

**EL CERRITO CITY COUNCIL
EL CERRITO REDEVELOPMENT AGENCY**

MINUTES

SPECIAL CITY COUNCIL MEETING

Monday, April 7, 2008 – 6:30

Community Center Conference Room

CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

Monday, April 7, 2008 – 7:30 p.m.

City Council Chambers

SPECIAL CITY COUNCIL CLOSED SESSION

Monday, April 7, 2008 – Immediately Following the Regular Meeting

Community Center Conference Room

Meeting Location

El Cerrito Community Center

7007 Moeser Lane, El Cerrito

ROLL CALL

Councilmembers Abelson, Bridges, Moore, Potter and Mayor Jones.

All members present.

6:30 p.m. SPECIAL CITY COUNCIL MEETING

Mayor Jones convened the Special City Council Meeting at 6:35 p.m.

ORAL COMMUNICATIONS FROM THE PUBLIC – No speakers.

ENVIRONMENTAL QUALITY COMMITTEE INTERVIEWS

The City Council will conduct interviews of applicants for the Environmental Quality Committee. Interviews may result in an announcement of appointment at the meeting.

Action: Interviews conducted. Additional interviews to be scheduled in April.

ADJOURNED SPECIAL CITY COUNCIL MEETING at 6:42 p.m.

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

Mayor Jones convened the Concurrent City Council / Redevelopment Agency meeting at 7:44 p.m.

1. **PLEDGE OF ALLEGIANCE TO THE FLAG** was led by Councilmember Abelson.
2. **COUNCIL / STAFF COMMUNICATIONS**

Report of March 17, 2008 Closed Session. Introduction of Sky Woodruff and Inga Lintvedt of Meyers, Nave, Riback, Silver & Wilson.

Mayor Jones reported that the City Council at its March 17, 2008 Closed Session, directed the City Manager to prepare an agreement for consideration this evening appointing Sky Woodruff and Inga Lintvedt with the law firm of Meyers, Nave, Riback, Silver & Wilson, LLP, as City Attorney and Assistant City Attorney.

3. **ORAL COMMUNICATIONS FROM THE PUBLIC**

Robert Brower, El Sobrante, commented on the West County Unified School District's (WCUSD) plans for re-locating the Portola Middle School at the Castro School site and commended El Cerrito staff on its response to the WCUSD's Notice of Preparation (NOP)/Initial Study: Construction and Renovation of the Castro Elementary School to Replace Portola Middle School Project.

Nicolo Bolla, El Cerrito, expressed concerns regarding crime.

Rosemary Loubal, El Cerrito, expressed concerns regarding administration of the Oath of Office to commissioners.

Peter Loubal, El Cerrito, suggested inclusion of communications in the agenda packet and welcomed the new City Attorney.

4. **PRESENTATIONS** – None
5. **ADOPTION OF THE CONSENT CALENDAR – Items 5A through 5K**

Moved, seconded, (Bridges/Potter) and carried unanimously to adopt Consent Calendar Items 5A,B,C,D,E and G through 5K.

A. Ordinance Establishing Swim Center Measure A Tax Rate for FY 2008–2009
(*First Reading March 17, 2008. Vote: Unanimous*)

Approve by title, waive any further reading and adopt second reading of Ordinance No. 2008–04 establishing the Swim Center Measure A Parcel Tax Rate for FY 2008–2009.

Action: Adopted Ordinance 2008–04. *Effective May 7, 2008.*

B. Minutes for Approval

Approve the March 17, 2008 Regular City Council and Special City Closed Session minutes.

Action: Approved minutes.

C. Claims Filed Against the City

1. Anthony Mitchell, Jr., Claim No. GL–007630 – Reject claim per Claims Administrator.

2. Pacific Bell/AT&T, Claim No. GL-008085 – Reject claim per Claims Administrator.

3. Simone Howard, Claim No. GL-008134 – Reject claim per Claims Administrator.

Action: Rejected Claim Nos. GL-007630, 008085 and 008134 per Claims Administrator.

D. Agreement for Legal Services and City Attorney Appointment

Adopt a resolution authorizing the City Manager to execute an agreement for legal services with the law firm of Meyers, Nave, and appointing Sky Woodruff as City Attorney and Inga Lintvedt as Assistant City Attorney.

Action: Adopted Resolution No. 2008-20.

E. Landscape and Lighting Assessment District No. 1988-1

Adopt a resolution designating Leptien, Cronin, Cooper, Morris & Poore, Inc. as the Engineer of Work for the Landscaping and Lighting Assessment District No. 1988-1, and accepting their Proposal for Engineering Services for preparation and filing of the annual report of district activities.

Action: Adopted Resolution No. 2008-21.

F. Contract with Hinderliter, de Llamas & Associates for Sales, Use and Transaction Tax Audit and Information Services

Adopt a resolution authorizing the City Manager to execute a contract with Hinderliter, de Llamas & Associates for Sales, Use and Transaction Tax Audit and Information Services and designating them to examine the City's confidential sales, use and transactions tax records of the State Board of Equalization.

Action: Removed from the Consent Calendar by Councilmember Moore. Moved, seconded, carried (Moore/Abelson) and carried unanimously to adopt Resolution No. 2008-22 with direction from Councilmember Moore that staff ensure that provisions outlined in the resolution are also contained in the agreement.

G. Support Extended Producer Responsibility and Join California Product Stewardship Council

Adopt a resolution supporting Extended Producer Responsibility (EPR) and join the California Product Stewardship Council, a statewide organization of local governments that aims to shift financial responsibility for product waste from local governments and ratepayers to product manufacturers. The goal of EPR is to drive environmentally-sustainable product design and limit waste management costs.

Action: Adopted Resolution No. 2008-23.

H. Pacific Municipal Consultants Contract Amendment

Adopt a resolution authorizing the City Manager to execute a contract amendment with Pacific Municipal Consultants in an amount not to exceed \$36,000 for a temporary planner position.

Action: Adopted Resolution No. 2008-24.

I. Annual Parcel Assessment for the National Pollutant Discharge Elimination System Program

Adopt a resolution establishing the annual parcel National Pollutant Discharge Elimination System Program (NPDES) assessment Equivalent Runoff Unit rate at the current rate of \$38.00.

Action: Adopted Resolution No. 2008-25.

J. Proposition 1B Expenditure Plan for Fiscal Year 2007-08

Adopt a resolution approving the City's Proposition 1B expenditure plan for fiscal year 2007-08 and authorizing the City Manager to amend the Fiscal Year 2007-08 Capital Improvement Program to include the Proposition 1B funds.

Action: Adopted Resolution No. 2008-26.

K. May 2008 as Contra Costa County Library Reading Festival Month

Approve issuance of a proclamation declaring May 2008 as Contra Costa County Library Reading Festival Month in the City of El Cerrito and encouraging all residents to use their library for the purpose of improving their lives.

Action: Approved proclamation.

6. PUBLIC HEARINGS – None

7. POLICY MATTERS

CITY COUNCIL ITEM

A. Contract for Traffic Analysis of the Internal Circulation of El Cerrito Plaza

Adopt a resolution authorizing the City Manager to execute a contract with TJKM Transportation Consultants in the amount of \$43,010 to conduct an internal circulation traffic study at the El Cerrito Plaza shopping center.

Presenter: Jennifer Carman, Planning Manager.

Speaker: Peter Loubal, El Cerrito expressed concerns with the use permit and the traffic circulation study.

Action: Moved, seconded (Bridges/Abelson) and carried unanimously to adopt Resolution No. 2008-27. Councilmember Abelson requested that the scope of services be modified to include sidewalks and crosswalks.

JOINT CITY COUNCIL / REDEVELOPMENT AGENCY ITEM

B. City Hall Update and Consideration of a Resolution Updating Redevelopment Contribution towards the Civic Center Project Related to Undergrounding of Utility Lines

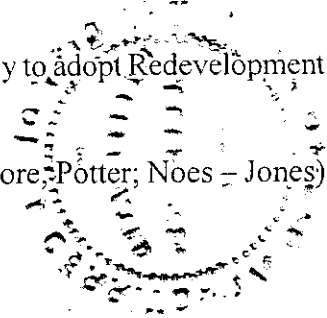
Adopt a Redevelopment Agency Resolution and a Resolution of the City Council making findings and approvals in connection with Redevelopment Agency funding of public

improvements in the redevelopment project area of the City of El Cerrito in order to appropriate funds related to the undergrounding of utility lines on the project site.

Presenter: Jerry Bradshaw, Public Works Director.

Action: Moved, seconded (Potter/Abelson) and carried unanimously to adopt Redevelopment Agency Resolution No. 573.

Moved, seconded (Abelson/Bridges: Ayes – Abelson, Bridges, Moore, Potter; Noes – Jones) and carried to adopt City Council Resolution No. 2008–28.



8. COUNCIL ASSIGNMENTS/LIAISON REPORTS

- A. Mayor Jones reported that synthetic turf has been laid down at Gilman Sports Field. The opening date is estimated to be September 1, 2008.
- B. Mayor Pro Tem Potter acknowledged the Council's appreciation of the efforts of Arts Commissioner Mark Canepa who resigned recently. Mayor Pro Tem Potter also reported that the Arts and Culture Commission is working very hard on the Arts Master Plan and announced the Commission's next meeting on April 23.
- C. Councilmember Abelson reported that the Executive Director of WCCTAC has resigned to take a position as Assistant City Manager with the City of Hercules. A recruitment for a new executive director will be initiated soon. Councilmember Abelson also reported on her attendance at the League of California Cities Policy Committee Meeting and commented particularly on major budget impacts including cuts to the Parks budget which would result in the closure of several parks. Councilmember Abelson also reported on her attendance at the ABAG *Focus on Community Engagement* meeting including exercises and role playing related to the public input process. Councilmember Abelson also attended an informative CEQA and Climate Change Workshop.
- D. Councilmember Bridges announced that the Human Relations Commission will convene a diversity event on May 18 at the Cerrito Theater including a showing of the film *Silk Cocoon*. The event is free and open to the public.
- E. Councilmember Moore announced that the West County Waste Authority Executive Director, Steve Devine, will depart from the Authority on April 11, 2008.

9. ADJOURNED CONCURRENT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING at 9:02 p.m.

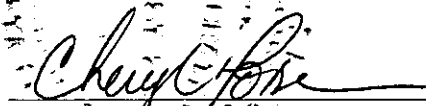
10. ANNOUNCEMENT OF CITY COUNCIL CLOSED SESSION
 CONFERENCE WITH LEGAL COUNSEL – Existing Litigation
 (Subdivision (a) of Section 54956.9)
City of El Cerrito v. Albany Unified School District
 Contra Costa Superior Court, Case No. N07-1266
 ORAL COMMUNICATIONS – No speakers.

CITY COUNCIL RECESSED INTO CLOSED SESSION at 9:08 p.m.

POSSIBLE REPORT OUT OF CLOSED SESSION – No report.

ADJOURNED SPECIAL CITY COUNCIL CLOSED SESSION at 9:43 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the concurrent City Council and Redevelopment Agency meeting of April 7, 2008 as approved by the El Cerrito City Council.



Cheryl Morse, City Clerk and Secretary to the Redevelopment Agency



William C. Jones, III, Mayor



Letitia D. Moore, Agency Chair