

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